

Report to the CCMA Environment Committee
1. Exploration of options for Enhancement to the WERLA structure

(Updated following Peer Review)

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1. Brief Description

Background and Context

A report was submitted by the WERLA Management Group to the CCMA and DCCAE in October 2018 entitled “Exploration of options for the enhancement of the WERLA structure”. This paper should be read in conjunction with that report. A meeting took place between the CCMA Environment Committee Chair, WERLA Management Group Chair, DCCAE representatives and WERLA representatives on the 22nd November 2018. It was agreed at that meeting that the CCMA would examine options for an enhanced role for the WERLA structure and examine the Waste Enforcement Grant. It should be noted that the WERLAs are directly funded by the DCCAE.

A sub-committee was set up to look at the re-allocation of the enforcement grant and the enhancement of the WERLAs.

Case C 494/01-Commission v Ireland dated 26 April 2005

This case took approximately ten years at considerable cost to close out. The Department of Environment, Community and Local Government submitted a programme of measures to the European Commission in 2015. This document outlined the intention to establish the WERLAs and to continue to support the Local Authorities in enforcement (Section B, page 12). In addition to the WERLA coordination role, the report to the EU Commission also outlined a vision for the WERLAs where their actions would “generally be those that target waste enforcement matters that cross local authority functional areas; or that have particular security risks attached for enforcement staff”.

The document to the EU Commission also stated as follows – “The introduction of the lead regional enforcement authorities will be underpinned by a commitment by the DoECLG to continue to subvent the costs of the enforcement network in order to retain the 120 officers across the country. Additional enforcement staff will be recruited by the lead authorities with these costs also being met by the DoECLG. This will see financial support for waste enforcement increase by a further €800,000 to an overall DoECLG waste enforcement grant of €8M.”

Challenges/Regional National basis

Ireland needs to ensure that the ECJ case is not reopened and therefore needs to continue to maintain and build on existing structures to ensure this.

Circular WP 11/18 identified three strategic national Priorities for 2019 namely

- **Illegal Activity and Unaccounted for Waste**
Tackling significant illegal waste activity i.e. operators or sites engaging in a significant level of illegal activity, the enforcement of which requires a multi-agency response. Potential operators of concern will be identified and prioritised for a concerted enforcement approach. Illegal dumping and unauthorised movements of waste will also be targeted under this priority.
- **Construction and Demolition Activity & Capacity Challenges**

Enforcement activity that can assist in addressing the current capacity challenge. This will include Brown Bin roll-out, enforcement of Construction and Demolition Waste activities, misclassification of waste and monitoring of waste movements

- Dealing with sites containing illegally deposited waste
Sites identified by local authorities which contain waste that has been deposited without authorisation should be identified by local authorities and appropriate enforcement actions initiated. The Department is prepared to provide assistance both in terms of legal costs and site solutions to local authorities who work with the WERLAs in identifying and addressing such sites in 2019. The Department is making no commitment to providing such assistance beyond 2019.

The mandatory provision of a dedicated bin for organic waste is a legislative requirement and the roll out of this service has been slow.

The management and classification of collected waste is a potential concern. Mismanagement or misclassification can lead to waste crime (See Appendix 1 for further outline on Waste Crime) and the issues that are the subject national priority actions.

2. Proposal Outline

This proposal seeks to build on the positive impact the WERLA structures in the sector over the last three years through an incremental/organic growth model.

It is now proposed to:

- Further support Local Authorities in the Waste Enforcement function,
- Continue to work to the Business case for the WERLAs that was signed off in 2015,
- That the WERLAs/LAs continue to work together towards a better waste enforcement function in the Local Authority sector
- Identify opportunities for learnings and synergies with other shared services within the Local Government sector such as the NWCPO, CARO, RWMPOs, NTFSO etc.

It is proposed to enhance the WERLA structure through the addition of the following functions: –

- Monitoring and Enforcement of the Household Waste Kerbside Collectors in each region to include collection, recovery and disposal of the different household waste streams collected at kerbside. This process will involve the WERLAs working collaboratively with the NWCPO.
- Special Projects – these would be sites or operators of concern as they arise including issues of waste criminality.

- Enforcement of Producer Responsibility Initiatives
- ICT strategy to include development and use of latest technology including mobile workforce systems and GIS to support above functions.
- Each WERLA to procure their own legal services initially. However, options would need to be explored to determine if there are opportunities for efficiencies through a national approach to the delivery of legal services.
- WERLAs to work towards the implementation of a quality management system to ISO standard for the delivery of its services and provide administrative support for the additional enforcement functions proposed.
- Each WERLA to work with Local Authorities on the implementation of the National Priorities through the RMCEI process.

Possible future roles

- Waste Facilities operating as transfer stations for Municipal Waste.
- Waste Facility Permits accepting End of Life Vehicles.
- When the Construction and Waste Resource Group has finalised its report and depending on the recommendations therein, consideration should then be given as to how the WERLA structure could assist with the monitoring of major construction and demolition waste projects and how best to deal with enforcement issues arising.

3. Proposal Detail

1. Enforcement of the Household Waste Kerbside Collectors in collaboration with the NWCPO

The Competition and Consumer Protection Commission (CCPC) report stated that the system of waste enforcement in the household waste collection market is fragmented¹. (Competition and Consumer Protection Commission, 28th Sept 2018). The CCPC report also points out that 20 operators collect more than 90% of the household waste generated in Ireland.

It is proposed that the WERLA offices would enforce the conditions on all operators permitted to

¹ Competition and Consumer Protection Commission Report; Section 3.42, page 41, section 3.53 page 44, Section 5.10, page 59

collect household waste on behalf of Local Authorities and working in collaboration with the NWCPO. This will allow WERLAs and NWCPO to identify opportunities for synergies in their operations.

What will WERLA do?

- Enforce all aspects of the household waste collectors permit
- Monitor programme of all Waste Collection Permit holders to ensure cradle to grave verification of waste collected and ensure compliance with all permit conditions
- Partake in Multi-Agency checkpoints targeted at Household Waste Collectors and serve Fixed Payment Notices as required and follow up on any non-compliances identified. The Multi-Agency inspections will include Local Authority Input and participation as necessary.
- Enforce Food Waste Regulations
- Support the submission of regular data (quarterly / monthly as required by NWCPO).
- Address issues in terms of the lack of “granular” data highlighted in the CCPC report and seek more information on routes/households serviced so that Local Authorities can make more informed decisions as to how to address unaccounted for waste and areas of low collection coverage. The use of eircodes would be a key element here and clarification on their use is required.
- Take legal action as necessary.

Support will be required at times from Local authorities to ensure WERLAs/LAs work together and that there is a good two way sharing of intelligence of on the ground issues.

2. Special Projects – Sites and Operators of interest and Waste Criminality.

This would require WERLA resources dedicated to investigating sites of interest or operators of interest. These sites would be escalated to the WERLA structures based on the following methodology.

- Local Authorities to identify and notify WERLA of sites of interest in the context of scale and potential criminality which are beyond the capacity of the Local Authority.
- Upon receipt of notification, the matter will be considered by the regional steering group on a risk assessed basis cognisant of available resources within the WERLA structure
- Upon assignment from the Regional Structure the WERLA structures will seek to investigate and take all necessary enforcement actions.
- It will be the primary role of the regional structures to monitor the WERLA work programme and escalate matters of policy and scale arising from same to the national steering group for consideration by the sector and interface with National Agencies such as DCCA, AGS and EPA. Ultimately, a multi-agency approach may be required and where this happens each agency will retain responsibility for their own health and safety plans and procedures. It is important to note that operations of this type by their nature can increase the risk for staff involved. To that end, full training and risk assessment must be

carried out prior to any operation.

The WERLAs will collaborate with DCCAE to facilitate where necessary High Court actions and other matters arising from same.

All enforcement actions will be progressed in collaboration with relevant state agencies, and the relevant Local Authority who will be required to engage on the ground for the purpose of evidence gathering, maintaining an intelligence link, and minimising the resource requirement for the WERLA.

Once all the relevant enforcement avenues are exhausted and if sites referred are still not remediated (by the operator), the relevant Local Authority will engage with the DCCAE to ensure sites are remediated in accordance with the EPA Code of Practise for unauthorised sites.

3. Enforcement of Producer Responsibility Initiatives

Producer Responsibility Initiatives (PRIs) have been developed for a number of waste streams in Ireland and is based on the polluter pays principle. The Circular Economy Package (CEP) recently adopted by the European Commission will result in increased recycling targets for Ireland. Waste streams currently covered by PRIs will become an essential support in the achievement of these targets requiring all obligated stakeholders to be accountable. The enhancement of the Producer Responsibility role within the WERLA is essential to further drive compliance in PRIs. The further development of targeted enforcement coupled with enhanced co-operation and communication platforms will lead to increased participation in PRIs and recycling performance. As the Circular Economy Package requirements develop, the WERLAs will prepare a strategy to further enhance compliance with the PRI waste streams to be agreed with relevant stakeholders. There is scope to further enhance and develop PRI enforcement compliance and this will require resourcing reflective of the strategy adopted being cognisant of the forthcoming targets within the CEP.

4. ICT support

This is an essential element to an enhanced WERLA and will require support and collaboration with the NWCPO. It includes the development of a Mobile Workforce system to collect real time data and a Geographical Information System to allow for better decision making and intelligence gathering. Much of this work is already covered in the existing Business case for the WERLAs. The WERLA ICT officer is also exploring options to develop a satellite tool to identify sites of interest remotely. The ICT officer has developed a long-term ICT strategy which is being considered by the WERLA coordinators. There is significant potential and scope for improvements in this area, and the resources required will need to be reviewed depending on the strategic development of this area. The DCCAE have been very supportive to date in the enhancement of the ICT structures.

Much of the ICT programme will involve the development and acquisition of tools and datasets to support the Enhanced WERLA remit directly and help both Regional Technical Officers and PRI Officers in support of local authority enforcement resources. Where any of the above implementations expand to fulfil the criteria of that of a national IT system for all local authorities,

WERLA ICT will actively engage and consult with the LGMA in the governance, acquisition and/or development of same.

5. Legal Resources

Each WERLA would be responsible for procuring its own legal resource, including solicitors, junior and senior counsel as necessary. Cases may be referred to courts other than the district court because the costs involved are beyond its jurisdiction. The WERLA structure will where necessary seek independent advice on behalf of the sector.

6. Implement Quality Management System and Administrative support

The WERLAs have been working towards developing a shared document control system to ISO standard for the delivery of guidance and support documents to Local Authorities.

This will bring credibility to the function of the WERLAs where enforcement actions are taken through the courts. Administrative support will be required to obtain ISO accreditation and to support the enforcement functions proposed.

7. Each WERLA to work with Local Authorities on the implementation of the National Priorities through the RMCEI process.

The purpose of this approach is to help ensure that the National Priorities are resourced sufficiently and to ensure information would be shared and exchanged between the Local Authorities and WERLAs in relation to the progress on the National Priorities. This will facilitate the coordinated implementation on a regional basis of national priorities by the sector and would also facilitate a coordinated engagement with the EPA on the implementation of National priorities.

It is not envisaged that the establishment of the enhanced WERLA will require additional resources from the Local Authorities on the ground. Staff on the ground in Local Authorities will continue to retain responsibility for most waste enforcement actions other than those agreed through the proposed new WERLA enhancement and Governance Structure.

4. Governance

1. It is recommended that the Governance structures in place should be reviewed in terms of their effectiveness, terms of reference, numbers of meetings, Service Level Agreements (reflecting enhanced role) etc.

2. The National WERLA Steering Group, chaired by the CCMA representative to the NWESC, should be included in a revised Governance structure with defined terms of reference.
3. It is recommended that as part of an amended terms of reference that the Regional Waste Steering Committee would have an enhanced role including the referral of sites of interest to the WERLAs. Flexibility will be required to deal with sites where urgent and immediate action is required. Where an operator is of interest in two or more WERLA regions, the region in which such operator is most active should lead the investigation. Where this is not clear/evident, the WERLA management committee will decide as to which WERLA should lead, cognisant of workload and resources available at the time. A mechanism should be agreed with DCCAE to ensure they are aware of the numbers of Sites of Interest and that adequate financial provision is set aside to facilitate the WERLA in taking all enforcement actions.
4. Consideration to be given to the role of the NWESC in oversight and support in the enforcement of Sites of interest.
5. Consideration should be given to the introduction of a framework to coordinate the enforcement/planning/permitting stakeholders in the Local Authority Sector to be chaired by CCMA at a frequency to be agreed.
6. An SLA was agreed with the CCMA in 2016 and signed off by every Local Authority across the country. However, in the context of the enhanced WERLA proposal Senior Counsel advice was sought on the functions proposed by the enhanced WERLA model. This advice concluded that an SLA would be required and that S149A would be the appropriate statutory basis for the proposed WERLA enhancement and that the SLA should be underpinned by a Chief Executive's order pursuant Section 151 of the Local Government Act, 2001 as amended. A new SLA will be required to be drawn up. This new SLA will address issues such as the liability for taking prosecutions and where fines, levies, costs are awarded, the process involved for managing these funds. A multi annual SLA will also be required from the DCCAE covering function, activity and a multi annual funding commitment. Both SLA processes will require the preparation of an annual activity based work plan by the WERLA structures for consideration and approval.

5. Circulars/Correspondence

1. LGMA Post Implementation Review of the Business Case for the Waste Enforcement Regional Lead Authorities (WERLAs) February 2018
2. Circular No. WP14 Establishment of the WERLAs
3. Peer reviewed Business Case for Waste Enforcement Regional Lead Authorities Model
4. The Operation of the Household Waste Collection Market by the Competition and Consumer Protection Commission.
5. Circular No. WP11/18 National Waste Enforcement Priorities 2019

6. Commentary on Supporting Evidence

Please refer to supporting evidence provided in the previous paper "Exploration of options for the enhancement of the WERLA structure".

“Judgement of the Court of Justice of the European Communities in Case C 494/01-Commission v Ireland dated 26 April 2005 -

Programme of measures which Ireland agrees to deliver to ensure full compliance with the judgement.

Approved on behalf of Ireland by the Minister for the Environment, Community and Local Government

Updated 26 June 2015”

7. Financial and Human Resources -

The WERLAs are funded by the DCCAE. The current cost for WERLA staff resources and fixed overheads is €1,318, 334.63.

The cost for WERLA with enhanced functions for staff resources and fixed overheads is €2,891,730.02. An estimate for variable costs such as travel, legal fees, consultancy and training is included totalling €480,000. Detailed breakdowns are included in Appendices 2 and 3. An estimate for initial set up costs for the extra staff has not been included. A multi annual SLA between DCCAE and the CCMA/Lead Local Authorities will be developed in relation to funding, utilising the experience of the CARO offices. Increased staff numbers in the WERLAs will be explicitly linked to an increase in quantifiable activities in the work plans developed in relation to the national waste enforcement priorities.

8. Consideration of Existing WERLA structure

The WERLAs have been in place for three years now. The post implementation review of the WERLA model was carried out in 2018 with a positive outcome.

The GENVAL (Union, 2018) report highlighted the National Waste Enforcement Steering Committee and WERLA model as one of best practise to be considered in other countries.

Ireland has committed to the WERLA model in its report to the European Commission in June 2015 - Programme of measures which Ireland agreed to deliver to ensure full compliance with the ECJ judgement.

The WERLA structure has impacted on the Lead Local Authorities in terms of back filling posts to accommodate the WERLA model. In light of same, there is a concern regarding business continuity and the retention of corporate memory within the WERLA structures. In this regard it will be necessary to place the WERLA staff structure on a permanent footing within the Lead Local Authority reflected accordingly in the Local Authority workforce plan.

9. Final Commentary

Subject to the approval of this report by the CCMA, the proposals are predicated on the DCCAE continuing to fund the WERLA model and funding the significant costs which will inevitably arise through the enforcement processes. Notwithstanding this, every effort will be made to seek costs in the Courts for enforcement actions.

LGMA post implementation review of the WERLAs set out the progress of the WERLAs against the key objectives set out in the business case. The enhanced role for the WERLA will further support the achievement of the business case objectives ultimately resulting in a more effective and efficient enforcement system in the Local Government Sector.

Bibliography

Competition and Consumer Protection Commission. (28th Sept 2018). *The Operation of the Household Waste Collection Market*.

Union, C. o. (2018). *Evaluation Report on the Eight Round of Mutual evaluations - "Practical implementation and operation of European policies on preventing and combating environmental Crime", Report on Ireland*. European Commission.

Appendix 1

What is Waste Crime

Waste crime is the collection, transport, processing, export or disposal of waste not in accordance with licensed activity or authorisations. When waste is not handled legitimately, it can potentially cause harm to human health and the environment. The unlicensed activity also has the potential to undermine legitimate business and deprive the government of tax income.

Waste crime takes many different forms: at one end, a builder reducing costs by fly-tipping rubble and at the other, seemingly legitimate operators misclassifying waste to avoid costs and contributing to the National capacity crisis.

There are no common national guidelines defining when a crime is minor or serious. In the (Agency, Environmental Protection, 2009)(Section 3.4.2) of 2009, it is specified that crime is serious: when there is a significant degree of criminality on the part of offender; or when previous administrative or civil responses to contravention by the suspect have not resulted in compliance; or where the State or community expects that a crime will be dealt with by prosecution conducted in public before a court and usually carries the risk of imprisonment in serious cases; or when the crime produced significant real or potential harm to the State or the community, including harm to the environment, culture heritage, economy, resources, assets or well-being of the State or its citizens; or when the crime is of such a nature or magnitude that it is important to deter potential offenders and prosecution will act as a very effective deterrent.

Selective non-compliance with authorisations & misclassification of waste , whether it is done deliberately to avoid proper waste treatment or accidentally, is one of the most serious issues within the regulated waste industry .

If carried out deliberately it may well fall into the category of “white-collar crime” which has been defined 1 as crime committed by someone who is “respected”, “socially accepted and approved” and “looked up to”.

A key deficiency in the Waste Management Act is the absence of meaningful penalties for such corporate offenders and there would appear to be a pervasive perception that ‘White collar’ crime is not real crime and therefore the criminal law is not an appropriate mechanism for dealing with corporate offenders

Such Waste Crime seeks to exploit the physical characteristics of waste, the complexity of the collection and downstream infrastructure, and the market opportunities for profit.

Appendix 2

Current WERLA Costs (based on 2018 return to DCCAЕ)

PAYROLL COSTS (inc ER PRSI) (3 WERLAs)	CUR	EMR	SR	Total Current
Senior Executive Officer/Senior Engineer	1	0.5	1	205441.42
Senior Executive Scientist/Engineer	1	1	1	212487.5
Executive Scientific Officer		1		42303
Staff Officer		1		53574
Assistant Staff Officer	1		1	92618.73
ICT Project LEADER/Senior Developer (Grade 7)	0.33	0.33	0.33	70516.74
PRO Officer No. 1	1	1	1	174115.47
Total Staff Numbers	4.33	4.83	4.33	13
Total Payroll Costs				851056.86
Fixed Overheads @ 40%				307379.4528
Inputted Pension Overhead (13% of Basic Pay)				99898.32217
Once-off Establishment Costs (Enhanced WERLA)				60000
Total Fixed Overhead Costs				467277.775
Total Fixed Costs per Location				1318334.635
Variable Costs:				
Travel Expenses				30000
Legal Fees				60000
Consultancy Fees				30000
Training Costs				60000
Total Variable Costs per Location				180000
Total Costs by Location				1498334.63

Appendix 3

WERLA ENHANCEMENT STAFFING STRUCTURE COSTS PROPOSAL

PAYROLL COSTS (inc ER PRSI)	CUR	EMR	SR	Total Proposed
Senior Executive Officer/Senior Engineer Analogous (3)	1	1	1	€260,252.35
Senior Executive Scientist/Engineers (6)	2	2	2	€426,948.23
Executive Engineer/Scientist (9)	3	3	3	€473,705.25
ICT Project LEADER/Senior Developer (Grade 7) (1)	0.33	0.33	0.33	€70,516.74
ICT Analyst/Developer (Grade 6) (1)	0.33	0.33	0.33	€51,797.78
PRO Officer (Producer Responsibility Schemes) (3)	1	1	1	€174,115.47
Administration Officer (ISO and admin supervision) (1)	1			€54,243.14
Staff Officer (4)	1	2	1	€193,255.20
Assistant Staff Officer (5)	2	1	2	€183,313.02
Total Staff	11.6	10.6	10.66	33
Total Payroll Costs				€1,888,147.17
Fixed Overheads @ 40%				€681,949.32
Inputted Pension Overhead (13% of Basic Pay)				€221,633.53
Once-off Establishment Costs (Enhanced WERLA)				€100,000.00
Total Fixed Overhead Costs				€1,003,582.85
Total Fixed Costs per Location				€2,891,730.02
Variable Costs:				
Travel Expenses				€240,000.00
Legal Fees				€90,000.00
Consultancy Fees				€60,000.00
Training Costs				€90,000.00
Total Variable Costs				€480,000.00
Total Costs				€3,371,730.02

Appendix 4: Linking Additional Resources to work activities.

Regional Coordinators

At SEO/SE or equivalent grade, each will be responsible for delivering an annual work programme in a lead regional authority area. The Regional Coordinator will ensure that special projects including sites and operators of interest/concern when escalated to WERLA are fully investigated. They will also be responsible to ensure the delivery of an annual work programme for the Waste Collectors in the household waste sector.

In addition, their role will include:

- Management of Lead Regional Enforcement Authority staff.
- Prepare and manage WERLA annual work programme including National Priorities and report on same to the Regional and National Governance structures.
- Report as required to the CCMA Environment Committee.
- Work closely with the DCCAE to ensure special projects/regional national waste enforcement cases of significance are supported financially.
- Management of budgets.
- Preparation and Development of Service Level Agreements and Memorandums of Understanding as required.
- Seek opportunities for best practise utilising experience of other shared services in the Local Government Sector (CARO, RMO), and through participation in networks such as IMPEL.
- Collaborate closely with shared services in the Local Government waste enforcement/management family including the RWMPOs, NWCPO, and NTFSO.
- Work with local authorities in their respective regions to develop annual enforcement plans;
- Coordinate local authority waste enforcement plans across the region.
- Establish human resource requirements for the sector in conjunction with the National Team.
- Coordinate the provision of legal advice to ensure consistency of approach and support local authorities in bringing enforcement proceedings that have wider relevance.
- Identification of specific/emerging waste enforcement challenges within the region and developing strategic responses to issues.
- Identification and development of Standard Operating Procedures and Protocols and relevant guidance as required.
- Conducting reviews of operational approaches across local authorities and explore options for greater operational efficiencies across the region.
- Liaise and work at national level with agencies such as the Environmental Protection Agency (EPA) / An Garda Síochána and the Department of the Environment Community & Local Government (DECLG).
- Develop enhanced expertise and contribute nationally on specific issues and tasks as required.
- WERLA Coordinators to collaborate and work together towards delivering a consistent approach across the country.

6 No. Technical Officers (Senior Executive Engineer/Scientist analogous) (2 per WERLA)

It is envisaged that each region will be subdivided with a **Regional Technical Officer** (Senior Executive Scientist/Engineer (analogous) and an **Assistant Regional Technical Officer** (Executive Scientist/engineer) (analogous) dedicated to each sub region. This will reduce travel and time costs and ensure enforcement time is better spent by regional staff.

The Regional Technical Officers will be directly responsible for leading investigations and enforcement actions (in their geographical areas) for special projects including sites and operators of interest/concern when escalated to WERLA. They will also lead a programme of works for the Waste Collectors in the household waste sector that are operating in their geographical areas.

In addition to above the role of the Regional Technical Officers will include:

- Supporting the Co-Ordinator in all aspects of the activities and responsibilities of the Regional WERLA including in particular:
 - Preparation of Regional Waste Enforcement Plan;
 - Assisting in the development of Local Authority Annual Waste Enforcement Plans;
 - Co-ordination of Local Authority Waste Enforcement Plans across the region to ensure consistency;
 - Identification of specific emerging waste enforcement challenges within the region and developing strategic responses;
 - Identification of operations requiring a regional enforcement and multiagency team response;
 - Establishing and organising regional waste enforcement/multi agency responses to deal with emerging issues / emergencies on a case by case basis;
 - Supporting the identification, development and dissemination of Standard Operating Procedures and Protocols;
 - Conducting reviews of operational approaches across local authorities as regards waste enforcement activities and exploring options for greater operational efficiencies;
 - Prepare regular reports on work activities for the Regional Coordinator
- Undertaking and leading investigation into sites and operators of concerns and prepare all necessary files for legal action.
- Supervising waste investigations undertaken by staff and review of all documentation and files ensuring appropriate enforcement actions and compliance with statutory obligations.
- Leading on the preparation of files for legal action as necessary against Waste Collection Permit holders and Sites/Operators of Interest
- Providing evidence and prepare affidavits for Court as required
- Developing a monitoring programme of all Waste Collection Permit holders to ensure cradle to grave verification of waste collected and ensure compliance with all permit conditions.
- Monitoring waste data flow anomalies as they arise and develop strategies and programmes to investigate and validate such anomalies.

- Scoping and Development of Strategic plans to deal with specific waste enforcement themes, issues, sites or operators of concern.
- Supporting and monitoring implementation of waste enforcement priorities (local, regional and national)
- Reviewing and reporting on enforcement priorities implementation to relevant stakeholders and co-ordinating liaison with other public bodies as appropriate.
- Implementing agreed strategies to meet objectives and recommending changes in strategies to reflect a change in circumstances.
- Ensuring that the local knowledge built up by local authority waste enforcement teams is effectively harnessed.
- Ensuring proper procedures and data management in respect of the transport / transfer / movement of waste between local authority areas.
- Ensuring that waste data is managed and shared in accordance with the requirements of the Data Protection Act 2018.
- Supporting the Regional Co-ordinator on Freedom of Information (FOI) and Data Information requests and liaise as required with stakeholders and relevant Local Authorities.
- Examining the potential for regional procurement initiatives to produce savings in certain areas of enforcement e.g. diesel laundering clean-up operations, transport of waste, compounds for storing vehicles under investigation, code of practise assessments for unregulated sites etc.
- Providing a visible presence in the field across local authority areas within the region to assist local authorities dealing with specific problematic/emerging/priority aspects of waste enforcement.
- Maintaining and proactively developing a culture of health & safety in the workplace;
- Ensuring compliance with Health & Safety legislation and regulations and the relevant Safety Management System.
- Supervision and line management of staff and associated resources in the workplace.
- Identification of current training deficits among staff and future training requirements. including specific specialist training where necessary and organising relevant training.
- Enforce all aspects of the household waste collectors permits.
- Supporting and cooperating with the WERLA ICT Project Leader to deliver effective ICT tools to be utilised in the region for the purposes of waste enforcement, to include the research and procurement of new technology as may arise.
- Excellent ICT skills and the ability to collate, interpret and report on complex data sets.

Assistant Regional Technical Officers (ARTOs)

(There will be 9 nationally, 3 per region. 2 ARTOs in each region will directly support the RTOs, the remaining ARTO in each region will be responsible for writing Guidance and Standard Operation Procedures and will support their colleagues on site as required e.g. leave, major investigations etc.)

The ARTOs will have the following duties:

- Support the RTOs in investigations into sites and operators of concern drafting all necessary reports and files for legal action. Where required take the lead on certain investigations, considered appropriate by the WERLA Coordinator.
- Attend court and give evidence following waste investigations. Prepare affidavits for Court as required.
- Identification of emerging waste enforcement challenges and develop dynamic strategic responses.
- Review waste data flow anomalies and undertake investigations and associated follow-up actions as required.
- Providing a visible presence in the field across local authority areas within the region to assist local authorities dealing with specific problematic/emerging/priority aspects of waste enforcement.
- Support the Regional Technical Officer in the enforcement of the Household waste Collectors and Sites/Operators of concern.
- Enforce Food Waste Regulations across each region for household and commercial waste
- Support the submission of regular data (quarterly / monthly as required by NWCPO), working closely with the NWCPO where returns are inadequate.
- Maintaining and proactively developing a culture of health & safety in the workplace.
- Ensuring compliance with Health & Safety legislation and regulations and the relevant Safety Management System.
- Ensure on site risk assessments are carried out and maintained for future audit assessments of the relevant WERLA office.
- Responsible for scoping waste enforcement investigations and utilising national datasets, GIS, Satellite Imagery in advance of operations.
- Responsible for the carrying out of initial site surveys and drone operations to establish the extent of the problem and any Health and Safety issues that should be considered before onsite investigations commence.
- Partake in Multi-Agency checkpoints targeted at Household Waste Collectors and serve Fixed Payment Notices as required and follow up on any non-compliances identified.
- Liaise with stakeholders and other state agencies to enhance operational efficiency in the field of multi-agency investigations.
- Conducting reviews of operational approaches as regards to waste enforcement activities and exploring options for enhanced operational efficiencies.
- Support the Regional Technical Officer in the development of workplans in line with national priorities and actions for their area of operation, having regard to organisational goals, operational objectives and available resources.
- Supporting and monitoring the implementation of national waste enforcement priorities.

- Liaise with Local Authorities, Government Departments and Statutory Agencies in matters pertaining to enforcement.
- Arranging to attend at roadside checkpoints where necessary to support Local Authority Waste Enforcement Officers and in particular to deliver a consistent approach to the use of Fixed Payment Notices on Waste Collection Permit holders
- Attending and making reports to the WERLA governance structure
- Preparation of
 - Standard Operation Procedures
 - Workflow methodologies using visible flow charts
 - Guidance Documents
 - Interpretation of new/draft legislation and reporting on same
 - Development of standard inspection pro formas
 - Development of template Warning letters
 - Development of template recommendations for notices, prosecutions etc
 - Development of template Chief executive Orders
- Support and cooperate with the WERLA ICT Project Leader to deliver effective ICT tools to be utilised in the region for the purposes of waste enforcement

Producer Responsibility Officers

The Producer Responsibility Officers will be responsible for delivering an annual work programme in each regional area including as follows:

- Providing on-the-ground support to Local Authority Waste Enforcement personnel with regard to Producer Responsibility Initiative (PRI) enforcement within each Region and Nationally.
- Liaising with Regional Co-ordinators, NWCPO and appropriate State Agencies to improve recovery and recycling targets for PRI's.
- Liaising with local authorities to gauge level of contact with the various PRI organisations.
- Liaising with the various PRI organisations to ensure compliance with the PRIs such as Packaging, WEEE, Batteries, ELVs, Tyres, Farm Plastics or as may arise in the future.
- Liaise with various PRI organisation to ensure the continued functionality and development of web-based communication platforms.
- Liaise with Local Authorities, Government Departments and Statutory Agencies in matters pertaining to PRI enforcement.
- Working directly with industry for improved PRI performance as appropriate.
- Supporting and monitoring implementation of national waste enforcement priorities.
- Reviewing and reporting on all National PRI targets and enforcement initiatives within the region and nationally.
- Ensuring proper procedures and data management in respect of the implementation of the PRIs within each Waste Management Planning Region to include self-compliance.
- Coordinating and providing on-the-ground site inspection support to determine PRI obligations on suspected non-compliant companies (free riders) within the region as appropriate.
- Ensure compliance with all relevant Health & Safety legislation and regulations and the relevant Safety Management System.

- Supporting and cooperating with the WERLA ICT Project Leader to deliver effective ICT tools to be utilised in the region for the purposes of waste enforcement, to include the research and procurement of new technology as may arise.
- Identifying PRI training deficits among waste enforcement staff within the region and future training requirements including specific specialist training where necessary.
- Arranging for the involvement of Garda support and/or other Agencies should the need arise in the course of their duties.
- Arranging to attend at roadside checkpoints where necessary to support Local Authority Waste Enforcement Officers and in particular to deliver a consistent approach to the use of Fixed Payment Notices on Waste Collection Permit holders.
- Attend and support Local Authority Waste Enforcement Officers with PRI inspections and ensuring a consistent approach to the use of PRI Fixed Payment Notices.
- Attending and making reports to the Multi Agency networks in the region.
- Attending and making reports to the WERLA governance network.
- Attending and making reports to the Department on PRI co-operation programmes.
- Public awareness duties and training activities as required including liaising with community groups.
- Assessing the implications of legislation, circulars and other changes to PRI regulatory requirements and providing an expert synopsis of same to all Waste Enforcement Officers and members of the WERLA Governance network.
- Commenting on proposed legislative changes to PRI schemes in order to enhance the operational efficiency of such schemes.
- Identification of emerging PRI waste enforcement challenges and developing strategic responses.
- Undertake and lead investigation into major producers of concerns and prepare all necessary files for legal action.
- Attend court and give evidence following PRI investigations. Prepare affidavits for Court as required.
- Review PRI investigations undertaken by Local Authority staff with a view to sharing learning outcomes within the wider enforcement family.
- Preparation of PRI guidance documents and all ancillary documents i.e. workflow charts and methodologies, standard inspection forms, template warning letters, notices, prosecutions templates and chief executive orders.
- Liaise with PROs Regionally in the development of national guidance documents.
- Periodic review of PRI guidance documents being cognisant of emerging legislation and learning outcomes from enforcement activities.

Administrative Officer

Based in the Connacht Ulster Region, responsibilities will include:

- Responsibility for the administration and management of a work area, section or team.
- Work as part of a multidisciplinary team, assisting with the implementation of work programmes to achieve goals, targets and standards set out in Departmental and Team Plans.
- Implementation and maintenance of an accredited ISO system.
- Liaison with the 3 Executive Scientists/Engineers (analogous) responsible for writing guidance documents and will be responsible for coordinating and reporting on this work area.

WERLA Management Group

- Support the Regional Coordinators in the organization and coordination of WERLA operational meetings and meetings of stakeholders including EPA, NTFSO, NWCPO, RWMPOs, REPAK etc.
- Support the Regional Coordinators in preparing and organizing national seminars and events including the waste enforcement conference.
- Coordinating WERLA publications and submissions including Annual Reports, Anti-Dumping Initiative, Submissions on policy etc.
- Act as a contact point for the EPA in relation to the redevelopment of the NIECE portal and assist in this project on behalf of the WERLAs as required.
- Such other duties as may be assigned from time to time.

Staff Officer

The Staff officer will have the following duties:

- Responsibility for the administration and management of the WERLA work area, section or team.
- Work as part of a multidisciplinary team, assisting with the implementation of work programmes to achieve goals, targets and standards set out in Departmental and Team Plans.
- Management of a case flow system for each respective WERLA office.
- Ensuring case files are prepared for court and include all the necessary proofs.
- Identification of current training deficits among waste enforcement staff within the region and future training requirements including specific specialist training where necessary and organising relevant training and refresher training;
- Reviewing awareness raising activities of local authorities in the promotion of waste legislation and formulating best practice and targeted approaches in this area; Link in with the Prevention and Awareness Officers in each RWMPO.
- Ensure compliance with Document Control procedures and any ISO system if such accreditation is obtained.
- Responsible for coordinating claims to relevant Government Departments/European Agencies for grants or project grant aid.
- Prepare and present reports and publications.
- Collate data using various waste enforcement ICT systems.
- Scoping out and developing regional projects such as Awareness Campaigns and communicating and liaising with other stakeholders throughout the process.
- Represent the WERLA and provide progress reports on WERLA projects as required.
- Liaise and engage with Local Authorities, Stakeholders etc to complete projects within appropriate timescales while being cognisant of financial budgets available.
- Review of budgets and preparation of budget and expenditure reports for the WERLA Coordinator.

Assistant Staff Officers

The Assistant Staff Officers will have the following duties:

- Provide the necessary clerical support to the lead enforcement office.
- First point of contact with members of the public or with other public bodies seeking information or making a waste complaint.
- Raise purchase orders, provide reports on budget line items as required.
- Gather and collate data for WERLA claim to DCCAE in both June and end of year.
- Provide the necessary clerical support to the Regional Coordinator and the WERLA office.
- Provides a key role in managing and monitoring the anti-dumping initiative and working with Local Authorities in administration and implementation of this initiative.
- Communicate and liaise with the DCCAE regarding WERLA claims, Anti-Dumping Initiative projects and Anti-Dumping Initiative claims etc.
- Set calendar dates, send out Agendas/formulate minutes etc for Governance Structure meetings with the WERLA region.
- Assist the Regional Coordinator to develop reports for various stakeholders.
- Ensure that the NIECE working group for the relevant WERLA is updated at least weekly with various guidelines and documentation relating to the work of WERLA and enforcement staff in local authorities. Encourage the use of the forum as a communications tool.
- Ensure that the NIECE network personnel and contacts details are updated regularly to address staff changes.
- Prepare and maintain inventory record of training provided via the WERLA office to WEO staff in the region.
- Prepare and maintain inventory record of meetings attended and training received by staff in the respective WERLA office
- Maintain a Guidance Document Control procedure for all documents and reports developed by WERLA.
- Continue to update and maintain the WERLA Guidance Document office manual.
- Participate in working groups such as the Review of Illegal Dumping Initiative, Regional Awareness Campaign working group and NIECE
- Administration support to the implementation of national objectives.
- Collate key enforcement data from all local authorities on a monthly basis.
- Analyse and collate relevant data from RMCEI plans which will inform the WERLA team with key enforcement data for the region.
- Support the implementation of an accredited ISO system in the WERLA Offices.
- Support and provide assistance with case flow systems and enforcement cases as they arise.
- Prepare Chief Executive Orders as required.

The WERLA Intelligence and ICT Co-ordinator is a shared resource between the three Waste Enforcement Regional Lead Authorities and is responsible for delivering an annual work programme for all three WERLAs with the principal duties set out below:

- Lead development and/or procurement of technical solutions to support WERLA activities in the identification, and pursuance, of emerging threats to the waste enforcement local authority sector.

- Liaise and develop connections with external agencies to identify ICT best practices specific to Waste Enforcement.
- Participate in externally managed ICT projects where intended outcomes are applicable to the Waste Enforcement local authority sector as a whole. (e.g. IMPEL)
- Evaluate emerging technologies for application to Waste Enforcement.
- Initiate and support ICT aspects of WERLA-supported pilot projects with client local authorities
- Research and evaluate legal implications for the introduction of new technology solutions.
- Co-ordinate and manage WERLA ICT resources

Intelligence and ICT Data Analyst is a shared resource between the three Waste Enforcement Regional Lead Authorities and will support ongoing WERLA activities in reporting, data analysis and support. Tasks will include:

- Directly support an enhanced WERLA ICT in terms of communications between 3 Regional Offices and software and data support of WERLA enforcement staff
- Analyse and report on sectoral waste data to identify patterns of behaviour for the purpose of informing annualised national, regional and local enforcement priorities and actions.
 - Integrate existing datasets (including data cleansing and preparation tasks) for the purpose of developing a risk-rating methodology to inform inspection programmes both WERLA-led and as a support to local authority programmes.
 - Examples are:
 - Anomalies between WCP and WFP AERs
 - Gaps in waste in/waste out
 - Gaps between WFP/WCP AER, EPA AERs and TFS records
 - Absent AERs
- Analyse public online data sources for known and emerging threats to Waste Enforcement programmes (i.e. unauthorised collectors on social media platforms, Cash for Cars operators) and support local authorities in disruption and prevention programmes regarding same.

WERLA ICT Technology Aspects

Both WERLA ICT resources will focus on a wide scope of technologies and technical applications in support of WERLA activities. A non-exhaustive list of identified aspects is identified below:

- Remote Sensing (Satellite Datasets – COPERNICUS & Very High Resolution)
- Mobile-based Inspection Applications

- Geographic Information Systems (GIS) and datasets
- Back-office Case Management Applications including File and Document Management solutions
- Camera technologies (inc. Bodycams, Covert cameras)
- Drones
- Data Analysis and Reporting tools
- Digital forensic tools and techniques

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