

ID	Submitted by	Content	Issues Raised	Recommendation	Rationale
1	Dublin Town Business Representative Group	DublinTown, the Business Improvement District (BID) for Dublin City Centre, welcomes the opportunity to make a submission on these proposed bye-laws.			
		Introduction			
		The presentation and storage of waste is a significant issue of concern and discussion among DublinTown's membership. Put simply, issues of waste presentation and collection are currently unsatisfactory and require urgent change.			
		The city's historic streets, buildings and layout which in many cases dates back centuries is a significant attraction for the city, it does however create difficulties in relation to the storage and presentation of waste.			
		Most streets and buildings do not have designated storage locations of bins or bagged waste, in many older buildings these cannot be easily retrofitted. To date these challenges have been met in two ways, either by the presentation of "bagged and tagged" waste, or, by the use of wheelie bins generally 240l or 1100l in size.			
		Each of these uses can create challenges, bagged waste can leak and stain paving, it is an obstruction on the street, it is generally unsightly and does little to enhance the attractiveness of city streets and such bags are increasingly being burst open either by members of the public or more commonly seagulls and vermin. With plastic wheelie bins there arises the issue of storage. As mentioned above many business premises cannot easily store bins on-site, there is a common practice to store bins in back lanes where these are available to this can lead to problems with antisocial behaviour and is generally not permitted under the bye-laws.			
		Obligations for waste collectors			
		The bye laws should be framed to meet the needs of city users and not the interests of those engaged in the business of waste collection. However, we are concerned to see that these revised bye-laws have removed reference to the obligations of the waste collector. Whether through the Council or the NWCPO it is important that conditions be placed on the operation of waste collectors within the city. While there are clear guidelines about times when businesses and residents may present their waste, there are no similar guidelines now in place under the new bye-laws for collectors. There are several possible negative implications as a result; (i) Waste collection trucks could potentially add to commuter traffic by attempting to enter the city at rush-hour periods. (ii) Waste collection vehicles could seek to operate in areas much later, this means waste bags and bins are presented on-street for a longer period which detracts from the positive presentation of the city and also means that there is greater opportunity for bags or bins to be tampered with.	Obligations of Waste Collectors	No Amendment or Alteration to to Bye Laws Recommended	This is beyond the scope of the legal power of the Bye Laws and is dealt with through the permitting system which is administered by the NWCPO and enforced by DCC Waste Enforcement
		It is important that due consideration is given to these issues and other practicalities such as collection times in areas where there is a high night time footfall or dense residential properties. Domestic waste presented by City Centre residents should be collected from the street no later than 10am. As this waste can be left on the street from the morning it is imperative that there is an enforceable cut-off time. Waste must not be allowed rest on the street throughout the entire trading hours of local businesses. We also believe that commercial waste must be collected between 7pm and 8 pm from the city's commercial centre. It is accepted that waste trucks should not operate during the rush hour period, however, it equally unacceptable that hospitality and tourist facing businesses are forced to trade with waste from their retail neighbours remaining uncollected from city centre streets.	Waste Collection Times	No Amendment or Alteration to to Bye Laws Recommended	This is beyond the scope of the legal power of the Bye Laws and is dealt with through the permitting system which is administered by the NWCPO and enforced by DCC Waste Enforcement

		We would ask that these issues be addressed as conditions when the waste collection companies are being issued with collection permits. We believe failure to address such issues damages the city's reputation and reflects badly on the city's authorities and in particular Dublin City Council.	Waste Collection Permits	No Amendment or Alteration to to Bye Laws Recommended	This is beyond the scope of the legal power of the Bye Laws and is dealt with through the permitting system which is administered by the NWCPO and enforced by DCC
		There needs to be a comprehensive regulatory framework put in place to ensure that the standards required for waste collection in the city centre are being met. The performance of the waste collectors must be closely monitored to make sure that the conditions of the bye-laws are being met and that waste collectors are providing a service that meets not only their own needs but also the needs of their customers and most importantly the users of the city whether they be Dubliners or visitors to the city. While this could be carried out by the NWCPO, we believe that it is more appropriate that this is conducted by Dublin City Council staff who know the city and understand its complex and interacting needs.	Regulation and Monitoring of Waste Collectors	No Amendment or Alteration to to Bye Laws Recommended	This is beyond the scope of the legal power of the Bye Laws and is dealt with through the permitting system which is administered by the NWCPO and enforced by DCC Waste Enforcement
		Location of waste presentation			
		At present there seems to be a certain ad-hoc attitude on behalf of some waste collectors who dictate the collection point of waste for several businesses at the specific position on a street. We do not feel that this is acceptable. More often than not, this results in the waste of several premises being located outside the frontage of an individual business.	Location of Waste Presentation	Amendment to Bye Laws recommended. Bye Law 2.4 insert phrase ' <i>in a prescribed place</i> '	It is considered within the scope of the legal powers of the Bye Laws and desirable to manage waste presentation
		This is not acceptable, waste should be presented in front of each business rather than piled up in a single location simply to speed up the collection of waste for a contractor.			
		We would advocate for the trial of canvass bags into which individual plastic bags can be placed. This would assist in alleviating issues arising with torn bags and vermin/seagull interference with waste and would also tidy the streets scape before waste collection takes place. Where storage exists businesses should be provided with wheelie bins similar to those provided to domestic residents for the same reasons noted above.	Types of Receptacles used for waste presentation	No Amendment or Alteration to to Bye Laws Recommended	Bye Law does not place any restrictions on introducing or trialling new containers

<p>2 Charlie Cullen Business Owner</p>	<p>My business is based on the corner of Castle Market and Drury Street Dublin 2 and currently commercial waste plastic bags from George Arcade, all retail units on Castle Market, and other business' in the vicinity are placed centrally on the pavement of Castle Market pedestrian street blocking any access for emergency vehicles for a minimum period of 6 hours before they are collected by the relevant refuse collection companies. 12 meters away from that particular designated zone is another designated zone whereby shops and food places leave their waste for collection. So not only is my shop "flanked" on each side of a designated zone for refuse collection the rubbish is piled in such a way that on several occasions plastic rubbish block the pavement and is resting against my shop window.</p> <p>Almost every day when I come to open my shop I find rubbish that has not been collected by relevant refuse companies for reasons such as no tags on plastic bags or plastic bags being too heavy or other reasons unknown! (i have also come across proper tagged bags no being collected also). Food restaurants and takeaways are not sealing their bags correctly and seagulls and birds can peck and access the bags and food and grease and bird excrement is generally all over the pavement when I come into work each morning. This happens almost every day of the week.</p> <p>There are 2 loading bays on Drury Street, both position each side of entrance to Castle Market and I would recommend that a section on each loading bay is sectioned off with proper markings and zoned for refuse to be collected by the relevant companies. I believe that not only will it keep our city tidy but it will reduce the man hours used to clean up afterwards and potentially reduce any future insurance claims should a member of the public trip or fall on the current piles of rubbish placed on pavements.</p> <p>I love this City and it is historical and full of life and beauty and currently visitors/tourists are experiencing dirty, greasy and ugly piles of rubbish from 5pm (sometimes earlier) up to 11am the following day!</p>	<p>Location of Waste Presentation</p>	<p>Amendment to Bye Laws recommended. Bye Law 2.4 insert phrase '<i>in a prescribed place</i>'</p>	<p>It is considered within the scope of the legal powers of the Bye Laws and desirable to manage waste presentation</p>
<p>3 Simon Bailey Resident</p>	<p>Bag collection is necessary but unsightly and prone to creating litter as animals can get at the bags or the weather can disturb it. Has any consideration been given to collapsible containers e.g. corrugated cardboard so that the bags can be contained. Also in the city centre similar solution could be deployed for commercial waste. The streets are unsightly and visually littered with commercial waste in the evenings after 5 when city residents and visitors go onto the streets for a walk and to enjoy their neighbourhood</p>	<p>Types of Receptacles used for Waste Presentation</p>	<p>No Amendment or Alteration to Bye Laws Recommended</p>	<p>Bye Law does not place any restrictions on introducing or trialling new containers</p>
<p>4 Cllr Michael O'Brien Public Representative</p>	<p>I write to you regarding the draft bye laws on waste management. I want to take the opportunity to reiterate the concern I expressed at both the Environment Special Policy Committee and again at the full meeting of Dublin City Council after the draft was first circulated to the elected members.</p>			
	<p>Before I cite my specific objection I should state my overall problem with the broad thrust of these bye-laws which amount to the bestowing further powers on local authorities to act as enforcers for private waste collectors. It coincides with the expansion of charges to include recyclable waste.</p>			
	<p>The bye-laws fail to take into account situations where people with limited means allow their waste collection accounts lapse for a period of weeks or months in between collections. It is possible for people to recycle and compost by means other than a green or brown bin and require a black bin collection two or three times a year. Such people should not be punished for saving themselves a small amount of money by not having a live subscription to a company in the hiatus between when they need their black bin lifted</p>			
	<p>My main concern specifically relates to proposed bye law 11 which seeks to empower the council to penalise those who interfere or impede waste collection.</p>			
	<p>In the extract from the Duncan Laurence Environmental Ltd report commissioned by the waste regions and circulated to members of the Environment SPC page 138 (page 36 of the PDF extract) explains the motivation behind this draft bye law:</p>			
	<p>"4.2.19. 11. Interference with Orderly Waste Collection</p>			

	<p>It may be desirable that a waste presentation bye-law mandates that neither containers nor the general refuse collection service is disrupted or interfered with by third parties. Problems of this nature may arise on an individual basis or from more organised and widespread protest-type activities [my emphasis].</p>	<p>Objection to Bye - Law 2.10 Interference with Orderly Waste Collection</p>	<p>Amendment to Bye Laws recommended. Bye Law 2.10 Delete (a) <i>Employess of an Authorised Waste Collector or of Dublin City Council involved I nthe remvoal of waste shall not be wilfully obstructed, disturbed, interrupted or otherwiase interfered with in the course of their engagement in waste collection</i></p>	<p>This Bye Law is considered to convey powers on the local authority that it will likely be unable to enforce as such it is considered unnecessary to include such a provision in the bye laws.</p>
	<p>A bye-law addressing these matters appears particularly useful for the reason that, as noted in an earlier chapter, it can be enforced not only by local authority staff but also by the Gardai, with the power of arrest being conferred on the Gardai where non-compliance continues. "</p>			
	<p>Speaking as a veteran of the anti bin charges campaign of 2003 and an active supporter of the Greyhound Recycling workers who in 2014 were locked out of their jobs for a number of weeks because of their refusal to agree to a 35% pay cut I query the necessity for this new bye law.</p>			
	<p>In the course of the bin charges campaigns Gardaí frequently intervned forcibly to removed protesters impeding collections when the bin charges were first imposed and also arrested protesters (over a dozen of whom were subsequently jailed) acting on injunctions obtained by Dublin City Council and other local authorities. Such powers unfortunately proved adequate to defeat the bin charges protest movement.</p>			
	<p>There has been no organised bin charge protests by residents for well over a decade. Why, ten years after the demise of that struggle, is it necessary to have such a bye-law? Is it anticipated that further dramatic increases in waste charges will re-ignite a protest movement? If so do you not have confidence in the state and civil powers that were deployed in 2003?</p>			
	<p>The more likely scenario these days in which one might encounter the impeding waste collections is industrial disputes. This should come as no surprise given the rampant low pay and harsh working conditions in this wholly privatised sector. In the Greyhound Recycling case mentioned above which was an industrial dispute where workers enjoyed support from residents, political activists and public representative both at the depot in Crag Avenue, Ballymount and in a number of residential areas Gardaí used their existing powers under the Road Traffic Act and the Public Order Act as well as brute force against protesters and workers impeding the collection of waste by strike breaking labour.</p>			
	<p>The company also obtained injunctions against workers and their supporters. With existing civil and criminal remedies available to the employers and strike breaking labour in these scenarios you propose a third form of sanction which would amount to requiring unionised council employees levying on the spot fines to fellow workers trying to effectively execute a trade dispute. This is not the role of Dublin City Council or its employees.</p>			
	<p>I therefore submit that bye-law 11 should be removed from the draft.</p>			
<p>5</p>	<p>Roisin O'Connell Hussey Resident</p>			
	<p>I am writing in relation to the Dublin city waste management consultation.</p>			
	<p>I am a resident of Fitzwilliam Street Upper Dublin 2. I am a user of the domestic waste services. If the Council is serious about encouaging residential living in this area, more needs to be done to improve the situation around waste management. No one wants to live in an unsightly and unhygenic environment. The following are my observations on areas that need improvement:</p>	<p>Designated Collection Days</p>	<p>No Amendment or Alteration to to Bye Laws Recommended</p>	<p>Designated collection Days are provided for in the bye laws</p>

		1: collections are made by various companies on various days..... this results in bags being left out on a number of days, instead of one day. The council should insist that commercial companies use a set day per week in designated areas, to avoid unsightly bags of rubbish being left out on the pavements throughout the week. Coordination is needed.			
		2: seagulls peck the bags left on kerb sides. There is very little that can be done about this other than replacing bags with wheelie bins which I would strongly recommend, or insisting that stronger bags be sold.....which no doubt will drive up the cost and encourage illegal dumping. Wheelie bins are tidier and more hygienic. The problem of their storage is an issue, but perhaps incentives could be devised to encourage people to use them where possible.	Types of receptacles used for Waste Presentation	No Amendment or Alteration to to Bye Laws Recommended	Bye Law does not place any restrictions on introducing or trialling new containers
		3: recycling centres are not easily accessible in the city centre and in our area around the Georgian Core. This needs to change if the council is serious about encouraging residential living in this area. Bottle banks and paper and aluminium can depots should be more numerous. This would encourage recycling and reduce the cost of waste disposal. Perhaps the council could partner with local supermarkets or parking lots to encourage people to dispose of their recyclable waste for the benefit of everyone. Convenience and accessibility are key in getting people to change their habits and behaviours.	Availability of Recycling facilities	No Amendment or Alteration to to Bye Laws Recommended	Not an issue relevant to the legal scope of the Bye Laws
		I hope you give my thoughts some consideration and wish you well in your efforts to improve The quality of service delivery in Dublin City.			
6	Anne Devlin Resident	Dear Sir/Madam,			
		I wish to comment on the Waste Management (storage, presentation and segregation of household and commercial waste) bye-laws 2018.			
		According to 1.6 these are intended to repeal The DCC Storage, Presentation and Collection of household and commercial waste bye-laws 2013. The 2013 bye-laws included the responsibilities of the authorised waste collector as well as the holder. The obligations of the former appear to have been excluded entirely from the new regulations. I understand the main thrust of the new bye-laws is obligate those who are not signed up to any waste collection service to do so. The number of people who are not part of any waste collection service is obviously a big problem in relation to illegal dumping etc. However, it is important that the responsibilities in relation to waste is a two-way street as it is difficult to have confidence in a service which suffers few consequences from not adhering to the requirements set out for them. Section 7 in the old regulations should be included as a minimum in the new regulations.	Obligations of Waste Collector	No Amendment or Alteration to to Bye Laws Recommended	This is beyond the scope of the legal power of the Bye Laws and is dealt with through the permitting system which is administered by the NWCPO and enforced by DCC Waste Enforcement
		I live on Upper Fitzwilliam Street, a street in the Central Commercial District. It is currently serviced by several waste collectors for commercial waste and by one for domestic waste. We currently purchase bags to put our rubbish in for collection. There are two types of bags for domestic and commercial holders, one for general waste and one for recycled waste. The rubbish bags are supposed to be put out between 5-7pm and to be collected between 7-12pm. There is no collection for organic waste and inadequate recycling facilities. There are a number of problems with the system as outlined below which need to be considered in depth. It is clear significant reform is needed. The draft revision of the bye-laws is focussed on one issue and is quite inadequate to deal with the many problems of the waste collection system in the Central Commercial District.	Regulation and Monitoring of Waste Collectors	No Amendment or Alteration to Bye Laws Recommended	This is beyond the scope of the legal power of the Bye Laws and is dealt with through the permitting system which is administered by the NWCPO and enforced by DCC Waste Enforcement
		<ul style="list-style-type: none"> • Bags are put out every day of the week for commercial waste and are collected 5 days a week by different companies on our street. There are several bin lorries circulating each day at all hours of the day. They do not adhere to the collection time period stipulated and, as a matter of course on this street, pick up bin bags after 12pm – I have seen pick-ups taking place at 2:30-3am on the street. They also regularly pull up on our street during and after the collection period, to operate their lorry's 'mash' waste facility before continuing on. These actions are noisy and disruptive to residents on the street. The frequency with which they pick up waste outside the stipulated time periods obviously shows they can do so with impunity and without sanction. I have observed Key Waste, Greenstar/Oxigen/OZO, Thorntons and Citybin collecting waste outside the allowable times. 			

		<ul style="list-style-type: none"> In March 2014, Hugh Coughlan of Dublin City Council's Waste Management Services Division admitted "The fact that several waste collectors now operate in Dublin means that communities were being inconvenienced by numerous bin trucks in their area on a daily basis with resulting difficulties of footpaths blocked by bins, littering and traffic issues. These Bye Laws will ease these problems considerably". I suggest, in line with the reform of waste collection in the rest of city, outside the primary collection route on places like Baggot Street, there should be a reduction in the number of waste collectors and a reduction in the days on which they collect. 	Designated Collection Times and Days	No Amendment or Alteration to Bye Laws Recommended	Designated collection Days are provided for in the bye laws. Collection times are permitted by the NWCPO. Dublin City Council will liaise with the NWCPO to ensure collection time are appropriate for the city.
		<ul style="list-style-type: none"> The system of waste presentation needs to be reviewed. Rubbish bags are constantly being put out by holders on a day or time that suits them rather than at the prescribed times. Rubbish bags are frequently being pecked open by pests – seagulls commonly. The bags provided by the waste companies are also very flimsy and liable to split when being filled. Some of the companies provide labels to attach to bags but the quality of the bags used are variable. The result is piles of unsightly bags, often with their contents strewn on the footpath, awaiting collection. This is a particular problem at weekends when commercial occupiers are not around to clean up. Equally, if a bag splits when it is being moved by the waste collector, little effort is made to clean up by the waste collector. Enforcement is lacking to improve the presentation and collection of waste 	Enforcement of Bye Laws	No Amendment or Alteration to Bye Laws Recommended	Enforcement is provided for in the Bye Laws.
		<ul style="list-style-type: none"> The pests are after organic waste – if there was a system in place specifically for this type of waste – possibly using wheelie bins or containers – the situation would be greatly improved. Why is there no organic waste collection system offered in the Central Commercial District? 	Lack of Organic Collection	No Amendment or Alteration to Bye Laws Recommended	This is beyond the scope of the legal power of the Bye Laws and is dealt with through the permitting system which is administered by the NWCPO and enforced by DCC Waste Enforcement
		<ul style="list-style-type: none"> There are no recycling facilities, particularly for glass, in the vicinity. There was one for glass in the Mespil Flats but this was recently removed. This issue needs to be urgently addressed for residents and small businesses. 	Availability of Recycling Facilities	No Amendment or Alteration to Bye Laws Recommended	This is not within the scope of the bye laws legal power or purpose
		The revised waste presentation bye-laws in the current draft do not fully address the problems of waste collection in the Central Commercial District. Only a fuller consideration of the issues as outlined can improve the situation.			
7	Clive Carroll Resident	I wish to comment on various aspects of these draft Regs.			
		1. One of the major problems in the city is the use of flimsy plastic waste bags which the gulls and other pests can easily tear and scatter rubbish round the place. While bins are preferable where possible I appreciate that the use of bins is not always practicable. There needs to be a regulation bag specified which is more resistant to this common fault. Also Commercial users of bags particularly should be made responsible for the integrity of the bags they use even if this has to include, for example, double bagging. There is no reason why members of the public should have to deal with the ensuing mess that occurs at the moment.	Types of receptacles used for Waste Presentation	No Amendment or Alteration to Bye Laws Recommended	Bye Law does not place any restrictions on introducing or trialling new containers

	<p>2. There is also a need for the new Regs to specify waste collections days and hours to reduce the number of refuse truck movements particularly in the centre of the city.</p>	Designated Collection Times and Days	No Amendment or Alteration to Bye Laws Recommended	Designated collection Days are provided for in the bye laws. Collection times are permitted by the NWCPO. Dublin City Council will liaise with the NWCPO to ensure collection times are appropriate for the city.
	<p>3. However, a major gap in the draft Regulations relates to the obligations of <i>Waste Collectors</i>. In the previous 2013 Regulations Section 7, sub-sections a to g, on Page 13 outlined the responsibilities of Waste Collectors. This has been completely deleted from the draft regs and one can imagine the delight of the Waste Collectors to have, for example, the requirement to ‘return an emptied waste container to the boundary of the premises or designated collection point from which it was collected ...’ removed from the Draft Regs. Now they can empty the bin and leave it anywhere. Furthermore, the 2013 Regulations stipulate that ‘An authorised waste collector household shall only collect waste or commercial waste within the Central Commercial District between the hours of 7.00 pm to 12.00 midnight, unless otherwise approved in writing by an appointed person.’ This was not always honoured as Thorntons and Access (and others) collect during the day in direct contravention of current Regs. However, other waste collectors such as Key Waste do collect bags during the authorised hours and it works. However, the draft Regs only require that the waste holder present kerbside waste ‘not before 5.00 pm on the designated waste collection day’. This raises the appalling vista of the Waste Collectors being able to collect any time they like after 5pm and this could well mean having refuse trucks outside our doors at any hour of the night. I experienced this during the last Christmas period when one company collected at 5am! As far as I can see the Draft Regs are heavy on the responsibilities of waste holders (which I agree with) and ultra light on the responsibility of Waste Collectors. Why? I strongly propose that Section 7, sub-sections a to g, be re-inserted into the Draft regs in its entirety and that this time Section 7 is fully enforced.</p>	Obligations of Waste Collector	No Amendment or Alteration to Bye Laws Recommended	This is beyond the scope of the legal power of the Bye Laws and is dealt with through the permitting system which is administered by the NWCPO and enforced by DCC Waste Enforcement
	<p>4. Finally it is obvious that waste collection is one of the most important functions of any local authority and I would strongly propose that, in the absence of national Government action, that DCC appoint a Waste Regulator to deal with this most important aspect of the city’s life.</p>	Waste Regulator	No Amendment or Alteration to Bye Laws Recommended	This is not within the scope of the bye laws legal power or purpose