

Dublin City Council

Freedom of Information Unit

Section 16 Reference Book

Fourth Edition, 2010

Rules, Procedures, Practices, Guidelines,
Interpretations and Precedents used by
Dublin City Council for the purposes of
Decisions, Determinations
Or Recommendations

SECTION 16 REFERENCE BOOK

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INTRODUCTION

This book is published in accordance with the requirements of Section 16 of The Freedom of Information Act, 1997. Its purpose is to facilitate the public in understanding how Dublin City Council makes decisions under various laws and procedures. The information in this book was correct at the time of publication, but is subject to change.

Copies of the Acts and Regulations listed in this book are available for purchase from the Government Publications Office, or they can be accessed on the Irish Government website www.irlgov.ie Copies of byelaws, circular letters etc are available directly from the relevant department of the City Council.

This reference book should be read in conjunction with the *Section 15 Reference Book*, which is a guide to the functions, structure and records of Dublin City Council. Copies are available from the FOI Unit, 3 Palace Street, Dublin 2 or it can be downloaded from our website www.dublincity.ie.

If you wish to make a request under The Freedom of Information Acts you must do so in writing. You may either write a letter stating what records you are seeking, or fill in the form, which is available from the Freedom of Information Unit or on our website. The appropriate fee must accompany all applications for non-personal records. Request for personal records are normally processed free of charge.

All applications for records should be sent to The Freedom of Information Unit, Dublin City Council, 3 Palace Street, Dublin 2. Telephone 01 222 3967. E-mail foi@dublincity.ie

STRUCTURE OF DUBLIN CITY COUNCIL

Dublin is one of Europe's oldest capital cities, with a history reaching back more than 1,000 years. It is the biggest local authority in the country and has responsibility for delivering a wide and complex range of services to a diverse customer base.

The City Council land area is approximately 11,758 hectares (29,054.6 acres). The present population of the city is approximately 500,000.

The City Council is responsible for the provision of a wide range of services to the public delivered by a staff of approximately 6,500. These services are provided either directly to the public or through arrangements made for their provision with other public or private sector organisations.

Dublin City Council has both a representational and an operational role because the Irish system of Local Government encompasses both democratic representation and public administration.

City Council

The **representational role** is performed directly by the elected members of the City Council. Dublin City Council has 52 elected members from 13 electoral areas. Members of the City Council are elected according to the system of proportional representation, usually for a period of five years. The Minister for the Environment and Local Government may, by order, extend the period between elections.

When local elections are announced by the Minister for the Environment and Local Government public notice is given indicating where nomination forms can be obtained and the latest date for lodging nominations with the Returning Officer - the City Manager.

A candidate may nominate himself/herself and may have the nomination signed by a Local Government Elector for the area in which he/she wishes to stand for election. A deposit is payable with each nomination but this is returnable unless the candidate fails to secure a minimum number of votes. The quota for election is arrived at by dividing the valid poll of votes for the area by the number of seats to be filled plus one and adding one to the answer. If a vacancy arises in the membership of the Council between elections it is filled by co-option and is subject to the approval of the Council.

The Lord Mayor is elected from the membership of the City Council, at the statutory meeting of the City Council which is held in July of each year.

The functions performed by the elected representatives are called "reserved functions" and these lay down the framework of policy under which the City Manager operates.

Such functions include: -

- Adoption of annual Estimate of Expenses.
- Making or varying of the Development Plan.
- Adoption of scheme of letting priorities for Local Authority Housing.
- Making, amending and revoking byelaws.
- Approval to the borrowing of money.

The City Council makes its decision by "**Resolution**" at its meetings.

CITY MANAGER

The ***City Manager and his staff perform the operational role of Dublin City Council.*** They are responsible for the day-to-day administration of the City Council. The functions carried out by the City Manager are called “**executive functions**”. These functions include: -

- The letting of houses.
- The granting or refusal of planning permissions.
- The management of staff.

The manager makes his decisions by written “**Managers Order**”.

The City Manager in making his decisions, must act in a way that is consistent with the policy, which has been established by the elected members, and have regard to their wishes.

Details Of The Council Of Dublin City Council

The City Council of Dublin City Council consists of the Lord Mayor together with the Councillors. Dublin City Council has a total of 52 Councillors elected from 13 electoral areas namely: Artane, Ballyfermot, Ballymun/Whitehall, Cabra/Glasnevin, Clontarf, Crumlin/Kimmage, Donaghmede, Finglas, North Inner City, Pembroke, Rathmines, South East Inner City, South West Inner City.

A current list of Elected Members, and contact details, can be obtained on our website www.dublincity.ie

The Council carries out its functions and duties by resolution at meetings of the Authority. It is statutorily obliged to hold 4 quarterly meetings every year and the Lord Mayor is elected at the July meeting. In addition, it is required to hold an Estimates Meeting. The members of the City Council discharge their duties by means of Committees. There are five standing Committees of the City Councils. These are: -

1. An Coisde Airgeadais (Finance).
2. An Coisde Cultúrdha (Cultural).
3. An Coisde Cuspóirí Coiteann (General Purposes).
4. An Coisde Pleanála agus Forbairte (Planning and Development).
5. An Coisde Teaghlachais (Housing).

There are also a number of Sub-Committees and Special & Statutory Committees.

Strategic Policy Committees

There are six Strategic Policy Committees (SPCs): -

- * Economic Development, Planning & European Affairs;
- * Engineering & Environment;
- * Transportation & Traffic;
- * Housing, Social & Community Affairs;
- * Financial Development & General;
- * Arts, Culture, Leisure & Youth Affairs.

Each SPC has its own chairperson.

The purpose of each SPC is to prepare and debate policy alternatives for specific operational areas prior to their presentation at Corporate Policy Group meetings.

There are a wide range of sectoral, community and other interested groups operating throughout the administrative area of Dublin City Council. The involvement of such groups in the SPC structure is a major resource to local government. It fosters a high degree of community relevance and local participation and provides different streams of expertise and advice.

Each SPC must have one-third of the membership drawn from external bodies and government Guidelines state the following as suitable sectors of representation: -

- Environment/Conservation/Culture
- Development/Construction
- Business/Commercial
- Trade Union
- Community/Voluntary/Disadvantaged

The City Council may however, consider other sectors for representation.

Arrangements for Freedom of Information (Section 16)

The following chapters show department by department the rules, procedures, guidelines etc. which each department uses for the purposes of decisions, determinations or recommendations, under or for the purposes of any enactment or scheme administered by the City Council with respect to rights, privileges, benefits, obligations, penalties or other sanctions to which members of the public are or may be entitled.

City Manager's Department

Rules, guidelines and procedures used by the City Manager's Department

The Department provides the administrative service for meetings of (1) the City Council (2) Corporate Policy Group and (3) Protocol & Selection Committee.

Area Committees and Strategic Policy Committees each have their own Secretariats that service their meetings.

MEETINGS OF COUNCIL & COMMITTEES OF THE COUNCIL

Description

The City Council is statutorily obliged to hold an Annual Meeting and a Budget Meeting and such other meetings as are necessary to conduct its business. The Lord Mayor and Deputy Lord Mayor are elected at the Annual Meeting.

The Budget Meeting is held in late November/early December within the period prescribed by the Minister for the Environment, Heritage and Local Government.

Monthly Council meetings are held on the 1st Monday or on the second Monday of the month if the first Monday happens to be a Bank Holiday.

Area Committees meetings are also held each month and the Strategic Policy Committees meet approximately, every second month.

Legislation

Local Government Act 2001

Regulations/Orders

Standing Orders of Dublin City Council

PAYMENTS TO MEMBERS OF COUNCIL FOR ATTENDANCE AT MEETINGS

Description

Representational Payment: This salary type payment for Councillors was introduced by the Minister for the Environment, Heritage and Local Government with effect from the 1st January 2002. The Representational Payment is subject to P.A.Y.E. in the normal way and P.R.S.I. at the appropriate class. It is linked to a Senator's salary ($\frac{1}{4}$ thereof) and the current rate (at September 2008) is €17,604 per annum.

Description: *Expenses of Members – Annual Allowance:* Members of the Council are entitled to payment of expenses and subsistence in respect of their attendance at meetings of the Council. The current maximum allowance payable per annum (2008) is €8,406 (an 80% attendance record is required to achieve maximum payment).

Legislation

Local Government Act 2001 Section 142

Guidelines & Circulars

Department of the Environment Handbook-New System of allowances for Local Authority Members

Department of the Environment Circular L.G. 33/06
SI No 668 of 2006

LOCAL AUTHORITY MEMBERS (GRATUITY) REGULATIONS 2002

Description

Superannuation Gratuity for Councillors: These Regulations provide for the payment of a gratuity to Councillors based on their service as members from 4th May 2000 (service prior to that date is not reckonable). The maximum gratuity is three times the Representational Payment rate on final date of service and is payable after 20 years service. The minimum qualifying service required for the gratuity is 3 years. The gratuity is automatically paid on retirement (subject to the above conditions) at or after age 50.

Legislation

Local Government Act, 2001 Section 142

ETHICS CODE

Description: Members of a Local Authority are required to furnish an annual declaration of 'declarable interests'. The necessary forms are issued to all Councillors in early January for completion and return by the end of February.

"Declarable Interests" include, any profession, business or occupation of dealing in or developing land. Any other paid employment or occupation; any interest in land within the state; shares or investments over €12,697.38 in any company or enterprise. A directorship or shadow directorship of any company. A register of Annual Declarations is maintained and is available for inspection by the public/media.

Legislation

Local Government Act, 2001 Sections 167 (1)(a), 171 and 175)

DISCLOSURE OF DONATION STATEMENTS.

Description: Members of a Local Authority are required to complete and return a Donation Statement by the end of January each year in respect of donations received during the previous calendar year.

A register of Donation Statements is maintained and is available for inspection by the public.

Legislation

Local Elections (Disclosure of Donations and Expenditure) Act 1999 as amended by the Electoral (Amendment) Act 2001

FRANCHISE SECTION

Description

The City Council is obliged by law to prepare and publish the Register of Electors for its administrative area each year. Registration authorities are required to make a house-to-house or other sufficient enquiry for the purpose of preparing the register. Registration forms are made available at City Council offices, public libraries, post offices, Garda stations and health centres. It is the responsibility of each person who satisfies the registration requirements to ensure that his/her name is on the register. The accuracy of the register depends to a large extent on the co-operation of the public in providing the necessary information.

Legislation

Electoral Act 1992
Electoral Amendment Act 1996
Electoral Act 1997
Electoral Amendment Act 2001

Guidelines & Circulars

Memorandum for the Guidance of Registration Authorities in preparation of the Register of Elections

LOCAL ELECTIONS

Description

Elections to the City Council, or Local Elections are held every five years. The Local Government Act, 2001 provides for the direct election of the Lord Mayor. The last Local Elections were held on the 11th. June 2004 and next election is due on 5th June 2009.

Legislation

Parts III and IV of the Local Government Act 1941
The Electoral Act 1963
Local Elections Act 1972
Electoral (Amendments) Act 1973
Local Elections Act 1973
Local Elections (Petitions & Disqualifications) Act 1974
Local Government (Re-Organisation) Act 1985
Electoral Act 1992
Electoral Act 1997
Local Government Act, 1998
Local Government Act 2001
Electoral (Amendment) Act, 2001
Electoral Amendment Act 2009

Regulations

Local Election Regulations 1995, 1999, 2004, 2009.

Guidelines & Circulars

Memorandum for the Guidance of Returning Officers at Local Elections (in a particular year)
Polling Scheme (Local)

Corporate Services Department

The department is responsible for working with and co-ordinating departmental and area management heads on issues affecting corporate strategy.

Rules, guidelines and procedures used by the Corporate Services Department

DATA PROTECTION

Legislation

Data Protection Act, 1988
Data Protection (Amendment) Act 2003

Guidelines & Circulars

A Guide for Data Controllers
Data Protection Rules

Further Information:

www.dataprotection.ie

FREEDOM OF INFORMATION

Legislation

Freedom of Information Act, 1997
Freedom of Information (Amendment) Act 2003

Regulations

Freedom of Information Act 1997 (Prescribed Bodies) Regulations 2006, S.I. No. 297 of 2006
Freedom of Information Act 1997 (Prescribed Bodies) Regulations 2003, S.I. No. 643 of 2003
Freedom of Information Act 1997 (Prescribed Bodies) (No.2) Regulations, 2002 S.I. No. 530 of 2002
Freedom of Information Act 1997 (Prescribed Bodies) Regulations 2002 S.I. No. 359 of 2002
Freedom of Information Act, 1997 (Prescribed Bodies) (No. 4) Regulations, 2001, SI No. 475 of 2001
Freedom of Information Act 1997 (Prescribed Bodies) (No. 3) Regulations, 2001, SI No. 128 of 2001
Freedom of Information Act 1997 (Prescribed Bodies) (No. 2) Regulations, 2001, SI No. 127 of 2001
Freedom of Information Act 1997 (Prescribed Bodies) Regulations, 2001, SI No. 126 of 2001
Freedom of Information Act, 1997 (Prescribed Bodies) (No. 3) Regulations, 2000
Freedom of Information Act, 1997 (Prescribed Bodies)(No.2) Regulations, 2000
Freedom of Information Act, 1997 (Prescribed Bodies) Regulations, 2000
Freedom of Information Act, 1997 (prescribed bodies) Regulations, 1999
S.I. No. 471/2004 — Rules of the Superior Courts (Order 130 (Amendment) Rules), 2004
Freedom of Information Act 1997 (Section 18(5A)) Regulations 2003 S.I. No. 266 of 2003
Freedom of Information Act 1997 (Section 17(6)) Regulations 2003 S.I. No. 265 of 2003
Freedom of Information Act 1997 (Fees) Regulations 2003 S.I. No. 264 of 2003
Freedom of Information Act 1997 (Miscellaneous Revocations) Regulations 2003 S.I. No. 206 of 2003
Freedom of Information Act, 1997 (Classes of Health Professionals) Regulations, 2001, SI No. 368 of 2001
Rules of the Superior Courts (No. 3) (Freedom of Information Act, 1997), 1998
Freedom of Information Act, 1997 (Section 28(6)) Regulations, 1999

Freedom of Information Act, 1997 (Section 6(4)(b)) Regulations, 1999
Freedom of Information Act, 1997 (First Schedule) (Amendment) Regulations, 1999
Freedom of Information Act, 1997 (Third schedule)(Amendment) Regulations, 1998
Freedom of Information Act, 1997 (First schedule) (Amendment) Regulations, 1998
FOI Act 1997: Fee Regulations 1998 (section 47(3))
Freedom of Information Act, 1997 (Section 28(1)) (Amendment) Regulations, 1998 -
(Revoked by SI No. 206 of 2003)
Freedom of Information Act, 1997 (Section 25(6)) Regulations, 1998
Freedom of Information Act, 1997 (Section 18) Regulations, 1998
Freedom of Information Act, 1997 (Section 17) Regulations, 1998
Freedom of Information Act, 1997 (Section 6(9)) Regulations), 1998 - Revoked by S.I.
No. 206 of 2003
Freedom of Information Act, 1997 (Sections 6(4), 6(5), AND 6(6)) Regulations, 1998 -
Revoked by S.I. 206 of 2003
Freedom of Information Act, 1997 (Local Authority and Health Board) (Commencement)
Order, 1998
Freedom of Information Act, 1997 (Section 47(3)) (Amendment) Regulations, 1998
Freedom of Information Act 1997 (Section 17(6)) Regulations 2009 S.I. 385 of 2009
Freedom of Information Act 1997 (Section 18(5A)) Regulations 2009 S.I. 386 of 2009
Freedom of Information Act 1997 (Section 28(6)) Regulations 2009 S.I. 387 or 2009

Access to Information on the Environment Regulations 2007

Precedents

Decisions of The Information Commissioner 1998 to date

Guidelines & Circulars

Department of Finance CPU (Central Policy Unit) Guidelines

Further Information:

www.foi.gov.ie

www.oic.gov.ie

IRISH LANGUAGE

Legislation

Official Languages Act, 2003

TRAVEL UNIT

Guidelines & Circulars

Dept of the Environment & Local Government Circular Letters

Dublin City Council Travel Policy

Environment and Engineering Department

Rules, Guidelines and Procedures Used by the Environment and Engineering Department

The Environment and Engineering Department provides a wide range of services for the City. The Department is responsible for the provision of water services, air quality monitoring & noise control, waste management including litter control, civil defence and the operation of the fire service. Water Services and Fire Services and certain waste projects and services are provided on a regional basis.

The rules, guidelines etc. detailed below are the more important legislative, regulatory and directive controls subject to which the Department works.

Water Services

This service deals with the abstraction, treatment and distribution of water to commercial, industrial and domestic properties in the Dublin Region including parts of Kildare and Wicklow. (This includes chemical sampling and analysis of the water by the Central Laboratory to ensure that it is delivered at optimum standards.)

The service also deals with wastewater including the treatment of wastewater: the treatment arrangements cater for the greater part of Dun Laoghaire Rathdown County Council, South Dublin County Council and parts of Fingal and Meath County Councils.

The service also deals with strategic planning of water and wastewater services, regional co-ordination, management of a large capital investment programme which includes both the DEHLG Water Services Investment Programme, OPW funded Dublin Flood Initiative and EU funded programmes addressing climate change adaptation and flood risk with particular reference to Flood Resilient Cities.

Legislation

ACQUISITION OF WATER RIGHTS

Dublin Corporation Waterworks Act, 1861 (which incorporates the Waterworks Clauses Act, 1847)

Liffey Reservoir Act, 1936

Water Supplies Act, 1942

WAYLEAVES

Public Health (Ireland) Act, 1878

Planning and Development Act, 2000

OPERATION AND MAINTENANCE OF WATER AND DRAINAGE SCHEMES

Dublin Corporation Waterworks Act, 1870

Waterworks Clauses Act, 1847

Waterworks Clauses Act, 1863

The Local Government (Sanitary Services) Acts 1878-1995

Dublin Corporation Waterworks Act, 1897

Statutory Undertakings (Temporary Increase of Charges) Act, 1918

Local Government (Dublin Corporation) Act, 1930

Water Supplies Act, 1942

Local Authorities Works Act, 1949

Local Government (Dublin) Act, 1993

Local Government Act, 1994

Local Government Act, 2001

Water Services Act, 2007

WATER QUALITY AND POLLUTION CONTROL

Water Services Act, 2007

Water Services Act (Waste Water Complaint Notice Form) Regulations 2009

Water Conservation Regulations 2008

European Communities (Water Policy) (Amendment) Regulations 2008

Bathing Water Quality Regulations 2008

[Waste Water Discharge \(Authorisation\) Regulations 2007](#)

European Communities Drinking Water Regulations (No 2) 2007

European Communities (Drinking Water) Regulations 2007

European Communities (Water Policy) (Amendment) Regulations 2005

European Communities (Waste Water Treatment)(Prevention of Odours and Noise) Regulations 2005

European Communities (Water Policy) Regulations 2003

Local Government (Water Pollution) Acts, 1977 and 1990

Local Government (Water Pollution) Regulations, 1978

Local Government (Water Pollution) Regulations, 1992

Local Government (Water Pollution) Amendment Regulations, 1996

Protection of Groundwater Regulations, 1999

Local Government (Water Pollution) Amendment Regulations, 1999

Local Government (Water Pollution) Act, 1977, Water Quality Standards for Phosphorous Regulations, 1998

Water Quality (Dangerous Substances) Regulations, 2001

Public Health (Amendment) Act, 1890

Health (Fluoridation of Water Supplies) Act, 1960

Health (Fluoridation of Water Supplies) Regulations, 1971

European Communities (Drinking Water) Regulations, 2000

Urban Wastewater Treatment Regulations, 2001

Urban Wastewater Treatment (Amendment) Regulations, 2004

Quality of Bathing Waters Regulations, 1992

Quality of Bathing Waters (Amendment) Regulations, 1994

Quality of Bathing Waters (Amendment) Regulations, 1996

Quality of Bathing Waters (Amendment) Regulations, 1998

Quality of Bathing Waters (Amendments) Regulations, 2001

EU Water Framework Directive

WATER SAFETY

Local Government (Sanitary Services) Act, 1964

Guidelines and Circulars

There are many circulars from the Department of the Environment, Heritage and Local Government dealing with water services which detail guidelines, procedures to be followed etc: the circulars relate mainly to

Bathing Waters

Capital Expenditure

Cohesion Funding

Design, Build, Operate (DBO)

Finance including water pricing

Investment

Needs and Resources

Polluter Pays Principle

Procurement

Drinking Water

Wastewater

Further detailed information is available on the website www.wsntg.ie

WASTE MANAGEMENT

Description

This service addresses the entire waste management function - waste collection, permitting, enforcement, disposal, recycling, street cleaning and litter control

WASTE MANAGEMENT PLAN

Legislation

Section 22 of Waste Management Act, 1996 (Number 10 of 1996)

Waste Management (Amendment) Act, 2001 (Number 36 of 2001)
Protection of the Environment Act, 2003 (Number 27 of 2003)

Regulations

Waste Management (Planning) Regulations 1997 (S.I. 137 of 1997)

Guidelines & Circulars

Waste Management Plan for the Dublin Region 2005 - 2010

WASTE COLLECTION BY DUBLIN CITY COUNCIL

Legislation

Section 33 of Waste Management Act, 1996 (Number 10 of 1996)
Waste Management (Amendment) Act, 2001 (Number 36 of 2001)
Protection of the Environment Act, 2003 (Number 27 of 2003)

STREET CLEANING

Legislation

Litter Pollution Act, 1997

Regulations

Litter Pollution Regulations 1997 (S.I. 214 of 1997)
Litter Pollution Regulations 1999 (S.I. 359 of 1999)

Guidelines, Plans & Circulars

Litter Management Plan 2008-2011

Various Guidelines and circulars from the Department of the Environment pertaining to all of the above

DISPOSAL OF WASTE

Legislation

Waste Management Act, 1996 (Number 10 of 1996)
Waste Management (Amendment) Act, 2001 (Number 36 of 2001)
Protection of the Environment Act, 2003 (Number 27 of 2003)

Regulations

Waste Management (Licensing) (Amendment) Regulations 2000 (S.I. 185 of 2000)
Waste Management (Licensing) (Amendment) Regulations, 2001 (S.I. 397 of 2001)
Waste Management (Licensing) (Amendment) Regulations, 2002 (S.I. 336 of 2002)
Waste Management (Licensing) (Amendment) Regulations, 2004 (S.I. 395 of 2004)
Waste Management (Register) Regulations (S.I. 183 of 1997)
Waste Management (Farm Plastics) Regulations (S.I. 315 of 1997)
Waste Management (Amendment of Waste Management Act 1996) Regulations, 1998 (S.I. 146 of 1998)
Waste Management (Movement of Hazardous Waste) Regulations, 1998 (S.I. 147 of 1998)
Waste Management (Use of Sewage Sludge in Agriculture) (Amendment) Regulations 2002 (S.I. of 2002)
Waste Management (Transfrontier Shipment of Waste) Regulations, 1998 (S.I. 149 of 1998)
Waste Management (Hazardous Waste) Regulations, 1998 (S.I. 163 of 1998)
Waste Management (Hazardous Waste) Amendment Regulations, 1998 (S.I. 163 of 1998)
Waste Management (Miscellaneous Provisions) Regulations 1998 (S.I. 164 of 1998)
European Communities (Amendment of Waste Management) Act, 1996 Regulations, 1998 (S.I. 166 of 1998)
Waste Management (Permit) Regulations 1998 (S.I. 165 of 1998)

European Communities (Licensing of Incinerators of Hazardous Waste) Regulations, 1998

Waste Management (Collection Permit) Regulations 2001(S.I. 402 of 2001)

Waste Management (Collection Permit) (Amendment) Regulations 2001(S.I. 540 of 2001)

Waste Management (Packaging) Regulations (S.I. 61of 2003)

Waste Management (Packaging) (Amendment) Regulations (S.I. 871of 2004)

Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 (S.I. 340 of 2005)

Waste Management (Electrical and Electronic Equipment) Regulations 2005 (S.I. 209 of 2005)

Waste Management (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) Regulations 2005 (S.I. 341 of 2005)

Guidelines & Circulars

Draft Waste Management (Collection Permit) Regulations, 2005 (Circular WIR/08/05)

Draft Waste Management (Facility Permit and Registration) Regulations, 2005 (Circular WIR/08/05)

RECYCLING

Legislation

Waste Management Act, 1996 (Number 10 of 1996)

Waste Management (Amendment) Act, 2001 (S.I. 36 of 2001)

Protection of the Environment Act, 2003 (Number 27 of 2003)

Regulations

Waste Management (Licensing) (Amendment) Regulations 2000 (S.I. 185 of 2000)

Waste Management (Licensing) (Amendment) Regulations, 2001(S.I. 397 of 2001)

Waste Management (Licensing) (Amendment) Regulations, 2002 (S.I. 336 of 2002)

Waste Management (Licensing) (Amendment) Regulations, 2004 (S.I. 395 of 2004)

Waste Management (Register) Regulations (S.I. 183 of 1997)

Waste Management (Farm Plastics) Regulations (S.I. 315 of 1997)

Waste Management (Transfrontier Shipment of Waste) Regulations, 1998 (S.I. 149 of 1998)

Waste Management (Permit) Regulations 1998 (S.I. 165 of 1998)

Waste Management (Collection Permit) Regulations 2001(S.I. 402 of 2001)

Waste Management (Collection Permit) (Amendment) Regulations 2001(S.I. 540 of 2001)

Waste Management (Environmental Levy) (Plastic Bag) Regulations 2001 (S.I. 605 of 2001)

Waste Management (Packaging) Regulations 2003 (S.I. 61of 2003)

Waste Management (Packaging) (Amendment) Regulations 2004 (S.I. 871of 2004)

Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 (S.I. 340 of 2005)

Waste Management (Electrical and Electronic Equipment) Regulations 2005 (S.I. 209 of 2005)

Waste Management (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) Regulations 2005 (S.I. 341 of 2005)

Guidelines & Circulars

Changing Our Ways Policy Document

National Waste Prevention Programme

Race Against Waste Campaign

WASTE COLLECTION BY PRIVATE CONTRACTORS

Legislation

Waste Management Act, 1996 (Number 10 of 1996)

Waste Management (Amendment) Act, 2001 (Number 36 of 2001)

Protection of the Environment Act, 2003 (Number 27 of 2003)

Regulations

Waste Management (Collection Permit) Regulations 2001(S.I. 402 of 2001)

Waste Management (Collection Permit) (Amendment) Regulations 2001(S.I. 540 of 2001)

Waste Management (Registration of Brokers & Dealers) Regulations 2008

Waste Management (Transfrontier Shipment of Waste) Regulations, 2007

Waste Management (Movement of Hazardous Waste) Regulations, 1998 (S.I. 147 of 1998)

EXPORT OF WASTE

Legislation

Section 36 of Waste Management Act, 1996 (Number 10 of 1996)

Regulations

Waste Management (Transfrontier Shipment of Waste) Regulations, 2007

Waste Management (Registration of Brokers & Dealers) Regulations 2008

Waste Management (Collection Permit) Regulations 2001(S.I. 402 of 2001)

MOVEMENT OF HAZARDOUS WASTE

Legislation

Section 36 of Waste Management Act, 1996 (Number 10 of 1996)

Regulations

Waste Management (Movement of Hazardous Waste) Regulations, 1998 (S.I. 147 of 1998)

Waste Management (Transfrontier Shipment of Waste) Regulations, 2007

Waste Management (Collection Permit) Regulations 2001(S.I. 402 of 2001)

PROVISION & OPERATION OF WASTE MANAGEMENT FACILITIES

Legislation

Waste Management Act, 1996 (Number 10 of 1996)

Waste Management (Amendment) Act, 1996 (Number 36 of 2001)

Protection of the Environment Act, 2003 (Number 27 of 2003)

Regulations

Waste Management (Licensing) (Amendment) Regulations 2000 (S.I. 185 of 2000)

Waste Management (Licensing) (Amendment) Regulations, 2001(S.I. 397 of 2001)

Waste Management (Licensing) (Amendment) Regulations, 2002 (S.I. 336 of 2002)

Waste Management (Licensing) (Amendment) Regulations, 2004 (S.I. 395 of 2004)

Waste Management (Planning) Regulations, 1997 (S.I. 137 of 1997)

Waste Management (Permit) Regulations 1998 (S.I. 165 of 1998)

Guidelines & Circulars

Landfill Manuals Prepared under Section 62 of Environmental Protection Act, 1992

Landfill Operational Practices

Investigation for Landfills

Landfill Monitoring

Waste Acceptance

Site Selection

END-OF-LIFE VEHICLES

Legislation

Section 44, Protection of the Environment Act, 2003 (Number 27 of 2003)

Waste Management (Permit) Regulations 1998 (S.I. 165 of 1998)

Waste Management (Collection Permit) Regulations 2001(S.I. 402 of 2001)

Guidelines & Circulars

EU Directive 2000/53/EC

ABANDONED VEHICLES

Legislation

Litter Act, 1997

Guidelines & Circulars

Litter Management Plan, 2008-2011

GRAFFITI

Legislation

Litter Act, 1997

Guidelines & Circulars

Litter Management Plan, 2008-2011

DANGEROUS SUBSTANCES

Legislation

Dangerous Substances Act, 1979

Regulations

The Waste Management (Transfrontier Shipment of Waste) Regulations, 2007

The Waste Management (Movement of Hazardous Waste) Regulations, 1998

The Waste Management (Hazardous Waste) Regulations, 1998

The Waste Management (Use of Sewage Sludge in Agriculture) Regulations, 1998

Waste Management (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) Regulations 2005 (S.I. 341 of 2005)

OIL POLLUTION

Legislation

Water Pollution Act 1977

Water Pollution Act 1990

Regulations

European Communities (Quality of Bathing Water) Regulations, 1988

European Communities (Quality of Bathing Water) (Amendment) Regulations, 1989

European Communities (Quality of Bathing Water) (Amendment) Regulations, 1994

Council Directive 76/160/EEC

Convention for the Prevention of Marine Pollution from Land-Based Sources (Paris Convention), 1977

Further Information:

www.dublinwaste.ie

Air Quality Monitoring and Noise Control Unit

The Air Quality Monitoring and Noise Control Unit monitors' ambient air quality across Dublin City on a continuous basis. The quality of air in Dublin can be viewed on a real time basis on www.epa.ie

The Unit is also responsible for the enforcement of air pollution and noise control legislation.

Legislation

Air Pollution Act 1987 and regulations

Environmental Protection Agency Act 1992 and regulations

DUBLIN FIRE BRIGADE

Description

The Dublin Fire Brigade serves both the city and, in accordance with an agreement under Section 59 of the Local Government Act 1955, the counties of Dun Laoghaire-Rathdown, South Dublin and Fingal.

Legislation

Local Government Act, 1955
Fire Services Act, 1981

FIRE PREVENTION

Legislation

Dangerous Substances Act, 1972
Fire Services Act, 1981
Safety Health and Welfare at Work Act, 2005
Building Control Act, 1990

Regulations

Dangerous Substances Regulations 1979

PROVISION OF FIRE STATIONS AND EQUIPMENT

Legislation

Fire Services Act, 1981

CIVIL DEFENCE

Civil Defence is an organisation comprised of citizens who provide their services voluntarily. Services include assistance as required in the following areas; Casualty, Rescue, Warden, Welfare and Auxiliary Fire Services. Members receive training in many disciplines which teach life saving skills in First Aid, Search and Rescue, Firefighting, Boating Skills, Radiation monitoring and Radio Communications.

As well as learning new techniques, which enhance personal development, members can assist in the local community in the event of an Emergency. Members are called to give assistance in times of flooding and helping to search for missing persons. Main legislative background is the Civil Defence Act 2002.

Culture Recreation & Amenity Department

Rules, guidelines and procedures used by the Culture Recreation & Amenity Department.

The Department is responsible for a wide variety of functions. These include Parks & Landscape Services; Sports & Leisure Services; Veterinary, Events, Markets and Street Trading; Control of Horses, Control of Dogs; Intoxicating Liquor; Higher Education Grants, School Meals, Public Libraries, Information and City Archive Services; Dublin City Gallery The Hugh Lane; and the Arts.

CONTROL OF DOGS

Legislation

Control of Dogs Act, 1986
Control of Dogs (Amendment) Act, 1992
Litter Pollution Act, 1997

Regulations

Control of Dogs Regulations, 1987 (S.I. No. 30/1987)
Control of Dogs (No. 2) Regulations, 1987 (S.I. No. 59/1987)
Control of Dogs Act, 1986 (Guard Dogs) Regulations 1988 (S.I. No. 255 of 1988)
Control of Dogs Act, 1986 (Guard Dogs) Regulations 1989 (S.I. No. 329 of 1989)
Control of Dogs Act, 1986 (Restriction of Certain Dogs) Regulations 1991 (S.I. No. 123 of 1991)
Control of Dogs (Restriction of Certain Breeds) (Amendment) Regulations 1991 (S.I. No. 146 of 1991)
Control of Dogs Regulations, 1998 (S.I. No. 442/1998)

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VETERINARY

Description

The Veterinary Section is concerned with the supervision and control of the production, distribution and sale of food of animal origin.

Legislation

Abattoirs Act, 1988
Abattoirs Act, 1988 (Commencement) Order
Abattoirs Act, 1988, (Amendment) Order, 1997
Milk & Dairies (S.D) Act, 1938
Milk & Dairies (Amendment) Act, 1936
Milk & Dairies (Amendment) Act, 1953
Milk & Dairies (Amendment) Act, 1956
Milk & Dairies Act 1935 Principal Act
Milk & Dairies Act, 1935 (Date of Commencement) Order, 1938
Milk & Dairies (Consolidation) Act, 1915
Milk & Dairies (Sale of heated Milk), 1938
Milk & Dairies (General Designations), 1938
Memorandum - The Establishment & Maintenance of a Tuberculin Tested Herd.
Milk & Dairies (Prohibition Order), 1936
Memorandum on Laboratory Technique
Dairy Bye-laws
Milk & Dairies Act, 1935
Clean Milk Competitions in 1934/35
Report on Milk Competitions in 1934/35

Milk & Dairies Act, 1935 (Date of commencement)
 Milk & Dairies, Scotland
 Milk & Dairies (Amendment) Act - 1922
 Milk & Dairies, England
 Statutory Rules & Orders (M&D England)
 Statutory Rules & Orders (Public Health-England)
 Statutory Rules & Orders (Public Health-England)
 Draft Rules & Orders (Public Health-England)
 Milk & Dairies (Amendment) Act, 1922/Milk (S.D) Orders 1923
 Milk & Dairies Application Form
 Refusal Form
 Milk & Dairies Form
 M&D (Suspension) Form
 Milk & Dairies (Amendment) Act, 1956
 Milk & Dairies Act, 1935 Sale of Milk in co. Borough of Dublin) Order, 1962
 Bacteriological Tests for Graded Milk
 Milk & Dairies (Amendment) Act, 1956 (No. 3 Order 1957).
 Milk & Dairies (Act) 1935
 Milk & Dairies (Amendment) Act, 1956 (Commencement) Order 1957
 Milk & Dairies (Amendment) Bill, 1956
 Duties of Veterinary & Health Inspectors.
 Milk & Dairies Act 1934 No. 3 Order
 Application for Dealers Licences
 Refusal Order
 Registration of Dairymen
 Special Conditions to which licences are subject
 Milk & Dairies (sale of Milk in County Borough of Dublin) 1962
 Milk & Dairies (Infectious Diseases) Order 1947
 General Order (Dairies, Cowshed, Milk Shops)
 Trade Boards - Milk Distributive Trade
 Milk & Dairies, Scotland, 1922
 Milk & Dairies, England 1923

 Milk & Dairies, England 1926
 Memorandum-Establishment of Maintenance of a Tuberculin Tested Herd
 Milk & Dairies (S.D) (Amendment)
 Milk & Dairies Act 1935
 Circular 74/1939 Dept. LC, & P.H
 Some orders specifying "Notifiable" diseases
 General (to 1940)
 Ice cream composition 1952 and buttermilk Health Minister
 Slaughter of Animals Act, 1935, Slaughter of Animals (Approved Instruments) Order,
 1936
 Slaughter of Animals (Approved Instrument) Pigs Order 1973
 Diseases of Animals Act, 1965
 Control of Dogs Act 1986
 Control of Horses Act 1996
 The Transit of Animals Order, 1927/94
 Cruelty to Animals Act 1876
 Protection of Animals Act, 1911
 Importation of Dogs and Cats Order, 1929
 Protection of Animals (Amendment) Act, 1965
 Rabies Order, 1976
 Protection of Animals kept for Farming Purposes Act, 1984

Regulations

Abattoirs (Health Mark) Regulations 1992
 Abattoirs Act, 1988 (Veterinary Examination) Regulations, 1992
 Abattoirs (Control of Designated Bovine Offal), Regulations, 1996
 Abattoirs Act, 1988 (Veterinary Examination) Amendment) Regulations, 1997

Abattoirs (Health Mark) (Amendment) Regulations, 1997.
 EC (Hygienic Production and placing on the market of Raw Milk, Heat-treated milk and milk based products) Regulations 1996. (S.I. No. 9 of 1996)
 Food Hygiene Regulations, 1950/89
 European Communities (Protection of Animals at time of Slaughter) Regulations 1995.
 Poisons (Control of Residues in foods of Animal Origin) Regulations, 1985 and Amendment Regulations, 1986
 EC (Protection of Animals at Time of Slaughter) Regulations, 1995
 EC (Welfare of Calves) Regulations, 1995
 EC (Welfare of Pigs) Regulations, 1995
 EC (Control of Veterinary Medicinal Products and their Residues) Regulations, 1990
 EC (Veterinary Medicinal Products) Regulations, 1986
 Council Directive (86/469/EEC) concerning examination of animals and fresh meat for the presence of residues
 EC (Control of Oestrogenic, Androgenic, Gestagenic and Thyrostatic Substances) Regulations, 1988
 EC (Pesticide Residues) (Foodstuffs of Animal Origin) Regulations, 1988, Animal Remedies Act, 1993
 Milk & Dairies (S.D) (Special Designation) Regulation, 1938
 Milk & Dairies (G.D) (General Designation) Regulations, 1938

Milk & Dairies (S.D) Regulations, 1939
 Registration of Dairymen Regulations, 1936
 Milk & Dairies (Bacteriological Exam) Regulations, 1936
 Sale of Heated Milk Regulations, 1938
 Milk & Dairies (Fees for Bact. Exam) Regulations, 1956
 Milk & Dairies (S.D) Regulations, 1955
 Milk & Dairies Regulations, 1949
 Milk & Dairies Regulations, 1941
 Memorandum M&D 1 S.D. Regulations, 1938
 Milk & Dairies Regulations, 1936
 Milk & Dairies Regulations (S.D) (Amendment)

Memorandum M.7 & D (G.D) Regulations, 1938
 Milk & Dairies Regulations, 1936
 Milk & Dairies (S.D) Amendment) Regulations, 1955
 Sampling (Dipper etc.) Regulations
 Regulation (EC) No 178 2002
 Regulation (EC) No 852/ 2004
 Regulation (EC) No 853/ 2004
 Regulation (EC) No 854/ 2004
 Regulation (EC) No 2073/2005
 Regulation (EC) No. 2074/2005
 Regulation(EC) No 2075/2005
 Regulation (EC) No 882/ 2004
 European Communities (Food and Feed Hygiene) Regulations 2005 (S.I. No. 910 of 2005)
 Abattoirs Act 1988 (Veterinary Examination and Health Mark) Regulations 2007 (S.I. No 67 of 2007)
 European Communities (Hygiene of Foodstuffs) Regulations 2006 (S.I. No. 369 of 2006)

PARKS

Description

The parks division is responsible for the management of the City Council's 1416 hectares (3,500 acres) of parks and open spaces which include such diverse areas as nature parks, river valleys, coastal areas, redeveloped cemeteries and tip-head, motor embankments, nature reserves, a wildlife sanctuary and neighbourhood parks.

Legislation

Open Spaces Act 1906
Local Government Planning and Development Acts 1963 & 1976 regarding provision of open spaces for new developments
Local Government Act 1994
Open Spaces Bye-Laws 1994
Parks & Open Spaces Bye-Laws 2002

Guidelines & Circulars

Permits to events etc. - standard conditions
Permits for once-off events in Parks - standard conditions
Letting of pitches - standard conditions
Department of the Environment Guidelines on Provision of Open Spaces by Local Authorities, 1987
Department of the Environment Guidelines on Tree Preservation for Planning Authorities, 1994

CONTROL OF HORSES

Description

Dublin City Council regulates and controls the horse population in the administrative area of Dublin City.

Legislation

Pounds (Provision and Maintenance) Act 1935
Animals Act 1985
Control of Horses Act 1996
Dublin City Council (Control of Horses) Bye-Laws 1997

HIGHER EDUCATION GRANTS SCHEME

Description

A Higher Education Grants Scheme is adopted each year by the City Council and approved by the Minister for Education and Science. Under the scheme assistance is provided towards attendance at approved Third Level courses to persons satisfying the terms of the scheme.

Legislation

Local Authorities (Higher Education Grants) Acts 1968 – 1992.
Department of Education and Science Higher Education Grant Scheme (Revised Anually)

INTOXICATING LIQUOR

Dublin City Council (Prohibition of Consumption of Intoxicating Liquor on Roads and in Public Places Bye Laws) 2008

SCHOOL MEALS

Description

A School Meals Scheme provides basic meals for children attending certain schools in the City.

Legislation

Local Government (Dublin) Act, 1993
Part VI - Social Welfare (Consolidation) Act, 1981

PUBLIC LIBRARIES, INFORMATION AND CITY ARCHIVE SERVICES

Description

Dublin City Council provides a network of branch libraries; a number of specialist information services and a mobile library service to meet the information needs of the citizens of Dublin. Libraries are a community-based resource available to every age and interest group. Dublin City Archives contains records of the civic government of Dublin from 1171 to the late 20th century. These records include City Council and committee minutes, account books, correspondence, reports, court records, charity petitions, title deeds, maps and plans and drawings all of which document the development of Dublin over eight centuries. Dublin City Archives also acquires private collections that relate to the history of the city of Dublin or to individuals who worked within the Municipal City.

Legislation

Local Government Act 2001

Public access to local Authority records is also governed by:

Data Protection Act 1988 and Data Protection(Amendment) Act 2003

Freedom of Information Act 1997 and Planning and Development Act 2000

Regulations

Revised Membership Regulations as passed by City Council, October 1991 (Report No. 254, 1991)

Guidelines & Circulars

Branching Out A New Public Library Service Dept. of the Environment & Local Government 1998

Branching Out Future Directions Dept. of Environment, Heritage and Local Government, 2008

Dublin City Council Public Libraries/Information Services & City Archives: 1) Programme for Development 1996-2001

2) Public library Development Proposals 2004 – 2009

3) Strategic Policy Framework 2002 – 2008

Acquisitions Policy 2003

Public Internet Access: Acceptable Use Policy 2003, revised 2008

Dublin City Library and Archive, Pearse Street, Reading Room Policy 2003

ARTS

Description

The City Council plays an active role in the promotion of the arts in the City.

Legislation

Arts Act 1973

Local Government Act, 1991

Local Government Act, 1994

Arts Act 2003

Guidelines & Circulars

Arts Grants Scheme (Section 12, Arts Act 1973)

Department of the Environment Circular for Art Schemes

Arts Plan 2006 -2009,

Public Arts Strategy 2008

Arts Grants Application Guidelines

Finance Department

Rules, guidelines and procedures used by the Finance Department.

The Department is responsible for the short and long-term financing of the City Council's operations of both revenue and a capital nature. It is also concerned with accounting for all money paid out or received by the City Council.

MANAGEMENT ACCOUNTING

Description

The Management Accounting Unit provides a service to all departments in preparation of revenue/capital budgets, budgetary control arrangements, devolution of budgets, financial appraisals and provision of financial information.

Legislation

Local Government Act, 2001

Regulation/Order

Public Bodies Order, 1946

Public Bodies (Amendment) Order, 1975

Public Bodies (Amendment) No 2 Order, 1977

Public Bodies (Amendment) No 2 Order, 1979

PREPARATION OF ANNUAL BUDGET

A Local Authority is required to prepare and adopt a budget for its revenue expenses and incomes each year. The Council is required to commence the statutory budget meeting during a prescribed period (November/January) as directed by the Minister for the Environment, Heritage and Local Government. The manager following consultation with the Corporate Policy Group drafts the budget. The members of the local authority may adjourn a local authority budget meeting from time to time but any such adjournment shall be to a day that is within the period of 21 days beginning on the day of the commencement of the first meeting.

The adoption of the Revenue Budget is a reserved function of the elected Council. At the budget meeting, the local authority may by resolution amend the draft budget and by resolution adopt the draft budget with or without amendment. In adopting the budget, the annual rate on valuation is determined to finance that part of the authority's expenditure not financed by state grants, charges for goods/services and miscellaneous income.

PREPARATION OF CAPITAL PROGRAMME

In addition to the revenue budget, Section 135 of the local Government Act 2001 requires the manager to prepare and submit to the elected council a report indicating the programme of capital projects proposed for a 3-year period. This report may be considered at the budget meeting or at such other meeting as the elected council may by resolution decide.

PROCUREMENT

Description

The Section advises on the preparation and advertising of Contract Notices in the Supplement to the Official Journal of the European Communities (OJEC) and submits such notices for publication through the etenders website. It advises all City Council departments of current procurement regulations, as follows, which applies to all purchases and contracts entered into by Dublin City Council.

EU Directives/National Regulations

EU Public Sector Procurement Directive 2004/18/EC
EU Utilities Directive 2004/17/EC
EU Public Sector Remedies Directive 89/665/EEC
EU Utilities Remedies Directive 92/13/EEC
National Regulations SI 329 of June 2006 (implementing 2004/18/EC)
National Regulations SI 50 of January 2007 (implementing 2004/17/EC)

Principal Guidelines

Public Procurement Guidelines Competitive Process – 2004 Edition (Brown Book for Supplies/Services)
Construction Procurement Guidelines – Department of Finance (Various)
National Public Procurement Policy Framework

In-House Guidance

Corporate Procurement Plan 2008 - 2010
Procurement Policy and Procedures Manual
Dublin City Council Business Linkage Booklet
Order of Head of Finance Ordering Purchasing and Invoice Approval Levels

PAYROLL

PAYMENT OF SALARIES AND WAGES

Legislation

Local Government Act, 1941
Payment of Wages Act, 1991
Finance Act, 2008
Finance Act (No. 2), 2008
Financial Emergency Measures in the Public Interest Act, 2009
Finance Bill, 2009

Regulations

Local Government (Officers) Regulations, 1943

Guidelines & Circulars

Periodic circulars issued by the Department of the Environment & Local Government

PENSIONS (SUPERANNUATION)

Legislation

Local Government (Superannuation) Act, 1956

Regulations/Schemes

Local Government (Superannuation) Act 1956 (Consolidation) Scheme, 1987
Local Government (Superannuation Revision) (Consolidation) Scheme, 1986
Local Government Spouses and Children Scheme, 1986

Guidelines & Circulars

Periodic circulars issued by the Department of the Environment & Local Government

FINANCIAL ACCOUNTING

This Unit is responsible for Treasury Management, Financial Accounting, Asset Accounting, and the Oracle E-Business Financial Management System.

Legislation

Local Government Act 2001

Annual Financial Statement (AFS)

The AFS is prepared in accordance with the Accounting Code of Practice on Local Authority Accounting as revised by the Department of the Environment, Heritage and Local Government at 31st December 2008.

Professional Services Withholding Tax (PSWT)

Chapter 1, Part 18, Taxes Consolidation Act 1997

Requirement for Tax Clearance Certificate

Section 1095, Taxes Consolidation Act 1997

Relevant Contracts Tax (RCT)

Chapter 2, Part 18, Taxes Consolidation Act 1997

Legislation

Late Payment in Commercial Transactions Regulations 2002

RISK MANAGEMENT

The Risk Management Unit is responsible for implementing a Risk Management Strategy in Dublin City Council, which will facilitate the identification and assessment of significant risks (i.e. strategic, operational, financial, legislative, reputational) and outline measures at corporate, departmental and business unit level to identify and manage risks.

Guidelines

Local Authority Risk – Excellence in governance through best practice risk management

CLAIMS AND INSURANCES

Legislation

Civil Liability Acts 1961-2004

Personal Injuries Assessment Board Act 2003

Factory Acts

Health & Safety Acts 1989 – 2005

Planning & Development Act 2000. Section 180 taken in charge

Roads Act 1993 combined with Roads (Amendment Act) 1998

Building Control Act 1996

Local Government Sanitary Services Acts 1878-1964 amending the principal act the Public Health (Ireland) Act 1878

Housing Act 1966

Housing (Miscellaneous Provisions) Act 1992

Housing Act 1988

Local Government Act 2001

District Court Acts as amended

Rules of Superior Courts

Rules of Circuit Court

Civil Liability and Court Act 2004

Guidelines & Circulars

Common Law
In - house policy

INTERNAL AUDIT

Regulation/Order

Public Bodies Order, 1946

Guidelines & Circulars

Periodic circulars issued by the Department of the Environment & Local Government

- Code of Ethics and International Standards (Institute of Internal Auditors - UK and Ireland)
- Internal Audit Guidance - Handbook for Local Authorities (DoELG)
- DoELG Circular FIN 11 / 07 re Audit

Legislation

The Local Government (Business Improvements Districts) Act 2006, Section 5 re Audit Committee

CITY MORGUE & CORONERS COURT

Guidance

Booklet, "Role of the Coroner in Death Investigations".

RATES

DETERMINATION OF THE ANNUAL RATE ON VALUATION AND MAKING OF THE RATE

Description

Following the consideration of the draft local authority budget in each year, the elected members determine the annual rate on valuation for the following year. The rate for the year is then made by Manager's Order.

DETERMINATION OF THE ANNUAL RATE ON VALUATION

Legislation

Local Government Act, 2001

Regulations

Local Government (Financial Procedures and Audit) Regulations 2002

NOTICE OF INTENTION TO MAKE RATE/NOTICE OF RATE HAVING BEEN MADE

Regulations

Local Government (Financial Procedures and Audit) Regulations 2002

RATES

Description

The Rates Office is responsible for the collection of rates on relevant properties only. Rates are the most significant element in the City Councils total revenues. The income from rates underpins the entire range of services provided by the City Council. Entry Year Levy is collected from properties when first entered on the valuation list or are new build.

RATEABLE VALUATION AND APPEALS

Legislation

Poor Relief Act, 1838
Valuation (Ireland) Act, 1852 (S28)
Valuation Act 2001
Local Government (Business Improvement Districts) Act 2006

EXEMPTION FROM RATES

Legislation

Valuation Act 2001 (Schedule 4)

REVISIONS OF VALUATIONS AND APPEALS

Legislation

Valuation Act 2001

APPEAL TO VALUATION TRIBUNAL / HIGH COURT/SUPREME COURT

Legislation

Valuation Act 2001

VALUATION APPORTIONMENT

Legislation

Local Government (Dublin) Act 1930
Local Government Act 1941

FEES FOR REVISIONS AND APPEALS

Legislation

Valuation Act 2001

Regulations

Valuation Appeal (Fees) Regulations, 2002
Valuation (Revisions and New Valuations) (Fees) Regulations, 2002

POWERS TO COLLECT RATES

Legislation

Poor Relief (Ireland) Act, 1838
Local Government Act, 1946

STRIKE - OFFS, VACANCY REFUNDS, SET - OFFS

Legislation

Local Government (Dublin) Act, 1930 (S71)
Local Government Act, 1941 (S58)
Local Government Act, 1946 (S14)

Regulations

Local Government (Financial Procedures and Audit) Regulations 2002

RATE COLLECTORS-LEGAL POWERS:

Legislation

Poor Relief (Ireland) Act, 1838
Poor Relief (Ireland) Act, 1849
Local Government Act, 1941

REGISTERING BILL IN HIGH COURT

Legislation

Grand Jury (Ireland) Act, 1836
Poor Relief (Ireland) Act, 1838
Courts Act, 1981

COURT WARRANT

Legislation

Grand Jury (Ireland) Act, 1836

JUDGEMENT MORTGAGE

Legislation

Judgement Mortgage (Ireland) Act, 1850
Courts Act, 1981

INTEREST ON COURT DECREES

Legislation

Courts Act, 1981, 1982

URBAN RENEWAL REMISSION

Description

Certain commercial developments have been designated by the government for the remission of rates for a number of years as set out in the relevant legislation.

Legislation

Urban Renewal Act, 1986

Regulations/Schemes

Urban Renewal Act 1986 (Designated Areas) (No. 2) Order 1988
Urban Renewal Act 1986 (Revision of Rates) (No. 2) Scheme 1988
Urban Renewal Act 1986 (Remission of Rates) (Amend.) Scheme 1991
Urban Renewal Act 1986 (Remission of Rates) (Amend.) Scheme 1994
Urban Renewal Act 1986 (Remission of Rates) (Amend.) Scheme 1998
Urban Renewal Act 1986 (Remission of Rates) (Amend.) No.2 Scheme 1998

CERTIFICATES OF RATEABLE VALUATION

Local Government Act 2001

WATER CHARGES

Description

Commercial properties are charged for metered water supplied for non-domestic purposes. Accounts for these metered supplies are issued quarterly, and are subject to a minimum quarterly charge. There are some commercial properties on a fixed annual charge.

POWER TO CHARGE FOR COMMERCIAL WATER

Legislation

Public Health (Ireland) Act, 1878
Local Government (Sanitary Services) Act, 1962
Local Government (Financial Provisions) (No. 2) Act, 1983
Local Government (Financial Provisions) Act, 1997

POWER TO DISCONNECT SUPPLY, TO SET CONDITIONS FOR SUPPLY, AND TO DETERMINE LEVEL OF CHARGES

Legislation

Local Government (Sanitary Services) Act, 1962

CHARGES FOR METERED WATER SUPPLY

Regulation/Order

Annual Manager's Order (Charge for 1,000 gallons and per cubic metre supplied).

FIXED CHARGES

Regulation/Order

Annual Manager's Order (Payable by two half yearly instalments on 1st April and on 1st October).

COURT / RECOVERY PROCEDURES

Legislation

Section 65 (A) of the Public Health (Ireland) Act, 1878, inserted by section 7 of the Local Government (Sanitary Services) Act, 1962, as amended by section 8 of the Local Government (Financial Provisions) Act, 1983

POWER TO DISCONNECT THE SERVICE AND TO ISSUE DEMANDS, REMINDERS

Legislation

Local Government (Delimitation of Water Supply Disconnection Powers) Act, 1995

Business Improvement Districts (BID)

Description

The city centre Business Improvement Districts (BID) was set up in 2007. Rateable properties within the BID districts are levied to provide funding for the BID Company to carry out an agreed performance of work each year. Dublin City Council collects the levy and forwards it to the BID Company.

Legislation

Local Government (Business Improvement Districts) Act, 2006

MOTOR TAX

Description

The Motor taxation offices at Queen Street, Nutgrove, Ballymun and Clondalkin cater for motorists residing in the area of the four Dublin Authorities (The Dublin City Council area and the areas of Dun Laoghaire-Rathdown, Fingal and South Dublin County Councils).

Legislation

Roads Act, 1920

Finance Acts, 1920 – 1922, 1926, 1929, 1930, 1932 – 1936, 1941, 1947, 1952, 1955, 1958, 1960, 1961, 1964 – 1968, 1970, 1973, 1976, 1978, 1980 – 1982, 1984, 1989, 1991 – 1996, 1999

Road Traffic Act 1933, 1961

Local Government (Financial Provisions) Act 1997

Motor Vehicles (Duties and Licences) Act 2001

Guidelines and Circulars

Road Vehicles (Registration and Licensing) Road Order, 1958

Road Fund (Winding Up) Regulations, 1980

Road Vehicles (Registration and Licensing) (Amendment) Regulations 1992 – 1995, 1997, 2003

Road Traffic (Licensing of Trailers and Semi-trailers) Regulations, 1982, 1983, 1990, 1996, 1998, 2001

Road Traffic (licensing of Drivers) Regulations 2006

Road Traffic (licensing of Drivers) (amendment) Regulations 2007

European Communities (Vehicle Testing) Regulations, 1991, 1992, 1996, 2004

HOUSING & RESIDENTIAL SERVICES DEPARTMENT

Rules, procedures and practices used by Housing & Residential Services

Dublin City Council has the largest social housing stock of any Local Authority in the country, with 26,500 units being rented annually. Housing and Residential Services is responsible for the management and maintenance of this stock together with sourcing new additional stock each year through a number of initiatives. In addition to this we are now providing private houses through the Affordable Housing Initiatives and taking a more proactive approach and enforcement role in the Private Rented Sector. This Department also caters for the needs of communities through the provision of sports and community facilities. We also cater for homeless and travellers within the city.

HOUSING DEVELOPMENT

The function is the co-ordination of the Housing Construction and House Acquisition Programme, the Remedial Works Schemes and to provide backup in relation to the Area Regeneration Programme and other special projects as required.

The City Architect's and the Quantity Surveyor's Divisions provide the professional advice and assistance in the design and implementation of the various programmes.

Legislation

Housing Act, 1966

Housing (Miscellaneous Provisions) Act 1979

Housing Act 1988

Housing (Miscellaneous Provisions) Act 1992

Housing (Miscellaneous Provisions) Act 1997

Regulations

Housing (Miscellaneous Provisions) Regulations 1988

Housing (Accommodation Provided by Approved Bodies) Regulations 1993

Guidelines & Circulars

N 7/92 Memorandum Regarding Provision of Houses by Local Authorities

N 4/97 Social Housing Guidelines

N 6/92 Principal features of sale of sites scheme and guide to operation

N 7/91 Procedures to be Followed and Standards to be Applied in Providing Local Authority Dwellings

N7/02 Improvement Works in Lieu of Local Authority Housing and operation of scheme

A Plan for Social Housing

Social Housing - The Way Ahead

City Development Plan 2005 – 2011 (See under Planning Department)

Department of the Environment and Local Government Annual Housing Start Allocation

Standard of Construction as set out in Circular No. N8/82

Public Procurement Guidelines Competitive Process 2004

Per cent for Art Scheme (National Guidelines 2004)

Housing Management Initiative Grant Scheme 2003

Housing Action Plans 2004 - 2008

Procedures

New Schemes: Planning, Tendering, Construction

Purchase of Private Dwellings

Improvement Works in Lieu

Extensions to Alleviate Overcrowding

Local Authority Housing Construction Programme

AFFORDABLE HOUSING

Description

The function of the section is to procure and sell dwellings at an affordable price. Three schemes are operated to fulfil this function: the 1999 Own Lands Scheme, the Part V Scheme as per the Planning & Development Acts 2000-2004, and the Affordable Housing Initiative Scheme (AHI) as per Sustaining Progress National Agreement.

Legislation

Housing Miscellaneous Provisions Act 2002
Planning & Development Acts 2000-2004.

Guidelines & Circulars

Part V Planning & Development Act 2000, Guidelines for Planning Authorities Issued by DoEHLG
Implementation Manual Part V of Planning & Development Act 2000 issued by DoEHLG.
Circular AHS 1/05.

Procedures

Development of own lands and AHI lands for affordable housing, by way of tender.
Acquisition of dwellings under Part V Planning & Development Acts 2000-2004.
Sale of affordable dwellings in accordance with the procedures for the sale of Affordable Housing (non part V) as adopted by the City Council in 2002.
Sale of affordable dwellings in accordance with the procedures for the sale of Part V Affordable Housing as adopted by the City Council in October 2001.

At present there is a review of the way in which all the above schemes are administered and it is hoped to amalgamate the three for ease of administration and to significantly improve the level and speed of service to applicants for Affordable Housing.

HOMELESS

Homeless Services Section

The Homeless Services Section is responsible for the development and implementation of Dublin City Council's policy on homelessness.

As members of the Homeless Agency Partnership, Dublin City Council Homeless Services Section have been working in conjunction with the Homeless Agency and other statutory and voluntary service providers in the realisation of the Partnership's ten year vision from 2000-2010, to eliminate long-term homelessness and the need to sleep rough in Dublin. As part of the ten year vision, three consecutive action plans were put in place with a series of actions to be completed, the plans including *Shaping the Future 2001-2003*, *Making it Home 2004-2006* and *A Key to the Door 2007-2010*.

The following services are provided by Homeless Services-

- Operation of 3 hostels (1 long term and 2 transitional) for single men and couples.
- Sourcing and managing private emergency accommodation for homeless families and singles.
- Management and support to 5 permanent/transitional projects.
- Provision of Outreach Service and operation of a night bus every night for rough sleepers.
- Resettlement service to enable people to move on from homelessness into permanent accommodation.
- Processing of funding claims for Voluntary Agencies.

Legislation

Housing Act 1988
Housing Act 1997

Homeless Action Plans and Policy

Homeless Agency Action Plans

Shaping the Future 2001-2003
Making it Home 2004- 2006
A Key to the Door 2007-2010
Counted In, 1999/2002/2005/2008

National Strategy

Homelessness – An Integrated Strategy 2000
Youth Homelessness Strategy 2001
Homeless Preventative Strategy 2002
Review of Implementation of Homeless Strategy 2006
The Way Home: A Strategy to Address Adult Homelessness in Ireland 2008-2013
National Implementation Plan 2009
Towards 2016 Social Partnership Agreement

Homeless Agency Description

The Homeless Agency is responsible for the planning, co-ordination and administration of funding for the provision of quality services to people who are homeless in the Dublin area and for the development of responses to prevent homelessness.

The Homeless Agency work in partnership with a range of voluntary and statutory agencies to implement the agreed plan A Key to the Door, Homeless Agency Action Plan on Homelessness in Dublin, 2007-2010 to deliver integrated services to people who are homeless and assist them to move to long-term housing and independence with appropriate supports as required.

The Homeless Agency work with voluntary and statutory bodies to advocate for improvements in mainstream policies and services to make them responsive to the needs of people who are homeless or at risk of homelessness.

The Vision of the Homeless Agency is that by 2010, long-term homelessness and the need for people to sleep rough will be eliminated in Dublin.

Legislation

Health Act 1953/ 2004
Housing Act 1988
Childcare Acts 1991/1995
Health Act 2004
Mental Health Act 2001
Misuse of Drugs Act 1984

Homeless Action Plans and Policy

Homeless Agency Action Plans

Shaping the Future 2001-2003
Making it Home 2004- 2006
A Key to the Door 2007-2010
Counted In, 1999/2002/2005/2008

National Strategy

Homelessness – An Integrated Strategy 2000
Youth Homelessness Strategy 2001
Homeless Preventative Strategy 2002
Review of Implementation of Homeless Strategy 2006
The Way Home: A Strategy to Address Adult Homelessness in Ireland 2008-2013

HOUSING ALLOCATIONS AND TRANSFERS

Description

Provides advice and makes lettings of accommodation to applicants on Housing/Transfer Lists and to homeless persons.

Legislation

Housing Act 1966
Housing (Miscellaneous Provisions) Act 1979
Housing Act 1988
Housing (Miscellaneous Provisions) Act 1992
Local Government (Dublin) Act 1993
Housing (Miscellaneous Provisions) Act 1997

Regulations

Housing Regulations 1980
Housing (Miscellaneous Provisions) Regulations 1983
Housing (Miscellaneous Provisions) Regulations 1988
Housing (Amendment) Regulations 1993

Guidelines & Circulars

N9/91 Guidelines on Homeless Persons
N6/89 Guidelines to Local Authorities on Preparation of Schemes of Letting
N14/95 Nature and assessment of Housing Needs
H10/97 Guidelines on Income Limits to determine eligibility for City Council Accommodation

Assessment of Housing Needs, 2008
Scheme of Letting Priorities 2002
Plan for Social Housing
Social Housing- The Way Ahead
Tenancy Agreement

Procedures

Process a Housing Application
Interviewing a Housing Applicant
Allocation of Points to a Housing Applicant
Allocation of a House & Sign-up Procedure
Processing Succession of Tenancy Applications
Processing applications for Financial Contribution Scheme
Dealing with Anti-Social Behaviour
Dealing with Vacant Houses (Surrenders)
Dealing with Vacant Houses (Abandonment)
Processing a Housing Transfer Application
Inter Transfer (Within Dublin City Council administrative area)
Inter Transfer (Between two authorities). Dublin City Council's Nomination
Processing a Transfer of Tenancy Application
Procedure for Dealing with Unfit Dwellings
"Best Practice Guidelines " - Housing Management Group

RENTS

Description

The Housing Rent Assessment/Arrears function involves the assessment of tenants rent in accordance with their circumstances and the collection of arrears.

Legislation

Housing Act 1966
Housing (Miscellaneous Provisions) Act 1979
Housing Act 1988
Housing (Miscellaneous Provisions) Act 1992
Housing (Miscellaneous Provisions) Act 1997

Guidelines & Circulars

Tenancy Agreement
Differential Rents Scheme
Rent Assessment User Manual
Social Welfare Rates of Payment
Plan for Social Housing
Social Housing The Way Ahead
Scheme of Letting Priorities
Assessment of Housing Needs Circular No. N9/88 as amended

Procedures

Rent Assessment Procedure
Rent Assessment - New Rent Account
Rent Arrears & Eviction Procedure

MAINTENANCE

Description

The City Council has a stock of 26,500 rented dwellings. Work is carried out by private contractors and by direct labour from eight area depots and two workshops. This section is also responsible for cleaning the public areas of flat complexes.

Legislation

Housing Act 1966
Housing Act 1988

Regulations

Housing (Miscellaneous Provisions) Regulations 1988, Amended 1993
Housing (Disabled Persons and Essential Repairs Grants) Regulations 1993

Guidelines & Circulars

HRT 2/85, HRS 12/95 Remedial Works Programme
S/10/96 Estate Improvement Programme
HGS 7/95, HGS 8/93, HGS 4/96 Features of Essential Repairs Grants Scheme and Guide to Local Authorities for its Operation
HRT 6/91 Bathroom Sub Programme
N14/95 Bathroom Programme for Houses, Tenant's Handbook
Statement of Policy on Housing Maintenance in Dublin City Council
Maintenance and Repairs for Traveller Accommodation
Maintenance Information Booklet – Housing Repairs Service
HPSS2/2005 and HM + AH 5/2005 – Central Heating in Local Authority Dwellings

ESTATE MANAGEMENT

Description

In 1997, Dublin City Council launched an Estate Management Initiative. The principal elements of this Initiative include the taking of decisive action against anti-social behaviour and the involvement of tenant groups in the decision-making processes affecting their areas.

Legislation

Housing Act, 1966
Housing (Miscellaneous Provisions) Act, 1979

Housing Act, 1988
Housing (Miscellaneous Provisions) Act, 1992
Housing (Miscellaneous Provisions) Act, 1997
Residential Tenancy Act 2004

Guidelines & Circulars

S/10/1966 Estate Improvement Programme
H2/91 Plan for Social Housing
H12/91 Plan for Social Housing
H7/92 Plan for Social Housing
H16/92 Review of Measures in A Plan for Social Housing
H5/97 Guidelines to Housing (Miscellaneous Provision) Act 1997
Housing Statement of Policy
Housing Management Group - 1st and 2nd Reports

Procedures

Estate Management
Anti-Social Behaviour and your Area
Anti-Social Behaviour Policy and Procedure
Anti-Social Behaviour & Traveller Accommodation
Neighbour Mediation Service – Policy and Code of Conduct

LOANS, SALES, GRANTS & VOLUNTARY HOUSING

Description

The City Council provides financial assistance either by way of grant or loan to eligible persons housing themselves and/or improving their houses.

SHARED OWNERSHIP SCHEME

Shared Ownership is a scheme, which is designed to enable persons who would not otherwise qualify for a mortgage to obtain a house of their choice.

HOUSE PURCHASE LOANS

The City Council provides loans to eligible applicants wishing to purchase their own home. The maximum amount of the loan is £165,000 and eligibility is income related. Interest is chargeable at variable rates.

MORTGAGE ALLOWANCE SCHEME

Under the Mortgage Allowance Scheme, a subsidy is available towards mortgage repayments to tenants and tenant purchasers who provide accommodation for themselves and surrender their existing dwelling to the local authority in accordance with the terms of the scheme.

HOME IMPROVEMENT LOAN

The only type of home improvement loan given out at present is an interest free loan for window replacements for tenants of Dublin City Council.

TENANT PURCHASE SCHEMES

The Tenant Purchase Scheme enables tenants of one year or more to purchase their local authority house. Houses are sold under the 1995 Tenant Purchase Scheme.

CONSENTS

When Local Authority houses are being resold within 25 years the consent of the local authority is necessary.

HOUSING ADAPTATION GRANT FOR PEOPLE WITH A DISABILITY

The Housing Adaptation Grant for People with a Disability is available to assist in the carrying out of works that are reasonably necessary for the purposes of rendering a house more suitable for the accommodation of a person with a disability.

MOBILITY AIDS GRANT SCHEME

The Mobility Aids Grant Scheme is available to cover a basic suite of works to address mobility problems, primarily, associated with ageing.

HOUSING AID FOR OLDER PEOPLE

The Housing Aid for Older People grant scheme is available to assist older people living in poor housing conditions to have necessary repairs or improvements carried out.

IMPROVEMENT WORKS IN LIEU

The Loans, Sales, Grants and Voluntary Housing Section administer the loan accounts associated with this scheme.

FINANCIAL ASSISTANCE TO VOLUNTARY HOUSING BODIES

Approved Voluntary Bodies may obtain financial assistance under the Capital Assistance Scheme or the Capital Loan and Subsidy Scheme towards the provision of accommodation for eligible persons in need of accommodation.

Legislation

Housing Act, 1966
Housing (Miscellaneous Provisions) Act, 1979
Housing Act, 1988
Housing (Miscellaneous Provisions) Act, 1992
Housing (Miscellaneous Provisions) Act, 1997
Local Government Act, 2001

Housing (Miscellaneous Provisions) Act, 2002
Housing (Miscellaneous Provisions) Act, 2004

Regulations

Housing Regulations, 1980 -1996
Housing (Miscellaneous Provisions) Regulations, 1988
Housing (Accommodation Provided by Approved Bodies) Regulations 1992
Housing (Mortgage Allowance) Regulations, 1993
Housing (Sale of Houses) (Amendment) Regulations, 1999.
Building Regulations 2000
Building Regulations (Amendment) Regulations, 2000
Housing (Disabled Persons and Essential Repairs Grants) Regulations 2001
Housing (Accommodation Provided by Approved Bodies) Regulations 1992 (Amendment) Regulations, 2002

Guidelines and Circulars

Department of the Environment Circulars
HGS 7/95, HGS 8/92, HGS 4/96 Features of essential repairs grant scheme and guide to Local Authorities operation of it
HRT 10/91, Information regarding the Shared Ownership Scheme & Guide to Local Authorities in its operation
HRT 9/93 Shared Ownership Scheme - Deposit
Social Housing – The Way Ahead
A Plan for Social Housing
HRT08/00 Shared Ownership Option Under the Tenant Purchase Scheme
HRT13/00 Shared Ownership Scheme
H03/01 Site Subsidy under the Affordable Housing Scheme/Shared Ownership Scheme
HGS1/01 Re VAT on grant aided aids and appliances
HGS 4/01 Disabled Persons and Essential Repairs Grant Schemes
H13/01 Local Authority Mortgage Protection Scheme
N7/02 Revision of limits for the schemes of Improvement Works in Lieu of Re-housing and Extensions to Local Authority Housing.
H01/02 Revised Limits For House Improvement Loans
VHU2/02 Capital Funding Schemes for the Provision of Rental Accommodation by

Approved Housing Bodies.
HPS 8/03 Consumer Credit Act, 1995
HPS 10/03 Scheme of Mortgage Protection for Local Authority Borrowers not covered by the existing Local Authority Mortgage Protection Scheme.
HPS 13/03 Local Authority Mortgage Protection Schemes.
HFA 182 Mortgage Protection Insurance on Income Related Loans
HGS 04/04 Mortgage Allowance Scheme
HPS 1/04 Local Authority Mortgage Protection Schemes
HPS7/04 Revised limits for social and affordable housing schemes
HPS 2/05 Local Authority Mortgage Protection Scheme Revised Declaration Forms
VHU 02/04 Loan Approval for projects funded under the Loan Subsidy Scheme and The Capital Assistance Scheme
VCH 1/05 Co-operative Housing

Procedures

Loans

Transfer of balance on Loan Account
Set up a new loan account
Prepare a redemption figure
Loan Expiry Procedure
Monitoring of variable and Housing Finance Agency Loans due to expire
Follow up on lapsed building insurance – Loan Account
Redeeming a loan account
Conversion to Agreed Annuity Repayments Housing Finance Agency Loans
Procedure for making capital repayments to Loan Accounts

Loan Arrears

Mortgage Protection Insurance Procedures
Annual Review of Income Related Repayments (Housing Finance Agency) Loans
Annual Review of Shared Ownership Scheme rental instalments
Reconciliation of Cash Sheet and Loan Accounts
Annuity Loan Application Processing
Shared Ownership Loan Application Processing
Transferring to 100% Loan (Shared Ownership)
Improvement works in lieu scheme procedures
Mortgage Allowance Procedures

Sales

Sales Scheme Procedures
Consents Procedures
Purchase of Fee Simple Procedures

Grants

Disabled Persons Grants Procedures

Voluntary Housing

VHU2/02 Capital Funding Schemes for the Provision of Rental Accommodation by Approved Housing Bodies Procedures Booklet.

SETTLEMENT OF TRAVELLERS

Description

The City Council provides quality accommodation for over 220 traveller families by means of Group housing and Permanent Halting Sites in purpose built developments located at various locations around the City. The City Council uses the following rules and guidelines in carrying out its functions in pursuance of this policy.

Legislation

Housing Act 1966 - Sections 56, 57, 58
Prohibition of Forcible Entry and Occupation Act, 1971
Housing Act 1988 - Sections 9, 11, 13
Housing (Miscellaneous Provisions) Act 1992 - Section 10
Housing (Traveller Accommodation) Act 1998
Housing (Miscellaneous Provisions) Act 2002
Local Government Act 2001
Planning and Development Acts 2000 and 2001
Judgement of Mr. Justice Barron delivered 31/07/95
Judgement of Miss Justice Laffoy delivered 31/07/96

Guidelines & Circulars

TAU 5/96 Establishment of National Travellers Accommodation Consultative Group
TAU 1/97 Recoupment of costs regarding Caravan Parks and Group Housing Schemes
TAU 2/97 Pilot initiatives for Management/Maintenance of Traveller Accommodation
TAU 3/97 Guidelines for Residential Caravan Parks
TAU 4/97 Traveller Families – Local Authority Accommodation
TAU 3/98 Housing (Traveller Accommodation) Act 1998
TAU 2/99 Progress on Implementation of Housing (Traveller Accommodation) Act 1999
and Status of Local Consultative Committee Feb 1999
TAU 3/99 Pilot Initiatives for the Management and Maintenance of Traveller
Accommodation March 1999
TAU 4/99 Local Government Fund March 1999
TAU 5/99 Provision of Transient Sites April 1999
TAU 6/99 Circular No. TAU 5/99 concerning the provision of Transient Sites April 1999

TAU 7/99 Preparation of 1st Report of the Committee to co-ordinate and monitor the
implementation of the recommendations of the Task Force on the Travelling Community –
Local Authority costs associated with provision of services for Travellers (for 1998) July
1999
TAU 8/99 Timetable for preparation and adoption of the 5 year local accommodation
programmes July 1999
TAU 9/99 Annual Count – County Councils and Boroughs October 1999
TAU 10/99 Annual Count – County Councils and Borough Social Workers November 1999
TAU 1/00 Pilot Scheme of Loans and Grants for the purchase of caravans by Travellers
February 2000
TAU 2/00 Traveller Accommodation: Funding for Construction and Acquisition of Single
Instance Housing for Travellers Capital Allocation for 2000 – Traveller Accommodation
February 2000
TAU 3/00 Annual Report – Inclusion of information on activities of the Local Traveller
Accommodation Consultative Committee
TAU 5/00 Pilot Initiatives for the Management and Maintenance of Traveller
Accommodation – to City and County Managers June 2000
TAU 6/00 TAU Publications
Accommodation options for Travellers
Guidelines for Accommodating Transient Families June 2000
TAU 8/00 Annual Count of Traveller Families October 2000
TAU 1a/00 Scheme of Loans and Grants for the purchase of caravans by Travellers
(Revised Loan Terms) October 2000
TAU 9/00 Capital Allocations for 2001 – Traveller Accommodation December 2000
TAU 1/01 Pilot Initiatives for the Management of Traveller accommodation May 2001
TAU 2/01 Code of Practice for the Operation of Local Consultative Committees May 2001
TAU 3/01 Implementation of the 5-year Local Traveller Accommodation Programmes 2000
– 2004
TAU 4/01 Annual Count of Traveller Families for 2001 November 2001
TAU 5/01 Transient Sites November 2001
TAU 2/02 Review of the scheme of loans and grants for the purchase of Caravans by
Travellers Feb 2002
TAU 3/02 Implementation of the 5-year Local Traveller Accommodation Programmes 2000
– 2004 Feb 2002

TAU 5/02 Review of Traveller Accommodation Programmes 2000 – 2004 April 2002
TAU 7/02 Copy of Memorandum on the implementation of Housing (Traveller Accommodation) Act, 1998 to Director of Services June 2002
TAU 8/02 Implementation of the 5-year Local Traveller Accommodation Programmes June 2002 return July 2002
TAU 11/02 Annual Count of Traveller Families 2002
TAU 1/2003 Part 5 Planning and Development Act January 2003
TAU 2/2003 Progress Report for period 1 July 2002 to 31 December 2002 January 2003
TAU 3/2003 Traveller Specific Accommodation (Prior approval of schemes) July 2003
TAU 4/2003 Annual Count of Traveller Families 2003 November 2003
TAU 1/04 Housing (Traveller Accommodation) Act, 1998. Programmes 2005 – 2008 14 May 2004
TAU 2/04 Local Authority Traveller Accommodation Programmes 2005 / 2004, Memorandum on the Preparation, Adoption and Implementation of
TAU 3/04 Annual Count of Traveller Families 2004
TAU 1/2005 Report on the number of vacant units of Traveller Specific Accommodation 17 January 2005
National Strategy for Traveller Accommodation, 1998
“Accommodation options if you are a Traveller” DOE, July 1997
Guidelines: Residential Caravan Parks for Travellers – Department of the Environment and Local Government 1985 & 1997
Report on the Task Force on the Travelling Community – Executive Summary July 1995
Dublin City Council Traveller Accommodation Plan 2005 - 2008

COMMUNITY DEVELOPMENT

Description

The service emphasises provision of community workers, community buildings, community projects, community grants and other support as well as the giving of general day-to-day advice, information and encouragement. The section also provides a liaison officer service to tenants living in older person's accommodation and also provides facilities for the provision of meals and recreational activities for older people.

Legislation

Local Government Act 1991
Local Government Act 1994

Guidelines & Circulars

Second report of the Ministerial Task Force on measures to reduce the demand for drugs - May 1997
Community Grants Policy as adopted by the Council
Community Grants Application Form – CD 01
Community Development Section Brochure 2004
Older Person's Unit Brochure 2005
Older Person's Unit Welcome Pack 2005

WELFARE (Social Work Section)

Description

The Social Work Section / Housing Welfare Section provides a social work service to Dublin City Council tenants, prospective tenants, tenant purchasers, the elderly, families & individuals, members of the Travelling Community, Homeless and Ethnic Minorities.

Legislation

Housing Act 1966
Housing (Miscellaneous Provisions) 1979
Housing Act 1988
Housing (Miscellaneous Provisions) 1992

Housing (Miscellaneous Provisions) 1997
Housing (Traveller Accommodation) Act 1998
Scheme of Letting Priorities 2002
Child Care Act 1991
Child Care (Amendment) Act 2007
Family Law Act 1995
Family Law Act 1996
Family Law Act 1981
Social Welfare Act 1991
Social Welfare Acts 2001 - 2007
Social Welfare & Pensions Acts 2008 & 2009
Domestic Violence Act 1996
Disability Act 2005
Immigration Acts 2003 & 2004
Mental Health Act 2001
Mental Health Act 2008
Citizens Information Act 2007
Health, Safety & Welfare at Work Act 2005
Irish Association of Social Workers Code of Ethics.

YOUTH, PLAY & SPORT DEVELOPMENT

Description

The Youth, Play & Sport Development function encompasses the provision of sports development officers and programmes, the management of youth/community and sport centres, the delivery of the city council's play policy and provision of social inclusion measures aimed at targeting young people at risk of drug use in Dublin City.

Legislation

Local Government Act 2001
Planning and Development Act 2000
Ministers and Secretaries Act
Children Act 2001

Guidelines & Circulars

Second report of the Ministerial Task Force on measures to reduce the demand for drugs - May 1997
National Drugs Strategy 2002 – 2008
National Children's Strategy
Dublin City Council Policy on Play 2004

ENVIRONMENTAL HEALTH OFFICERS SERVICE

This service is primarily involved in the enforcement of minimum standards in rented accommodation and the inspection and abatement of statutory public health nuisances.

RENTED ACCOMMODATION

Legislation

Housing Act 1966
Housing (Miscellaneous Provisions) Act 1992
Housing (Standards for Rented Houses) Regulations, 1993
Housing (Rent Books) Regulations, 1993

STATUTORY NUISANCES

Legislation

Local Government (Sanitary Services Acts), 1878 to 1964

RENTAL ACCOMMODATION SCHEME

The Rental Accommodation Scheme is a new scheme being introduced by Dublin City Council. The scheme involves Dublin City Council progressively assuming responsibility for sourcing and allocating properties to people who have been in receipt of rent supplement (a HSE payment) for over 18 months or more. This accommodation is to be sourced in the main by developing new arrangements with accommodation providers in the private rented market.

Legislation

There is currently no legislation governing the scheme.

Guidelines & Circulars

HPSS 06/2005 Advise to Local Authorities to put in place appropriate structures to implement RAS

HPSS 04/2005 Changes to SWA rent supplement scheme

CITY DEVELOPMENT BOARD

Description

The members of the City Development Board (CDB) are drawn from four sectors – local government, local development, State agencies and the social partners. The direct involvement of the social partners, of the community / voluntary sector, and of the local development agencies in the work of the Board will help local communities to play a constructive role in shaping their economic, social and cultural future..

The primary function of the Board is to work towards the implementation of its own 10-year strategy for economic, social, and cultural development within the local authority area. The City Development Board is responsible for monitoring the implementation of this Strategy and for promoting and encouraging co-operation and co-ordination between the various agencies and interests operating at City level

Legislation

S. 129 of the Local Government Act, 2001

Guidelines & Circulars

DoEH&LG Circular LGP 8/98 - Report of the Task Force on the Integration of Local Government and Local Development System

DoEH&LG Circular LG 10/00 Re: A Shared Vision for County / City Development Boards

DoEH&LG Circular Letter of 17th July, 2000 (File Ref. LG66/20.64) Re: Travel Expenses for certain members of County/City Development Boards and Strategic Policy Committees

DoEH&LG Letter of 4th December 2002 Re: Review of the County / City Development Board (CDB) Strategies for Economic, Social & Cultural Development

DoEH&LG Circular LG 23/02 Re: Integration of the County / City Development Board's (CDBs) Strategies with the Local Authorities Corporate Planning Process

DoEH&LG Circular LG 8/03 - Endorsement of Local Development Agency Plans by County / City Development Boards (CDBs)

DoEH&LG Circular LG 04/04 - Improving local and community development structures and programmes

DoEH&LG Circular LG 06/04 - Review of Community and Voluntary Fora

DoEH&LG Circular LG 07/04 - Improving Local and Community Development Structures and Programmes – Proposals for Improved Cohesion

DoEH&LG Circular LG 15/04 Re: Review of Local and Community Development Structures and Programmes – Integrated and Targeted Plans

DoEH&LG Preparing the Ground: Guidelines for the Progress from Strategy Groups to County / City Development Boards, April 1999
DoEH&LG A Shared Vision for County / City Development Boards: Guidelines on the CDB Strategies for Economic, Social and Cultural Development, May 2000
DoEH&LG Supplementary Guidelines on the Implementation of CDB Strategies
DoEH&LG Guidelines on the Co-ordination of Social Inclusion Measures at Local Level by CDB Social Inclusion Measures (SIM) Working Group, December 2001
National Development Plan – Chapter 10

COMMUNITY FORUM

Description

The Community Forum is a body which represents the Community and Voluntary Sector in the local authority area and provides a means for community groups to have a say in the development of their Council area. The purpose of the Forum is to provide two-way communication between the Community and Voluntary Sector and the City Development Board. It also provides a means for the community and voluntary sector to be represented on the County Development Board and its supporting structures.

Legislation

Local Government, Act 2001

Guidelines & Circulars

DoEH&LG A Shared Vision for County / City Development Boards: Guidelines on the CDB Strategies for Economic, Social and Cultural Development, May 2000

CHILDREN'S SERVICES UNIT

Description

There are approximately 100,000 children and young people under the age of 18 living in Dublin City. In April 2007 the Children's Services Unit was established to actively work towards making Dublin a better place for children and young people. The unit works closely with citywide committees such as the Children's Services Committee, the Play Steering Group and the Dublin City Childcare Committee. Play development has transferred to the new unit and the remit of the former childcare unit also comes under the new unit. The main objectives are to initiate the development of a policy/strategy on children in the city, to "child proof" core services and social inclusion measures and to pay particular attention to the needs of marginalised children. The unit provides advice and support to staff and communities developing childcare facilities and services in Dublin City. It also promotes the benefits of allowing children to play and actively encourages and assists communities to help make their neighbourhoods more play friendly. The unit works closely with other departments and agencies to meet the City Council's objective of making Dublin a more child friendly city.

Guidelines

National Children's Strategy 2000-2008

National Childcare Strategy 2006-2010

National Play Policy 2004

National Recreational Policy 2007

Towards 2016 Partnership Agreement

OFFICE FOR INTEGRATION

Description

Through the Office of the Director of Community and Enterprise the City Council is taking a lead role in developing a cohesive city level response on integration. With 10 to 15 per cent of our population of migrant origin the City Council is responding with the development of strategic and community based initiatives.

The implementation of an Anti Racism, Diversity and Integration Strategy at city level in partnership with all the stakeholders will establish a framework and focus on integration in the city to enhance the full participation in and contribution of migrants to a city of diversity. Increasing organisational awareness and ensuring service provision is responsive to the needs of new communities will be achieved through implementation of Corporate policy on Migrants. The Intercultural Relations Unit will assist our various communities both new and old to adapt to the many cultural and social changes developing in our increasingly diverse city. The vision of a city of communities that embodies cultural pluralism and is socially cohesive can be achieved by advocating the values of understanding, tolerance, mutual respect and adherence to the fundamental human rights of all. The work of the unit will facilitate and encourage mutual understanding through dialogue, education and assistance of cultural events and celebrations and the embodiment of core human rights ethics in our work with all neighbourhoods.

Guidelines/Policies/Statements

National Action Plan against Racism 2004/2008

Migration Nation 2008 - Office of the Minister for Integration

Towards Integration - a City Framework - Dublin City Council

RAPID (Revitalising Areas through Planning Investment and Development)

Description

RAPID is a government programme of targeted investment and intervention led by Dublin City Council through Rapid Area Coordinators in 9 areas of the city experiencing significant social and economic disadvantage. Through AITs (Area Implementation Teams) communities can access funding to address local issues such as Estate Enhancement, Traffic Calming, Health, Education, Crime and Security. Significant funding has been invested in communities in the city since the beginning of the programme.

SOCIAL INCLUSION UNIT

Description

The aim of the Unit is to promote an awareness of Social Inclusion and bring influence to bear in this regard across all levels of the council's policies, activities and services. The Unit co-operates with relevant agencies and key stakeholders in relation to Social Inclusion and works to reduce poverty and inequality within the City.

The Social Inclusion Unit continues to develop the capacity of Dublin City Council to assess and promote policies and projects designed to tackle the cause and effect of social exclusion and disadvantage in the City. It also seeks to, within the framework of the National Action Plan for Social Inclusion 2007-2016, foster integration within the Local Authority's existing activities.

Guidelines

National Action Plan for Social Inclusion 2007-2016

Human Resources Department

Rules, guidelines and procedures used by the Human Resources Department

The Human Resources Department is responsible for the recruitment and assignment of staff, staff welfare, health and safety, industrial and employee relations, equality, superannuation, staff training and development

WORKFORCE PLANNING AND RECRUITMENT

Description

Functions include all recruitment, advertising of vacancies, holding of interview competitions, assignment of personnel and execution of employment contracts.

Legislation

Local Authorities (Officers and Employees) Acts 1926, 1940, 1983
County Management Act, 1940
Local Government Act, 1941
Local Government Act, 1946
Section 12(1) Local Government Act, 1955
Section 6(1) County and City Management (Amendment) Act, 1955
Section 160 (1) a to e Local Government Act 2001
Employee Information Act 1994
Protection of employees (Part Time Work) Act 2001
Protection of Employees (Fixed Term Work Act) 2003
Employment Equality Act 2004

Regulations

Local Government (Officers) Regulations, 1943
Local Government (Appointment of Officers) Regulations, 1974
Local Government (Age Limit Order), 1991
Local Government (Appointment of Officers) (Amendment) Regulations, 1997

Guidelines & Circulars

Qualifications for office for various posts. Particulars of Office for various posts
Circular Letter E.L. 7/52
Circular Letter E.L. 8/66
Circular Letter E.L. 5/67
Circular Letter E.L. 7/75
Circular Letter E.L. 4/79
Circular Letter LA (P) 19/84
Circular Letter LA (P) 11/85
Circular Letter LA (P) 13/96
Circular Letter LA (P) 3/97
Circular Letter LA (P) 4/97
Circular Letter LA (P) 6/97
Handbook for Guidance of Interview Boards
Local Policy on Recruitment of Temporary Officers
Equal Opportunities Policy

CONDITIONS OF EMPLOYMENT

Description

Determination of starting pay on appointment or promotion is covered by direction from the Department of the Environment Heritage and Local Government.

Regulations

Circular Letter E.L. 7/52

Circular Letter E.L. 5/67

Circular Letter 4/79 (regarding Incremental credit for temporary service)
Circular Letter E.L. 3/95
Circular Letter E.L. 14/96
Circular Letter E.L. 10/96
Circular Letter E.L. 1/81 (additional increments for post graduate service engineering grades)
Circular Letter EL 08/2005 Calculation of acting up allowance and incremental credit on promotion
Circular Letter EL 12/00 (Regarding professional grades – applies to Assistant, Executive, Snr. Executive Grades when appointing)
Circular Letter EL 3/08 – Assistant Professionals – service at same grade in another country can be taken into account on appointment
Circular Letter EL 09/01 – Incremental credit for Clerical Officers and Analogous grades
Circular Letter EL 7/00 – Long service increments and age related pay scales
PO/226/05 Local rule in relation to starting pay on promotion to salaried position.
CM 88/07 Local rule in relation to starting pay on promotion to salaried position
Fall Back Rule (credit for allowances)
Department of Environment rule on promotion of a servant to an officer grade
Local Authorities (declaration of Offices Order) 2003
Local Authorities (declaration of Offices Order) 2002
Local Authorities (declaration of Offices Order) No 2 2002
Section 159 (3) a and b Local Government Act 2001
Protection of Employees (Part time Work Act) 2001
National Minimum Wage Act 2000
Employment Permits Act 2003

PROBATION

Description:

A period of probation exists, where a person who is not already a permanent officer of a local authority is appointed to a permanent office.

Regulations

Article 32(2) of the Local Government (Officers) Regulations, 1943

DUTIES

Description

The assignment of duties is a matter for the City Manager under the Particulars of Office for each office approved by the Minister subject to any agreements, which have been made with the staff.

Legislation

Sections 10 & 20 of the Local Government Act, 1941

TENURE OF OFFICE

Description

Permanent Officers generally hold office until resignation/retirement or removal from office. Temporary Officers hold office for a specified period or until a specified work or duty has been completed/or pending the appointment of another person to hold office or as substitute officer. The City Manager is appointed on a fixed term contract.

Legislation

Sections 19 and 23 of the Local Government Act, 1941
Section 14 of the Local Government Act, 1955

Section 47 of the Local Government Act, 1991
Protection of employees (Fixed Term Working) Act 2003
Protection of Employees (Part time Work Act) 2001
Local Government Act 2001

Regulations

Article 32 (1) Local Government (Officers) Regulations, 1943
Local Government (Tenure of Office) Order, 1991

Guidelines & Circulars

Circular L.A. (P) 2/92

CAREER BREAK

Description:

Officers and employees may be granted special leave without pay.

Guidelines & Circulars

Circular Letter LA (P) 18/84
Circular Letter LA 7/86
Circular Letter LA (P) 18/87
Circular Letter LG (P) 8/2000
Circular Letter LG (P) 22/04
Circular Letter LG (P) 08/08

WORK SHARING

Description:

A scheme exists whereby posts may be filled on a work-sharing basis.

Guidelines & Circulars

Circular LA (P) 11/86
Circular LA (P) 18/87
Work Sharing LG (P) 13/02 Circular Letter

LEAVE

Description:

There are many types of leave available to staff.

Legislation

Holidays and Employees Act, 1973
Organisation of Working Time Act, 1997
Organisation of Working Time (Records) Regulations 2001

Regulations

Art. 22 and 23 Local Government (Officers) Regulations, 1943
(Public Holidays) Regulations, 1993

Guidelines & Circulars

Unpaid: Circular Letter LA (P) 4/96
Marriage: Circular Letter EL 59/75
Interviews: Circular Letter EL 12/71
Study/Exam: Circular Letter LA (P) 19/80
Death: Circular Letter LA (P) 18/80, Circular Letter LA (P) 12/88
Family/Circumstances: Circular Letter 18/80
Anticipation of Annual Leave: Circular Letter 18/80
Training with Defence Forces: Circular Letter LA (P) 10/81
Public Holiday Entitlement, LG (P) 07/03 – circular letter
Term time leave LG (P) 06/03 Circular letter
Paternity Leave LG(P) 5/2000
Special Leave for Sporting Purposes EL 03/83

Force Majeure Leave – Parental Leave Act 1998

CARERS LEAVE

Carers Leave Act 2001
Social Welfare Law Report & Pensions Act 2006

PARENTAL LEAVE

The Parental Leave Act 1998
Parental Leave entitlement – LG (P) 12/02 Circular letter
Parental Leave (Amendment) Act, 2006
Parental Leave LG (P) 14/06

MATERNITY LEAVE

Description

Scheme granting maternity leave to local authority officers and employees.

Legislation

Maternity Protection Act, 1994
Maternity Protection (Amendment) Act 2004

Regulations

Maternity Protection (Disputes & Appeals) Regulations, 1995
Maternity Protection (Time off for Anti-Natal & Post-Natal Care) Regulations, 1995
Maternity Protection (Health & Safety Leave Certification) Regulations, 1995
Maternity Protection (Health & Safety Leave Remuneration) Regulations, 1995
Order SI No. 51 of 2006 (Extension of Periods of Leave) Order 2006

Guidelines & Circulars

Circular LA (P) 15/81
Protocol for Pregnant/Nursing Fire Fighters in Dublin Fire Brigade

ADOPTIVE LEAVE

Legislation

Adoptive Leave Act, 1995
Adoptive Leave Order 2001
Adoptive Leave Amendment Act 2001
Adoptive Leave Amendment Act 2006
Maternity Protection Act 1994
Order SI No. 51 of 2006 (Extension of Periods of Leave) Order 2006

Regulations

Social Welfare (Consolidated Payments Provisions) (Amendment) (No. 2) Regulations, 1995
Adoptive Leave (Referral of Disputes and Appeals) (Part V) Regulations, 1995
Adoptive Leave (Calculation of Weekly Remuneration), 1995

Guidelines & Circulars

Circular LA (P) 7/84
Circular LG (P) 05/01

SICK LEAVE (OFFICERS)

Description

The scheme deals with the granting of sick leave and payment of salary during sick leave.

Regulations

Section 20 of the Local Government (Officers) Regulations, 1943

Guidelines & Circulars

Circular Letter EL 7/52

Circular Letter LA (P) 17/80

SICK LEAVE (EMPLOYEES)

Guidelines & Circulars

Local Authority Sick Pay Scheme

HEALTH AND SAFETY

Description

The purpose of these provisions is to protect in so far as reasonably practicable the safety, health and welfare of all employees.

Legislation

Safety, Health & Welfare at Work Act, 2005 (Number 10 of 2005)

Dangerous Substances Act 1972 (No 10 1972)

Occupiers Liability Act 1995 (No 10 of 1995)

Fire Services Act 1981 (No 30 of 1981)

Regulations

Safety in Industry (Abrasive Wheel) Regulations 1982 (SI No 30 of 1982)

European Communities (Protection of Workers) (Exposure to Lead) Regulations 1988 (SI No 219 of 1988)

Dangerous Substances (Storage of LPG) Regulations, 1990 (SI 201/1990)

Safety, Health and Welfare at Work (General Application) Regulations 1993

Part X & 12th Schedule

Safety, Health and Welfare at Work (Biological Agents) Regulations, 1994

(SI No 146 of 1994) and Amendment (SI No 248 of 1998)

Building Regulations 1997

Safety, Health and Welfare at Work (Carcinogens) Regulations 2001 (No 78 of 2001)

Safety, Health and Welfare at Work (Confined Space) Regulations 2001 (SI No 218 of 2001)

Safety, Health and Welfare at Work (Chemical Agents) Regulations, 2001 (SI No 619 of 2001)

Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006 (SI No386 of 2006)

Safety, Health and Welfare at Work (Construction) Regulations 2006 (SI No504 of 2006)

Health and Safety Authority Codes of Practice

Code of Practice for the Storage of Liquid Petroleum Gas 1997

Code of Practice for Safe Work in Confined Spaces 2001

2007 Code of Practice for the Safety Health and Welfare (Chemical Agents) Regulations 2001

Code of Practice for Rider Operated Lift Trucks: Operator Training 2002

Code of Practice for Safety in Roof Work 2005

Code of Practice for Avoiding Danger from Underground Services 2005

Code of Practice on the Prevention and Resolution of Bullying at Work 2007

Code of Practice for Access and Working Scaffolds 2008

Code of practice for Avoiding Danger from Overhead Lines 2008

Standards

Various numbered Irish, British and European Published Standards are applicable in the

SUSPENSIONS

Description

The City Council has the power to impose suspensions from performance of duties.

Legislation

Section 27 Local Government Act, 1941
Section 18 Local Government Act, 1955
Section 49 Local Government Act, 1994
Section 6 (2) County Management Act, 1940

Regulations

Local Government (Officers) Regulations, 1983

REMOVAL FROM OFFICE

Description

The Minister for the Environment Heritage and Local Government may, by order, remove a holder from his/her office if the statutory grounds exist. There are also provisions regarding the removal of a City Manager.

Legislation

Section 6 County Management Act, 1940
Section 24, 25 & 26 Local Government Act, 1941
Section 17 of the Local Government Act, 1955
Section 6 (2) County Management Act, 1940
Section 164 Local Government Act 2001

Regulations

Article 31 Local Government (Officers) Regulations, 1943

TERMINATION OF EMPLOYMENT

Legislation

Unfair Dismissals Acts, 1977 - 2001
Redundancy Payments Acts, 1967 - 1991
Protection of Employment Act, 1997
Section 164 Local Government Act 2001

APPEALS TO THE MINISTER IN RELATION TO PAY, DUTIES AND CONDITIONS OF SERVICE

Description

An officer may make an appeal to the Minister for the Environment Heritage and Local Government if he/she is aggrieved by a decision, which the City Council has made in relation to his/her remuneration, duties or conditions of service.

Legislation

Section 10 Local Government Act, 1941
Section 12 Local Government Act, 1955

Regulations

EXTENSION BEYOND THE AGE LIMIT

Description

Officers who cease to hold office on reaching the retirement age are not retained in a temporary capacity beyond retirement age except in exceptional circumstances.

Regulations

Age Limit Order, 1957

Section 158(1) C Local Government Act 2001

Guidelines & Circulars

Circular Letter LA (P) 23/86

REMOVAL EXPENSES

Description

Scheme in regard to payment of expenses in relation to permanent and pensionable officers who secure a promotion to an office in another local authority carrying a maximum salary higher than the maximum attaching to their existing office.

Guidelines & Circulars

Circular Letter EL 13/78

Circular Letter EL 6/79

Circular Letter EL 5/84

Circular Letter LA (P) 21/87

Circular Letter LA (P) 10/96

Circular Letter LA (P) 4/96

Circular Letter LA (P) 10/97

RULES OF CONDUCT

Description

The Rules relate to matters such as placing of contracts and purchasing/sale of goods by local authorities, acceptance of gifts or rewards for help or information given to the public on official matters, use of influence, courtesy and impartiality when dealing with members of the public.

Guidelines & Circulars

Circular Letter EL 48/74

Section 169 Local Government Act 2001

Code of Conduct for employees 2004

OFFICERS ENGAGING IN PRIVATE PRACTICE

Description

Prohibition on local authority officers from engaging in outside occupations, which would impair or be in conflict with the performance of their duties as local authority officers.

Regulations

Local Government (Officers) Regulations, 1984

Section 159 (5) (a - d) Local Government Act 2001

Guidelines & Circulars

Circular Letter LA (P) 10/84

APPLICATIONS FROM LOCAL AUTHORITIES FOR ADDITIONAL POSTS

Description

Sanction of increases in Local Authority Staff Numbers or requests for creation of posts outside current controls

Guidelines & Circulars

Circular LA (P) 4/96

REMUNERATION OF LOCAL AUTHORITY OFFICERS AND EMPLOYEES

Description

The remuneration of local authority officers and employees is governed by legislation and is determined by reference to circular letters issued by the Department of the Environment Heritage and Local Government.

Legislation

Section 10 and 22 of the Local Government Act, 1941
Section 29 and 30 of the Local Government Act, 1941
Section 42 of the Local Government Act, 1946
Section 9 of the Local Government Act, 1955
Section 20 of the Local Government Act, 1955
Payment of Wages Act, 1991
Section 158(1) a Local Govt Act 2001

Regulations

Articles 11, 12 and 13 of Local Government (Officers) Regulations, 1943
Article 21 of Local Government (Officers) Regulations, 1943

Guidelines & Circulars

Circular Letter E.L. 7/52
Circular Letter E.L. 4/79
Circular Letter E.L. 1/81
Circular Letter E.L. 2/94
Circular Letter E.L. 9/96
Circular Letter E.L. 17/97
Circular Letter E.L. 5/67
Circular Letter L.A. (P) 3/80
Circular Letter E.L. 1/89
Circular Letter E.L. 3/95
Circular Letter 10/96
Circular Letter E.L. 11/97
Circular Letter E.L. 14/96
Circular Letter E.L. 18/97

SUPERANNUATION

Legislation

Local Government (Superannuation) Act, 1980
Local Government (Superannuation) Consolidation Scheme 1998
The Public Service Superannuation (Miscellaneous provisions) Act 2004

Regulations/Schemes

Local Government (Superannuation Revision) (Consolidation) Scheme, 1986
Local Government (Superannuation) Act, 1956
(Consolidation) Scheme, 1987
Local Government Officers, Pension Employees Widow's & Orphans' Scheme
Local Government Spouses' & Children's Pension Scheme

INDUSTRIAL AND EMPLOYEE RELATIONS

Legislation

Industrial Relations Acts, 1946 – 1990, 2001
Holidays (Employees) Acts, 1973 & 1991
Payment of Wages Act, 1991
Minimum Notice and Terms of Employment Acts, 1973 – 1991, 2001
Terms of Employment (Information) Act, 1994, 2001
Maternity Protection Act, 1994
Adoptive Leave Act, 1995
Organisation of Working Time Act, 1997
Safety Health and Welfare at Work Act 1989, 2005
Protection of Employment (Part Time Work) Act 2001
National Minimum Wage Act 2001
Unfair Dismissal Acts 1977-2001
Industrial Relations (Misc Provisions) Act 2004

Guidelines and Circulars

Local Grievance Procedures
Disciplinary Procedures
Sexual Harassment Policy
Employment Agreements
Labour Court
Labour Relations Commission

EQUALITY

Legislation

Anti - Discrimination (Pay) Act, 1974
Employment Equality Act, 1977
Employment Equality Act, 1998 - 2004
Dignity at Work Policy
Maternity Policy
Code of practice for the employment of people with disabilities.
Equality and Diversity Management Policy

Ethical Framework for the Local Government service,

Local Government Act 2001 Sections 166 - 182
Code of Conduct for employees

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

Rules, procedures and practices used by the Planning and Development Department

Dublin City Council is responsible for the orderly development of the City and, through its Planning & Economic Development Department, strives to bring about a sustainable living City, a City in which people can live, work and form communities.

DETERMINATION OF PHYSICAL PLANNING POLICY

Description

The Development Plan sets out the spatial framework for the future development of the city and consists of a set of policies and objectives. The Development Plan is a statutory document. The City Council adopted the current City Development Plan in March 2005. The formal review of the new Development Plan (2011-2017) commenced in January 2009 and a report from the City Manager on the Pre-Draft Consultations was issued to the Councillors in May 2009. Variations to the current City Development Plan are also being processed with a view to being adopted by the City Council.

In the coming year the emphasis will be on the preparation of the new draft plan including public consultation and presentation of key strategic issues to the Councillors.

DEVELOPMENT PLAN

Legislation

Planning & Development Acts, 2000-2006

Regulations

Planning & Development Regulations 2001-2008

Guidelines

National Spatial Strategy for Ireland 2002-2020

Regional Planning Guidelines 2004

Dublin City Development Board – Dublin A City of Possibilities 2002-2012

National Development Plan 2007-2013

CONTROL OF NEW DEVELOPMENT & BUILDING

Description

Planning permission is required for the development of land or property except for certain specific works, which are deemed to be exempt. Development is defined to include the carrying out of works (building, demolition, alteration) on buildings or land and includes the making of a material or significant change of use of land or buildings.

PLANNING PERMISSION (PLANNING APPLICATION PROCESS)

Legislation

Planning & Development Acts, 2000-2006

Dublin Docklands Development Authority Act, 1997

Regulations/E.U. Directives

Planning & Development Regulations 2001 -2002

Planning & Development Regulations 2003

Planning & Development Regulations 2004

Planning & Development Regulations 2005

Planning & Development Regulations 2006
Planning & Development Regulations 2007
Planning & Development (No. 2) Regulations 2007
Planning & Development Regulations 2008
Planning & Development (Amendment) Regulations 2008
E.C. (Environmental Impact Assessment) Regulations 1989
E.C. (Environmental Impact Assessment) Regulations 1994
E.C. (Environmental Impact Assessment) Amendment Regulations 1994
E.C. (Environmental Impact Assessment) Regulations 2004
E.C. (Environmental Impact Assessment) (Amendment) Regulations 2006

Dublin Docklands Area Master Plan
Current Development Plan and any formerly adopted Action Area Plans

Guidelines & Circulars

Current City Development Plan
DOEH&LG Circular Letter PD 10/2001
DOEH&LG Circular Letter PD 1/2002 – Guidance Notes
DOEH&LG Circular Letter PD 3/2002
DOEH&LG Circular Letter PD 7A/2002
DOEH&LG Circular Letter PD 4/2003 – Development Contribution Scheme
DOEH&LG Circular Letter PD01/06 – Taking in Charge of Housing Estates/Management Companies
DOEH&LG Circular Letter PD 2/07
DOEH&LG Circular Letter MWPS 1/07
DOEH&LG Circular Letter PD7/07
Policy for the Taking in Charge of Housing Developments 2007 DCC
DOEH&LG Circular Letter PD 01/08 Taking in Charge of Residential Developments /Management Arrangements
DOEH&LG Circular Letter PD 03/08 Wind Energy Development.
Sustainable Residential Development Guidelines
Development Management Guidelines for Planning Authorities 2007

Procedures

Department of the Environment, “Development Control - Advice and Guidelines” (1982)
Dublin City Council Planning Department, “How to make a valid Planning Application”
In determining a planning application it is customary to have regard to recent planning history on the same site including planning appeal decisions.

CONTROL OF UNAUTHORISED DEVELOPMENT

Description

Planning permission is required for the development of land or property except for certain specific works that are deemed to be exempt. It is an offence to carry out development without the necessary planning permission.

Legislation

Local Government (Planning & Development) Acts, 2000 - 2006

Regulations

Local Government (Planning & Development) Regulations, 2001 - 2008

BUILDING CONTROL

Description

The Building Control Division monitors the design, construction, use and alteration of buildings and major temporary structures and the marketing and use of construction products and promotes access for all to buildings and urban spaces:

To secure the health, safety and convenience of persons

To secure the conservation and sustainability of resources
To secure the appropriate use of materials and regulate competition in the construction sector.

Legislation

Building Control Acts 1990 - 2007
Public Health Acts Amendment Act 1890 Section 37
Multi-Storey Buildings Act 1988
Part XVI Planning & Development Act 2000
Licensing of Indoor Events Act 2003

Regulations

Building Control Regulations 1997-2004
Building Regulations 1997-2008
European Communities (Energy Performance of Buildings) Regulations 2006-2008
Construction Products Regulations 1992-1994
The Barcelona Declaration 1999
Planning & Development (Licensing of Outdoor Events) Regulations 2001
Planning & Development (Fairground Equipment) Regulations 2003

Guidelines & Circulars

DOEHLG Circulars
Guide to the Building Control System PL11 Oct 2002 D0EHLG
Technical Guidance Documents 1997-2008

Commencement Notice Guidance 2005 DCC
Building Materials Guidance 2008 DCC
Loft Conversions (Fire Safety) Jan 2005 D0EHLG
A Strategy for Equality, Commission on the Status of People with Disabilities
Buildings for Everyone 2002 NDA
Planning for All in Dublin City 1999 DCC
IT Accessibility Guidelines NDA
Providing Services for People DCC
Ask Me, Guidelines for Effective Consultation with People 2002 NDA
Towards Best Practice in Provision of Transport Services 2003 NDA
BS 8300: 2001-2005 Design of Buildings and their Approaches
Accessibility Policies & Appendix 15 of Dublin City Development Plan 2005-2011
Code of Practice for Safety at Sports Grounds 1996 Dept. of Education
Code of Practice for Safety at Outdoor Pop Concerts 1996 Dept. of Education
Code of Practice for Safety at Indoor Concerts 1998 D0EHLG
Temporary Demountable Structures IstrutE
Advisory Handbook for Event Organisers 2004 DCC

LOCAL AUTHORITY AS A DEVELOPER

Description

The City Council is required to give public notice in respect of certain proposed developments to be undertaken either by itself or on its behalf. Submission or observations can be made during the prescribed period and all such representations must be considered by the City Council before a final decision is made on the proposed development. Such a decision is a reserved function of the elected Council.

Legislation

Planning & Development Acts, 2000-2006

Regulations

Planning & Development Regulations 2001-2008

AN BORD PLEANÁLA

Description

Any person may appeal the decision of the City Council on a planning application or building control application to An Bord Pleanála (except that no appeal is possible in relation to a Part XVI application for an event licence). Appeals must be lodged within one month of the decision of the City Council. Appeals must be accompanied by the relevant appeal fee and by such documents or other information, as the appellant considers appropriate.

SYSTEM OF APPEALS

Legislation

Planning & Development Acts, 2000-2006
Building Control Acts 1990 – 2007

Regulations

Planning & Development Regulations 2001-2008
Building Control Regulations 1997-2004

COMPENSATION

Description

Compensation may be payable in certain circumstances in the planning process where an applicant for planning permission on appeal has been refused permission or where a permission granted is subject to restrictive conditions.

Legislation

Planning & Development Acts, 2000-2006

Regulations

Planning & Development Regulations 2001 - 2008

DEVELOPMENT

Description

The Development Department is responsible for land and property acquisitions and disposals, urban renewal, provision of office accommodation and management of the City Council estate with the objective of managing it in the best interests of the city. It is also responsible for the control and management of derelict sites within the administrative area of Dublin City Council.

ACQUISITION, DISPOSAL AND LETTING OF LAND AND PROPERTY

Description

Where possible the City Council acquires property by agreement. Where this is not possible or practical powers of compulsory acquisition are then used.

Legislation

Land Clauses Consolidation Act, 1845
Local Government (Sanitary Services) Acts, 1878 - 1964
Housing of the Working Classes Act, 1890 (Article 20 of Second Schedule only)
Local Government (Ireland) Act, 1898
Acquisition of Land (Assessment of Compensation) Act, 1919
Acquisition of Land (Reference Committee) Act, 1925
Local Government Acts, 1925 - 1994
Local Government (Dublin) Acts, 1930 - 1993
Local Government Act, 1946 (Section 83)
Local Government (No. 2) Act, 1960
Property Values (Arbitrations and Appeals) Act, 1960

Local Government (Planning & Development) Acts, 1963-1993
Local Government (Planning & Development) Act 1963 (Section 75(4))
Housing Acts, 1966 - 1992
Landlord and Tenant Acts, 1967-1994
Landlord and Tenant (Ground Rent) No. 2 Act, 1978
Derelict Sites Act, 1990
Roads Act, 1993

Regulations

Housing Act Regulations 1966
Public Bodies Order, 1946

DERELICT SITES

Description

The City Council has powers to require owners of derelict sites to carry out works which will render the sites non-derelict. The powers also include the imposition of a derelict sites levy where appropriate. Derelict sites may also be acquired by a compulsory procedure in certain circumstances.

Legislation

Local Government Act, 1898
Local Government (No. 2) Act, 1960
Valuation Act, 1964
Housing Act, 1966
Derelict Sites Act, 1990
Planning and Development Act 2000

Regulations

Derelict Sites Act, (Regulations), 1990

ECONOMIC DEVELOPMENT

Description

The function is to plan for the continued economic development of the City.

Legislation

Local Government (Planning & Development) Acts, 1963-1993
Urban Renewal Acts, 1986-1998
Finance Acts, 1986-1998
Statutory Instruments, 1986-1998
Local Government Act, 1991

Guidelines & Circulars

Current City Development Plan
1998 Urban Renewal Scheme

MARKETS

Description

The City Council owns and manages the Wholesale Fruit and Vegetable Market and the Wholesale Fish Market. Both markets are located at St. Mary's Lane, Dublin 7.

Legislation

Public Health (Ireland) Act, 1878

Roads & Traffic Department

Rules, guidelines and procedures used by the Roads & Traffic Department

The functions of this department includes the provision of a wide range of services such as the maintenance of roads and the planning, design, installation and maintenance of all public lighting services and fixtures in the city council area.

PREPARATION OF ROADS PLANS

Legislation

Roads Act, 1993

Guidelines & Circulars

Circular No: R.W. 7/96 as amended
Current City Development Plan objectives

DESIGN OF ROADS NETWORK

Guidelines & Circulars

NRA Design Manual for Roads and Bridges 2000 (and amendments)

ENVIRONMENTAL IMPACT STATEMENT REQUIREMENTS

Legislation

Roads Acts, 1993 (Section 50 & 51)

Regulations

Part V of Roads Regulations, 1994
European Communities (EIA) Amendments Regulations 1999

LAND ACQUISITION

The City Council acquires land for the purposes of road construction or road realignment by agreement, Compulsory Purchase Order or Deed of Dedication. The rules, guidelines and procedures which are relevant to this function are listed in the chapter on the Planning and Economic Development Department.

APPROVAL OF ROAD SCHEMES

Legislation

Roads Act, 1993
Environmental Impact Assessment: Sections 50 and 51 of Roads Act, 1993

Regulations

Part 8 of Local Government (Planning and Development) Regulations, 2001
Environmental Impact Assessment: Parts 5 and 9 of Roads Regulations, 1994

STANDARDS FOR ROAD WORKS - MAINTENANCE & IMPROVEMENT

Legislation

Roads Act, 1993

Guidelines & Circulars

Department of the Environment, Specification for Road Works
Department of the Environment, Specification for Surface Dressing

Road Traffic (Signs) Regulations, 1997
Traffic Signs Manual

DECLARATION OF ROADS TO BE PUBLIC ROADS

Legislation

Roads Act, 1993 (Section 11)

Regulations

Roads Regulations, 1994 (Part 2)

MOTORWAYS

Legislation

Roads Act, 1993 (Part IV)
Local Govt. Roads & Motorways Act 1974
Roads (Amendment) Act, 1998
Road Traffic Act 1961

Regulations

Roads Regulations, 1994 (Parts 4 and 9)

TOLL ROADS

Legislation

Roads Act, 1993 (Part V)

CONTROL OF ROADS NETWORK

Legislation

Section 42 of Dublin City Council Act, 1890: Naming and Numbering
Sections 4, 76-79 of Local Government Act, 1946: Naming and Numbering
Section 53 of Local Government Act, 1955: Naming and Numbering
Part 18 of the Local Govt. Act 2001 (change of names of area and display of names of streets)
Section 89 of Local Government (Planning and Development) Act, 1963: Hoarding Licences
Section 254 of Local Government (Planning and Development) Act, 2000
Planning & Development Regulations 2001
- Licences for Tables and Chairs etc. on Public Footpaths
Roads Act, 1993 (Section 12): Abandonment of Road
Roads Act, 1993 (Section 13): Damage to Public Roads
Roads Act, 1993 (Section 70): Dangerous Structures, Trees, Hedges, etc. adjoining public roads
Roads Act, 1993 (Section 71): Unauthorised Signs, Caravans, Vehicles, etc. on public roads
Roads Act, 1993 (Section 73): Extinguishment of Public Rights of Way
Section 67 of Local Government Act, 1994: Naming and Numbering

Regulations

Local Government (Changing of Place Names) Regulations, 1956: Naming and Numbering
Planning & Development Regulations 2001 (Part 17 Chapter 1) : Hoarding Licences

Guidance

Circular Letters from the Department of the Environment and Local Government on Naming and Numbering

PUBLIC LIGHTING

Legislation

Roads Act, 1993 (Part 2, Section 13)
ETCI (Electro Technical Council of Ireland) Regulations.

TRAFFIC MANAGEMENT

The Roads and Traffic Department has operational and strategic responsibilities in respect of traffic matters in the city.

TRAFFIC MANAGEMENT PLAN

Legislation

Road Traffic Acts, 1961- 2004

Regulations

Road Traffic (Construction and Use of Vehicles) Regulations, 2003
Road Traffic (Removal, Storage & Disposal of Vehicles) Regulations, 1983
Road Regulations, 1994
Road Traffic (Traffic and Parking) Regulations, 1997 - 2003
Road Traffic (Immobilisation of Vehicles) Regulations, 1998
Parking Control Bye-Laws, 2003
Parking Control (Amendment) Bye-Laws 2003
Control of Skips Bye-Laws, 1999

Procedures

Traffic Signs Manual

SPEED LIMITS

Legislation

Road Traffic Act, 2004

TRAFFIC CALMING MEASURES

Legislation

Road Traffic Act, 1994 (Section 38)

ROAD SAFETY

Description

The City Council function involves the development of a road safety strategy, media campaigns, road safety in schools and provision of road markings at school entrances etc.

Legislation

Road Traffic Act, 1961 - 2004

Guidelines & Circulars

Dublin Road Safety Plan, 2005 - 2007

DETERMINATION OF LOW-COST ACCIDENT MEASURES

Guidelines & Circulars

Annual Allocation from National Roads Authority

SCHOOL FLASHING LIGHTS

Legislation

Road Traffic Act, 1961(Section 95 (5))

PEDESTRIAN CROSSINGS

Legislation

Road Traffic Act 1961(Section 95 (16))

Guidelines & Circulars

Circular DC2/86

Circular DC1/91

“KEEP CLEAR” MARKINGS AT SCHOOLS

Regulations

Road Traffic (Signs) Regulations, 1997 - 2003

LOUDSPEAKER LICENCES

Regulations

Road Traffic (Construction, Equipment & Use of Vehicles) Regulations, 1963 - 2003

TAXI & HACKNEY

Provision of Taxi Ranks

Road Traffic Act, 2002