


Comhairle Chontae Longfoirt
Longford County Council



***Rules and Guidelines of
Longford County Council***

**FREEDOM OF INFORMATION
SECTION 16 REFERENCE BOOK**

Freedom of rmation

LONGFORD COUNTY COUNCIL

SECTION 16 REFERENCE MANUAL

**GUIDE TO THE RULES, PROCEDURES, PRACTICES, GUIDELINES AND
INTERPRETATIONS OF LONGFORD COUNTY COUNCIL PUBLISHED IN
ACCORDANCE WITH SECTION 16 OF THE FREEDOM OF
INFORMATION ACTS
1997 AND 2003**

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Freedom of  information

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INTRODUCTION

The Freedom of Information (FOI) Act establishes new legal rights for the public:

- a legal right for each person to access information held by public bodies
- a legal right for each person to have official information relating to him/herself (personal information) amended where it is incomplete, incorrect or misleading
- a legal right to obtain reasons for decisions affecting oneself.

The Act asserts the right of members of the public to obtain information to the greatest extent possible consistent with the public interest and the right to privacy. The Section 15 Manual provides guidance for the public on how to make a Freedom of Information Request to the Local Authority.

This reference book - Section 16 Manual - has been prepared and made available in accordance with the requirements of Section 16 of the Act. Its purpose is to facilitate the public in understanding how the Local Authority makes decisions on the services it provides. It does this by briefly outlining how these schemes operate, provides reference to the relevant legislation and, also, lists the circulars and guidelines from the Department of the Environment, Heritage and Local Government (DOEHLG) on the operation of the schemes.

The material in this reference book is organised into sections based largely on the local authority programme groups and the Directorate/Organisational structure (outlined below) which is in place for the delivery of services. More information on the functions and services of each section is available in the Section 15 Manual which is a companion to this publication.

Details provided on services operated by the Local Authority

- A brief description of the service
- Reference to the relevant primary legislation (if any) i.e. Act of the Oireachtas
- Reference to the relevant regulations (if any) i.e. statutory instruments brought into force by the Minister under such Acts
- Reference to the circulars and guidelines prepared by the DOEHLG for the purposes of administering the schemes and issued to Local Authorities
- Reference to local interpretations and precedents, if any, in making decisions.

Please note that descriptions of services/schemes and references to legislation/guidelines are not comprehensive and are for general guidance purposes only.

Availability of information included in this Section 16 Reference Manual

Acts and Statutory Instruments are available for direct purchase from the Government Publications Sales Office, Molesworth St., Dublin 2 or downloaded from the websites www.irlgov.ie or www.irishstatutebook.ie.

Circulars and guidelines issued to Local Authorities by the DOEHLG may be consulted, on request and with reasonable notice, from the relevant section of the Council (*there is no need to make a formal FOI Request to access this information*). Some circulars or guidelines may have to be obtained from the Department of the Environment in the event of a request for same. A nominal charge for photocopying of such information may apply.

Availability of Section 16 Reference Manual

This Section 16 Manual is available for inspection at the Customer Services Desk of Longford County Council, Aras an Chontae, Gt. Water St., Longford. Copies will be made available on request to the Freedom of Information Officer of Longford County Council.

Services/Programme Groups

Services are provided for members of the public by the various Departments of Longford County Council under the following 8 Programme Groups which are standard to all Local Authorities:

1. Housing and Building
2. Road Transportation and Safety
3. Water Supply and Sewerage
4. Development Incentives and Controls
5. Environmental Protection
6. Recreation and Amenity
7. Agriculture, Education, Health and Welfare
8. Miscellaneous Services

Directorate Structure

The provision of services above across these eight operational areas are managed by Directors of Services within the following Directorate Structure. The five Directorates in Longford County Council currently cover the areas of:

- Housing, Planning and Forward Planning
- Roads, Transportation and Water Services (Infrastructural Services)
- Corporate, Environment, Emergency Services, Recreation and Amenity
- Human Resources, Community and Enterprise, Economic Development and Cultural Services
- Finance and Information Services

... *SECTION 15 MANUAL is available at the County Council and Town Council Offices, all Branch Libraries and the Citizens Information Centre.*

... *Descriptions of schemes/services and references to legislation/guidelines are not comprehensive but are for guidance purposes only and do not purport to be a legal interpretation of the relevant legislation. It should be noted that some of the information contained in the Manual may change after publication.*

FREEDOM OF INFORMATION

FUNCTION: HOUSING
SERVICE: PROVISION OF LOCAL AUTHORITY HOUSING

DESCRIPTION

1. Local Authorities are the main providers of housing for people who are in need of housing and who cannot afford it from their own resources.

2. The role of the Department of the Environment, Heritage and Local Government in relation to the provision of Local Authority housing includes (a) allocation of capital funding for the provision of housing - the allocation of housing starts for individual authorities is determined having regard to the overall number of starts approved by Government for the national programme, the most recent assessment of housing needs, progress with the existing programme etc. (b) ensuring value for money through tendering procedures (c) advising Local Authorities on design, including the issue of guidelines and (d) in certain circumstances, certification of projects in accordance with the European Communities(EIA) Regulations, 1989 and the Local Government (Planning and Development) Regulations, 1994.

3. Longford County Council administers the construction programme for its operational area in the following manner:

- **it implements the “Housing Strategy” prepared under Part V of the Planning & Development Act, 2000 and the Planning and Development (Amendment) Act, 2002**
- **it determines composition and location of its annual housing programme each year (e.g. number of houses to be provided by way of new build and purchase, size and type of housing and where the housing is built/purchased)**
- **it arranges for the design of housing**
- **it estimates the cost of projects (and, if necessary, seeks the Department’s approval to the proposals - see 4. below)**
- **it seeks and accepts tenders for the provision of housing where newly built (and, if necessary, seeks the Department’s approval to the proposals - see 4. below)**
- **it purchases existing housing as part of the annual programme**
- **it makes payments on foot of contracts placed, and**
- **charges relevant costs against the capital allocation.**

4. The Department exercises control on costs under the Local Authority housing programme through a system of cost ceilings or, where necessary, a specific budget cost generated in relation to the individual building project. Where a project consists of house types previously approved by the Department, and the Local Authority considers that the houses can be constructed within the appropriate unit cost limit (these limits, for various house types, are notified annually by the Department to the Local Authorities) they may seek tenders without prior approval from the Department. In other cases, details of the project are submitted to the Department to enable a budget cost to be generated. Subject to the lowest valid tender being accepted, the unit cost ceiling not being exceeded or the tender being not more than 110% of the approved budget cost, the Local Authority may accept the tender without the prior approval of the Department. House purchases may, also, be made by Local Authorities without the prior approval of the Department.

Where a Local Authority seeks specific approval from the Department in respect of a proposal, the Department generally considers the matter on the following basis:

- overall cost effectiveness in comparison with any other previous similar proposals etc.
- technical matters including design approach
- any other appropriate issues

LEGISLATION

Housing Act, 1966 (Section 56) - enables Local Authorities to provide housing
Housing Act, 1988 (Section 15) - provides for payment by the Minister in respect of housing so provided Housing (Traveller) Accommodation, Act, 1998
Planning and Development Act, 2000 (Part V Housing Strategy)
Planning and Development (Amendment) Act, 2002

REGULATIONS

Housing (Miscellaneous Provisions) Regulations, 1988
Housing Act, 1966 (Acquisition of Land) (Amendment) Regulations, 2001

GUIDELINES AND CIRCULARS

- **Assessment of Housing Needs - Circular No. N21/07**
- **Local Authority Housing Construction Programme – N 7/99; N 7/00; N8/01; N1/03; N2/04; N3/04 (Revised Procedures) N5/04**
- **Multi-Annual Local Authority and Social Housing Programmes – N5/99**
- **Local Authority Housing Programme N4/02,**
- **Social Housing Design Guidelines – N8/99 ; N6/02**
- **Social and Affordable Housing Programme N1/04; N1/05; N1/06**
- **Housing Land Availability – HS 1/99**
- **House Building Cost Index – H 8/2000**
- **New House Grants – H 06/01**
- **Standard of Construction in accordance with DOELG Memorandum on the procedures to be followed and the standards to be applied in providing Local Authority dwellings - Circular Letter No. N8/82, also, Circulars N 7/92 and N 4/97**
- **Department of the Environment and Local Government Annual Housing Start Allocation**
- **Circulars HS 3/01, HS 4/01 & HS 5/01 – re: preparation of Housing Strategy.**
- **Circular 4/03 – Planning and Development Acts, 2000 – 2002 - Part V Housing Supply**
- **Circular N16/06 - Housing Management Initiative – Direct Control for Local Authorities over Internal Capital Receipts**
- **Circular N3/2007 – Revised Arrangements for Acquisitions of Dwellings by Local Authorities for Social Housing Needs**
- **Circular N7/2007 – Revised Arrangements for the Appraisal, Approval and Management of Social Housing Projects**
- **DOEHLG Periodic Circulars setting out House Building Cost Index**
- **Department of the Environment Handbooks - A Plan for Social Housing,1991 and Social Housing - The Way Ahead, 1995**
- **Delivering Homes Sustaining Communities**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- **Scheme of Letting Priorities**

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: MAINTENANCE AND MANAGEMENT OF LOCAL AUTHORITY HOUSING

DESCRIPTION

Longford County Council maintains and manages its own rented housing stock. This function includes determination and collection of rents through to the carrying out of ongoing maintenance and the undertaking of works to individual houses. Financial assistance is provided by the Department of the Environment, Heritage and Local Government for the following schemes:

- Extensions to Local Authority houses to relieve overcrowding - under this scheme the County Council may improve or extend a dwelling for an existing tenant if the existing accommodation is overcrowded
- Extensions or alterations to Local Authority houses for disabled persons -where a disabled member of a household is resident in a Local Authority rented house and requires extra accommodation or alteration to meet his/her needs
- Remedial works schemes under which the Local Authority may undertake major works in certain sub-standard, older or rundown estates
- Bathrooms schemes which assist in the provision of bathroom facilities for Local Authority houses which lack them
- Housing Management Initiatives Grants Scheme - this scheme is to encourage Local Authorities to engage in innovative management structures, including tenant involvement etc.
- The Estate Improvement Programme to assist in environmental upgrading of rundown urban estates.
- Assistance to housing authorities to meet the capital cost of providing childcare facilities in new and existing local authority estates and other Social Housing Projects.

Details of all the above schemes and assistance with applications are available from the Housing Department of the County Council.

LEGISLATION

-The main statutes regarding maintenance and management of Local Authority housing are:

Housing Act, 1966 (Sections 58 and 61)

Housing (Miscellaneous Provisions) Act, 1992

Housing (Miscellaneous Provisions) Act, 1997

-Payment of grants by the Minister in respect of improvement or reconstruction of Local Authority dwellings is provided for in the:

Housing Act, 1988 (Section 15)

REGULATIONS

Housing Regulations, 1980

Housing (Miscellaneous Provisions) Regulations, 1988

GUIDELINES AND CIRCULARS

- **The Scheme of Extensions to Local Authority houses to relieve overcrowding - Circulars N 4/98; HC 2/04**
- **Remedial Works Scheme - Circulars HRT 2/85, HRT 12/95, HRT 2/99, Hc3/04**
- **Bathrooms Scheme - Circular HRT 6/91**
- **Housing Management Initiatives Grants Scheme - Circular HRT 1/00 and Circular HRT 9/01, HRT 2/02, Circular SHMS 3/2006**
- **Estate Improvement Programme - Letter and enclosure of 5 December 1966 to relevant Local Authorities**
- **Provision of Childcare Facilities – Circular HRT 3/01**
- **Guidelines for Planning Authorities on Childcare Facilities – PD 5/01**
- **Department of the Environment Handbooks - A Plan for Social Housing, 1991 and Social Housing - The Way Ahead, 1995**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- **Longford County Council's Statement of Policy on Housing Management**
- **Longford County Council's Estate Management Policy**
- **Tenancy Agreement - details responsibility of the tenant for maintenance**
- **Longford County Council's Anti Social Behaviour Policy**

PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: APPLICATION AND ASSESSMENT FOR RENTED LOCAL AUTHORITY HOUSING AND TRANSFER APPLICATIONS.

DESCRIPTION

To apply for Local Authority accommodation it is necessary to complete an application form which can be obtained with full details from the Housing Department. Applications are assessed under the "Scheme of Letting Priorities." In considering applications, various reports may be sought and taken into consideration e.g. Medical Reports; Health Service Executive Reports; Environmental Health Officer's Report and Reports from other Local Authority if previously a tenant.

Transfer applications from existing tenants may, also, be considered.

LEGISLATION

Housing Act, 1988 (Sections 9 and 11)

REGULATIONS

Housing (Miscellaneous Provisions) Regulations, 1988

GUIDELINES AND CIRCULARS

- Preparation of Schemes of Letting Priorities and Assessment of Housing Needs - Circulars N 6/89
- Guidelines on Homeless Persons – Circular N9/91
- Application by Prisoners for Local Authority Housing – Circular N4/04
- Statutory Assessment of Housing Needs – N7/04; N2/05, N21/2007
- Department of the Environment Handbooks - A Plan for Social Housing, 1991 and Social Housing - The Way Ahead, 1995
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Scheme of Letting Priorities
- The "Tenancy Agreement"

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: LOCAL AUTHORITY HOUSING ALLOCATION

DESCRIPTION

The Minister for the Environment, Heritage and Local Government is legally prohibited from becoming involved in individual house lettings by Local Authorities. The Minister does, however, oversee the preparation by Local Authorities of their schemes of Letting Priorities (these schemes are used by authorities to determine an applicant's position on the housing list) to enable a national input to the process in the interests of promoting reasonable uniformity. The Minister, also, dictates the timing and issues guidance to Local Authorities in relation to the undertaking by them of assessments of the need for Local Authority and Social Housing. As vacancies arise, Longford County Council allocates housing in accordance with the applicants' position on the waiting list as determined by the "Scheme of Letting Priorities" and the Council's "Statement of Policy on Housing Management". The "Tenancy Agreement" sets out the conditions applying to the tenancy and must be signed by each tenant.

LEGISLATION

Housing Act, 1988 (Sections 9 and 11)

REGULATIONS

Housing (Miscellaneous Provisions) Regulations, 1988

GUIDELINES AND CIRCULARS

- Preparation of Schemes of Letting Priorities and Assessment of Housing Needs - Circulars N 6/89 and N 14/95 set out the main guidance to local authorities in relation to the schemes
- Department of the Environment Handbooks - A Plan for Social Housing, 1991 and Social Housing - The Way Ahead, 1995
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Longford County Council's Scheme of Letting Priorities
- The "Tenancy Agreement"

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: HOUSING RENT SYSTEM AND RENT & TENANT PURCHASE ANNUITY COLLECTION

DESCRIPTION

Rents on all Local Authority houses now allocated are based on the “Differential Rents Scheme” as updated. This scheme sets minimum and maximum rents for Local Authority houses with rents charged on the basis of household income. Fixed rents still apply in the case of some very long standing tenancies. Longford County Council gives tenants the following options in relation to the method of paying rent or tenant purchase annuities:

- weekly door-to-door collection
- payment at Cash Receiving Office/Customer Service Desk during office hours
- payment through An Post Household Budgeting Scheme for tenants in receipt of certain Social Welfare payments
- payment through the Money Advice and Budgeting Service (MABS)
- payment through Bank/Building Society Standing Order
- payment through Salary Deduction Schemes.

LEGISLATION

Housing Acts 1966 - 1992

REGULATIONS

Housing (Rent Book) Regulations, 1993

GUIDELINES AND CIRCULARS

- Circular Letters HRT 3/02 and HM& AH 1/04 – Rents of Local Authority Dwellings
- DOEHLG Guidelines on Rent Assessment , Collection, Accounting and Arrears Control, January 2001
- Differential Rents Scheme
- Department of the Environment Handbooks - A Plan for Social Housing, 1991 and Social Housing - The Way Ahead, 1995
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Longford County Council’s Differential Rents Scheme
- Options in relation to payment methods as outlined above under Description.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: HOUSE PURCHASE AND IMPROVEMENT LOAN SCHEME

DESCRIPTION

This scheme allows Local Authorities to assist certain households to own or improve their own homes by advancing loans to them. A person wishing to purchase a house (new or second-hand) or build a house or improve an existing house but who cannot get a loan from a financial institution may be eligible for a Local Authority loan. In order to qualify an applicant must meet an income eligibility test which takes into account the incomes of the principal and any second earner in the household. The maximum loan payable and eligibility criteria is set by the Department of the Environment, Heritage and Local Government and altered from time to time by Regulation. Limits apply in all Local Authorities. Full details and application forms are available from the Housing Department.

LEGISLATION

Housing (Miscellaneous Provisions) Act, 1992 (Section 11)

REGULATIONS

Housing Regulations, 1980 as amended by the
Housing Regulations, 1980 (Amendment) (No. 2) regulations, 1999

GUIDELINES AND CIRCULARS

The following circulars set out the principal features of the loans schemes and guide the Local Authority in the operation of the schemes:

- Circular H 10/97
- Circular H 4/91
- Circular H 6/96
- Circular H 7/96, H 9/99, H12/97, H 14/98
- Circulars H 8/95 and H 4/98, H2/99, H4/99, H6/99 and H5/00A, HPS 11/02, HPS 04/03, HPS 11/04, HPS 10/06, HPS 2/07

Other relevant guidelines are the:

- Department of the Environment Handbooks - A Plan for Social Housing, 1991 and Social Housing - The Way Ahead, 1995
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: SHARED OWNERSHIP SCHEME

DESCRIPTION

<p>Shared ownership is a system whereby Local Authorities may assist certain households towards home ownership by entering into shared ownership arrangements with them. Under this scheme, home ownership is offered in a number of steps to those who cannot afford full ownership in one step in the traditional way. Initially, ownership of the house is shared between the shared owner and the Local Authority. Shared owners purchase at least a 60% share in a house of their choice and rent the balance from the Local Authority. The shared owners must undertake to start purchasing full ownership of the house within 25 years. To be eligible for consideration under this scheme applicants must meet certain criteria as laid down for the operation of the scheme. In general, the Local Authority on receipt of applications assesses eligibility and if satisfied in relation to all matters, arranges the transaction and deals with the shared owner over the lifetime of the agreement until the eventual outright purchase of the house by the shared owner. Full details of this scheme are available from the Housing Department.</p>
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LEGISLATION

Housing (Miscellaneous Provisions) Act, 1992 (Sections 2, 3, 4 and 11)

REGULATIONS

Housing Regulations, 1980

Housing Regulations, 1980 (Amendment) Regulations, 1996
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GUIDELINES AND CIRCULARS

<p>The following Departmental circulars set out the principal features of the shared ownership scheme and guide the Local Authority in the operation of the scheme:</p>

- | |
|--|
| <ul style="list-style-type: none"> • Circular HRT 10/91 • Circular HGS 3/92 • Circular HRT 9/93 • Circular HRT 7/95 • Circulars H 10/97, H 4/98, HRT 7/98, HRT 7/99, H 10/99, HRT 13/00, H 05/00A, H02/01, H03/01, H04/01 & HRT 15/01, HRT 06/02; HPS 11/02, HMS 3/03, HMS 8/03; HPS02/03; HPS16/03; HPS02/04;HPS03/04;HPS07/04; N1/04; HPS 10/05; HPS 2/07 |
|--|

<p>Other relevant guidelines are the:</p>

- | |
|---|
| <ul style="list-style-type: none"> • Department of the Environment Handbooks - A Plan for Social Housing, 1991 and Social Housing - The Way Ahead, 1995 • Delivering Homes Sustaining Communities |
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: IMPROVEMENT WORKS IN LIEU OF LOCAL AUTHORITY HOUSING

DESCRIPTION

Under this scheme, as an alternative to the provision of Local Authority housing, Local Authorities may improve or extend a privately owned house for an approved applicant to eliminate defects or to provide additional accommodation where this is necessary or to accommodate a person not at present residing in the house. To qualify an applicant must be a person whose application has been approved for Local Authority housing and the carrying out of the improvement works must satisfy the applicants' needs and result in his/her removal from the housing waiting list. The scheme does not apply to private rented houses. Persons benefiting under the scheme are required to pay a weekly or monthly charge related to their means and the cost of the works carried out by the Local Authority. Where the estimated cost of the works exceeds certain limits the County Council may bring the case to the Department of the Environment, Heritage and Local Government who will consider such an application on the following basis

(a) overall cost effectiveness in comparison with the provision of a Local Authority house, any previous similar proposals (b) technical matters including design approach and any other appropriate issues.

Full details of this scheme are available from the Housing Department.

LEGISLATION

Housing (Miscellaneous Provisions) Act, 1992 (Section 5)

REGULATIONS

None

GUIDELINES AND CIRCULARS

The Department provided consolidated guidelines to Local Authorities in relation to the scheme with:

- Circular N 4/98 (in replacement of Circulars N 8/91, N 10/91, N 7/95 and H 10/97); Circular N5/00
- A further circular issued in October 2000 notifying Local Authorities of an increase in cost limits which may be carried out without the prior approval of the Department.
- Circular N7/02 – Revision of limits for the schemes of Improvement Works in Lieu of Rehousing and Extensions to Local Authority Housing

The guidelines set out the principal features of the scheme of Improvement works in lieu of Local Authority Housing and guide the Local Authority in the operation of the scheme. Other relevant guidelines are the:

- Department of the Environment Handbooks - A Plan for Social Housing, 1991 and Social Housing - The Way Ahead, 1995
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: TENANT PURCHASE OF LOCAL AUTHORITY HOUSES

DESCRIPTION

Tenants of a Local Authority house for at least one year may, subject to certain criteria, apply to purchase the house which they have rented either outright or by way of shared ownership. The Department of the Environment, Heritage and Local Government has set out general criteria in relation to the scheme including the basis on which the sale price of individual houses will be calculated, discounts for length of tenancy, methods of financing individual purchases etc. On receipt of applications under this scheme, the Local Authority determines the sale price, arranges, where necessary, financing for the purchase and collects loan repayments where it has provided financing to the purchaser. The valuation of the property may be contested by the purchaser on production of a certificate from a certified valuer. Full details are available from the Housing Department.

LEGISLATION

Housing Act, 1966 (Section 90) as substituted by the
Housing (Miscellaneous Provisions) Act, 1992 (Section 26)

REGULATIONS

Housing (Sale of Houses) Regulations, 1995
Housing (Sale of Houses) Regulations, 1995 (Amendment) Regulations, 1999

GUIDELINES AND CIRCULARS

The following Departmental Circulars set out the principal features of the tenant purchase scheme and guide the Local Authority in the operation of the scheme:

- Circular HRT 6/95, HRT 13/95
- Circular HRT 10/99; HRT 13/99, HRT 08/00, HRT 13/00, H 1/00, HRT 03/01

Other relevant guidelines are the:

- Department of the Environment Handbooks - A Plan for Social Housing, 1991 and Social Housing - The Way Ahead, 1995
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: MORTGAGE ALLOWANCE SCHEME

DESCRIPTION

Local Authority tenants and tenant purchasers, and tenants of not less than one year's standing of housing provided under the voluntary housing subsidy scheme, who return their dwelling to the Local Authority or other body which provided it, may avail of an allowance towards the cost of borrowings incurred by them in purchasing or building a house for their own occupation. The Department of the Environment, Heritage and Local Government ensures adequate finance for the operation of the scheme, sets out the overall criteria, including eligibility conditions etc. and makes payments to the lending agency to enable the agency to reduce their charge to the borrower under mortgage by the appropriate amount. Local Authorities operate the scheme in their own areas by accepting applications, assessing eligibility and satisfying themselves as to the condition of the house returned and the adequacy of the housing being provided and confirm to the Department that an allowance is payable. The Housing Department of the County Council will provide full details of the scheme.

LEGISLATION

Housing Act, 1988 (Section 3)

REGULATIONS

Housing (Mortgage Allowance) Regulations, 1993

GUIDELINES AND CIRCULARS

The principal features of the Mortgage Allowance Scheme are set out in the following DOELG Circulars:

- Circular HRT 7A/91
- Circular HGS 4/95
- Circular HGS 5/96
- Circular HGS 2/98
- Circular HGS 5/00A
- Circular HGS 04/2004

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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FUNCTION: HOUSING**SERVICE: HOUSING ADAPTATION GRANT FOR PEOPLE WITH A DISABILITY****DESCRIPTION**

This grant, payable by Local Authorities, is for the provision of additional accommodation or the carrying out of necessary works of adaptation to a private house to meet the needs of a disabled member of a household. The Department of the Environment, Heritage and Local Government assists Local Authorities with costs incurred by them in paying the disabled persons grants and sets out the conditions under which such assistance will be available. The maximum grant payable is up to 95% the approved costs of the works subject to a maximum limit. Grant are means tested. The Local Authorities recoup a proportion of grant payments from the Department. Information on this grant is available from the Housing Department of the County Council.

LEGISLATION**Housing (Miscellaneous Provisions) Act, 1979****REGULATIONS****Housing (Adaptation Grants for Older People and People with a Disability), Regulations 2007****GUIDELINES AND CIRCULARS**

- Circulars SIU 4/07, SIU 5/07, SIU 6/07, SIU 6/08
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES**PRECEDENT**

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: MOBILITY AIDS HOUSING GRANT SCHEME

DESCRIPTION

Available to fast track grant aid, for minor adaptations which will address mobility problems primarily, but not exclusively associated with ageing. The Department of the Environment, Heritage and Local Government assists Local Authorities with costs incurred by them in paying the Mobility Aids Housing Grant Scheme and sets out the conditions under which such assistance will be available. The maximum grant payable is up to 100% the approved costs of the works subject to a maximum limit or whichever is the lesser. Grants are means tested. The Local Authorities recoup a proportion of grant payments from the Department. Information on this grant is available from the Housing Department of the County Council.

LEGISLATION

Housing (Miscellaneous Provisions) Act, 1979

REGULATIONS

Housing (Adaptation Grants for Older People and People with a Disability), Regulations 2007

GUIDELINES AND CIRCULARS

- Circulars SIU 4/07, SIU 5/07, SIU 6/07, SIU 6/08
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: SCHEME OF HOUSING AID FOR OLDER PEOPLE

DESCRIPTION

Local Authorities may pay a grant to make a house more suitable for the use of the occupants, where the dwelling cannot be made fully fit for human habitation in all respects at a reasonable cost. These grants are generally paid in respect of houses occupied by elderly persons in rural areas in circumstances where the occupants do not wish to move to another location. The Department of the Environment assists Local Authorities with the costs incurred by them in paying essential repairs grants and sets out the conditions under which such assistance will be payable. On receipt of applications the Local Authority assesses eligibility, ensures that the works proposed are appropriate, determines the amount of the grant payable and pays the grant. The Local Authority recoups a proportion of grant payments from the Department. Information and application forms are available from the Housing Department of the County Council.

LEGISLATION

Housing (Miscellaneous Provisions) Act, 1979

REGULATIONS

Housing (Adaptation Grants for Older People and People with a Disability), Regulations 2007

GUIDELINES AND CIRCULARS

- Circulars SIU 4/07, SIU 5/07, SIU 6/07, SIU 6/08
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: VOLUNTARY HOUSING SCHEMES

DESCRIPTION

Longford County Council, in addition to providing Local Authority Housing, supports the provision of housing by Voluntary Bodies through the following schemes:

1. *Capital Assistance Scheme* - Under this scheme, funding is made available to approved voluntary bodies to assist them in providing housing and services to meet the special needs of disabled, elderly or homeless persons. A minimum of three-quarters of houses built under this scheme may be reserved for approved housing applicants of the Local Authority, the homeless or tenants/tenant purchasers who are returning their existing dwellings to the Local Authority. The Local Authority advances a loan to the Voluntary Body to provide the accommodation and the loan is fully subsidised by the Department of the Environment, Heritage and Local Government.

2. *Capital Loan and Subsidy Scheme* - Under this scheme, funding is made available to approved Voluntary Bodies to assist them in providing housing for families who must be approved applicants on the Local Authority housing list. Rent is related to household income and circumstances. The Local Authority advances a loan to the Voluntary Body for building of the houses and this loan is partly repaid from rents by tenants and the balance of the repayment is subsidised by the Department of the Environment, Heritage and Local Government.

Advice and information on the above schemes is available from the Housing Department of the County Council.

LEGISLATION

Housing Act, 1988 (Section 15) and
Housing (Miscellaneous Provisions) Act, 1992 (Section 6)

REGULATIONS

Housing (Accommodation Provided by Approved Bodies) Regulations, 1993 (Capital Assistance Scheme).

GUIDELINES AND CIRCULARS

Circulars H05/00, N1 /06, N16/07, VHU 2/00, VHU 6/01, VHU 1/02, VHU 2/02, VHU 4/02, VHU 2/03, VHU 4/03, VHU 2/04, VCH 1/05, VCH 2/05, VCH 1/06, VCH 2/06, VCH 1/07, VCH 3/07, VCH 2/08, relate to both schemes.

These circulars guide the Local Authority in the operation of the schemes. Other guidelines include the:

- Department of the Environment Handbooks - A Plan for Social Housing, 1991 and Social Housing - The Way Ahead, 1995
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: PRIVATE RENTED DWELLINGS

DESCRIPTION

Under the Housing (Registration of Rented Houses) Regulations, 1996 landlords were obliged to register tenancies with the local authority. However, from the 1st September 2004 all tenancies must be registered with the Private Residential Tenancies Board (PRTB). All existing tenancies, including those registered currently with the local authority, must be registered with the PRTB within 3 months or within one month of the commencement of the tenancy whichever is the later.

It is expected that the PRTB will supply local authorities with details of tenancies in their area and this data should then be used by the Local Authority in its Enforcement of Regulations in accordance with the "Housing (Rent Books) Regulations, 1993" and the "Housing (Standards for Rented Houses) Regulations, 1993".

LEGISLATION

Residential Tenancies Act, 2004

REGULATIONS

Housing (Rent Books) Regulations, 1993

Housing (Standards for Rented Houses) Regulations, 1993 as amended by the
Housing (Standards for Rented Houses) Regulations, 2000

GUIDELINES AND CIRCULARS

- Statutory regulations as listed above guide the Local Authority in the operation of the scheme and further details are available from the PRTB, Canal House, Canal Rd., Dublin 6
- Department of the Environment Handbooks - A Plan for Social Housing, 1991 and Social Housing - The Way Ahead, 1995
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: TRAVELLER ACCOMMODATION

DESCRIPTION

Local Authorities are the main providers of Traveller Accommodation - caravan parks, halting sites and housing. The role of the Department of the Environment, Heritage and Local Government in relation to specific proposals for the provision of Traveller Accommodation includes provision of capital funding, ensuring openness and value for money in the tendering process and advising Local Authorities on design and technical matters including the issue of guidelines. The Local Authorities administer the construction programme at local level and the maintenance and management of their Traveller accommodation is a matter for them. These functions range from the determination and collection of rents to the carrying out of ongoing maintenance and the undertaking of works to individual houses or bays. Financial assistance is, however, provided by the Department to Local Authorities in relation to the cost of ongoing caretaking and maintenance of halting sites. Halting site accommodation is provided for Travellers by Longford Town Council.

Longford County Council, as part of an integration process with the local community, provides accommodation for Travellers in standard housing in Local Authority estates in the County. Travellers apply for accommodation and are assessed in the normal way. As vacancies arise, houses are allocated in accordance with set policy.

LEGISLATION

Housing Act, 1966 (Section 56) and Housing Act, 1988 (Section 13 and 15) as amended by S. 29 and S. 30 of the Housing (Traveller Accommodation) Act, 1998
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REGULATIONS

Housing (Miscellaneous Provisions) Regulations, 1988
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GUIDELINES AND CIRCULARS

- | |
|--|
| <ul style="list-style-type: none"> • Circular N 7/92 • Circulars TAU 1/96, TAU 1/97, TAU 3/97, TAU 2/98. • Circulars TAU 4/98, TAU 3/99, TAU 1/00, TAU 1A/00, TAU 6/00, TAU 8/00 TAU 1/01, TAU 2/01, TAU 3/01, TAU 5/01, TAU 4/02, TAU 5/02, TAU 8/02 (A), TAU 9/02, TAU 2/03, TAU 3/03, HC 7/04, TAU 1/05, TAU 5/05, TAU 01/06, TAU 3/06, HC 6/06, TAU 1/07, TAU 2/07. - These Circulars provide the main guidance for Local Authorities in the provision of Traveller Accommodation. • Annual Circulars in relation to Annual Count of Traveller Families • Delivering Homes Sustaining Communities |
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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|---|
| <ul style="list-style-type: none"> • The initial policy of Longford County Council ensured that 10% of vacancies in new Local Authority estates be allocated to Travelling families, however, the level of progress achieved with this housing programme over the years is such that a lower percentage is now sufficient to meet this particular social need. |
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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: LOW COST HOUSING SITES
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DESCRIPTION

<p>Local Authorities may assist certain households to provide their own homes, and approved voluntary housing bodies to provide rented social housing, by providing developed or undeveloped building sites for a low cost. The main role of the Department of the Environment, Heritage and Local Government in relation to the low cost site scheme is to set out general eligibility criteria, ensure adequate capital finance for the scheme against which Local Authorities may charge their costs in providing and developing sites disposed by them under the scheme. Local Authorities operate the scheme in their own areas. They invite applications, assess eligibility, and set the price of individual sites.</p>

<p>Longford County Council, under this scheme, sought applications in 2002 from interested persons with eligibility for the sites confined to (a) tenants or tenant purchasers of Local Authority houses who intend to return their houses to the Authority on building a private house for their own occupation (b) persons included in or accepted for inclusion in the Local Authority assessment of housing needs under Section 9 of the Housing Act, 1988 and (c) approved voluntary, co-operative housing groups etc. in which at least 75% of the prospective occupants qualify under (a) and (b) above. Full details of the scheme are available from the Housing Department of the County Council.</p>
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LEGISLATION

Housing Act, 1988 (Sections 9 and 14)
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REGULATIONS

None

GUIDELINES AND CIRCULARS

<p>The following circulars set out the principal features of the sale of sites scheme and guide the Local Authority in the operation of the scheme:</p>
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- | |
|---|
| <ul style="list-style-type: none"> • Circular N 6/92 • Circular N 7/91 • Circular N 8/95 • Circular H05/00A – recent revisions to Scheme • Circular H02/01 – recent revisions to Scheme • Delivering Homes Sustaining Communities |
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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| <ul style="list-style-type: none"> • Eligibility criteria and individual site price. |
|--|

PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: HOUSING

SERVICE: AFFORDABLE HOUSING SCHEME

DESCRIPTION

<p>Local authorities may assist certain households towards home ownership by providing new houses to them at a significant discount. Under this scheme, houses are provided to eligible first time purchasers at cost. In the case of low-income households a mortgage subsidy is available. Where a house is resold within 10 years a clawback provision is applied. Longford County Council operates this scheme in its functional area. Further details are available from the Housing Section.</p>

LEGISLATION

<p>The Scheme is not as yet covered by legislation.</p>
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REGULATIONS

<p>Loans to purchasers may be advanced by the local authorities in accordance with the Housing Regulations, 1980 as amended by the Housing Regulations, 1980 (Amendment) Regulations, 1996.</p>
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<p>Before seeking finance with a Local Authority, purchasers must apply to the financial institutions with an agreement in place with the Local Authority to provide Affordable Housing Loans.</p>

GUIDELINES AND CIRCULARS

<p>Circulars H3/99, HRT 07/00, H05/00A, H6/00, H02/01, H03/01 and H04/01, HRT 15/01, HRT 06/02, HPS 11/02, HMS 3/03, HMS 8/03, HMS 4/04, HPS 02/2004, HPS 07/2004, HPS 8/04, HPS 10/05, AHS 4/05, HPS 1/06, HPS 2/06, HPS 5/06, HPS 11/06, AHS 3/06, AHS 5/06, HPS 1/07, HPS 2/07, AHS 1/07, AHS 2/07 set out the principal features of the Affordable Housing Scheme.</p>

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| <ul style="list-style-type: none"> • Delivering Homes Sustaining Communities |
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION**FUNCTION: HOUSING****SERVICE: COLLECTION OF HOUSING LOAN REPAYMENTS****DESCRIPTION**

Repayments due on housing loans issued by Longford County Council are collected by either direct debit, standing order, direct payment at Cash Receipting Office or deduction from Social Welfare payments under the Household Budget Scheme operated by An Post.

LEGISLATION

Housing Acts, 1966 - 1996
Housing (Miscellaneous Provisions) Act, 1992
Consumer Credit Act, 1995

REGULATIONS

Public Bodies Orders, 1946 - 1993

GUIDELINES AND CIRCULARS

- Publicly funded House Purchase Loans - Circular H7/97
- Delivering Homes Sustaining Communities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Variety of payment methods operated by Longford County Council

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: COUNTY DEVELOPMENT PLAN

DESCRIPTION

In accordance with the provisions of the Planning and Development Act, 2000 local authorities are obliged to prepare and publish Development Plans for their functional areas every six years. The current Plan for Longford County Council is the “County Development Plan 2003 – 2009” which is now under review and it is expected that the new “County Development Plan 2009 – 2015” will be adopted by April 2009.

LEGISLATION

Housing Act, 1988
 National Monuments Act, 1994
 Planning and Development Act, 2000
 Planning and Development (Amendment) Act, 2002
 Planning and Development (Strategic Infrastructure) Act, 2006

REGULATIONS

Wildlife Act, 1976
 Wildlife (Amendment) Act, 2000
 Planning and Development Regulations, 2001 (S.I. No. 600 of 2001)
 Planning and Development (Amendment) Regulations, 2001 (S.I. No. 539 of 2001)
 EC (Environmental Impact Assessment) (Amendment) Regulations, 2001 (S.I. No. 538 of 2001)
 EC (EIA Directive) 85/337/EEC as amended by Directive 97/11/EC
 EC (Strategic Environmental Assessment) Directive 2001/42/EC
 Planning and Development Regulations, 2002 - 2003
 EC (Environmental Assessment of Certain Plans and Programmes) Regulations, 2004 – S.I. No. 435 of 2004
 Planning and Development (SEA) Regulations, 2004 – S.I. No. 436 of 2004
 Planning and Development (Regulations), 2006 (S.I. No. 685 of 2006)

GUIDELINES AND CIRCULARS

Planning Policy Hierarchy

- National Spatial Strategy, 2002 – 2020
- National Development Plan, 2007 - 2013
- Regional Planning Guidelines 2004
- Longford Town and County Development Plans
- Various Local Area Plans (11)

General Guidelines

- Guidance Notes on the Planning and Development Act, 2000 (DOEHLG)
- Guidance Notes for the Planning and Development Regulations, 2001 (DOEHLG)
- Development Plan Leaflet (PL8) (DOEHLG)

GUIDELINES FOR PLANNING AUTHORITIES

- **Wind Energy Development Guidelines – PD4/2006 and PD6/2006**
- **Guidelines on Strategic Environmental Assessment (SEA)**
- **Appropriate Assessment - Circular Letter February 08**
- **Guidelines on Sustainable Rural Housing**
- **Development Contribution Scheme for Planning Authorities (Circular PD4/2003)**
- **Development Contributions: Revised Guidance – PD5/2007**
- **Guidelines on Protection of Architectural Heritage**
- **Guidelines for Planning Authorities on Architectural Heritage Protection for Places of Public Worship (Circular PD7/2003)**
- **Guidelines for Planning Authorities on Quarries and Ancillary Activities**
- **Registration of Quarries: Commencement of Sec. 261 – PD/2004**
- **Residential Density Guidelines – Draft Guidelines on Sustainable Urban Housing to replace these accompanied by best practice design guide**
- **Wind Farm Development Guidelines**
- **Retail Planning Guidelines**
- **Childcare Facilities Guidelines (Circular PD5/01)**
- **Guidelines on Telecommunications Antennae and Support Structures**
- **Guidelines for Planning Authorities on Landscape and Landscape Assessment**
- **Guidance Document on Environmental Impact Assessment**
- **Revised Sites and Monuments Record (OPW Survey)**
- **Special Areas of Control (OPW Survey)**
- **Guidelines on Housing Supply – Part V of the Planning and Development Act, 2000, Step-by-Step guide and implementation manual**
- **Guidelines on the implementation of Regional Planning Guidelines**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Regional Planning Guidelines 2004 – Midland Regional Authority

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: HOUSING STRATEGY

DESCRIPTION

Part V of the Planning and Development Act, 2000, as amended, sets out specific provisions in relation to housing supply. The principal objective of Part V is to encourage and facilitate a level of housing supply to meet the housing needs of all sectors of the population within the area covered by individual local authority development plans. Housing Strategies must be prepared by planning authorities for inclusion as part of the development plan in order to ensure that adequate land is zoned for housing and sufficient social and affordable housing is provided in their functional areas. Up to 20% of residential zoned land may be made available at existing-use value to a local authority for the purposes of providing social and affordable housing.

The Housing Strategy is incorporated into the Longford County Development Plan 2003 - 2009. The Strategy is currently being implemented through the County Development Plan and associated Local Area Plans which provide residentially zoned areas within which the Strategy is active.

LEGISLATION

Planning and Development Act, 2000 (Part V)
 Planning and Development (Amendment) Act, 2002

REGULATIONS

Planning and Development Regulations, 2001 (S.I. No. 600 of 2001)

GUIDELINES AND CIRCULARS

-Circular HS4/00 – Guidelines for Planning Authorities – Part V of Planning and Development Act, 2000 – Housing Supply

- DOEHLG A Model Housing Strategy and Step-by-Step Guide – Part V of Planning and Development Act, 2000: Housing Supply

- Circular HS3/01 – Preparation of Housing Strategies

- Circular HS9/01 – Preparation and implementation of Housing Strategies Implementation Manual

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Housing Strategy 2001– 2006 (incorporated into County Development Plan).
 A review of the current Housing Strategy was completed in 2007.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: DEVELOPMENT BY OR ON BEHALF OF STATE AUTHORITIES

DESCRIPTION

Application of normal planning controls, with the exception of planning permission, to State and Local Authority Development i.e. public notice and site notice; plans made available for inspection and submissions incorporated into a report prepared by the Manager and submitted with recommendations to elected members. The decision to proceed or not is a reserved function of the local authority members.

LEGISLATION

Planning and Development Act, 2000 (Section 179)
Planning and Development (Amendment) Act, 2002

REGULATIONS

Planning and Development Regulations, 2001 (S.I. No. 600 of 2001) – Part V111
Planning and Development Regulations, 2002

GUIDELINES AND CIRCULARS

- Regulation of Development by or on behalf of State Authorities - DOELG Letter 17 June 1993

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: CONTROL OF DEVELOPMENT/ PLANNING APPLICATIONS

DESCRIPTION

Planning Permission is required for “Development” as defined in the Planning Acts and Regulations. The Planning Authority, also, has powers of enforcement including legal action in respect of unauthorised development. In certain circumstances Planning Applications are required to be accompanied by an Environmental Impact Statement (EIS). Planning decisions made by Planning Authorities may be appealed to An Bord Pleanala.

LEGISLATION

European Communities Act, 1972
 Wildlife Act, 1976
 Housing Act, 1988
 Building Control Acts, 1990 and 2007
 EPA Act, 1992
 National Monuments Act, 1994
 Planning and Development Act, 2000
 Wildlife (Amendment) Act, 2000
 Local Government Act, 2001
 Planning and Development (Amendment) Act, 2002
 Planning and Development (Strategic Infrastructure) Act, 2006

REGULATIONS

Planning and Development Regulations, 2001-2006
 European Communities (Environmental Impact Assessment) Regulations, 1989 – 1996
 European Communities (Environmental Impact Assessment) (Amendment) Regulations, 2001
 Planning and Development (SEA) Regulations, 2004
 E.C. (Natural Habitats) Regulations, 1997
 Building Control Regulations, 1997 – 2004
 Building Regulations, 1997 - 2007

GUIDELINES AND CIRCULARS

General Guidelines

- Guidance Notes on the Planning and Development Act, 2000 (DOEHLG)
- Guidance Notes for the Planning and Development Regulations, 2001 (DOEHLG)
- National Development Plan 2007 - 2013
- National Spatial Strategy 2002 – 2020
- Development Plan Leaflet (PL8) (DOEHLG)

GUIDELINES FOR PLANNING AUTHORITIES

- Regional Planning Guidelines 2004
- Draft Wind Energy Development Guidelines
- Consultant Draft of the Guidelines on Strategic Environmental Assessment (SEA)

- **Guidelines on Sustainable Rural Housing**
- **Development Contribution Scheme for Planning Authorities (Circular PD4/2003)**
- **Guidelines for Planning Authorities on Architectural Heritage Protection for Places of Public Worship (Circular PD7/2003)**
- **Guidelines on Protection of Architectural Heritage**
- **Guidelines for Planning Authorities on Quarries and Ancillary Activities**
- **Residential Density Guidelines**
- **Wind Farm Development Guidelines**
- **Retail Planning Guidelines**
- **Childcare Facilities Guidelines (Circular PD5/01)**
- **Guidelines on Telecommunications Antennae and Support Structures**
- **Guidelines for Planning Authorities on Landscape and Landscape Assessment**
- **Guidance Document on Environmental Impact Assessment**
- **Development Management Guidelines for Planning Authorities – June 2007**

Septic Tank Standards etc.

- **EOLAS SR6/91 Septic Tank and Percolation Systems (Revised Standards)**
- **DOELG re SR6/91 Septic Tanks etc. (Revised Standards) - Circular 1/92**
- **Proprietary Waste Water Treatment Systems - Circular 3/94**
- **Wastewater Treatment Manuals – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels**
- **Wastewater Treatment Manuals – Treatment Systems for Small Houses**

Leaflets on the Planning System

- **PL1 – A Guide to Planning Permission**
- **PL2 – Making a Planning Application**
- **PL3 – Commenting on a Planning Application**
- **PL4 – Building a House – The Planning Issues**
- **PL5 – Doing Work around the House**
- **PL6 – Agricultural & Farm Development – The Planning Issues**
- **PL7 – Planning for the Business Person**
- **PL8 - Development Plan Leaflet**
- **PL9 – Environmental Impact Assessment**
- **PL10 – Making a Planning Appeal**
- **PL11 – A Guide to Building Regulations**
- **PL12 – A Guide to Architectural Heritage**

Leaflets on Conservation Guidelines Pamphlet Series

- Conservation Guidelines No.1 - Conservation Principles/General Information (1996)**
- Conservation Guidelines No.2 - Sources of Information (1996)**
- Conservation Guidelines No.3 - Windows (1996)**
- Conservation Guidelines No.4 - Mortars, Pointing and Renders (1996)**
- Conservation Guidelines No. 5 - Interior Joinery and Fittings (1996)**
- Conservation Guidelines No. 6 - Decorative Plasterwork (1996)**
- Conservation Guidelines No. 7 - Stone Walling (1996)**
- Conservation Guidelines No. 8 - Brickwork and Stonework (1996)**
- Conservation Guidelines No. 9 - Paving and Street Furniture (1996)**
- Conservation Guidelines No. 10 - Roofs and Rainwater Goods (1996)**

Conservation Guidelines No. 11- Rising Damp and Timber Decay
Conservation Guidelines No. 12 -Interior Decoration and Finishes (1996)
Conservation Guidelines No.13 Ironwork (1996)
Conservation Guidelines No.14 - Shopfronts 91996)
Conservation Guidelines No.15 - Settings and Landscape
Conservation Guidelines No.16 - Fire Safety, Security and Maintenance (1996)

These leaflets are available from the Planning Office, Longford County Council or are available to download in PDF format from the Publications area of the website – www.environ.ie

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- **County Development Plan 2003 - 2009 and Local Area Plans**
- **Regional Planning Guidelines 2004 – Midland Regional Authority**

PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: COMPULSORY PURCHASE ORDER

DESCRIPTION

Where Local Authorities intend to acquire land compulsorily for the purposes of carrying out any of their functions, powers or duties they must follow the procedures set out in legislation and submit a Compulsory Purchase Order (CPO) to An Bord Pleanala for approval. If the Order is approved An Bord Pleanala shall, where appropriate, inform the local authority and the local authority shall, as soon as may be, confirm the order (local authorities can refuse to confirm the order). This provision does not apply with respect to a CPO under the Derelict Sites Act, 1990.

LEGISLATION

Planning and Development Act, 2000

Until the 2000 Act, the confirmation of CPO's made by local authorities was primarily the function of the Minister for the Environment. CPO powers were vested in local authorities by a plethora of Acts including the following:

Local Government (No. 2.) Act, 1960 (Section 10)

Local Government (Sanitary Services) Act, 1964

Housing Act, 1966 (Sec. 76)

Derelict Sites Act, 1990

Roads Acts, 1993 and 1998

REGULATIONS

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: BUILDING CONTROL

DESCRIPTION

Longford County Council is the Building Control Authority for County Longford. The primary objective is to protect public health and safety by ensuring compliance with the Building Regulations. The basic system of control covered by the Building Control Act, 1990 has been upgraded in 1997 involving the introduction of fees for Commencement Notices, the updating of Technical Guidance Documents and provision for a more extensive inspection regime.

LEGISLATION

Building Control Act, 1990

REGULATIONS

Building Control Act, 1990 (Fees) (Amendment) Regulations, 1992
Building Control Act, 1990 (Appeals) Regulations, 1992
Building Regulations Advisory Body Order 1992
Building Control Act, 1990 (Amendment) Regulations, 1993
Building Control Act (Amendment) Regulations, 1994 (Circular BC 6/2004)
Building Control Regulations 1997 –2000 (S.I. No. 496 of 1997 and S.I. No. 10 of 2000)
Building Regulations 1997 - 2007
Building Regulations (Amendment) Regulations, 2002 (Circular BC 11/2002)
Building Control (Amendment) Regulations, 2004 (S.I. No. 85 of 2004)
Building Regulations (Amendment), 2005

GUIDELINES AND CIRCULARS

- **Promoting Awareness of Building Regulations - Circular BCL 1/95**
- **Consolidated/Upgraded Building Control - Circular BC 11/97**
- **Revised Technical Guidance Documents A-M 1997 Edition**
- **Building Regulations - Technical Guidance Documents: Amendments and Corrections 1997 – 2004**
- **Enforcement of the Building Control System - Circular BC 8/98; 9/99; 13/99**
- **Enforcement of Building Regulations – Circular BC10/99**
- **Building Regulations (Amendment) Regulations, 2000 – Circulars BC 1/2000; 10/2000; 12/2000; 17/2000**
- **Evaluation of Tenders – BC 2/2001**
- **Enforcement of Part M (Access for People with Disabilities) of Building Regulations – BC7/2002**
- **Construction Products – Transition from National Standards to European Harmonised Standards – BC 8/2002**
- **Public Procurement Guidelines Engagement of Consultants Clarification – BC 1/2003**

- **Compliance of Non-Domestic Buildings with Part M (Access for People with Disabilities) of the Building Regulations – BC 2/2004**
- **European Communities Regulations, 2004 – BC 8/2004**
- **Relaxations and Dispensations under BC Regulations – BC 9/2004**
- **BC System – Fire Safety Certificates for Designs of Timber Frame Buildings – BC 11/04**
- **BC Documentation Access – BC 12/2004**
- **Revised Technical Guidance Document C – BC 13/2004**
- **BC 01/05 – Public Access to Building Control Documentation**
- **BC 6/05 – Architectural Heritage Protection Guidelines**
- **BC 7/ 05 – Enforcement of Building Regulations**
- **BC 6/2006 – Building Regulations – Fire Safety**
- **BC /2006 – Compliance with Part B, L and D of Building Regulations**
- **BC 8/2006 – Building Regulations Part L – Conservation of Fuel and Energy**
- **BC 17/2006 – Loft, Conversions: compliance with Building Regulations**
- **BC 3/2007 – Amendment to EC EIA Regulations, 2006**
- **BC 1/2007 EC Energy Performance of Building Regulations, 2006**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: FIRE SAFETY CERTIFICATE

DESCRIPTION

A Fire Safety Certificate is required for development other than domestic and agricultural dwellings. A decision must be made by Longford County Council on a valid application for a fire safety certificate within 2 months of the date of receipt of the application unless an extension of time is agreed with the applicant. A fee is required for each application. Full details are available from the Planning Department of Longford County Council.

LEGISLATION

Building Control Act, 1990 (Sections 6 and 7)

REGULATIONS

Building Control Regulations, 1997 - 2000

GUIDELINES AND CIRCULARS

- BC System – Fire Safety Certificates for Designs of Timber Frame Buildings – BC 11/04
- BC 6/2006 – Building Regulations – Fire Safety

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: COMMENCEMENT NOTICE

DESCRIPTION

Any person who intends to carry out works or make a material change in the use of a building requiring planning permission, or who intends carrying out any other works that require a Fire Safety Certificate must notify the County Council by way of a Commencement Notice not less than 14 days and not more than 28 days before commencement of work. The Building Regulations do not apply to routine repairs and maintenance.

LEGISLATION

Building Control Act, 1990 (Section 6)

REGULATIONS

Building Control Regulations, 1997 -2000

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: DISPENSATION/RELAXATION OF BUILDING REGULATIONS

DESCRIPTION

A building control authority may grant a Dispensation from or a Relaxation of any requirement of building regulations in respect of buildings or works which are situated within its functional area. Full details and application forms are available from the Planning Department.

LEGISLATION

Building Control Act, 1990 (Sections 4 and 7)

REGULATIONS

Building Control Regulations 1997 -2000

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: ENVIRONMENTAL IMPACT STATEMENT AND ASSESSMENT

DESCRIPTION

Under the European Communities (Environmental Impact Assessment) Regulations, 1989 – 1996, an assessment (commonly known as an Environmental Impact Assessment (EIA)) of the environmental effects of certain classes of development must be carried out before planning permission can be granted. When submitting a planning application for such a development the application must, also, submit an Environmental Impact Statement (EIS). It is a statement of the effects, if any, which a proposed development, if carried out, would have on the environment. It is prepared by the person or body proposing to carry out the development and submitted to the Local Authority for consideration. In the case of development which is under the relevant EIA threshold, planning authorities are required to request an EIS where it is considered that the proposed development is likely to have significant environmental effects. The decision as to whether a development is likely to have significant effects on the environment must be taken with reference to the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001.

The environmental pollution aspects of an EIS are assessed by the Environmental Protection Agency to whom an application for an integrated pollution control licence (IPC) must be made if deemed necessary.

LEGISLATION

European Communities Act, 1972 (No. 27 of 1972) Section 3
 Planning and Development Act, 2000 (Part X)

REGULATIONS

European Communities (Environmental Impact Assessment) Regulations, 1989 -1996
 European Communities (Environmental Impact Assessment) (Amendment) Regulations, 2001
 Planning and Development Regulations, 2001 (Part 10)
 Planning and Development (Amendment) Regulations, 2001

GUIDELINES AND CIRCULARS

- Guidelines on information to be contained in EIS – EPA, March 2002
- Guidance Document on EIA – DOEHLG, August 2003

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: LICENCE FOR ADVERTISING STRUCTURE

DESCRIPTION

Under Planning legislation, a licence may be granted to any person to erect, construct, place and maintain an advertising structure, vending machine, hoarding etc. on, under, over or along a public road. Application forms are available from the Planning Department.

LEGISLATION

Planning and Development Act, 2000

REGULATIONS

Planning and Development Regulations, 2001

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Conditions attached to licence.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: DEVELOPMENT CONTRIBUTION SCHEME

DESCRIPTION

The Development Contribution Scheme was significantly revised in the Planning and Development Act, 2000 in order to improve its transparency and increase the range of infrastructure that can be funded under this mechanism. The adoption of a Development Contribution Scheme is a reserved function of the elected members of the local authority. The Scheme for Longford County Council was adopted at a meeting held on the 1st March 2004.

LEGISLATION

Planning and Development Act, 2000 (Sections 48 and 49)

REGULATIONS

Planning and Development Regulations, 2001 -2006

GUIDELINES AND CIRCULARS

Circular PD 4/2003 – Development Contributions

Circular PD 5/2007 – Development Contributions

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Longford County Council Development Contribution Scheme

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

DESCRIPTION

Strategic Environmental Assessments (SEA) involve assessment of the likely significant environmental effect of plans and programmes at an early stage in the decision making process and is designed to complement the environmental impact assessment (EIA) process which is project based. Planning authorities are required under an EU SEA Directive to carry out strategic environmental assessments of their plans/programmes. SEA is, also, necessary where plans are likely to have a significant impact on sites governed by the Habitats Directive. The major policy issues of the County Development Plan will be examined in accordance with SEA guidelines in relation to their environmental impacts.

LEGISLATION

Planning and Development Act, 2000 (Section 10(5)(a))
 EU Directive – SEA 2001/42/EC
 EU Directive – Habitats Directive 92/43/EEC

REGULATIONS

1. European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations, 2004 – S.I. No. 435 of 2004
 2. Planning and Development (Strategic Environmental Assessment) Regulations, 2004 – S.I. No. 436 of 2004

GUIDELINES AND CIRCULARS

- Draft Guidelines on Strategic Environmental Assessment (SEA) – DOEHLG, March 2004 – BC 5/2004
- Circular BC 8/2004 – EC Regulations, 2004
- EPA Research Report – Development of SEA Methodologies for Plans and Programmes in Ireland – Synthesis Report, 2003

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: PLANNING AND DEVELOPMENT

SERVICE: LOCAL AREA PLANS AND VILLAGE POLICY STATEMENTS

DESCRIPTION

Under the County Development Plan 2003 – 2009 it is intended that within the life of the Plan and subject to resources two further tiers of plans will cover the county in more detail. These consist of 6 Local Area Plans for the larger towns and 33 Village Policy Statements for smaller villages. Local Area Plans will consist of a set of written objectives and contain zonings indicative of the level of development considered appropriate in each town. The Village Policy Statements may or may not contain zonings and will provide a basic framework for the development of each area.

LEGISLATION

Planning and Development Act, 2000

REGULATIONS

Planning and Development Regulations, 2001 (S.I. No. 600 of 2001)

GUIDELINES AND CIRCULARS

National Spatial Strategy 2002 - 2020

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Regional Planning Guidelines 2004 – Midland Regional Authority.
Local Area Plans are currently in place for Ballymahon, Carriglass, Lanesboro, Newtownforbes, Drumlish, Kenagh, Ardagh, Granard, Ballinalee, Edgeworthstown and Northern Environs.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: PROVISION, MAINTENANCE AND IMPROVEMENT OF ROADS NETWORK

DESCRIPTION

Provision of a public road network involves the design of various road schemes and preparation of contract documentation. Planning of schemes takes place in co-operation with the Department of Environment, Heritage and Local Government and the National Roads Authority (NRA) who provide various levels of funding which may, also, involve EU aid. The NRA has overall responsibility for planning and supervising the construction, improvement and maintenance of the national roads network. Maintenance and improvement, based on an annual road works programme developed following notification of the grant allocation from the Department, involve minor road improvement works such as strengthening, resurfacing, surface dressing, drainage, repair and construction of footpaths, sanding and gritting. Major improvement works on national roads may be carried out by contract while roadworks on non-national roads are usually carried out by direct labour and, at times, by contract.

LEGISLATION

Roads Act, 1993
 Roads (Amendment) Act, 1998
 Wildlife Act, 1976 (Sec. 40)
 Wildlife (Amendment) Act, 2000 (Sec. 46)
 Local Government Act, 2001

REGULATIONS

Roads Regulations, 1994
 EC (Environmental Impact Assessment)(Amendment) Regulations, 1999 – Article 14
 Planning and Development Regulations, 2001 – Part 8
 Road Traffic (Signs) (Amendment) Regulations, 2004
 Road Traffic (Traffic and Parking)(Amendment) Regulations, 2004

GUIDELINES AND CIRCULARS

- Preparation of Five Years Road Plan - Circular RW 7/96, as amended
- Evaluation of Investment in National and Non-National Roads under the NDP 2000-2006
- Multi-Annual Roadworks Restoration Programme
- Guidelines for Roads Standards laid down by An Foras Forbatha - RT 180 Alignments; RT 181 Junctions; RT 182 Aesthetics
- Circular RLS 8/2004 Safety Barriers on Central Reserves of Non-National Road Dual Carriageways
- Circular RLS 09/2005; 2/2006 Special Block Grant for Carriageway and Footpath Restoration
- Circular RLS 24/2005 Special Grant for the provision of new footpaths and repairs to existing footpaths in former Town Commissioner areas
- Land Acquisition - Compulsory Purchase Order Procedure
- Implementation of Environmental Impact Study (where necessary - see separate entry) -
 -Section 50 and Section 51 of Roads Act, 1993

<ul style="list-style-type: none"> -Environment Assessment Regulations, 1994 -Part V of Roads Regulations, 1994 (S.I. No. 119/94) • Tendering of Contracts for Roads Schemes • Tender procedure incorporating EU Public Procurement Regulations -three former public sector eu directives for works, supplies and services have been consolidated into one text. the revised directives are: <ul style="list-style-type: none"> - 2004/18/EC – covering the procurement procedures of public sector bodies, and - 2004/17/EC – covering the procurement procedures of entities operating in the utilities sector. <p>They are published in Official Journal L 134 of 30 April 2004 and can be accessed on www.europa.eu.int/eur-lex/en/index.html or on the EU public procurement website www.simap.eu.int.</p> <ul style="list-style-type: none"> -Circular (DOELG) BC1/98 • Standards for Road Works - Maintenance and Improvement <ul style="list-style-type: none"> -DOELG Specifications for Road Works -DOELG Specifications for Surface Dressing -New European Standard for Cement – BC 9/2002 -Road Traffic (Signs) (Amendment) Regulations, 2004 - Road Traffic (Traffic and Parking)(Amendment) Regulations, 2004 -Traffic Signs Manual -TS4 – Guidelines, Certification Scheme and Specification for the Construction of traffic signs – RST 1/2001. RST 2/2001 • Declaration of Roads to be Public Roads <ul style="list-style-type: none"> -Section 11 of Roads Act, 1993 -Part 11 of Roads Regulations, 1994 • Public Lighting - Roads Act, 1993 and Standards as laid down by the E.S.B. • DoEHLG Guidelines <ul style="list-style-type: none"> - Guide to Road Safety Engineering in Ireland - Low Cost Safety Improvement Works on Non National Roads - Guidelines on Depth of Overlay to be used on Rural Non-National Roads - Guidelines and Tender Documentation for Road Marking Materials, July <p>2000</p> <ul style="list-style-type: none"> NRA Guidelines <ul style="list-style-type: none"> - NRA Oral Hearings – Preparation Guidelines, July 2001 - NRA Design Manual for Roads and Bridges (DMRB), as amended - NRA Road Geometry Handbook, Dec. 2000, as amended - NRA Guide to Process and Code of Practice for National Road Project Planning <p>and Acquisition of Property for National Roads, March 2003</p>
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: CONTROL OF ROADS NETWORK

DESCRIPTION

Statutory legislation makes provision for the control of roads by a roads authority through the granting of powers to remedy certain situations that may arise on public roads e.g. dangerous structures, temporary dwellings, unauthorised signs etc. and, also, to provide for the temporary closure of roads.

LEGISLATION

Roads Act, 1993

REGULATIONS

Roads Regulations, 1994

Road Traffic (Construction, Equipment and Use of Vehicles) Regulations, 1963

Local Government (Planning and Development) Regulations, 1997

GUIDELINES AND CIRCULARS

Statutory legislation guides the Local Authority in the following areas:

- Temporary Closure of Roads - Section 75 of Roads Act, 1993 and Part V111 of Roads Regulations, 1994
- Removal of Dangerous Structures, Trees etc. - Section 70 of Roads Act, 1993
- Removal of Temporary Dwellings on National Roads - Section 69 of Roads Act, 1993
- Removal of Unauthorised Signs, Caravans etc. - Section 71 of Roads Act, 1993
- Extinguishment of Public Rights of Way - Section 73 of Roads Act, 1993
- Abandonment of Public Roads - Section 12 of Roads Act, 1993
- Road Opening Licences - Section 13 of Roads Act, 1993
- Vehicle Permits - Article 17 Road Traffic (Construction, Equipment and Use of Vehicles) Regulations, 1963
- Hoarding Licences - Local Government (Planning and Development) Regulations, 1997
- Damage to Public Roads - Section 13 of Roads Act, 1993
- Road Races - Section 74 of Roads Act, 1993
- Hedgecutting - Section 70 of Roads Act, 1993

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: TRAFFIC MANAGEMENT AND ROAD SAFETY

DESCRIPTION

The objective of the Roads Department is to provide for the safe and efficient movement of persons and goods on the roads network within the functional area of Longford County Council.

LEGISLATION

Road Traffic Act, 1961 and 1968
 Road Traffic Act, 1994 and 2004
 Local Government Act, 2001

REGULATIONS

Roads Regulations, 1994
 Road Traffic (Built –Up Area Speed Limit) Regulations, 1994
 Road Traffic (Special Speed Limits) Regulations, 1994
 Road Traffic (Traffic and Parking) Regulations, 1997
 Road Traffic (Signs) Regulations, 1962-1966 and 1997
 Speed Limit Regulations, 1997
 Road Traffic (Signs)(Amendment) Regulations, 1998
 Road Traffic (Traffic and Parking)(Amendment) Regulations, 1998
 Road Traffic (Immobilisation of Vehicles) Regulations, 1998
 Road Traffic (Signs) (Amendment) Regulations, 2004
 Road Traffic (Traffic and Parking) (Amendment) Regulations, 2004

GUIDELINES AND CIRCULARS

- Determination of Low-Cost accident measures - Annual Allocation from the National Roads Authority
- School Flashing Lights - Section 95 of Road Traffic Act, 1961
- Pedestrian Crossings and School Flashing Light - Circulars DC 2/86 and DC1/91
- Traffic Management Plan - Part VI Road Traffic Act, 1994 and Roads Regulations, 1994
- Road Safety Together – TC 4/96
- Speed Limit Bye-Laws - Part V of Road Traffic Act, 1994 and Speed Limit Regulations, 1997
- Parking Bye-Laws - Part VI of Road Traffic Act, 1994 and Road Traffic and Parking Regulations, 1997
- Traffic Count on Non-National Roads – RW 5/02
- Regional Traffic Management Systems – RW 21/2003
- RLS 15 Speed Limit Metrication Project
- RLS 16/2005 and RLS 19/2005 Regional Road Signposting Programme
- RLS 20/2005 Surface Dressing Dense Bitumen Macadam Overlays on Non-National Roads
- Traffic Calming Guidelines
- NRA Guidelines on Traffic Calming for Towns and Villages on National Roads
- DoEHLG Guide to Road Safety Engineering in Ireland

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: EU-AIDED NON-NATIONAL ROADS GRANTS
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DESCRIPTION

<p>These comprise grants to road authorities for improvement works on non-national roads arising from the EU Co-Financed Grants Scheme introduced under the Operational Programme for Transport, 2000-2005. Local Authorities select projects and submit them to the Minister for the Environment, Heritage and Local Government for consideration for funding. The Minister announces grant allocations for individual projects under these schemes as part of the annual allocation of grants for non-national roads.</p>

LEGISLATION

Roads Act, 1993

REGULATIONS

None

GUIDELINES AND CIRCULARS

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| <ul style="list-style-type: none"> • Implementation of “Review of Efficiency of County Council’s Operations in the Non-National Roads Area – RW 5/99. • Low Cost Safety Improvement Works on Non-National Roads – various circulars • EU Co-Financed Scheme of Grants for Improvement works on Non-National Roads – RW 18/2003 • Memorandum on Non-National Roads Grants • Operational Programme for Transport 2000-2005 • BMW Operational Programmes are available from the BMW Regional Assembly, Dillon House, Ballaghadereen, Co. Roscommon. • Non-National Road Grant Allocations (for various years) available from Non-National Roads Section, DOEHLG • Circular RLS 8/2004 Safety Barriers on Central Reserves of Non-National Road Dual Carriageways • Circular RLS 4/2006 SG Lengths: Non National Roads Investment Programme, EU Co-Financed Specific Improvement Grant |
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: ENVIRONMENTAL IMPACT ASSESSMENT (EIA) FOR MAJOR ROAD DEVELOPMENT

DESCRIPTION

Environmental Impact Assessment (EIA) is a process by which the likely environmental effects of a proposed development are fully considered before the development is allowed to proceed. EIA consists of an Environmental Impact Statement (EIS), comments from interested bodies and the public on the proposed development and a decision on that information from the Minister.

An Environmental Impact Statement (EIS) must be prepared by road authorities for the construction of a motorway, busway or other major road development listed in Article 8 of the Roads Regulations, 1994. It is a comprehensive procedure for the environmental impact assessment of all road projects likely to have significant effects on the environment. Section 50 of the Roads Act, 1993 provides for the preparation of an EIS for the scheme. Section 51 provides for approval (or otherwise) of the scheme by the Minister on environmental grounds. For road developments not prescribed in Article 8, the Minister may, also, direct that an EIS be carried out or road authorities may, also, inform the Minister that EIS should be carried out and where the Minister concurs, s/he directs accordingly. In accordance with the provisions of Section 267 of the Planning and Development Act, 2000 the quasi-judicial functions in relation to motorway/busway/protected road schemes and roads-related environmental impact statements, which were formerly exercised by the Minister for Environment, Heritage and Local Government, were transferred to An Board Pleanála.

LEGISLATION

**Roads Act, 1993 (Sections 50 and 51)
Roads (Amendment) Act, 1998**

REGULATIONS

**Roads Regulations, 1994 (S. I. No. 119 of 1994)
Planning and Development Regulations, 2001 - Articles 8, 9, 13 and 14
Environmental Impact Assessment Directive – 97/11/EC – PD 4/99**

GUIDELINES AND CIRCULARS

- **DOELG Guidance Notes on EIS**
- **RLS 11/2004 EU Directive 20002/49/EC – Assessment and Management of Environmental Noise**
- **RLS 07/2007 Circular PD 2/07 & NPWS 1/07 – Compliance conditions in respect of developments requiring EIA's**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ROADS**SERVICE: LOCAL IMPROVEMENT SCHEME****DESCRIPTION**

Longford County Council has power to construct and improve certain non-public roads and to undertake minor drainage improvements. The expenses of the Council in carrying out local improvement schemes are met partly by the State Grant and partly by local contribution based on the estimated costs of works. Future maintenance is the responsibility of the users. Application to participate (two or more participants required) in the scheme may be made at any time on a standard form and submitted to the Roads Department for consideration.

LEGISLATION

Local Government Act, 2001 – Section 81

REGULATIONS**GUIDELINES AND CIRCULARS**

- DOELG Local Improvements Scheme Memorandum 2002 -2004
- Annual Notification of Grant Allocation
- RW 10/2001 – 2001 Local Improvements Scheme – Revised Method of Calculating Local Contribution
- Annual Local Improvement Scheme Allocations

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Applications are not prioritised but are dealt with in date order on a needs basis.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ROADS**SERVICE: COMMUNITY ROADWORKS SCHEME****DESCRIPTION**

It is open to Local Authorities to seek the support of local communities for improvement and maintenance work on non-national roads. This can involve the communities undertaking activities such as opening and maintaining drains, removing grass banks to aid road drainage etc. Alternatively, the communities can make a financial contribution towards roadworks while the County Council continues to carry out road reconstruction and surface dressing. Application to participate in the scheme may be made at any time on a standard form and submitted to the Roads Department for consideration.

LEGISLATION

Roads Act, 1993 (Section 13 (6))

REGULATIONS**GUIDELINES AND CIRCULARS**

- DOELG Guidance Notes
- Circular RW 4/94 – Community Involvement in Road Works

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Applications are not prioritised but are dealt with in date order on a first-come -first-served basis.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: BRIDGE ORDER APPLICATION

DESCRIPTION

Part IV of the Local Government Act, 1946 (as amended) sets out certain requirements when a Local Authority or Local Authorities wish to construct a bridge e.g. where a bridge borders two counties.

LEGISLATION

**Arterial Drainage Act, 1945
Local Government Act, 1946 (Part IV) as amended
Roads Act, 1993**

REGULATIONS

None

GUIDELINES AND CIRCULARS

Bridge Order Procedure (Part IV of Local Government Act, 1946 as amended)

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: TEMPORARY CLOSING OF ROADS

DESCRIPTION

A road authority has power to temporarily close public roads for road races or other events, to permit the carrying out of works or for any other purpose. The regulations relating to the temporary closing of roads require the publication of two notices:

1. a notice of intention to temporarily close the road
2. a notice of the decision to temporarily close the road

The notice of intention must allow for objections to be made in writing to the road authority within a specified period.

LEGISLATION

Roads Act, 1993 (Section 75)

REGULATIONS

Roads Regulations, 1994 (S.I No. 119 of 1994)

GUIDELINES AND CIRCULARS

- DOELG Guidance Notes

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: REMOVAL OF DANGEROUS STRUCTURES, TREES

DESCRIPTION

There is an obligation on landowners and occupiers to ensure that roadside structures, trees, shrubs etc. do not become a danger to those using or working a public road. A road authority may serve a written notice on a landowner or occupier requiring the carrying out of specified works within a period of time stated in the notice to ensure the safety of those using or working on a public road. A person on whom such a notice has been served may appeal to the District Court against the notice within 14 days.

LEGISLATION

Roads Act, 1993 (Section 70)

REGULATIONS

S.I. No. 119 of Roads Regulations, 1994

GUIDELINES AND CIRCULARS

- **DOELG Guidance Notes**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: REMOVAL OF TEMPORARY DWELLINGS AND UNAUTHORISED SIGNS.
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DESCRIPTION

A road authority may remove temporary dwellings and unauthorised signs from national and other roads if they have been placed there without lawful authority. Dwellings and signs must be returned to the owner, however, the road authority may dispose of them in certain circumstances.

LEGISLATION

Roads Act, 1993 (Section 69 - Temporary Dwellings and Section 71 - Unauthorised Signs...)
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REGULATIONS

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GUIDELINES AND CIRCULARS

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| <ul style="list-style-type: none">• DOELG Guidance Notes |
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: EXTINGUISHMENT OF PUBLIC RIGHTS OF WAY

DESCRIPTION

Where a public right of way is no longer valid, the Local Authority has power to extinguish the right of way under the Roads Act, 1993. It must publish the proposal in a local newspaper setting out the public right of way to be extinguished, the right of the public to inspect the relevant map during a period which shall not be less than a month and the right to object to the proposal before a specified date.

LEGISLATION

Roads Act, 1993 (Section 73)

REGULATIONS

GUIDELINES AND CIRCULARS

- DOELG Guidance Notes

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: ABANDONMENT OF PUBLIC ROADS

DESCRIPTION

Where a road authority proposes to abandon a public road it shall publish notice of the proposal in a local newspaper setting out the rights of the public to inspect the map showing the road to be abandoned and stating that objections or representations may be made to the road authority and the time periods for same. A road authority shall no longer be responsible for maintenance of a local road from the date on which the order abandoning it is made by the road authority. The abandonment of a public road does not affect any public right of way over such road.

LEGISLATION

Roads Act, 1993 (Section 12 and Section 73(5))

REGULATIONS

Roads Regulations, 1994 (Article 14)

GUIDELINES AND CIRCULARS

- DOELG Guidance Notes

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: DECLARATION OF PUBLIC ROADS/ TAKING IN CHARGE OF ROADS
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DESCRIPTION

A road authority may, by order, declare any road over which a public right of way exists to be a public road and responsibility for its maintenance will then lie with the road authority i.e. local authority.
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LEGISLATION

Roads Act, 1993 (Section 11)

REGULATIONS

Roads Regulations, 1994 (Articles 5 and 14)
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GUIDELINES AND CIRCULARS

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| <ul style="list-style-type: none">• DOELG Guidance Notes |
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ROADS

SERVICE: ROAD OPENING LICENCE

DESCRIPTION

A road opening licence must be obtained from the Local Authority if a person wishes to open a public road or footpath for any purpose.

LEGISLATION

Roads Act, 1993 (Section 13 (10) (b))

REGULATIONS

GUIDELINES AND CIRCULARS

- **DOELG Guidance Notes**
- **Department of Transport Circular RPS 1/2004 – Control of Road Openings by Utilities**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- **Annual Schedule of Charges**

PRECEDENT

FREEDOM OF INFORMATION**FUNCTION: ROADS****SERVICE: PUBLIC LIGHTING****DESCRIPTION**

As a road authority, Longford County Council is responsible for the provision and maintenance of public lighting. The ESB arranges the supply, installation and maintenance of public lighting on behalf of the Council.

LEGISLATION

Roads Act, 1993 (Sections 2(4) and 13)

REGULATIONS

Roads Regulations, 1994

GUIDELINES AND CIRCULARS

- DOELG Guidance Notes
- Standards as laid down by the ESB

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES**PRECEDENT**

FREEDOM OF INFORMATION

FUNCTION: ROADS**SERVICE: ROAD SAFETY & SCHOOL WARDEN SCHEME****DESCRIPTION**

In carrying out its road safety role, the County Council operates the Junior School Warden Scheme which is designed to provide safe crossing for children in the vicinity of primary schools in provincial towns and villages. The Local Authority is responsible for the introduction and operation of the scheme with the co-operation of the Gardai, School Board of Management, teachers, parents and children. The Council has one scheme in operation at present - Newtownforbes N.S. An adult school warden is, also, provided at Lanesboro N.S. by the County Council. Promotional activities on road safety are, also, undertaken by the Road Safety Officer.

LEGISLATION

Road Traffic Act, 1961 (Section 120)

Road Traffic Act, 1961 (Section 96) as amended by Road traffic Act, 1968 (Section 6)

Local Government Act, 2001 (Section 67 and Schedule 13)

REGULATIONS

School Warden Traffic Regulations, 1975

Road Traffic (Signs) Regulations, 1997 (Article 44)

GUIDELINES AND CIRCULARS

- Co-Ordination of Road Safety Committee - Circular TC 4/96
- Guide to Organisation, Training & Operation - National Safety Council (Junior Wardens)

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- This function is administered by the Road Safety Officer who is, also, the Administrative Officer based in the Roads Department.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: WATER SERVICES

SERVICE: PROVISION OF MAJOR AND SMALL WATER & SEWERAGE SCHEMES

DESCRIPTION

Most major water service schemes are now co-financed by the EU Cohesion Fund. This fund is administered on a project basis and Central Government authorities are accountable to the European Commission for detailed monitoring and reporting of projects. The selection of schemes by the Department of the Environment, Heritage and Local Government for inclusion in the annual Water and Sewerage Services Investment Programmes is based initially on priorities identified by the sanitary authorities. The DOEHLG, also, operates a small schemes programme. Longford County Council maintains 5 Regional Water Supply Schemes and 11 Public Sewerage Schemes throughout the County.

LEGISLATION

-Local Government (Sanitary Services) Acts, 1878 – 1964
 -Public Health (Ireland) Act, 1878
 -Public Health (Amendment) Acts, 1890-1907
 -Water Supplies Act, 1942
 -Health (Fluoridation of Water Supplies) Act, 1960
 -Local Government (Financial Provisions) (No. 2) Act, 1983
 -Environmental Protection Agency Act, 1992
 -Planning and Development Act, 2000 (Section 182 – laying of pipes)
 - State Authorities (Public Private Partnership Arrangements) Act, 2002
 - Water Services Act, 2007

REGULATIONS

- Health (Fluoridation of Water Supplies) Regulations, 1971 – S.I. No. 119 of 1971
- Waste Management (use of Sewage Sludge in Agriculture) Regulations, 1998 – S.I. No. 148 of 1998
- Urban Waste Water Treatment Regulations, 2001 – S.I. No. 254 of 2001
- Waste Water Discharge (Authorisation) Regulations, 2007

GUIDELINES AND CIRCULARS

- DOELG Circular L. 1/74 Water and Sewerage Programmes (as amended)
- DOELG Memorandum on Procedures – Sanitary Services Works.
- DOELG Circular Letter L 14/88 Irish Standards: Cover Note to be inserted in all Specifications for Sanitary Services Works.
- DOELG Circular Letter L1/90 Sanitary Services Capital Programme – Environment Action Programme and New Sanitary Services Projects.
- DOELG Circular Letter L 3/90 Sanitary Services Major Schemes Programme – Development of Proposals.
- DOELG Circular Letter L 9/92 Sanitary Services Major Schemes Programme – Appointment of Consultants
- DOELG Circular L 4/94 Water Services: Financial Arrangements 1994

- **DOELG Circular L 5/94 Water Services: Economic and Environmental Justification of EU co-financed proposals.**
- **DOELG Circular Letter L 1/96 Public Water and Sewerage Small Schemes Programme.**
- **DOELG Circular L 6/96 Advance Notification by Local Authorities to the Department of Arts, Culture and the Gaeltacht of Proposed Water Services Schemes.**
- **DOELG Circular L 11/96 Obligations of local authorities concerning information and publicity measures in regard to the activities of the Cohesion Fund.**
- **DOELG Circular L 3/97 Proposed Water Services Schemes requiring consent under the Foreshore Acts 1933 – 1992**
- **DOELG Circular L 14/97 Rural Water Programme**
- **DOELG Circular L 19/97 Information and publicity measures in regard to the activities of the Cohesion Fund.**
- **DOELG Circular Letter L 21/97 Maintenance of Accounts and other Records for Water Services Schemes (Reference: WS: G01) – December, 1997**
- **DOELG Circular L 22/97 Water and Sewerage Schemes providing services to land for development.**
- **DOELG Circular L 5/98 Serviced Land Initiative – Proposals for water and sewerage schemes.**
- **DOELG Circular L 9/98 Water Services Investment Programme – Assessment of Needs**
- **DOELG Circular L 11/98 Devolution of responsibility to local authorities for the approval of certain elements of capital projects within the Water Services Investment Programme.**
- **DOELG Circular L 12/98 Recoupment of expenditure on water services capital projects.**
- **DOELG Circular L 3/99 Water Services Investment Programme – Procurement through the use of Design/Build (DB) and Design/Build/Operate (DBO) Contracts: Interim Arrangements.**
- **DOELG Circular L 4/99 Water Services Investment Programme: Post Project Review.**
- **DOELG Circular L 5/99 Water Services Investment Programme – The Provision of Serviced Land – Interim and Temporary Facilities.**
- **DOELG Circular L 8/99 Water Services Investment Programme – Operational and Maintenance Costs of Water Services Infrastructure.**
- **DOELG Circular L 11/99 Water Services Investment Programme – Assessment of Needs**
- **DOELG Circular L 2/2000 Water Services Investment Programme – Grouping of Small Schemes.**
- **DOELG Circular L 3/2000 Water Services Schemes and the Foreshore Acts, 1933-1992**
- **DOELG Circular L 16/00 Water and Waste Water Pricing – Roll Out of Policy on Capital and Operational Cost Recovery**
- **DOELG Circular L 3/01 Revision of Procedures for Approval of Schemes and Engagement of Consultants under the Water Services Investment Programme.**
- **L 4/01 – Capital Investment: Water and Sewerage Services**
- **L 5/01 – Roll out of the National Water Study**
- **L 7/01 – Complete Information System – Data Capture**
- **L 9/01 – Waste Management (use of Sewage Sludge in Agriculture) Amendment Regulations, 2001 – S.I. No. 267 of 2001**
- **L 1/02 Water Services Capital Projects**
- **L 3/02 Survey of Sewage Treatment Plant Capital Costs**
- **L 8/02 Capital Investment: Water and Sewerage Services**
- **L 6/03 (WSP) National Urban Waste Water Study**

- **L 8/03 Licensing of Trade Effluent Discharges to Sewers under Section 16 of the Local Government (Water Pollution) Act, 1977**
- **L 11/03 Water Services Investment Programme – assessment of needs**
- **L 14/03 National Water Conservation Programme 2003**
- **L 15/03 Consent to run pipes through Private Land.**
- **1/8/03 – Composite Conditions of Contract for use on DBO Contracts. Application of the FDIC “New Yellow Book” to Water Services Contracts in Ireland.**
- **L6/04 – Water Services Investment programme 2004 – 2006**
- **L8/04 – Project Control System for Water Services Investment Programme**
- **L1/06 – Revised procedures in relation to the advancement of individual schemes included in WSIP 05/00**
- **L7/06 – WSIP – Further revision of approval procedures**
- **L12/06 – WSIP – New conditions of engagement for construction consultants...**
- **DOELG Annual Notification – Water and Sewerage Services Investment Programme.**
- **DOELG Circulars Notifying updates of CONDOC for Water Services Civil Works and Mechanical and Electrical Plant Contracts.**

OTHER

National Development Plan 2007 -2013

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Annual Environment Programme

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: WATER SERVICES

SERVICE: OPERATION AND MAINTENANCE OF WATER & SEWERAGE SCHEMES

DESCRIPTION

<p>EU regulations demand from Local Authorities constant monitoring of water quality, remedying of quality deficiencies in water services, provision of adequate treatment of waste water discharges, conservation in the management of water supplies and provision of treatment facilities for sewerage schemes to a level required under EU legislation. Testing of the quality of drinking water is carried out by the Health Service Executive on behalf of Longford County Council. Licences are provided by the County Council to connect to its water and sewerage schemes and where it is necessary to lay connecting pipes across the public road a road opening licence must, also, be obtained. Application forms for such licences and details of charges are available from the Infrastructural Services Department of the County Council.</p>
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LEGISLATION

- | |
|---|
| <ul style="list-style-type: none"> • Public Health (Ireland) Act, 1878 • Public Health (Amendment) Act, 1890 • Public Health Acts (Amendment) Act, 1907 • Water Supplies Act, 1942 • Local Government (Sanitary Services) Act, 1948 • Health (Fluoridation of Water Supplies) Act, 1960 • Local Government (Sanitary Services) Act, 1962 • Local Government Act, 2001 • Water Services Act, 2007 • EU Directives • EC Directive 76/160/EEC – Bathing Waters • EC Directive 78/659/EEC – Salmonoid Waters • EC Directive 79/323/EEC – 30/10/79 – Shellfish Waters • EC Directive 86/278/EEC – 12/06/86 – Sewage Sludge • EC Directive 91/271/EEC – 21/05/91 – Urban Wastewater Treatment • EC Directive 91/492/EEC • EU Directive 98/15/EC – 27/02/98 (Amending Directive 91/271/EEC) |
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REGULATIONS

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| <ul style="list-style-type: none"> • Health (Fluoridation of Water Supplies) Regulations, 1971 – S.I. No. 119 of 1971. • EC (Quality of Water Intended for the abstraction of Drinking Water) Regulations, 1989 – S.I. No. 294 of 1989. • EC (Quality of Bathing Waters) Regulations, 1988 – S.I. No. 84 of 1988 • EC (Quality of Salmonoid Waters) Regulations, 1988 – S.I. No. 293 of 1988. • EC (Quality of Bathing Waters) Regulations, 1992 – S.I. No. 155 of 1992 • EC (Quality of Bathing Waters) (Amendment) Regulations, 1994 – S.I. No. 145 of 1994 • EPA Act, 1992 (Urban Waste Water Treatment) Regulations, 1994 – S.I. No. 200 of 1994 • Waste Management (Amendment of Waste Management Act 1996) Regulations, 1998 • Protection of Groundwater Regulations, 1999 – S.I. No. 41 of 1999 |
|---|

- EPA Act, 1992 (Urban Waste Water Treatment) (Amendment) Regulations, 1999 – S.I. No. 208 of 1999
- EC (Drinking Water) (No. 2) Regulations, 2007
- Urban Waste Water Treatment Regulations, 2001 – S.I. No. 254 of 2001
- Waste Management (use of Sewage Sludge in Agriculture) (Amendment) Regulations, 2002 – S.I. No. 267 of 2001.
- EC (Waste Water Treatment) (Prevention of Odours and Noise) Regulations, 2005

GUIDELINES AND CIRCULARS

Sludge Management:

- EC Directive 86/278/EEC on Environmental protection and use of sewage sludge in Agriculture - L 10/88
- Strategy Study on Options for Treatment and Disposal of Sewage Sludge in Ireland - L 6/94
- Sludge Register - L13/97
- Inventory of Non-Hazardous Sludges in Ireland - L16/97
- Sludge Management L 9/99; L 13/99;
- Waste Management (use of Sewage Sludge in Agriculture) (Amendment) Regulations, 2000 – L 9/2001
- Circular ESP 1/06 – Cross Compliance Inspections in respect of the EU Use of Sewage Sludge in Agriculture Directive and other matters

Water Quality:

- EC (Quality of Water intended for Human Consumption) Regulations, 1988 - L 4/90, L 1/91, L 2/91, L 3/91
- Survey of Haloforms - L 8/90 and L 12/92
- Protection of Drinking Water Supplies - Guidelines for Local Authorities - L 14/92, L 9/96
- Quality of Drinking Water in Ireland EPA Reports - various years
- Lead in Drinking Water - L 3/94
- Fluoridation of Public Water Supplies - L 12/96
- Protection of Drinking Water Supplies against contamination from Cryptosporidium - L 7/98
- Water Services Investment Programme L 2/2000
- Application of the Polluter Pays Principle – L 4/00
- Water and Waste Water Pricing Policy – Roll out of Policy Capital and Operational Cost Recovery – L16/00
- Implementation of National Drinking Water Regulations – European Court of Justice Judgement – L 1/04 (WSP)
- Installation of Water Treatment and Disinfection Equipment – L 11/04 Grants
- Drinking Water National Monitoring Programme – WSP 2/04
- Drinking Water Monitoring Reports – WSP 3/04, WSP 5/04, L4/06B, L4/07A
- Protection of Drinking Water Supplies – L6/06

Water Conservation:

- Circulars L 7/96 and L 14/97, also, EU guidelines
- National Water Conservation Study - L 8/98
- DOELG A Guidance Manual on Water Distribution Network Management and Leakage Control.
- National Water Conservation Programme 2003 – L 14/03
- National Water Conservation Programme 2003 – L 14/03
- National Water Study Vol. 1 & Vol. 2

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OTHER:

SEE SEPARATE ENTRY UNDER “ WATER PRICING FRAMEWORK”
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Network Appraisal and Renewal Plan GIS Spatial Database/Complete Information System of the Water and Sewer Networks in County Longford

PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: WATER SERVICES

SERVICE: GRANTS FOR IMPROVEMENT OF WATER SUPPLY

DESCRIPTION

The objective of the grant scheme is to assist households dependent on private individual water supplies who are incurring capital expenditure to (a) provide a piped supply of water for domestic purposes or (b) remedy serious deficiencies in an existing supply of water for domestic purposes. The scheme does not apply to houses to which a public or group scheme water supply has already been provided or can reasonably be provided. Application forms and explanatory memoranda for this scheme are available from the Customer Services Desk of the County Council.

LEGISLATION

REGULATIONS

GUIDELINES AND CIRCULARS

- Improvement of individual water supplies to a house - Circular Letter L 8/97; L9/97
- Appendix 1 – Explanatory Memorandum Grant for the provision or necessary improvement of an individual water supply to a house.
- Appendix 2 – Grants for Improvement of Houses.
- Appendix 3 – Grant for the provision or necessary improvement of an individual water supply to a house.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: WATER SERVICES

SERVICE: SUBSIDY TOWARDS THE OPERATIONAL COSTS OF A GROUP WATER & SEWERAGE SCHEME AND OTHER GENERAL INFORMATION ON GROUP SCHEMES

DESCRIPTION

As an integral part of a planned approach to improving the quality and reliability of rural water supplies, an annual subsidy towards the operational costs of group water schemes in supplying water for domestic purposes will be payable by the Local Authority to groups meeting the conditions of the subsidy scheme. A group water scheme is eligible for a subsidy if (a) it is providing a supply of water for domestic purposes that, in the opinion of the Local Authority is satisfactory, and (b) it is properly constituted (i.e. it must be a trust, co-operative or limited company) and conducts its affairs properly in accordance with its constitution and the relevant legal requirements. The amount of the subsidy will be 100% of the qualifying expenditure as approved by the Local Authority subject to a limit of €101.58 for each house from a private source and €50.79 for each house supplied from a local authority source. Application forms and explanatory notes are available from the Customer Services Desk of the County Council.

LEGISLATION

EC Directive 86/778/EEC – Drinking Water Directive

REGULATIONS

European Communities (Drinking Water) Regulations, 2007 – S.I. No. 278 of 2007

GUIDELINES AND CIRCULARS

- Subsidy towards the operational costs of Group Water Schemes - Circular Letter L 10/97, L 11/97, L 17/97
- Take in charge of existing Group Water Schemes - Circular Letter L 14/97
- Upgrading of existing Group Water Schemes - Circular Letter L 14/97
- Devolution of responsibility to Local Authorities for Group Water & Sewerage Schemes and small public and water & sewerage schemes - L 1/97, L 6/97
- Grants for the provision or necessary improvement of individual water supplies - L 8/97, L 9/97 plus Appendix 1, Appendix 2 and Appendix 3.
- Rural Water Grants and Subsidies - L 12/97
- Rural Water Supplies - Allocation towards the administrative costs of Local Authorities - L 18/97
- General information from the Department of the Environment, Heritage and Local Government on Group Water Supply Schemes (G.W.3)
- Small public water and sewerage schemes - general information
- Group Sewerage Schemes - L 5/96
- L 10/99 Rural Water Strategic Plans
- L 7/2000 Application of Drinking Water Standards to Group Water Schemes.
- L 10/2000 – Scheme of grants for (a) the development of new groups water schemes and (b) the installation of water filtration and disinfection equipment and privately sourced schemes.

- **L 17/02 – Performance Management System (PMS) for DBO and Operation and Maintenance Contracts for Group Water Schemes.**
- **L 18/02 Procurement Guidance Document for Small Water Services Schemes – Part A – Rural Water (Group Schemes) Module: Design, Build Operate**
- **L4/04 – Planning for Group Water Scheme DBO**
- **L11/04 – Grants – Installation of Water Treatment and Disinfection Equipment**
- **DOEHLG Annual Notification of Capital Allocation.**
- **DOEHLG Annual Notification of Allocation towards the administration costs of administering schemes relating to Rural Water Supplies.**
- **Various EPA Reports.**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

**Longford County Rural Water Monitoring Committee
Rural Water Strategic Plan (2002)
Rural Water Programme**

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: WATER SERVICES

SERVICE: PROPOSALS FOR TAKING OF WATER SUPPLIES

DESCRIPTION

When a sanitary authority wishes to take a water supply from a source to provide, increase or extend a supply of water under the Public Health Acts it may make a proposal for the taking of such supply. Notice of such proposals is published and served on all relevant parties and an opportunity is given for objections to the proposal.

LEGISLATION

Water Supplies Act, 1942

REGULATIONS

Water Supplies (Applications for Provisional Order) Regulations, 1945, S.I. No. 265

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: WATER SERVICES

SERVICE: CONNECTIONS TO PUBLIC WATER SUPPLY & SEWERAGE SCHEMES

DESCRIPTION

The County Council provides licences to the public to connect to water and sewerage schemes. The cost includes a standard charge for the licence, charges for road restoration and an insurance charge. Application forms are available from the Customer Services Desk of the County Council.

LEGISLATION

Local Government (Sanitary Services) Act, 1962 (Section 8)
Local Government (Planning and Development) Act, 1990 (Section 25 and Third Schedule).
Roads Act, 1993

REGULATIONS

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Schedule of Charges

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: WATER SERVICES

SERVICE: WATER QUALITY (Drinking Water)

DESCRIPTION

Sanitary authorities are now required to ensure that all drinking water meets stringent quality standards in respect of a series of physical, chemical, toxic and microbiological parameters. Testing is carried out systematically by the Health Service Executive on behalf of Longford County Council to ensure a pure and safe supply of water.

LEGISLATION

S. 67 of the Public Health (Ireland) Act, 1878
 Public Health Acts Amendment Act, 1890
 Local Government (Sanitary Services) Act, 1948
 Health (Fluoridation of Water Supplies) Act, 1960
 Local Government (Sanitary Services) Act, 1962
 Environmental Protection Agency Act, 1992 (S. 58 and S. 68)
 Water Services Act, 2007
 EU Directives

EC Directive 75/440/EEC – 16/06/75 Surface Water

EC Directive 79/869/EEC – 09/10/79 Surface Water

EC Directive 80/778/EEC – 15/07/80 relating to the quality of water intended for human consumption (Drinking Water)

EC Directive 86/278/EEC – 12/06/86 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture

EC Directive 98/83/EC – Quality of Water Intended for Human Consumption

REGULATIONS

-S.I. No. 294 of 1989 European Communities (Quality of Surface Water Intended for the Abstraction of Drinking Water) Regulations, 1989

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

-Waste Management (Amendment of Waste Management Act, 1996) Regulations 1998

-S.I. No. 148 of 1998 European Communities (Use of Sewage Sludge in Agriculture) Regulations, 1998

-European Communities (Drinking Water) Regulations, 2000 – S.I. No. 439 of 2000

-S.I. No. 177 of 2000 European Communities (Quality of Water Intended for Human Consumption (Amendment) Regulations, 2000

-Waste Management (Use of Sewage Sludge in Agriculture) Amendment Regulations, 2001 – S.I. No. 267 of 2001

EC (Drinking Water) (No. 2) Regulations, 2007 – S.I. No. 278 of 2007

GUIDELINES AND CIRCULARS

DOELG Circular Letter L 4/86 Guidelines for Emergency Planning to Protect Water Resources.

DOELG Circulars L 6/88 and L 13/88 European Communities (Quality of Water Intended for Human Consumption) Regulations, 1988

DOELG Circular L10/88 EC Directive 86/278/EEC of 12 June 1986 on the protection of the Environment and, in particular of the soil, when sewage sludge is used in agriculture.
DOELG Circular Letter L 1/89 Group Water Schemes / European Communities (Quality of Water Intended for Human Consumption) Regulations, 1988
DOELG Circular L 17/89 European Communities (Quality of Surface Water Intended for the Abstraction of Drinking Water) Regulations, 1989
DOELG Circular L 2/90 Environment Action Programme – Aquaculture in inland Waters
DOELG Circular L 1/91 A Handbook on Implementation for Sanitary Authorities of The European Communities (Quality of Surface Water Intended for the Abstraction of Drinking Water) Regulations, 1989
DOELG Circular L 8/91 European Communities (Use of Sewage Sludge in Agriculture) Regulations, 1991
DOELG Circular Letter L 9/96 Protection of Drinking Water Supplies
DOELG Protection of Drinking Water Supplies – Guidelines for Local Authorities – December, 1992
DOELG Protection of Drinking Water Supplies – Guidelines for Local Authorities on Minimizing the Risk of Cryptosporidium in Water Supplies – July 1998
DOELG Memorandum on Drinking Water Quality Monitoring Returns – January 1991
L 7/2000 – Application of Drinking Water Standards to Group Water Schemes
WQ 2/02 Naturally Occurring Uranium and Drinking Water
L 13/02 Action Plan for the Protection of Drinking Water Supplies
L 1/03 (WSP) Drinking Water National Monitoring Programme
WQ 1/03 Quality of Drinking Water
Implementation of National Drinking Water Regulations – European Court of Justice Judgement – L 1/04 (WSP)
Installation of Water Treatment and Disinfection Equipment – L 11/04 Grants
Drinking Water National Monitoring Programme – WSP 2/04
Drinking Water Monitoring Reports – WSP 3/04, WSP 5/04, L4/06B, L4/07A
Protection of Drinking Water Supplies – L6/06

EPA Annual Reports on the Quality of Drinking Water in Ireland

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: WATER SERVICES

SERVICE: WATER PRICING FRAMEWORK

DESCRIPTION

In line with international practise and emerging EU Policy Ireland is moving towards making the full cost of water and waste water services to all sectors transparent and securing full cost recovery in the case of non-domestic users. To facilitate this a policy framework has been developed to comprehensively apply the polluter pays principle in regard to water services infrastructure and operation. This framework provides for:

- **Collection of Capital Contributions by local authorities from non-domestic users in a structured and uniform manner in accordance with the polluter pays principle.**
- **Operational costs in respect of the non-domestic water and waste water services to users to be recovered in full.**
- **Continued funding in a transparent way of the cost of providing water and waste water services to domestic users through the capital budget and, in the case of operational costs, through the Local Government Fund, in a manner consistent with efficiency and environmental sustainability.**

LEGISLATION

REGULATIONS

Local Government (Planning & Development) Regulations, 1994-1995 EC (Environmental Impact Assessment) Regulations, 1989 Water Services Act, 2007

GUIDELINES AND CIRCULARS

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|---|
| <ul style="list-style-type: none"> • L 4/00 Application of the Polluter Pays Principle – A Framework for water pricing. • L 16/00 – Water and Waste Water Pricing – Roll out of Policy Capital and Operational Costs Recovers. • L 11/01 – Water Services Pricing Policy. • L 14/01 – Implementation of Water Services Policy. • L 5/02 (WSP) Complete Information System – Progress on Data Capture. • L 6/02 (WSP) Complete Information System – Progress on Data Capture. • L 6/02 (WSP) Implementation of Water Services Pricing Policy – General Guidance and Information Sheets. • L 7/02 (WSP) – Water Services Pricing Policy Information, Sheet Number 3 • L 10/02 (WSP) – Water Services Pricing Policy Implementation – Non-Domestic Metering – Notes for Guidance. • L 14/02 (WSP) Water Services Pricing Policy Implementation. • L 16/02 (WSP) – Water Services Pricing Policy – Consolidation of WSP Policy Circulars • L 19/02 (WSP) Water Services Pricing Policy Workshops on Quantifying Marginal Capital Costs. • L 10/03 (WSP) – Water Services Pricing Policy Implementation – Non-Domestic Metering – Progress Report. |
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- **L 17/03 (WSP) – Water Services Pricing Policy Implementation – Management Information Questionnaire 2002 and 2003**
- **L 6/2004 (WSP) - Metering Progress Report Circular**
- **L7/2004(WSP) – Elaboration of Water Services Pricing Policy 2004**
- **L8/2004 (WSP) – Water Services Pricing Policy Implementation**
- **Water Services Pricing Policy implementation – Metering Notes**

Water Services National Training Group (WSNTG)

Procedure Manual.

Website: www.wsntg.ie

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Longford County Council's Implementation of the Framework.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: WATER SERVICES

SERVICE: PIERS AND HARBOURS

DESCRIPTION

The County Council is responsible for the maintenance of the piers and harbours in County Longford. Major improvement works are funded in the main by Central Government grants.

LEGISLATION

Grand Juries (Ireland) Acts, 1836 and 1853

Local Government (Ireland) Act, 1898

Harbours Acts, 1946, 1947 and 1996

Fisheries (Ireland) Act, 1846

REGULATIONS

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GUIDELINES AND CIRCULARS

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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: WATER SERVICES

SERVICE: ARTERIAL DRAINAGE

DESCRIPTION

The County Council is responsible for the maintenance of a number of drainage schemes in the County.

LEGISLATION

Arterial Drainage Act, 1945
Arterial Drainage Act, 1955
Arterial Drainage (Amendment) Act, 1995

REGULATIONS

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: WATER SERVICES

SERVICE: COLLECTION OF NON-DOMESTIC AND WASTE WATER CHARGES

DESCRIPTION

Demands for payment of non-domestic and waste water charges are issued in accordance with the Government's Water Pricing Framework. Metered commercial bills are issued on a monthly/quarterly basis relating to consumption normally commencing with first issue in late February or early March.

Fixed charge bills are issued quarterly. In line with DOE policy all non-domestic customers have been metered since the end of 2006. Newly established premises will be metered as part of an ongoing process.

LEGISLATION

Public Health (Ireland) Act, 1878

Local Government (Sanitary Services) Act, 1962

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

Industrial Development Act, 1985

Local Government (Financial Provisions) Act, 1978

Local Government (Financial Provisions) (No. 2) Act, 1983

Local Government (Financial Provisions) Act, 1997

REGULATIONS

Public Bodies Orders, 1946 - 1993

County Management Reserved Functions Order, 1985

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: REGISTER OF ELECTORS

DESCRIPTION

<p>Longford County Council is responsible for the preparation and production of the Register of Electors for the entire County. The <i>Draft Register</i> is published each year on 1st. November and is made available for examination at Post Offices, Libraries, Garda Stations and Local Authority Offices up to the 25th November. It is advisable to check the draft during this period to make sure that eligible members of the household are correctly registered. Claims for additions or deletions may be made on claim form “RFA1” available from the locations listed above. The final <i>Register</i> is published on 1st. February and comes into force on the 15th February and is used at every election and referendum held during the following 12 months. If you find that you have been omitted from the Register you can apply to be included in a <i>Supplement</i> to the register by completing the green form RFA2. Persons in the supplement are entitled to vote at elections/referenda held during the life of the Register. A new register is prepared each year. The Electoral (Amendment) Act, 2001 makes provision for the preparation of an <i>Edited</i> version of the Register of Electors allowing for the <u>omission</u> of the name and address of a person who has requested that their name not be included for commercial purposes. The principal conditions for registration are listed on application forms and all information relevant to this service is available from the Corporate Services Section of the County Council.</p>
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LEGISLATION

<p>Electoral Act, 1992 Electoral (Amendment) Act, 1996 Electoral Act, 1997 European Parliament Elections Act, 1997 Referendum Act, 1998 Electoral (Amendment) Act, 2001 Electoral (Amendment) Act, 2002 Electoral (Amendment) Act, 2006</p>
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REGULATIONS

GUIDELINES AND CIRCULARS

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| <ul style="list-style-type: none"> • F6/99; F17/99; F8/04; F34/04 Exchange of Information about “new” European Electors (Council Directive 93/109/EC of 6 Dec. 1993) • F59/99 Potential European Electors • Circular F12/00 Register of Electors: Asylum Seekers and Refugees • Circular Letter F2/02 Electoral (Amendment) Act, 2001 – Registration Authorities. • Circular Letter F5/02 Electoral (Amendment) Act, 2001 – New Forms • Circular F15/02 Electoral (Amendment) Act, 2002- Revised Form Supplement to the Register of Electors • Circular Letter F20/02 Electoral (Amendment) Act 2001 and Electoral (Amendment) Act, 2002 – Supplement to the Register: Change of Residence. |
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- **Circular F28/02 Supplement to Register of Electors – General Election 17 May 2002**
- **Circular Letter F12/03 – F352/5 – Registration of EU Citizens as electors at 2004 European Elections**
- **Circular F6/2004 – F205/55/1 – Supplement to the 2004/2005 Register of Electors**
- **Circular F7/04 – Register of Electors 2004-2005**
- **Circular F17/04 – Change of Address; Supplement Application Form; S.I. No. 175 of 2004 Electoral (Amendment) Regulations, 2004**
- **Circular F20/04 – Form RFA**
- **Circular F22/04 – Postal Voting – Military Personnel**
- **Circular F36/04 – Supplement to Register of Electors**
- **Circular F42/04 – Potential European Electors**
- **Guidance for Registration Authorities (May 2006)**
- **Applications forms for Registration and Amendments**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: ANNUAL REPORT OF THE COUNTY COUNCIL

DESCRIPTION

<p>Local Authorities are required, not later than the 30th June each year, to prepare and adopt an annual report in relation to the performance of its functions during the preceding year and to furnish a copy of the report to each member of the Authority. The adoption of the report is a reserved function of the elected members. Longford County Council's Annual Report, which is prepared in the Corporate Services Section, is available to the public through the Local Authority Offices and Libraries and, also, by way of publication in the local papers.</p>

LEGISLATION

Local Government Act, 1991 (Section 50)
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Local Government Act, 1994

Local Government Act, 2001

REGULATIONS

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GUIDELINES AND CIRCULARS

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| <ul style="list-style-type: none"> • Department of the Environment Letter L.G. 24/7 of 1992 • Circular LA(P) 1/97 – Annual Report • Circular TAU 3/2000 – Annual Report – Inclusion of information on activities of the Local Travellers Accommodation Consultative Committee • Circular LG 9/00 – Service Indicators in Local Authorities • Circular LG 8/98 – SPC's • Circular LG 33/06 – Revised arrangements for allowances for expenses incurred by elected members of local authorities (page 17). |
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: LOCAL ELECTIONS AND POLLING SCHEMES

DESCRIPTION

<p>The County Council is responsible for the organisation of Local Elections which are to be held every five years or as often as directed by the Minister for the Environment, Heritage and Local Government and in accordance with constitutional provisions. It, also, assists the Town Authority in the organisation of the Local Elections for its own Council. The County Council, also, deals with the revision of the Polling Scheme for the County, which is a decision, reserved to the Elected Members of the County Council subject to the approval of the Minister. The Polling Scheme sets out the polling places for every area in the County. The Returning Officer at County Council elections is the Senior Executive Officer and the Town Clerk performs that function at Town Council elections.</p>

LEGISLATION

<p>Local Elections (Petitions and Disqualifications) Act, 1974 Electoral Act, 1992 Electoral (Amendment) Act, 1996 Electoral Act, 1997 Local Government Act, 1998 Local Elections (Disclosure of Donations and Expenditure) Act, 1999 Electoral (Amendment) Act, 2001 Local Government Act, 2001 Electoral (Amendment) Act, 2002 Local Government (No. 2) Act, 2003</p>
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REGULATIONS

<p>Local Elections Regulations, 1965 and 1995 Electoral (Amendment) Regulations, 2004 Local Government Act, 2001 (Section 161) Order 2004 Electoral (Polling Schemes) Regulations, 2005</p>
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GUIDELINES AND CIRCULARS

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| <ul style="list-style-type: none"> • F49/9 Photographs on Ballot Papers • F55/99; F1/03 Local Elections (Disclosure of Donations and Expenditure) Act, 1999 • Circular Letter F1/02 Electoral (Amendment) Act, 2001 – Returning Officers • F1/03 – Local Elections (Disclosure of Donations and Expenditure) Act, 1999 – Guidelines for Third Parties concerning donations • F3/03; F4/03 European and Local Elections in June 2004 • F10/03 Elected Members of Local Authorities • F13/03 Guidelines for Candidates/ Guidelines for National Agents • F17/03 Local Elections 2004 • F2/04 Local Elections – June 2004 – Photographs on Ballot Papers • F3/04 Memorandum for Guidance of Returning Officers • LG(P) 09/04 – Local Government Act, 2001 (Section 161) Order 2004 • F13/04 Stationery at Local Elections |
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- **F14/04 Local Elections (Disclosure of Donations and Expenditure) Act, 1999, as amended**
- **F17/04 Electoral (Amendment) Regulations, 2004**
- **F21/04 Polling Information Cards**
- **F25/04 Electoral (Amendment) Act, 2002**
- **F27/04 Consolidated 1995 Local Election Regulations & Count Rules at June 2004 elections**
- **F28/04 Ballot Papers for Local Elections**
- **F29/04 Communication Arrangements at Count Centres**
- **F30/04 Elections/Referendum/on Friday 11 June 2004**
- **F37/04 Electoral Act 1992 (Sec. 165) Regulations 2004**
- **F39/04 Local Elections (Disclosure of Donations and Expenditure) Act, 1999**
- **F40/04 Elected Members of Local Authorities**
- **F9/05 Electoral (Polling Scheme) Regulations, 2005**
- **Memorandum for the guidance of Returning Officers at Local Elections (June 2004)**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Polling Scheme, County of Longford, Constituency of Longford/Westmeath, Revised Jan. 2008

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES
SERVICE: MAINTENANCE OF COURTHOUSES

DESCRIPTION

The County Council is responsible for the maintenance of Courthouses in its administrative area with the exception of courthouses, which have been vested in the Courts Service.

LEGISLATION

Courthouse (Provision and Maintenance) Act, 1935

REGULATIONS

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION**FUNCTION: CORPORATE SERVICES****SERVICE: GAMING AND LOTTERIES****DESCRIPTION**

Under the Gaming and Lotteries Act, 1956 (Part 3, Section 13) a Local Authority may by resolution adopt this part of the Act in respect of the whole or a specified part of its administrative area and may by resolution rescind such adoption. A resolution will not have effect unless at least one month's notice in writing has been given to every member of the Council and published by advertisement in at least two papers circulating in the area to which the proposal relates. A Local Authority on passing a resolution must publish notice of it in the local papers and send a copy of the resolution to the Minister for Justice, Equality and Law Reform.

LEGISLATION

Gaming and Lotteries Act, 1956

REGULATIONS**GUIDELINES AND CIRCULARS****LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES****PRECEDENT**

FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: STRATEGIC POLICY COMMITTEES (SPC's) and CORPORATE POLICY GROUP (CPG)

DESCRIPTION

The County Council has in place Strategic Policy Committees (SPC's) based on the main functions of the Local Authority. Representatives of outside community groups e.g. voluntary organisations, farmers, business and industry, etc. are included on the SPC's to work with the Elected Members of the Council in the formulation of policy. The chairperson of each SPC and the Mayor form the Corporate Policy Group (CPG). The CPG has a co-ordinating role and deals with cross-cutting issues, corporate issues including the Corporate Plan, the modernisation process and customer service issues.

LEGISLATION

Local Government Act, 1991
Local Government Act, 1994
Local Government Act, 2001

REGULATIONS

GUIDELINES AND CIRCULARS

- “Better Local Government: A Programme for Change” - DOELG, 1996
- SPC Guidelines - DOELG, November 1997
- “Focus on Strategic Policy Committees” (Update March 1998) - Guidelines and Seminar Proceedings - DOELG, March 1998
- Strategic Policy Committee Guidelines – Update for the Establishment and Operation - 1999
- Circular LG 08/04 – Strategic Policy Committees
- Circular LG 16/04 – Strategic Policy Committees
- Review of the Operation of Strategic Policy Committees – IPA/DOEHLG, 2004
- Standing Orders for the Committees

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: FREEDOM OF INFORMATION
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DESCRIPTION

<p>All requests for information received under Freedom of Information are processed by the FOI Officer. Best practice guidelines based on the Department of Finance (FOI CPU) Guide to the Freedom of Information Act (Parts 1 and 2) are followed.</p>
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LEGISLATION

Freedom of Information Acts, 1997 - 2003

REGULATIONS

<p>S.I. No.139 of 1998 Freedom of Information Act, 1997 (Sec. 47(3) Regulations, 1998 S.I. No. 397 of 1998 Freedom of Information Act, 1997 (Local Authorities and Health Boards) (Commencement) Regulations, 1998 S.I. No. 516 of 1998 Freedom of Information Act, 1997 (Sec. 6(4), 6(5), 6(6)) Regulations, 1998 S.I. No.517 of 1998 Freedom of Information Act, 1997 (Sec. 6(9)) Regulations, 1998 S.I. No.518 of 1998 Freedom of Information Act, 1997 (Sec. 17) Regulations, 1998 S.I. No.519 of 1998 Freedom of Information Act, 1997 (Sec. 18) Regulations, 1998 S.I. No.520 of 1998 Freedom of Information Act, 1997 (Sec. 25(6) Regulations, 1998 S.I. No.521 of 1998 Freedom of Information Act, 1997 (Sec. 28(1) Regulations, 1998 S.I. No.522 of 1998 Freedom of Information Act, 1997 (Sec. 47(3) Regulations, 1998 S.I. No.523 of 1998 Freedom of Information Act, 1997 First Schedule (Amendment) Regulations, 1998 S.I. No.524 of 1998 Freedom of Information Act, 1997 Third Schedule (Amendment) Regulations, 1998 S.I. No.209 of 1999 Freedom of Information Act, 1997 First Schedule (Amendment) Regulations, 1999 S.I. No. 329 of 1999 Freedom of Information Act, 1997 (Prescribed Bodies) Regulations, 1999 S.I. No.46 of 1999 Freedom of Information Act, 1997 (Sec. 6(4)(b) Regulations, 1999 S.I. No.47 of 1999 Freedom of Information Act, 1997 (Sec. 28(6) Regulations, 1999 S.I. No. 115 of 2000 Freedom of Information Act, 1997 (Prescribed Bodies) (No. 2) Regulations, 2000 S.I. No. 355 of 2000 Freedom of Information Act, 1997 (Prescribed Bodies) (No. 3) Regulations, 2000 S.I. No. 67 of 2000 Freedom of Information Act, 1997 (Prescribed Bodies) Regulations, 2000 S.I. No. 126 of 2001 Freedom of Information Act, 1997 (Prescribed Bodies) Regulations, 2001 S.I. No. 127 of 2001 Freedom of Information Act, 1997 (Prescribed Bodies) (No. 2) Regulations, 2001 S.I. No. 128 of 2001 Freedom of Information Act, 1997 (Prescribed Bodies) (No. 3) Regulations, 2001 S.I. No. 368 of 2001 Freedom of Information Act, 1997 (Classes of Health Professionals) Regulations, 2001 S.I. No. 475 of 2001 Freedom of Information Act, 1997 (Prescribed Bodies) (No. 4) Regulations, 2001 S.I. No. 359 of 2002 Freedom of Information Act, 1997 (Prescribed Bodies) Regulations, 2002</p>
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S.I. No. 530 of 2002 Freedom of Information Act, 1997 (Prescribed Bodies) (No. 2) Regulations, 2002
S.I. No.206 of 2003 Freedom of Information Act, 1997 (Miscellaneous Revocations) Regulations, 2003
S.I. No.264 of 2003 Freedom of Information Act, 1997 (Fees) Regulations, 2003
S.I. No.265 of 2003 Freedom of Information Act, 1997 (Sec. 17(6) Regulations, 2003
S.I. No.266 of 2003 Freedom of Information Act, 1997 (Sec. 18(5A) Regulations, 2003
S.I. No. 642 of 2003 Freedom of Information Act, 1997 (Prescribed Bodies) Regulations, 2003
S.I. No. 297 of 2006 Freedom of Information Act, 1997 (Prescribed Bodies) Regulations, 2006

GUIDELINES AND CIRCULARS

Circular EPS 1/97 – Review of Implementation of Freedom of Access to Information on the Environment
Circular LG(P) 9/98 – Freedom of Information
BC4/99 Tender Notices – Commercially Sensitive Information
Circular EPS/01/01 – Access to Information on the Environment
Circular LP 09/02 – 1.Outline Action Plan on Compliance 2. Monthly FOI Returns
Circular LG(P) 08/03 – Freedom of Information (Amendment) Act, 2003
Circular LG(P) 10/03 – FOI (Fees) Regulations 2003; FOI (Sec. 17(6) and Sec. 18(5A) Regulations 2003
Circular LG(P) 12/03 – FOI and EU Complaints
Circular LG(P) 14/04 – Annual Report of Information Commissioner , 2003
BC 01/05 – Public Access to Building Control Documentation
Letter 20th April 2007 -European Communities (Access to Information on the Env.) Regulations 2007 – S.I. No. 133 of 2007
Circulars on Quarterly and Annual Statistical Returns to DoEHLG Reports
DoEHLG- Decision Makers Manuals
Annual Reports of Information Commissioner
Outline Action Plan on FOI Compliance - 2002
Report on the IDWG Subgroup on FOI Statistics – 2004
CPU (Dept. of Finance) Notices 1 – 25
Code of Practice for North/South Bodies – February 2006

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

- Decisions of the Information Commissioner 1998 to date
- High Court Judgements on Point of Law

FREEDOM OF INFORMATION**FUNCTION: CORPORATE SERVICES****SERVICE: CORPORATE PLAN****DESCRIPTION**

Local Authorities are required by legislation to draw up a Corporate Plan in consultation with the Corporate Policy Group (CPG). Longford County Council's current Corporate Plan is a statement of the objectives, strategies and priorities of the Local Authority over the lifetime of the elected council. Approval of the Corporate Plan is a reserved function of the elected members.

LEGISLATION**Local Government Act, 2001 (Section 134)****REGULATIONS****GUIDELINES AND CIRCULARS**

**Circular LG 14/04 – Guidelines on the preparation of the Corporate Plan 2004-2009
Guidelines for Local Authorities in the Preparation of Corporate Plans for 2004-2009
(Booklet)**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES**PRECEDENT**

FREEDOM OF INFORMATION**FUNCTION: CORPORATE SERVICES****SERVICE: OMBUDSMAN****DESCRIPTION**

The role of the Ombudsman is to investigate complaints about administrative actions, delays or inaction adversely affecting persons or bodies in their dealings with government departments, local authorities, health boards and the postal service. The Corporate Services Section provides a liaison service with the Ombudsman's Office in her requests for investigations in relation to the local authority.

LEGISLATION**Ombudsman Act, 1980****REGULATIONS**

Ombudsman Act (Amendment) Order 1984 – S.I. 332/1984
Ombudsman Act (Amendment) Order 1985 – S.I. 66/1985
Ombudsman Act (Amendment) Order 1985 – S.I. 1985

GUIDELINES AND CIRCULARS**Annual Reports of the Ombudsman****LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES****PRECEDENT**

FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: HEALTH AND SAFETY

DESCRIPTION

Longford County Council has prepared a Safety Statement in accordance with legislative requirements. The Health and Safety Advisor works with the Safety Management Committee and Safety Representatives to ensure a safe working environment for all staff.

LEGISLATION

Safety, Health and Welfare at Work Act, 1989

REGULATIONS

Safety, Health and Welfare at Work (General Application) Regulations, 1993
 Safety, Health and Welfare at Work (General Application) (Amendment No. 2) Regulations, 1993
 Pregnant Employees Regulations, 1994
 Safety Signs Regulations, 1995
 Construction Regulations, 2001
 Confined Spaces Regulations, 2001
 Chemical Agent Regulations, 2001
 Asbestos Regulations, 2006
 Control of Noise Regulations, 2006
 Control of Vibration Regulations, 2006
 Working at Heights Regulations, 2006
 Safety, Health and Welfare at Work (Construction) Regulations, 2006
 Safety, Health and Welfare at Work (General Application) Regulations, 2007

GUIDELINES AND CIRCULARS

Circulars BC 1/97; BC 6/2000
 DoEHLG Guidance Notes on Construction Regulations, 1995
 HSA Guidelines for Clients involved in Construction Projects
 Construction Safety Partnership Plan
 HSA Guidelines to Construction Regulations, 2001

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Longford County Council's Safety Statement
 Longford County Council's Vision Testing Policy
 Longford County Council's Policy Prohibiting Smoking in the Workplace

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: INFORMATION COMMISSIONER

DESCRIPTION

The role of the Information Commissioner is to review (on application) decisions made in relation to Freedom of Information (FOI) requests; to keep the operation of the Act under review with a view to ensuring maximum compliance; to foster an attitude of openness among public bodies by encouraging the voluntary publication by them of information on their activities and to prepare and publish commentaries on the practical operation of the Act. The Corporate Services Section provides a liaison service with the Office of the Information Commissioner in matters relating to the review of FOI requests decided upon in the local authority.

LEGISLATION

Freedom of Information Acts, 1997 - 2003

REGULATIONS

GUIDELINES AND CIRCULARS

- Interim Liaison Arrangements with Public Bodies for the Purposes of the Freedom of Information Act, 1997
- Freedom of Information Act, 1997 – Revised Liaison Procedures (issued from the Office of the Information Commissioner, Dec. 2001)
- Annual Reports of the Information Commissioner

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: SECRETARIAT SERVICE

DESCRIPTION

In accordance with statutory provisions a Meetings Administrator has been appointed to provide a secretariat service for all statutory meetings of the County Council.

LEGISLATION

Local Government Act, 2001

REGULATIONS

GUIDELINES AND CIRCULARS

Standing Orders for Meetings of the Council

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: CASUAL TRADING

DESCRIPTION

The Casual Trading Act, 1995 empowers the Council to grant licences for casual trading purposes and, also, to make bye-laws for the control, regulation, supervision and administration of casual trading.

LEGISLATION

Casual Trading Act, 1995

REGULATIONS

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: IRISH LANGUAGE

DESCRIPTION

<p>The Official Languages Act, 2003 is the first piece of legislation to provide a statutory framework for the delivery of public services through the Irish language. The primary objective of the Act is to ensure better availability and a higher standard of public services through Irish. Each local authority is required to publish a “Scheme” stating what services it will provide</p>

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| <ul style="list-style-type: none"> • through the medium of Irish • through the medium of English • through the medium of English and Irish and the measures to be adopted to ensure that any service not provided by the public body through the medium of the Irish Language will be so provided within an agreed timeframe. |
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LEGISLATION

Official Languages Act, 2003

Local Government Act, 2001

REGULATIONS

Official Languages Act, 2003 (Commencement) Order, 2003
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Official Languages Act, 2003 (Public Bodies) Regulations, 2006

Official Languages Act, 2003 (Section 9) Regulations, 2006

GUIDELINES AND CIRCULARS

Guidelines under Section 12 of Official Languages Act, 2003 (Dept. of Community, Rural and Gaeltacht Affairs)
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Longford Local Authorities Irish Language Scheme 2008 - 2011

PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: DISABILITY STRATEGY

DESCRIPTION

The Disability Act, 2005 was enacted with the overall aim of advancing the participation by persons with disabilities in everyday life. The Act places significant responsibilities on public bodies to ensure, over time, that public buildings and services are accessible to people with disabilities. Longford County Council has established a Disability Action Team that is representative of each of the service areas and departments of the local authorities. An Action Plan for the implementation of the Disability Strategy has been prepared and an Access Officer has been appointed and is based in the Corporate Services Department.

LEGISLATION

Disability Act, 2005

Building Control Act, 2007

REGULATIONS

Building Regulations 1997 – 2007

Building Control Regulations, 1997 -2004

GUIDELINES AND CIRCULARS

DoEHLG Sectoral Plan – June 2007

LGMSB Template Plan – May 2007

Good Practice in Accessibility website www.la-accessibility.ie

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Disability Action Plan 2008 - 2010

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: MAINTENANCE OF AMENITIES

DESCRIPTION

The County Council maintains a number of recreation and amenity facilities throughout the county and supports the community in the provision of recreation and amenity areas. It may, also, acquire land for recreational facilities and make bye-laws for its control and operation.

LEGISLATION

Open Spaces Act, 1906
Local Government Act, 1994
Local Government Act, 2001

REGULATIONS

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: CORPORATE SERVICES

SERVICE: CUSTOMER SERVICE

DESCRIPTION

<p>One of the core principles of Better Local Government is “Serving the Customer Better”. This principle is underpinned in the Local Government Act, 2001 and further emphasised in successive Social Partnership Agreements. Longford County Council has published a Customer Service Plan which details the practical steps that the local authority will take in order to improve customer service and outlines the principles of Quality Customer Service that each member of the public can and should expect from their dealings with the local authority. The Customer Service Plan, also, sets out the Customer Service Complaints procedure. A new Customer Service Desk and Cash Receiving Office with a dedicated team of staff has been established in Aras an Chontae.</p>

LEGISLATION

Local Government Act, 2001 (Sec. 71)

REGULATIONS

S.I. No. 274 of 2003 – Local Government Act, 2001 (Section 237A) Regulations, 2003

GUIDELINES AND CIRCULARS

<p>Circular LG 14/00 – Principles of Quality Customer Service Circular LG 07/2003 Local Authorities and Oireachtas Members DoEHLG Guidelines to assist local authorities in meeting the commitments to customer service improvement under the PPF and SMI. DoEHLG Information Note – Local Government Act, 2001 (Section 237A) Regulations, 2003 DoEHLG Guidelines – Customer Consultation, July 2005 and Customer Complaints, July 2005 Public Bodies and the Citizen – The Ombudsman’s Guide to Standards of Best Practice for Public Servants (Revised March 2003)</p>
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Customer Service Plan

PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: PUBLIC ACCESS TO INFORMATION ON THE ENVIRONMENT

DESCRIPTION

Public access to information on the Environment is provided in Ireland in accordance with EU Directive 2003/4/EC on the freedom of access to information on the environment. Regulations set out the procedures for public access to such information held by public bodies and provide certain grounds for refusal of information and, also, establish other procedures relevant to the processing of requests by public bodies. Full details in relation to these procedures may be had from the Corporate or Environment Department of the County Council.

LEGISLATION

**No primary legislation – enabling powers in Environmental Protection Agency Act, 1992.
EU Directive – 2003/4/EC**

REGULATIONS

European Communities (Access to Information on the Environment) Regulations, 2007 – S.I. No. 133 of 2007)

GUIDELINES AND CIRCULARS

- **Access to Information on the Environment Regulations, 2007 – Guidance Notes and Regulations - published by the Department of the Environment, Heritage and Local Government (Environment Policy Section).**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Guidelines for the public available on www.longfordcoco.ie

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: POLLUTION CONTROL – SURFACE AND GROUND WATER POLLUTION

DESCRIPTION

Surface and ground waters are monitored and sampled by the Environment Section of the County Council.

LEGISLATION

European Communities Act, 1972
Local Government (Water Pollution) Act, 1977
Local Government (Water Pollution) (Amendment) Act, 1990
Environmental Protection Agency Act, 1992
Local Government Act, 1994
Waste Management Act, 1996
Water Services Act, 2007

EU Directives:

Bathing Waters (76/160/EEC)
Dangerous Substances (76/464/EEC)
Freshwater Fish (78/659/EEC)
Shellfish Waters (79/923/EEC)
Groundwaters (80/68/EEC)
Urban Waste Water Treatment (91/271/EEC)
Nitrates (91/676/EEC)
Nitrates Directive – S.I. 378 of 2006
As amended.

REGULATIONS

General:

Local Government (Water Pollution) Act, 1977 (Discharge of Trade Effluent and Sewage Effluent to Waters) Regulations, 1977

S.I. No. 108 of 1978 Local Government (Water Pollution) Regulations, 1978
S.I. No. 37 of 1983 Local Government (Water Pollution) Act, 1977 (Transfer of Appeals) Order, 1978 (Amendment) Order, 1983
S.I. No. 271 of 1992 Local Government (Water Pollution) Act, 1992
S.I. No. 360 of 1995 Local Government Act, 1994 (Bye-Laws) Regulations 1995
S.I. No. 184 of 1996 Local Government (Water Pollution) (Amendment) Regulations 1996
S.I. No. 257 of 1998 Local Government (Water Pollution) (Nutrient Management Planning Consultation) Regulations, 1998
S.I. No. 42 of 1999 Local Government Act, 1994 (Bye-Laws) Regulations, 1999
S.I. No. 148 of 1998 Waste Management (Use of Sewage Sludge in Agriculture) Regulations, 1998

S.I. No. 573 of Local Government Act, 2001 (Water Pollution)(Fees) Regulations, 2001

Control:

S.I. No. 294 of 1985 Local Government (Water Pollution) (Control of Cadmium Discharges) Regulations, 1985

S.I. No. 55 of 1986 Local Government (Water Pollution) Acts, 1977 and 1990 (Control of Aldrin, Dieldrin, Endrin, Isodrin, HCB, HCBD and CHCL3 discharges) Regulations, 1994

S.I. No. 43 of 1994 Local Government (Water Pollution) Acts, 1977 and 1990 (Control of Carbon Tetrachloride, DDT and Pentachlorophenol Discharges) Regulations, 1994

S.I. No. 245 of 1994 Local Government (Water Pollution) Acts, 1977 and 1990 (Control of EDC, TRI, PER and TCB Discharges) Regulations, 1994

Quality:

Local Government (Water Pollution) Act, 1977 (Water Quality Management Plans) Regulations, 1978

S.I. No. 84 of 1988 European Communities (Quality of Bathing Waters) Regulations, 1988

S.I. No. 293 of 1988 European Communities (Quality of Salmonoid Waters) Regulations, 1988

S.I. No. 89 of 1989 Quality of Bathing Waters (Amendment) Regulations, 1989

S.I. No. 294 of 1989 European Communities (Quality of Surface Water Intended for the Abstraction of Drinking Water) Regulations, 1989

S.I. No. 155 of 1992 European Communities (Quality of Bathing Water) Regulations, 1992

S.I. No. 145 of 1994 Quality of Bathing Waters (Amendment) Regulations, 1994

S.I. No. 146 of 1996 Quality of Bathing Waters (Amendment) Regulations 1996

S.I. No. 177 of 1998 Quality of Bathing Waters (Amendment) Regulations 1998

S.I. No. 258 of 1998 Local Government (Water Pollution) Act, 1977 (Water Quality Standards for Phosphorus) Regulations, 1998

S.I. No. 41 of 1999 Protection of Groundwater Regulations, 1999

S.I. No. 42 of 1999 Local Government (Water Pollution) (Amendment) Regulations, 1999

S.I. No. 12 of 2001 Water Quality (Dangerous Substances) Regulations, 2001

S.I. No. 22 of 2001 Quality of Bathing Waters (Amendment) Regulations, 2001

S.I. No. 213 of 2003 EC Protection of Waters against Pollution from Agricultural Sources Regulations, 2003

S.I. No. 684 of 2007 Waste Water Discharge (Authorisation) Regulations, 2007

GUIDELINES AND CIRCULARS

- **EOLAS S.R. 6:1991 Septic Tank Systems – Recommendations for Domestic Effluent Treatment and Disposal from a Single Dwelling House.**
- **DOELG Circular Letter 1/92 Re S.R. 6:1991**
- **DOELG Circular WP 9/89 Local Government (Water Pollution) Act 1977 – Consultation Procedures**
- **DOELG Circulars WP 7/92, WP 9/95 and WP 1/97 – Directive 97/676/EEC concerning the Protection of Waters against Pollution caused by Nitrates from Agricultural Sources**
- **DOELG Circular WP 3/96 Re: Section 22 of Local Government (Water Pollution) (Amendment) Act 1990**
- **DOELG Circular WP 6/96 Local Government (Water Pollution) (Amendment) Regulations 1996**
- **DOELG Circular WP 6/97 Managing Ireland's Rivers and Lakes – A Catchment Based Strategy Against Eutrophication**
- **DOELG Circular WP 7/97 Measures to Prevent and Deal with Water Pollution incidents**

- **WQ 1/99 – Protection of Groundwater Regulations 1999 and Water Pollution Amendment Regulations 1999**
- **WQ 2/99 Bye-Laws under the Local Government Act, 1994 and the Local Government (Water Pollution) (Amendment) Act, 1990**
- **WQ 4/99 – Local Government Funding System – Water Pollution, Prevention and Controls.**
- **WQ 6/99 – Quality of Bathing Water Regulations, 1992 – Display of Notices**
- **WQ 7/99 – Environmental Protection Agency, Act, 1992 (Urban Waste Water Treatment) (Amendment) Regulations, 1999**
- **WQ 8/99 – Reports on the Implementation of EU Directives on Water.**
- **DOELG Circular Letter WQ 9/99 Catchment Based Water Management**
- **WQ 10/99 – Industry agreement to Phase Out Phosphorous in Domestic Laundry Detergent**
- **DOELG Circular Letter WQ 3/00 River Basin Management Projects**
- **WQ 4/00 – Local Government (Water Pollution) Acts, 1977 and 1990 – Return of activities for 1999**
- **WQ 5/00 – Nitrate Vulnerable Zones**
- **DOELG / EPA Guidelines for the Establishment of River Basin Management Systems, July 2000**
- **WQ 1/01 – Water Quality (Dangerous Substances) Regulations, 2001**
- **WQ 2/01 – Quality of Bathing Waters**
- **WQ 3/01 – Urban Waste Water Treatment Regulations 2001**
- **WQ 4/01 – Prevention of Fish Kill and other Water Pollution Incidents**
- **WQ 8/01 – Proposed Revision of the EU Bathing Water Directive 76/160/Eec**
- **WQ 9/01 – Local Government (Water Pollution (fees) Regulations, 2001**
- **L 8/03 (WSP) Licensing of trade effluent discharges to sewers under Section 16 of Local Government (Water Pollution) Act, 1977**
- **DOELG Code of Good Agricultural Practice – July, 1996**
- **Nutrient Management Planning Guidelines for Local Authorities**
- **EPA Annual Reports**
- **Managing Ireland’s Rivers and Lakes – A Catchment-Based Strategy Against Eutrophication.**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: CONTROL OF POLLUTION – AIR POLLUTION

DESCRIPTION

Licensing of discharges and monitoring of air quality. The prevention of air pollution. Regulations made in February 1999 designated the Environmental Protection Agency (EPA) the competent body for implementation of the framework Directive 96/62/EC on ambient air quality assessment and management. Most local authority air quality monitoring concentrates on smoke and sulphur dioxide and is concentrated in urban areas.

LEGISLATION

European Communities Act, 1972
Air Pollution Act, 1987
Environmental Protection Agency Act, 1992

EU DIRECTIVES:

Air Quality limit values for Sulphur Dioxide and Suspended Particulars 80/779/EEC, amended by 81/857/EEC, 90/656/EEC and 91/692/EEC
Limit value for Lead 82/884/EEC amended by 90/656/EEC and 91/692/EEC
Air Pollution from industrial plants 84/360/EEC amended by 90/656/EEC and 91/692/EEC
Air quality standards for Nitrogen Dioxide 85/203/EEC amended by 85/580/EEC, 90/656/EEC and 91/692/EEC
Limitation of emissions of certain pollutants from large combustion plants 88/609/EEC amended by 90/656/EEC and 94/66/EEC
Council Regulations (EC) No. 3322/88 of 14th October, 1988
Tropospheric Ozone Pollution 92/72/EEC
Air Quality Framework 96/62/EEC including 3 older Directives to be replaced by new requirements under the Framework Directive
EU Directives 1999/13/EC; 1999/30/EC; 2000/69/EC; 2001/80/EC.
EU Directive 2002/3/EC relating to ozone in ambient air

REGULATIONS

Air Pollution Act, 1987 (Commencement) Order, 1987 – S.I. No. 201 of 1987
Air Pollution Act, 1987 (Commencement) No. 2 Order 1987 – S.I. No. 243 of 1987
Air Pollution Act, 1987 (Air Quality Standards) Regulations, 1987 – S.I. No. 244 of 1987
Air Pollution Act, 1987 (Commencement) Order, 1988 – S.I. No. 265 of 1988
Air Pollution Act, 1987 (Licensing of Industrial Plant) Regulations, 1988 – S.I. No. 266 of 1988
Local Government (Planning & Development) General Policy Directive, 1988 – S.I. No. 317 of 1988
Air Pollution Act, 1987 (Authorised Fuel) Regulations, 1988 – S.I. No. 298 of 1988
Council Regulation (EC) No. 3322/88 of 14 October 1988
Air Pollution Act, 1987 (Commencement) Order, 1989 – S.I. No. 167 of 1989
Air Pollution Act, 1987 (Emission Limit Values for use of Asbestos) Regulations, 1990 – S.I. No. 28 of 1990
Council Regulation (EC) No. 594/91 of 4 March 1991

Air Pollution Act, 1987 (Combustion Plant) Regulations, 1992 – S.I. No. 273 of 1992
Air Pollution Act, 1987 (Marketing, Sale & Distribution of Fuels) Regulations, 1990, 1992,1993
Air Pollution Act, 1987 (Municipal Waste Incineration) Regulations, 1993 – S.I. No. 347 of 1993
Rules of the Superior Courts (No. 2) 1996 – S.I. No-377 of 1996
Air Pollution Act, 1987 (Sulphur Content of Gas Oil) Regulations, 1994 –S.I. No. 256 of 1994
Air Pollution Act, 1987 (Petroleum Vapour Emissions) Regulations, 1997 – S.I. No. 375 of 1997
Air Pollution Act, 1987, (Marketing, Sale and Distribution of Fuels) Regulations, 1998 – S.I. No. 118 of 1998 and S.I. No. 278 of 2000
S.I. No. 339 of 2001 EC (Consumer Information on Fuel Economy and C02 Emissions of New Passenger Cars) Regulations, 2001
Air Pollution Act, 1987, (Licensing of Industrial Plant)(Fees Amendment) Regulations, 2001 - S.I. No. 575 of 2001
S.I. No. 271 of 2002 Air Quality Standards Regulations, 2002
S.I. No. 543 of 2002 Emissions of Volatile Organic Compounds from Organic Solvents Regulations, 2002
European (E-PRTR) Regulations (EC) No. 166 of 2006 – European Pollutant Release and Transfer Register
Pollutant Release and Transfer Register Regulations, S.I. No. 123 of 2007
S.I. No. 199 of 2007 – Limitations of emissions of Volatile Organic Compounds due to the use of Organic Solvents in certain paints, varnishes and vehicle refinishing products Regulations, 2007 (otherwise known as the “Deco Paints Regulations)

GUIDELINES AND CIRCULARS

AQ 2/98 – Air Pollution Act, 1987 – Report on Implementation during 1997
AQ 3/98 – Ban on Bituminous Solid Fuels in certain Urban Areas
AQ 5/98 – Approval of Assessors under Article 6 (1)
AQ 1/99 – New Framework for assessment and Management of ambient Air Quality
AQ 2/99 – Air Pollution Act, 1987 – Report on Implementation during 1998
AQ 3/99 – Phase out of Leaded Petrol – Information Campaign
AQ 1/00 – Extension of the Ban on the Marketing, Sale and Distribution of Bituminous Coal to Five New Restricted Urban Areas
AC 2/01 – Consultation Paper on the possible extension nationally of the bans on the marketing, sale and distribution of Bituminous Coal to Five New Restricted Urban Areas
AC 3/01 – Air Pollution Act, 1987 (Licensing of Industrial Plant) (fees amendment) Regulations, 2001
AQ 1/02 - Natural Standards Authority of Ireland Act, 1996 (Section 32) Regulations, 2001
AC 2/02 – Voluntary Agreement between the Minister for the Environment and Local Government and the Solid Free Trade Group.
AQ 3/02 – Air Quality Standards for S02, Nox, PM10, Lead, Benzene and Co Air Quality Standards Regulations, 2002
AQ 1/03 – Emissions of Volatile Organic Compounds from Organic Solvents.
AQ 2/03 Extension on the Ban on the Marketing, Sale and Distribution of Bituminous Coal
AQ 3/03 – Strategy to Resource Emission of Trans Boundary Air Pollution by 2010
AC 1/04 – Emissions of Volatile Organic Compounds from Organic Solvents
AC 1/06 - New Voluntary Agreement between the Minister for the Environment, Heritage and Local Government and the Solid Free Trade Group.
AC 1/07 – Limitation of Emissions of Volatile Organic Compounds

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: POLLUTION CONTROL – NOISE POLLUTION

DESCRIPTION

<p>Any person, including a Local Authority, is entitled to apply to the District Court under the Noise Regulations, 2006 to seek an Order to deal with the nuisance. Under the Environmental Protection Agency (EPA) Act, 1992 Local Authorities or the EPA are empowered to serve a Notice requiring measures to be taken to limit or prevent noise. A Notice may be served by a local authority on any person in charge of any premises, processes or works, other than an activity controlled by the EPA. Failure to comply with a Notice is an offence and allows the relevant local authority to take steps to ensure compliance.</p>

LEGISLATION

<p>Environmental Protection Agency Act, 1992 (Sections 106, 107 and 108) Roads Act, 1993 (Section 77)</p>
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REGULATIONS

<p>EPA Act, 1992 (Noise) Regulations, 1992 – S.I. No. 179 of 1992 Road Traffic (Construction, Equipment & Use of Vehicles) Regulations, 1963 – S.I. No. 190 of 1963 EC (Construction Plant & Equipment) (Permissible Noise Levels) Regulations, 1988 – S.I. No. 320 of 1988 EC (Lawnmowers) (Permissible Noise Levels) Regulations, 1989 – S.I. No. 102 of 1989 EPA Act, 1992 (Commencement) (No. 2) Order, 1994 – S.I. No. 178 of 1994 EPA Act, 1992 (Noise) Regulations, 1994 – S.I. No. 179 of 1994 EU Directive 2002/49/EC relating to Assessment and Management of Environmental Noise Environmental Noise Regulations 2006 (S.I. No. 140 of 2006)</p>
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GUIDELINES AND CIRCULARS

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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: MONITORING OF POTENTIALLY DANGEROUS BUILDINGS AND STRUCTURES

DESCRIPTION

Longford County Council as the Fire Authority for the entire county is empowered to serve a Fire Safety Notice on the owner/occupier of any building which is considered to be potentially dangerous from a fire safety aspect.

LEGISLATION

Fire Services Act, 1981 and 2003
Building Control Act, 1990

REGULATIONS

Ease of Escape Regulations, 1985
Building Regulations, 1997
Building Control Regulations, 1997

GUIDELINES AND CIRCULARS

Guides to Fire Safety in:
- Existing Flats, Hotels and Guesthouses, Hostels, Places of Assembly and Entertainment, Nursing Homes and Preschools
- Technical Guidance Document B, 2006

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: PETROLEUM STORE LICENCES
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DESCRIPTION

<p>Longford County Council as Fire Authority is responsible for the control of dangerous substances through the licensing of Petroleum Stores. It may decide to grant or refuse such a licence and the applicant, if dissatisfied, has a right of appeal.</p>
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LEGISLATION

<p>Dangerous Substances Acts, 1972 and 1979 Air Pollution Act, 1987</p>
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REGULATIONS

<p>Dangerous Substances (Licensing Fees) Regulations, 1979 - S.I. No. 301 of 1979 Dangerous Substances (Retail and Private Petroleum Stores) Regulations, 1979 - S.I. No. 311 of 1979 Dangerous Substances (Petroleum Bulk Stores) Regulations, 1979 - S.I. No. 313 of 1979 Dangerous Substances (Amendment) Regulations, 1988 - S.I. No. 303 of 1988 Dangerous Substances (Storage of Liquefied Petroleum Gas) Regulations, 1990 Dangerous Substances (Conveyance of Scheduled Substances by Road) (Trade or Business) Amendment Regulations, 1980 and 1996 Air Pollution Act, 1987 – (Petroleum Vapour Emissions) Regulations, S.I. No. 375 of 1997 S.I. No. 424 of 1999 – Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations, 1999</p>
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GUIDELINES AND CIRCULARS

<p>Circular Letter 1/94 Transportation of Hazardous Substances – Routing issued by the NSAI , Dublin:</p> <ul style="list-style-type: none"> - IS 3216 Parts 1 and 2, 1988 and 1989, Code of Practice for Bulk Storage of Liquefied Petroleum Gas - IS 3213, 1987, Code of Practice for the Storage of LPG Cylinders and Cartridges - IS 813, 1996 Domestic Gas Installations - IS 820, 2000, Non-Domestic Gas Installations

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: LITTER CONTROL

DESCRIPTION

Under the Litter Pollution Act, the Litter Warden may impose on-the-spot fine for offences under this legislation. The objective is to prevent and control litter in order to achieve a cleaner outdoor environment.

LEGISLATION

Litter Pollution Acts, 1997 – 2003
Waste Management Acts, 1996 - 2005
Protection of the Environment Act, 2003

REGULATIONS

Litter Pollution Regulations, 1999, (S.I. No. 359 of 1999)

GUIDELINES AND CIRCULARS

- Grants for Litter Initiatives - Circular Letters ALU 4/97
- On-the-Spot Fines Notices - TC 3/97, LU 9/01
- Fixed Penalty Notices - ALU 3/97
- Public Information Campaign - ALU 5/97
- National Spring Clean 2001 – Circular Letter 02/01
- Grants for Anti-Litter Awareness Initiatives – ALU 4/97, EPS 2/99, EPS 3/99, EPS 2/00, 03/06, LU 03/07
- National Litter Pollution Monitoring System – Circular Letter EP 3/99, 3/00, 7/02
- National Anti-Litter Forum – Circular Letter 5/99
- Increased Penalties under the Litter Pollution Act, 1997 – Circular EP 6/99
- Statistical Return on Enforcement – Circular Letter 05/02, 01/03, EP 05/04, 01/05, 02/06, 01/07
- National Litter Pollution Monitoring System – Circular Letter 05/03
- The Government’s Litter Action Plan – 08/02
- Litter Laws and Elections/Referendum Materials – Circular 02/02, EPS 10/02, EP 04/04
- Litter Management in Coillte Forest Properties – Circular EP 04/03
- Circular Letter EPS 2/04 – National Litter Pollution Monitoring System
- Circular Letter EP 04/04 – Litter Laws and Elections
- Circular Letter EP 05/04 – Litter Pollution Acts, 1997 – 2003- Circular 01/02, 05/02, EP 05/04
- Litter Pollution (Increased Notice Payment) Order – S.I. No. 558 of 2007
- DOEHLG Annual Allocation: Grants for Anti-Litter Awareness Initiatives
- DOEHLG Action against Litter Guidelines for Local Authorities.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: TIDY TOWNS COMPETITION

DESCRIPTION

An annual competition organized by the Department of Environment, Heritage and Local Government in which over 700 towns and villages compete for the title "Ireland's Tidiest Town". The competition has two principal aims. Firstly, it seeks to create an awareness of the important role which local communities can play in improving their local environment. Secondly, it seeks to encourage local communities to fulfill that role by providing a forum through which towns and villages around the country can compete for a wide range of awards. The County Council offers tangible support to local communities and Tidy Towns Committees engaging in such activities.

LEGISLATION

None

REGULATIONS

None

GUIDELINES AND CIRCULARS

The Guidelines for the competition are contained in a brochure published each Spring which is available from the Department's Tidy Towns Unit at 1890 25 27 43 or email tidytowns@environ.ie . Adjudication commences in June and results are announced in September.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Ardagh Village - 3 times winner of this award in 1989, 1996 and 1998!
- Newtowncashel - Winner in 1980!

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: WASTE RECOVERY AND DISPOSAL

DESCRIPTION

<p>The Council promotes waste reduction and recycling through sponsored Bottle and Can Banks located at the Town Centre, Longford and in other county towns. It, also, encourages the disposal of the remainder of the waste in the most environmentally friendly way.</p>
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LEGISLATION

EPA Act, 1992

Waste Management Acts, 1996 - 2005

Protection of Environment Act, 2003

EC Directive 75/439/EEC – 16/06/75 on the disposal of waste oils (as amended by EC Directive 87/101/EEC – 22/12/86)

EC Directive 75/442/EEC – 15/07/75 on waste (as amended by EC Directive 91/156/EEC – 18/03/91)

EC Directive 80/86/EEC – 17/12/79 on the protection of groundwater against pollution caused by certain dangerous substances

EC Directive 85/337/Eec – 27/06/85 on the assessment of the effects of certain public and private projects on the environment (as amended by EC Directive 97/11/EC – 03/03/97)

EC Directive 87/217/EEC – 19/03/97 on the prevention and reduction of environmental pollution by asbestos

EU Directive 91/157 on batteries and accumulators

EU Directive 91/689/EEC – 12/12/97 on hazardous waste

EU Directive 94/62/EC – 20/12/94 on packaging and packaging waste

EU Directive 96/59/EC – 16/09/96 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls

EU Directive 96/61/EC – 24/09/96 concerning integrated pollution prevention and control.

EU Council Directive 1999/31/EC – 26/04/99 on the landfill of waste.

Waste Electrical and Electronic Equipment Directive (WEEE)

EU Directive 2000/53/EC

Council Directive 2006/12/EC of 5/4/2006 on Waste

Council Directive 2006/66/EU on Batteries and Accumulators and Spend Batteries and Accumulators

Council Regulations (EEC) No. 259/93 – 01/02/93 on the supervision of control of shipments of waste within, into and out of the European Community (as amended) Council Regulation (EC) No. 1420/1999 – 29/04/99 establishing common rules and procedures to apply to shipments to certain non-OECD countries of certain types of waste

Commission Regulations (EC) No. 1547/1999 – 12/07/99 – determining the control procedures under Council Regulation (EEC) No. 259/93 to apply to shipments of certain types of waste to certain countries to which OECD Decision C(92)39 final does not apply

Commission of the European Communities: Commission Decision – 24/11/99 – adapting Council Regulation (EEC) No. 259/93 on the supervision and control of shipments of waste within, into and out of the European Community.

Commission Regulation (EC) No. 1379 of 2007 on amending Annexes 1A, 1B, V11 and V111 of Regulation (EC) No. 1013 of 2006 of the European Parliament and of the Council on shipments of waste for the purpose of taking account of technical progress and changes agreed under the Basle Convention.

Commission Regulation (EC) No. 1418 of 2007 concerning the export for recovery of certain waste listed in Annex 111 or 111A to Regulation (EC) No. 1013 of 2006 of the European Parliament and of the Council to certain countries to which the OECD decision on the control of transboundary movements of waste does not apply.

REGULATIONS

Waste Management (Licensing) Regulations, 1997, S.I. No. 133 of 1997

Waste Management (Licensing) (Amendment) Regulations, 1998, S.I. No. 162 of 1998

Waste Management (Register) Regulations, 1997, S.I. No. 183 of 1997

Waste Management (Farm Plastics) Regulations, 1997

Waste Management (Packaging) Regulations, 1997, S.I. No. 242 of 1997

EC (Licencing of Incinerators of Hazardous Waste) Regulations, 1998 (S.I. No. 64 of 1998)

Waste Management (Hazardous Waste) Regulations, 1998, S.I. No.163 of 1998

Waste Management (Movement of Hazardous Waste) Regulations, 1998, S.I. No. 147 of 1998

Waste Management (Use of Sewage Sludge in Agriculture) Regulations, 1998, S.I. No. 148 of 1998

Waste Management (Transfrontier Shipment of Waste) Regulations, 1998, S.I. No. 149 of 1998

Waste Management (Miscellaneous Provisions) Regulations, 1998, S.I. No. 164 of 1998

Waste Management (Permit) Regulations, 1998, S.I. No. 165 of 1998

European Communities (Amendment of Waste Management Act, 1996) Regulations, 1998, S.I. No. 166 of 1998)

Waste Management (Hazardous Waste) (Amendment) Regulations, 2000 (S.I. No. 73 of 2000)

Waste Management (Licensing) Regulations, 2000 (S.I. No. 185 of 2001)

Waste Management (Farm Plastics) Regulations, 2000 (S.I. No. 341 of 2001)

Waste Management (Prescribed Date) Regulations, 2000 (S.I. No. 390 of 2001)

Waste Management (Licensing) (Amendment) Regulations, 2001 (S.I. No. 397 of 2001)

Waste Management (Collection Permit) Regulations, 2001 (S.I. No. 402 of 2001)

Waste Management (Collection Permit) (Amendment) Regulations, 2000 (S.I. No. 540 of 2001)

Waste Management (Env. Levy) (Plastic Bags) Regulations, 2001 (S.I. No. 605 of 2001)

Waste Management (Landfill Levy) Regulations, 2002 (S.I. No. 86 of 2002)

Waste Management (Packaging) Regulations, 2003 (S.I. No. 61 of 2003)

Protection of the Environment Act, 2003 (Commencement) (No. 3) Order, 2003 – S.I. No. 498 of 2003

Waste Management (Licensing) Regulations, 2004 – S.I. No. 395 of 2004

Waste Management (Packaging) (Amendment) Regulations, 2004 – S.I. No. 871 of 2004

Waste Management (Waste Electrical and Electronic Equipment) Regulations, 2005 – S.I. No. 209 and 340 of 2005

Waste Management (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) Regulations, 2005 – S.I. No. 341 of 2005

Waste Management (End-of-Life Vehicles) Regulations, 2006

Waste Management (Packaging) (Amendment) Regulations, 2006 – S.I. No. 308 of 2006

Waste Management (Packaging) Regulations, 2007 (S.I. No.798 of 2007)

Waste Management (Shipments of Waste) Regulations, 2007 (S.I. No.419 of 2007)

Waste Management (Tyres and Waste Tyres) Regulations, 2007 (S.I. No. 664 of 2007)

Waste Management (Env. Levy) (Plastic Bags) (No. 2) Regulations, 2007

Waste Management (Collection Permit) Regulations, 2007 – S.I. No. 820 of 2007
Waste Management (Facility Permit and Registration) Regulations, 2007 – S.I. No. 821 of 2007

GUIDELINES AND CIRCULARS

- **Circular WM 1/96 REPAK Scheme for Packaging Waste**
- **Circular WM 3/97 Re: Waste Management (Licensing) Regulations, 1997 (S.I. No. 133 of 1997)**
- **Circular WM 6/97 Re: Amendment of Council Regulation (EC) No. 259/93 on the supervision and control of shipments of waste within, into and out of the European Community.**
- **Circular WM 7/97 Re: Waste Management (Packaging) Regulations 1997**
- **Circular of 17/7/97 Re: Waste Management (Farm Plastics) Regulations 1997**
- **Circular WM 10/97 Re: Waste Management (Packaging) Regulations 1997**
- **Circular WM 15/97 Re: Waste Management (Packaging) Regulations 1997**
- **Circular WM 3/98 (25/5/98) Re: New Regulations on Waste Management**
- **Circular WM 3/98 (6/7/98) Re: Waste Management (Packaging) Regulations 1997**
- **Circular Letter WM 7/98 Re: Movement of Hazardous Waste within the state**
- **Circular WM 1/99 Re: Enforcement of the Waste Management (Packaging) Regulations, 1997**
- **Circular WPR 1/03 Re: Waste Management (Packaging) Regulations, 2003**
- **Circular WIR 07/03 – European Communities (Incineration of Waste) Regulations, 2003**
- **Circulars WIR 12/03, 14/03 – Commencement of Certain Provisions of the Protection of the Environment Act, 2003**
- **Circular WM 00/4 Re: Waste Management (Licensing) Regulations 2000**
- **Circular WPR 1/04 – All-Island Contract for the Management of Waste Fridges and Freezers**
- **Circular WIR 04/04 – Export of Dry Recyclables**
- **Circular WP&R 4/04 – Biodegradable Waste Strategy**
- **Circular WIR 5/04 – Waste Collection Permit Review**
- **Circular WP&R 6/04 – Management of Waste Fridges and Freezers**
- **Circulars WIR 13/03, 09/04 – Re: Weight/Volume Related Waste Charging**
- **Circulars WIR 16/03, 10/04 – Use of Environment Fund to support Local Authority Enforcement Measures**
- **Circular WIR 13/04 – Introduction of Pay by Use/Volume Charging**
- **Circular WIR 14/04 – Waste Management Infrastructure – Subvention of Recycling Facilities**
- **Circular WIR 01/07 & WIR 14/07 – Waste Management Infrastructure Capital Grants Scheme – Regional Operation Programme 2000-2006**
- **Circular WIR 02/07 & WIR 13/07 – Subvention of Recycling Costs**
- **Circular WIR 03/07 – Landfill Levy Annual Reports EF12 & EF14**
- **Circular WIR 05/07 – Local Authority Enforcement Measures – Grant Scheme**
- **Circular WIR 06/07 – Landfill Remediation Grants**
- **Circular WIR 07/07 – National TFS Office for Waste Shipments for Ireland**
- **Circular WIR 08/07, WIR 16/07 & WIR 17/07 – Transfrontier Shipment Regulation**
- **Circular WIR 09/07 – A Policy direction under Section 60 of the Waste Management Act**
- **Circular WIR 11/07 – Reform of the C1 system and tracking of hazardous waste movements of WEEE – new arrangements**
- **Circular WIR 12/07 – WEEE – claims for take back of household WEEE**

- **Recycling for Ireland Manual 1994**
- **DOELG An Overview of the Waste Management Act, 1996**
- **DOELG A Guide to the Waste Management (Farm Plastics) Regulations, 1997**
- **DOELG A Guide to the Waste Management (Packaging) Regulations, 1997 (Revised) 16 December 1997**

Government Policy Statements

- **An Action Plan for the Millennium**
- **Recycling for Ireland (1994)**
- **Sustainable Development – A Strategy for Ireland (1997)**
- **Waste Management – Changing our Ways (1998)**
- **Race Against Waste Campaign**

- **Preventing and Recycling Waste: Delivering Change (2002)**
- **Taking Stock and Moving Forward (2004)**
- **National Overview of Waste Management Plans**
- **National Biodegradable Waste Strategy (2006)**

- **National Development Plan 2007 -2013 (Waste Management Sub – Programme)**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: DOMESTIC REFUSE COLLECTION AND ROAD SWEEPING

DESCRIPTION

All domestic refuse collected in County Longford is now carried out by private refuse collectors. Road sweeping is carried out on agency basis by the Roads and Transportation Section.

LEGISLATION

Waste Management Acts, 1996 - 2005
Litter Pollution Acts, 1997 - 2003

REGULATIONS

Litter Pollution Regulations, 1999 (S.I. No. 359 of 1999)

GUIDELINES AND CIRCULARS

DOEHLG An Overview of the Waste Management Act, 1996
DOEHLG Action against Litter Guidelines for Local Authorities

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: BURIAL GROUND OPERATION AND MAINTENANCE

DESCRIPTION

The County Council, through a network of caretakers, operates and maintains fee-paying burial grounds in County Longford. Information on allocation of grave spaces may be obtained from the local caretaker or the Environment Department.

Application for an exhumation licence must be made to the Local Authority before re-interment may take place. Details are available from Environment Department of the County Council.

LEGISLATION

Public Health (Ireland) Act, 1878

Public Health (Ireland) Act, 1896 (Section 19 & 20)

Local Government (Sanitary Services) Act, 1948, as amended.

Local Government (Sanitary Services) (Joint Burial Boards) Act, 1952

Local Government Act, 1994 – Second Schedule

REGULATIONS

Rules and Regulations for the regulation of Burial Grounds etc, 1888

Local Government (Planning and Development) Regulations, 1994 (Part X) – S.I. No. 86 of 1994

GUIDELINES AND CIRCULARS

- Burial Ground Maintenance - Circular L 3/63
- OPW Booklet on “The Care and Conservation of Graveyards”, Dublin: S.O., 1995
- Exhumation of Remains - Local Government (Sanitary Services) Act, 1948, as amended
- DOEHLG Circular ENV 23/74
- DOEHLG Circular LSS 6/94 Burial Grounds/Exhumation Licences – Devolution of Controls

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: BURIAL GROUND CLOSURES

DESCRIPTION

Local Authorities are required to publish notice of the closure of a burial ground and anyone who wishes to seek an exemption to the closure may apply to the Minister for Environment, Heritage and Local Government for an exception to be made to the order.

LEGISLATION

Public Health (Ireland) Act, 1878

REGULATIONS

None

GUIDELINES AND CIRCULARS

- Burial Ground Closure - Circular ENV 23/74

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: VETERINARY SERVICES

DESCRIPTION

Veterinary Services are provided by the County Council as an official agency under contract to the Food Safety Authority of Ireland. Longford County Council employs a whole time veterinary inspector who is responsible for veterinary supervision and examinations and the application of the health mark to all slaughtering within the County to ensure proper standards of hygiene, animal welfare and procedures are maintained in local authority abattoirs. Other veterinary duties include responsibility for overseeing meat manufacturing plants producing for the local market and meat transport vehicles. A sampling and analysis programme for the detection of harmful substances and bacteria in meat is operated. Longford County Council Veterinary Service maintains the register of liquid milk producing herds. The Local Authority Veterinary Service liaises with other regulatory agencies in the region on the identification and control and reporting of food poisoning outbreaks.

The Local Authority Veterinary Service ensures animal health and welfare where legislated.

The Service controls and ensures the safe disposal of animal by-products as appropriate.

The County Veterinary Officer provides advice on any veterinary related area to the Local Authority.

The Service is partaking in integrated surveillance data collection which will provide baseline information which will help facilitate trace back of conditions affecting human health to the animal population.

The Local Authority Veterinary Officer participates on expert working groups at national level.

Local Authority Veterinary Services have public health, animal health and animal welfare responsibilities which are provided on behalf of Longford County Council.

LEGISLATION

Slaughter of Animals Act, 1935

Health Act, 1947 and Food Hygiene Regulations 1950, as amended

Abattoirs Act, 1988

DISEASES OF ANIMALS ACTS, 1966 AND 1979 AND 1996

Milk and Dairies Acts, 1935 and 1956 and Regulations thereunder.

Control of Dogs Act, 1986

Animal Remedies Act, 1993

Control of Horses Act, 1996

Food Safety Authority of Ireland Act, 1998

Food Safety Authority of Ireland Act, 1998 (Amendment of First and Second Schedules) Order 2007 – S.I. No. 839 of 2007

REGULATIONS

Abattoirs Act, 1988 Veterinary Regulations, 1992

Abattoirs Act, 1988 Abattoirs Regulations, 1989 and 1997

Health Mark Regulations, 1992

Sheep Scab (Amendment) Order, 1994
Poisons (Control of Residues to Food and Animal Origin) Regulations, 1985
Animal Byproduct Regulations, 2003
European Communities (Protection of Animals at time of Slaughter) Regulations, 1995 (S.I. No. 114 of 1995)
Diseases of Animals (B.S.E.) (Specific Risk Material) Order, 1998 (S.I. No. 144 of 1998)
Abattoirs Act, 1988 (Abattoirs Amendment) Regulations– S.I. No. 12 of 1998
Control of Animal Remedies and their Residues Regulations, 1998
Abattoirs Act, 1988 (Veterinary Examination) (Amendment) Regulations, 1999
Abattoirs Act, 1988 (Abattoirs) (Amendment) Regulations, 1999
EC (Labelling of Beef and Beef Products) Regulations, 2000
EC (Specified Risk Material) Regulations, 2000 - 2001
Diseases of Animals (BSE) (Specified Risk Material) Order, 2001
EU Hygiene of Foodstuff S.I. 910 of 2005 and 852 of 2004
EC Regulation 1662/2006 of 6/11/06 (amending EC 853/2004) laying down specific hygiene rules for food of animal origin.
EC Regulation 1663/2006 of 6/11/06 (amending EC 854/2004) laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption.
EU Legislation and Regulations

GUIDELINES AND CIRCULARS

EPA Guidance Notes on Emergency Disposal of Animals arising from FMD Outbreak (March 2001). Also, Updated Guidance.
Circular FMD 1/02 and Letter March, 2003 – Foot and Mouth Disease
Circular 08/01 – Precautionary measures against the possible spread of FMD
FSAI Guidance Notes
Guidance document on official controls, under regulation (EC) No 882/2004 concerning microbiological sampling and testing of foodstuffs.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Local Authority Veterinary Services Standardised operating procedures

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: CONTROL OF HORSES

DESCRIPTION

The Control of Horses Act, 1996 enables the County Council to make bye-laws to help control the movement of wandering horses in the community.

LEGISLATION

Animals Act, 1985

Control of Horses Act, 1996

REGULATIONS

S.I. No. 306 of 1985 – Pounds Regulations, 1985

S.I. No. 30 of 1995 – Pounds (Amendment) Regulations, 1995

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: CONTROL OF DOGS

DESCRIPTION

The Control of Dogs Act, 1986 provides for the licensing and control of dogs. On behalf of the Local Authority, the Post Office issues licences for dogs. The counterparts are returned to the County Council and a portion of the fee is reclaimed from the Post Office. Renewals for dog licences are issued by the Environmental Department of the County Council. The Dog Warden is responsible for the collection of stray and unwanted dogs and places them in the holding centre in Little Water Street from where they may be re-housed, reclaimed or put down. The County Council acknowledges the assistance of the local branch of the ISPCA in the operation of the dog warden service in County Longford.

LEGISLATION

Control of Dogs Act, 1986
 Control of Dogs (Amendment) Act, 1992
 EPA Act, 1992 (Sections 107 & 108)
 Litter Pollution Act, 1997 (Section 22)

REGULATIONS

Control of Dogs Act, 1986 (Commencement) Order, 1987
 Control of Dogs Act, 1986 (Commencement) No. 2 Order, 1987
 Control of Dogs (No. 2) Regulations, 1987
 Control of Dogs Act, 1986 (Guard Dog) (Amendment) Regulations, 1989
 Control of Dogs Act, 1986 (Restriction of Certain Dogs) Regulations, 1991
 Control of Dogs (Restriction of Certain Dogs) (Amendment) Regulations, 1991
 Control of Dogs Regulations, 1998

GUIDELINES AND CIRCULARS

Dog Licence fees and Dog Control – LSS 06/01
 Annual Local Authority Returns and related matters

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Assistance of local branch of ISPCA.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: WASTE MANAGEMENT PLAN

DESCRIPTION

Local Authorities are obliged to prepare and adopt Waste Management Plans for their functional areas every five years. The plan addresses all aspects of the prevention, minimization, collection, recovery and disposal of non-hazardous waste. Implementation of the Midlands Regional Waste Management Plan is carried out for Longford County Council by its Environment Section.

LEGISLATION

Waste Management Acts, 1996 - 2005
 Protection of the Environment Act, 2003
 Waste Electrical and Electronic Equipment Directive (WEEE)
 EU Directive 2000/53/EC

REGULATIONS

Waste Management (Planning) Regulations, 1997 – S.I. No. 137 of 1997
 Waste Management (Register) Regulations, 1997 – S.I. No. 193 of 1997
 Waste Management (Miscellaneous Provisions) Regulations, 1998 – S.I. No. 164 of 1998
 Waste Management (Permit) Regulations, 1998 – S.I. No. 165 of 1998
 E.C. (Amendment of Waste Management Act, 1996) Regulations, 1998 – S.I. No. 166 of 1998
 Waste Management (Prescribed Date) Regulations, 2001 – S.I. No. 390 of 2001
 Waste Management (Collection Permit) Regulations, 2001 – S.I. No. 402 of 2001
 Waste Management (Collection Permit) (Amendment) Regulations, 2001 – S.I. No. 540 of 2001
 Protection of the Environment Act, 2003 (Commencement) (No. 3) Order, 2003 – S.I. No. 498 of 2003
 Waste Management (Packaging) Regulations, 2003
 Waste Management (Licensing) Regulations, 2004
 Waste Management (Packaging) (Amendment) Regulations, 2004
 Waste Management (Waste Electrical and Electronic Equipment) Regulations, 2005
 Waste Management (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) Regulations, 2005
 Waste Management (Electrical and Electronic Equipment) Regulations, 2005
 Waste Management (End-of-Life Vehicles) Regulations, 2006 S.I. 282 of 2006
 Waste Management (Packaging)(Amendment) Regulations 2006, S.I. 308 of 2006
 Waste Management (Environmental Levy) (Plastic Bag) (Amendment No. 2) Regulations 2007, S.I. 167 of 2007
 Waste Management (Packaging) Regulations 2007, S.I. 798 of 2007

GUIDELINES AND CIRCULARS

DOELG An Overview of the Waste Management Act, 1996
 DOELG Circular WM 3/98 New Regulations on Waste Management
 WM 3/00 Draft Waste Management (Collection Permit) Regulations, 2000
 WM 5/00 – Draft Waste Management (Permit) (amendment) Regulations, 2000

WM 1/00 Information on Waste Charges**WM 7/01 Waste Management (Collection Permit) Regulations, 2001****WP & R 5/02 Role of Local Authorities in Implementing the Plastic Bag Levy.****WIR 06/03 – Capital Grants for Waste Management****WIR 14/03 – Commencement of Certain Provisions of the Protection of the Environment Act, 2003 – Protection of the Environment Act, 2003 (Commencement) (No. 3) Order, 2003 – S.I. No. 498 of 2003****WPR 7/04 – Draft Best Practice on the Preparation of Waste Management Plans for Construction and Demolition Projects****Best Practice Guidelines (Design Copy) 20/7/06 on the Preparation of Waste Management Plans for Construction and Demolition Projects****Government Policy Statements****- An Action Plan for the Millennium****- Recycling for Ireland (1994)****- Sustainable Development – A Strategy for Ireland (1997)****- Waste Management – Changing our Ways (1998)****- Preventing and Recycling Waste: Delivering Change (2002)****- Taking Stock and Moving Forward (2004)****- National Overview of Waste Management Plans****- National Biodegradable Waste Strategy (2006)*****National Development Plan 2007 -2013 (Waste Management Sub – Programme)*****LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES**

- **Midlands Regional Waste Management Plan**

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: CONTROL OF SHEEP SCAB

DESCRIPTION

While sheep dipping is no longer necessary, sheep scale remains a notifiable disease and the County Council retains a function in this regard.

LEGISLATION

Diseases of Animals Act, 1966

REGULATIONS

Sheep Scale (Amendment) Order, 1994
Sheep Dipping Orders, 1966 - 1977

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: MAJOR EMERGENCY PLAN

DESCRIPTION

Longford County Council has in place a “Major Emergency Plan” which outlines the procedures to be followed and the functions to be undertaken by the various agencies in the event of a major emergency.

LEGISLATION

Fire Services Act, 1981 and 2003 (Section 26)

REGULATIONS

Fire Authority (Emergency Operations) Regulations, 1987
European Communities (Major Accident Hazards of Certain Industrial Activities) Regulations, 1986 (S.I. No. 292 of 1986)

GUIDELINES AND CIRCULARS

- Circular EP 5/92
- Circular F422/4/IF (15) – Emergency Planning
- Department of the Environment Guidelines on the identification of Personnel at emergencies (December 1993)
- F422/4/IF (15) – Emergency Planning
- EP 1/99 European Union Expert Exchange Scheme in the field of Civil Protection (Emergency Planning). Also, EP 1/00; EP 1/02
- EP 4/99 Emergency Planning
- EP 6/99 National Emergency Plan for Nuclear Accidents
- EP 6/01 Incidents involving suspected Anthrax
- EP 2/02 Call for proposals in the field of EU Community co-operation as regards Civil Protection (emergency planning)
- Guide to Fire Safety in Hostels - 2003
- EP 2/03; 3/03 – Re: Local Authority Emergency Plans
- EP 04/03 – Model Emergency Plan – Consultation Draft
- EP 2/04 – Major Emergency Plans
- LG(P) 15/06 and 15a/06 – Framework for the co-ordination of responses to Major Emergencies
- Circular Letter MEM 01/07 – Implementation of Framework for Major Emergency Management

Government Framework – “A Framework for Major Emergency Management” and “A Framework for Major Emergency Management Appendices”.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Major Emergency Plan of Longford County Council

PRECEDENT

FREEDOM OF INFORMATION**FUNCTION: ENVIRONMENTAL PROTECTION****SERVICE: MILK AND DAIRIES****DESCRIPTION**

The County Council has responsibility for the inspection of milk production holdings which supply milk for the preparation of heat treated drinking milk. The sale of raw milk is illegal in Ireland.

LEGISLATION**Health Act, 1947****Milk and Dairies Acts, 1935 and 1956****Milk (Regulation of Supply) Act, 1994****REGULATIONS****Milk and Dairies Regulations, 1938 - 1962****EC (Hygiene production and placing on the market of raw milk, heat treated milk and milk based products) Regulations, 1996****Food Hygiene Regulations, 1950, as amended****Poisons (Control of Residues in Foods of Animal Origin) Regulations, 1985****GUIDELINES AND CIRCULARS****LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES****PRECEDENT**

FREEDOM OF INFORMATION

FUNCTION: ENVIRONMENTAL PROTECTION

SERVICE: DERELICT SITES ACT

DESCRIPTION

The County Council is committed to pursuing the removal of dereliction in the towns and villages of the County through the Derelict Sites legislation.

LEGISLATION

Derelict Sites Act, 1990
Planning and Development Act, 2000

REGULATIONS

Derelict Sites Regulations, 1990
Derelict Sites (Commencement of Derelict Sites Levy) Regulations, 1991
Derelict Sites (Urban Areas) Regulations, 1990 -2000
Planning and Development Regulations, 2001

GUIDELINES AND CIRCULARS

Circular PD 76/41, July 1990

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Derelict Sites Register maintained by the Environment Department of Longford County Council.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FIRE SERVICE
SERVICE: FIRE FIGHTING, PREVENTION AND RESCUE

DESCRIPTION

Longford County Council as the Fire Authority for the entire County deals with extinguishment of fires, protection and rescue of persons and property from injury by fire, maintenance of fire brigades and, also, provides an inspection service in connection with fire prevention.

LEGISLATION

Fire Services Act, 1981
 Public Dance Halls Act, 1935
 Registration of Clubs Acts, 1904 -1981
 Licensing Acts, 1933 -1981
 Building Control Act, 1990
 Dangerous Substances Act, 1972
 Planning and Development Act, 2000
 Licensing of Indoor Events Act, 2003
 Safety, Health and Welfare at Work Acts, 1989 - 2005

REGULATIONS

Dangerous Substances Regulations, 1979
 Building Control Regulations, 1997
 Health and Safety Regulations, 1989 - 2005
 S.I. No. 249 of 1985 – Fire Safety in Places of Assembly
 S.I. No. 292 of 1986 – EC (Major Accident Hazards of Certain Industrial Activities) Regulations, 1986
 S.I. No. 210 of 1987 – Fire Authority (Emergency Operations) Regulations, 1987
 S.I. No. 319 of 1989 – Fire Services Act (Prescribed Premises) Regulations, 1989
 S.I. No. 476 of 2000 – EC (Control of Major Accidents involving Dangerous Substances) Regulations, 2000
 S.I. No. 154 of 2001 – Planning and Development (Licensing of Outdoor Events) Regulations, 2001

GUIDELINES AND CIRCULARS

Statutory legislation, in the main, guide the Fire Authority in provision of the following services:

- Fire Fighting - Fire Services Act, 1981
 - Provision of Fire Stations and Equipment - Fire Services Act, 1981
 - Emergency Services - Local Major Emergency Plan and Fire Services Act, 1981
 - Fire Prevention - Fire Services Act, 1981; Building Control Act, 1990; Building Control Regulations 1997; Dangerous Substances Act, 1972 and Dangerous Substances Regulations, 1979; Safety, Health and Welfare at Work Act, 1989 - 2005
- DoEHLG Guidelines 1995 – Use of Breathing Apparatus
 DoEHLG Guidance Notes for Local Authorities – Emergency Planning – The Seveso 11 Directive and the EC (Control of Major Accident Hazards involving Dangerous Substances) Regulations, 2000

DoEHLG Guidelines in respect of fire safety in:

- Existing Hotels and Guesthouses
- Places of Public Assembly
- Furnishings and Fittings in places of public assembly
- Flats and Apartments
- Nursing Homes
- Sports Grounds
- Outdoor Pop Concerts
- Hostels
- Indoor Concerts
- Pre – Schools
- Residential Caravan parks for Travellers
- Guest Accomodation

Licensing of Indoor Events Act, 2003 – Explanatory Memorandum

Various Departmental circulars in respect of Fire Safety in places of assembly etc.

Various Circulars in respect of Training Programmes from the Fire Services Council.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- **Operational Procedures - Local Fire Service Operational Plan**
- **The issuing of Fire Safety Certificates and operation of the Building Control Act and Regulations is carried out by the Environment Department of the County Council. The Chief Fire Officer makes recommendations in relation to the granting or refusal of Fire Safety Certificates.**

PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: FIRE SERVICE

SERVICE: FIRE SERVICES CAPITAL PROGRAMME

DESCRIPTION

The Fire Services capital programme, operated by the Department of the Environment, Heritage and Local Government, provides grant aid to the local fire authorities to assist them in the provision of a fire service i.e. the construction and improvement of fire stations, mobilisation and communication facilities etc.

Longford County Council developed its Fire Station at Templemichael under this capital programme.

The day-to-day costs of running the fire service are met by the Local Authority from revenue sources such as rates, state grants and miscellaneous receipts.

LEGISLATION

Fire Services Act, 1981 (Section 32)

REGULATIONS

None

GUIDELINES AND CIRCULARS

In providing capital projects the authorities are required to comply with:

- Financial Procedures for Fire Station Projects (issued by DOEHLG)
- Fire Services Capital Programme – annual circulars
- Guidelines for the Appraisal and Management of Capital Expenditure Proposals in the Public Sector (issued by the Department of Finance)
- Public Procurement Guidelines

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: CIVIL DEFENCE

SERVICE: CIVIL DEFENCE SERVICES

DESCRIPTION

The Civil Defence Service of the Local Authority is dedicated to assisting the community in a variety of ways but particularly in lessening human suffering in times of crisis. If required, it is capable of delivering welfare, warden, rescue, first aid, stewarding and crowd control services with the aid of trained volunteers.

LEGISLATION

Air Raid Precautions Acts, 1939 and 1946
Local Government Act, 2001
Civil Defence Act, 2002

REGULATIONS

GUIDELINES AND CIRCULARS

- Duties of Civil Defence Officer - Circular CD3 02/51
- Training of Instructors - Circular CD33 01/52
- Arrangements for Recruiting and Training of Volunteers - Circular CD114 1/57
- Control and Organisation of C.D. County Services - Circular CD9 24/60
- Grants to Local Authorities under Air Raid Precautions Acts, 1939 and 1946 - Circular CD246 22/61
- Civil Defence Vehicles on hire to Local Authorities (Road Traffic Act, 1961) - Circular CD413 32/63
- Enrolment of Volunteers - Circular CD97 04/67
- Insurance for Civil Defence Members - Circular CD1594 04/86
- Public Liability Insurance for Civil Defence Activities - Circular CD1594 09/87
- CD Circular 15/98 – Induction Training in Civil Defence
- CD Circular 16/98 – Instructor Qualification in Civil Defence
- CD Circular 6/99 – First Aid Examination Programme
- CD 2878/2039 – Revised Appendix to Civil defence Circular 8/03
- CD Circular 11/2003 – Expanded Delegation of Financial Authority for Civil Defence Expenditure by Local Authorities
- Circular 13/2006 – Re: Introduction of National Code of Conduct for Civil Defence
- Civil Defence School Programme – annual programme

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Information on the service and local procedures and practices for recruitment and training of volunteers may be obtained from the Civil Defence Officer at the County Clinic, Dublin Rd., Longford.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: RECREATION AND AMENITY

SERVICE: SWIMMING POOLS, PLAYGROUNDS AND OPEN SPACES

DESCRIPTION

The main functions in relation to Recreation and Amenity in the *Directorate of Corporate, Environment, Emergency Services, Recreation and Amenity* include the provision of swimming pools, parks and open spaces/amenity areas.

Longford County Council makes annual contributions to the operation of the new Swimming Pool in Longford Town, to the maintenance of recently developed Playgrounds and to amenity areas at Lough Gowna, Barley Harbour and Lanesboro.

LEGISLATION

Open Spaces Act, 1906

Local Government Act, 1994

Local Government Act, 2001

REGULATIONS

GUIDELINES AND CIRCULARS

- DOEHLG Guidelines on provision of Open Spaces by Local Authorities, 1987
- DOEHLG Guidelines on Tree Preservation for Planning Authorities, 1994
- Ready, Steady, Play – A National Play Policy

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: COMMUNITY AND ENTERPRISE

SERVICE: COUNTY DEVELOPMENT BOARD
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DESCRIPTION

<p>The Longford County Development Board (CDB), resourced and supported by the Community and Enterprise Section, was established in May 2000 and is representative of local government, local development bodies, state agencies and social partners operating locally. The CDB will oversee the implementation of the Integrated Strategy for the Economic, Social and Cultural Development of County Longford which was ratified by the County Council and subsequently adopted by the Board in July 2002. The CDB aims to ensure the avoidance of duplication in the delivery of services at local level as well as filling in the gaps in meeting the needs of the community.</p>

LEGISLATION

Planning and Development Act, 2000

Local Government Act, 2001

REGULATIONS

GUIDELINES AND CIRCULARS

<ul style="list-style-type: none"> -The Interdepartmental Task Force on the Integration of Local Government and Local Development Systems (1998) -Task Force Report – Preparing the Ground: Guidelines for the progress from Strategy Groups to County/City Development Boards (1999) -Task Force Report – A Shared Vision: Guidelines on the CDB Strategies for Economic, Social and Cultural Development (2000). -Circular LG 19/02 – Review of the National County/City Development Board -Circular LG 8/03 – Endorsement of Local Development Agency Plans by CDB’s -Review of the County/City Development Board Strategies (2003), DOEHLG - Circular LG 4/04 – Improving Local and Community Development Structures -Circular LG15/04 – Review of Local and Community Development Structures and Programmes – Integrated and Targeted Plans -Circular LG 17/04 – Reconstitution of CDB’s - Circular LG 03/05 – Department of Education representation on CDB’s

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

<ul style="list-style-type: none"> -The Way Forward – Strategy for Economic, Social and Cultural Development in County Longford 2002-2011 -Implementation Plan - Strategy for Economic, Social and Cultural Development in County Longford 2002-2011 - Longford County Development Board Action Plan 2006 - 2008

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: COMMUNITY AND ENTERPRISE

SERVICE: COMMUNITY AND VOLUNTARY FORUM

DESCRIPTION

<p>The Longford Community and Voluntary Forum was established in 2001 as part of the process of setting up the County Development Board. The Forum comprises over 100 organisations from the Community and Voluntary Sector. An Umbrella Forum of 22 members operates as a Steering Group at County Level and fulfils a key link between the CDB and communities on a county-wide basis. The Community and Enterprise Section resources and supports the Community and Voluntary Forum through regular, structured consultation and implementation of an annual work programme.</p>

LEGISLATION

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REGULATIONS

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GUIDELINES AND CIRCULARS

<ul style="list-style-type: none"> -The Interdepartmental Task Force on the Integration of Local Government and Local Development Systems – 1998 -Task Force Report – Preparing the Ground: Guidelines for the progress from Strategy Groups to County/City Development Boards (1999) -Task Force Report – A Shared Vision: Guidelines on the CDB Strategies for Economic, Social and Cultural Development (2000) - Circular LG 01/03 – Funding for the Community and Voluntary Fora - Circular LG 01/04 – Community and Voluntary Fora Funding - Circular LG 06/04 – Review of Community and Voluntary Fora - Circular LG 01/05 – Funding for Community and Voluntary Fora 2005 - Circular LG 05/05 – Irish National Community and Voluntary Forum - Circular LG 16/05 – Proposals for Improved Cohesion and Volunteering 2005 – 2006 - Circular LG 22/07 - Funding for Community and Voluntary Fora 2008
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION**FUNCTION: COMMUNITY AND ENTERPRISE****SERVICE: CLÁR PROGRAMME****DESCRIPTION**

The CLÁR programme in County Longford is co-ordinated by the Community and Enterprise Section. Launched in 2001, CLÁR (Ceantair Laga Ard-Riachtannais – Programme for revitalising Rural Areas) aims to ensure that priority is given in the National Development Plan to rural areas of special disadvantage. North Longford and South Longford have been designated as CLÁR regions in County Longford.

LEGISLATION

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REGULATIONS

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GUIDELINES AND CIRCULARS

National Development Plan 2000 – 2006
National Development Plan 2007 – 2013

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: COMMUNITY AND ENTERPRISE

SERVICE: ECONOMIC DEVELOPMENT

DESCRIPTION

The Council plays an active role in the development of County Longford. It does this by the development of the necessary infrastructure, by appropriate zoning of land in its County Development Plan, by the acquisition and disposal of land and buildings for industrial development and commercial use, by the provision of sites for enterprise units, by marketing the County's suitability as a location for development and by the provision of support for indigenous development.

LEGISLATION

Urban Renewal Act, 1986

Planning and Development Act, 2000

REGULATIONS

Planning and Development Regulations 2001 - 2004

GUIDELINES AND CIRCULARS

Rural Renewal Tax Incentive Scheme

National Development Plan 2000 – 2006

National Development Plan 2007 – 2013

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

County Development Plan 2003 –2009

Regional Planning Guidelines – Midland Regional Authority

Strategy for Economic, Social and Cultural Development

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: COMMUNITY AND ENTERPRISE

SERVICE: TWINNING OF LOCAL AUTHORITY AREAS

DESCRIPTION

The Local Government Act, 1991 allowed a Local Authority to enter into a twinning arrangement with any other area within or outside the state. Twinning can cover links between districts, towns, counties and regions with the objective of promoting friendship and goodwill between the communities involved. The decision to enter into a twinning arrangement is a reserved function of the elected members.

LEGISLATION

Local Government Act, 2001

REGULATIONS

Council Regulation (EC Euratom) No. 1605/2002 of 25 June 2002.

Commission Regulation (EC Euratom) No. 2342/2002 of 23 December 2002.

“The Community Action Programme to Promote Active European Citizenship” – adopted by the EC on 26 January 2004.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- The Institute of Public Administration (IPA), Dublin perform the role of National Contact Point for Twinning in respect of the Twinning Programme as initiated by the European Commission. The IPA acts a conduit between the EC and the Irish Civil Service and Public Sector.

-TWINNED TOWNS IN COUNTY LONGFORD

1. Ballinamuck twinned with Essert de Belfort, France
2. Ballymahon twinned with Laundevant, France
3. Lanesboro twinned with Lanesborough, Massachusetts
4. Abbeyshrule twinned with Schwenningen, Southern Germany

PRECEDENT

FREEDOM OF INFORMATION**FUNCTION: HUMAN RESOURCES****SERVICE: MONITORING OF STAFFING LEVELS****DESCRIPTION****Monitoring of staffing levels in Local Authorities as per guidelines from the Department of the Environment, Heritage and Local Government.****LEGISLATION****Local Government Act, 2001****REGULATIONS****None****GUIDELINES AND CIRCULARS**

- **Devolution of responsibility for Personnel Matters - LA (P) 4/96**
- **Authorised staffing levels as authorised by the Department of the Environment, Heritage and Local Government**
- **Circular LG(P) 01/03 – Public Service Numbers**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- **Financial constraints -Annual Budget /Work Programme**

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: RECRUITMENT OF LOCAL AUTHORITY EMPLOYEES
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DESCRIPTION

The recruitment of Local Authority employees is governed by legislation and qualifications which are approved/declared by the Minister for the Environment, Heritage and Local Government for professional, technical, administrative and clerical grades. Eligibility criteria include professional qualifications and /or experience.

Managerial and senior professional grades are recruited, when vacancies arise, by the Public Appointments Service (PAS) on behalf of the Local Authority.

(This body was previously known as the Local Appointments Commission (LAC) -it was replaced in October 2004 by two new bodies i.e. the Commission for Public Service Appointments (CPSA) and the Public Appointments Service (PAS)).

In the case of grades other than managerial and senior professional, vacancies are generally filled by open competition. Vacancies for craft workers, overseers and other general grades are advertised in the local papers and persons meeting the qualifications for the positions may apply. In certain circumstances, recruitment to these positions is by way of internal competition.

LEGISLATION

Local Authorities (Officer and Employees) Acts, 1926, 1940, 1983
 The Redundancy Payments Acts, 1967 – 2003
 The Minimum Notice and Terms of Employment Acts, 1973 - 2001
 Payment of Wages Act, 1991
 National Minimum Wage Act, 2000
 Terms of Employment (Information) Acts, 1994 and 2001
 Organisation of Working Time Act, 1997
 Unfair Dismissals Acts, 1977 – 2001
 Maternity Protection Acts, 1994 and 2004
 Local Government Act, 1998
 Equal Status Act, 2000
 Employment Equality Acts, 1998 and 2004
 Local Government Act, 2001
 Protection of Employees (Part-Time) Work Act, 2001
 Protection of Employees (Fixed-Term) Work Act, 2003
 Disability Act, 2005

REGULATIONS

Local Government (Officers) Regulations, 1943
 Local Officers (Irish Language) Regulations, 1966
 Local Government (Appointment of Officers) Regulations, 1974
 Local Government (Appointment of Officers) (Amendment) Regulations, 1997
 Local Government Act, 1998 (Commencement) Order, 1999
 Local Government (Major Offices) Order, 1999

Local Government (Officers Age Limit) Order, 1999
Local Government (Declaration of Duties of Office – Local Authority Professional Officers) Order, 2000
Local Authorities (Declaration of Offices) Order, 2002
Local Authorities (Declaration of Offices) (No. 2) Order, 2002
Local Authorities (Declaration of Offices) Order, 2003

GUIDELINES AND CIRCULARS

- **Circular EL 7/52 – Local Government Officers**
- **Circular EL 8/66 – Local Officers (Irish Language) Regulations, 1966**
- **Circular EL 7/75 – Regrading of Clerical and Administrative Staff**
- **Circular LA (P) 19/84 – Recruitment Methods for Local Authority Employees (Servant Grades)**
- **Circular LA (P) 11/85 – Rationalisation of Rate/Revenue Collection Arrangements**
- **Circular Letter LA (P) 4/96 Devolution of Responsibility for Personnel Matters**
- **Circular LA (P) 13/96 – Amendment of Qualifications**
- **Circular LA (P) 3/97 – Restructuring of Clerical Administrative Grades**
- **Circular LA (P) 4/97 – Restructuring of Technician Grades**
- **Circular LA (P) 6/97 – Recruitment to posts for which the Leaving Certificate is a requirement**
- **Circular Letter LA(P) 7/97 – New Structure for Technician Grades....**
- **Circular LA (P) 1/98 – Qualifications / Particulars of Office for Senior Library Assistant**
- **Circular LA (P) 1/99 – Recruitment of Directors of Community & Enterprise**
- **Circular LA (P) 2/99 – Local Authority Officers (Age Limit) Order, 1999**
- **Circular LA (P) 4/99 – Recruitment to posts for which the Leaving Certificate is a requirement**
- **Circular LA (P) 7/99 – Local Government (Major Officers) Order, 1999**
- **Circular LA (P) 10/99 – Commencement Order, 1999 & Declaration of Offices Order, 1999 (Local Appointments Commission)**
- **Circular LA (P) 11/99 – Creation of Directors of Community & Enterprise post**
- **Circular LA (P) 14/99 – Qualifications / Particulars of Office: Assistant, Executive, Senior Executive & Senior Engineer (Road Design)**
- **Circular LA (P) 15/99 – Local Government (Health Requirement) Order, 1999**
- **Circular LA (P) 16/99 – Qualifications for Building Surveyors and Quantity Surveyors**
- **Circular LA (P) 17/99 – Preference/credit for knowledge of Irish**
- **Circular LA (P) 19/99 – Qualifications for post of Senior Engineer (Road Design)**
- **Circular LA (P) 2/00 – Extension of the common recruitment pool Amendments to Qualifications and Particulars of Office**
- **Circular LA (P) 3/00 – Community & Enterprise Development Officers**
- **Circular LA (P) 6/00 – Recruitment to posts for which the Leaving Certificate or an examination of equivalent standard is a requirement**
- **Circular LA (P) 9/00 – Better Local Government – a Programme for Change**
- **Circular LA (P) 11/00 – Creation of Office of Head of Information Systems**
- **Circular LA (P) 12/00 – Creation of Office of Head of Finance and Office of Management / Financial Accountant**
- **Circular LA (P) 2/01 – Directors of Community & Enterprise**
- **Circular LA (P) 7/01 – Office of Management Accountant, Office of Financial Accountant and Office of Management/Financial Accountant**

- **Circular EL 10/2001 – Re: Clerk of Works**
- **Circular LG(P) 12/01 – Better Local Government – Confined Competitions**
- **Circular LG (P) 13/01 – Garda Clearance for Local Authority Social Workers**
- **Circular LGP 16/01 – 1. Local Government (Declaration of Duties of Office – Local Authority Professional Officers) Order, 2001 and 2. Director of Services and County/City Engineer – Particulars of Office**
- **Circular EL 01/02 - Remuneration of County and City Librarians**
- **Circular Letter 7th February 2002 – Recruitment of CEDO’s to serve as Local Co-ordinators for the RAPID programme**
- **Circular LG(P) 03/02 – Creation of new Information Systems Employments**
- **Circular LGP 7/02 – Arts Officer and Archivist**
- **Circular LGP 10/02 – Local Authorities (Declaration of Offices) Order, 2002**
- **Circular Letter 20th November 2002 – Clerk of Works/Building Inspector**
- **Circular Letter LG(P) 1/03 – Public Service Numbers**
- **Circular Letter 17th June 2003 – Partnership Facilitators**
- **Circular Letter LG (P) 13/03 – Protection of Employees (Fixed-Term) Work Act, 2003**
- **Circular LG(P) 18/03 – Protection of Employees (Part-Time Work) Act, 2001 and Protection of Employees (Fixed-Term Work) Act, 2003 – Amendment of Qualifications**
- **Circular Letter LG(P) 05/04 – Amendment of Clerical Officer Qualifications**
- **Circular LG(P) 11/04 – Amendment of Library Assistant, Library Assistant (Special) Qualifications**
- **Circular LG(P) 07/05 – Library Service Review**
- **Circular LG(P) 9/05 – Fire Service Restructuring**
- **Circular LG(P) 10/05 – Community & Enterprise Function – creation of permanent Administrative Officer posts**
- **Circular LG(P) 13/05 – Amendment of Engineering Qualifications**
- **Circular LG(P) 17/05 – Social Inclusion Units**
- **Circular LG(P) 18/05 – Extension of Deadline for Senior Fire Officers**
- **Circular LG(P) 19/05 – Extension of Deadline for Library Service Review**
- **Circular LG(P) 20/05 – Community Wardens**
- **Circular LG(P) 02/06 – Social Inclusion Units (Amendment of LG(P) 17/2005)**
- **Circular LG(P) 09/06 – RAPID Co-Ordinators**
- **Circular LG(P) 18/06 – Garda Vetting Procedures for Local Authority Employees**
- **Circular LG(P) 01-2007 – Local Authority Partnership Facilitator**
- **Circular LG(P) 12/2007 – Revised Fire Services Qualifications**
- **Circular LG(P) 13/2007 – Worksharing and Social Insurance Contributions**
- **Circular LG(P) 14/2007 – Towards 2016 – Filling of 20% of grades V to V11 posts by open competition**

Also:

- **Circulars in relation to Quarterly Local Authority Staffing Returns**
- **Circulars in relation to Annual Local Authority Staffing Returns**
- **Annual Circulars in relation to Statistics for the 3% Target for the Employment of People with Disabilities in the Public Service as of the 31st December (each year)**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- **Equal Opportunities Policy**
- **Handbook for guidance of Interview Boards**
- **Recruitment Procedures and Protocol**

PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: 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.

LEGISLATION

None

REGULATIONS

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

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: DETERMINATION OF STARTING PAY ON APPOINTMENT OR PROMOTION

DESCRIPTION

Salary scales for posts are nationally determined. Starting pay on appointment or promotion is determined by relevance to appropriate circulars having regard to previous employment and incremental date if appropriate.

LEGISLATION

REGULATIONS

GUIDELINES AND CIRCULARS

- DOELG Circular Letter - EL 7/52
- DOELG Circular Letter - EL 5/67 – Starting Pay on Promotion
- DOELG Circular Letter of 29/7/75 – Starting Pay on Promotion
- DOELG Circular Letter - 4/79 (re: incremental credit for temporary service)
- DOELG Circular Letters - EL 3/95 and EL 14/96 (credit for temporary service and previous permanent service for incremental purposes)
- DOELG Circular Letter 18/97 – Starting Pay on Promotion
- DOELG Circular Letter - EL 1/81 (additional increments for post graduate service engineering grades)
- DOEHLG Circular Letter EL 7/00 – “Personal to Holder” Long Service Increments and Age Related Pay Scales
- DOEHLG Circular Letter EL 8/00 – Retained Firefighters 1999 Agreement
- DOEHLG Circular Letter – EL 12/00 – Starting Pay on Appointment or Promotion for Executive and Assistant Engineers/Cognate Professional Grades
- DOEHLG Circular Letter – EL 9/01 – Clerical Officers and Analagous Grades...
- DOEHLG Letters of the 11th July and 13th August 2002 in relation to Scheme of Performance Related Awards for Managers, Assistant Managers and Directors of Services
- Circular Letter LG(P) 11/03 - Scheme of Performance Related Awards for Managers, Assistant Managers and Directors of Services
- DOEHLG Circular Letter EL 4/2004 – General Operatives and Related Grades (including Waterworks and Sewerage Caretakers, Retained Firefighters and Traffic Wardens)
- Circular Letter EL 08/2005 – Calculation of Acting Up Allowances and Incremental Credit on promotion
- DOELG Fall Back Rule (credit for allowance)
- DOELG Rule on promotion of a servant to an officer grade
- DOEHLG Periodic notification of revision of remuneration in line with National Partnership Agreements

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: ASSIGNMENT OF DUTIES

DESCRIPTION

The Manager shall for the purposes of discharging the responsibilities of the local authority make such staffing and organisational arrangements as may be necessary for the purposes of carrying out the functions of the local authorities for which he or she is responsible.

LEGISLATION

Local Government Act, 2001 (Section 159)

REGULATIONS

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- A matter for the Manager of the Local Authority

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: REMUNERATION OF STAFF

DESCRIPTION

Remuneration of staff is in accordance with the rates of pay set for employees and updated by the Department of the Environment, Heritage and Local Government in line with National Partnership Agreements.

LEGISLATION

Payment of Wages Act, 1991
National Minimum Wage Act, 2000
Local Government Act, 2001 (Section 158)

REGULATIONS

GUIDELINES AND CIRCULARS

- Periodic circulars issued by the Department on remuneration of staff
- See also the entry for “Determination of Starting Pay on Appointment or Promotion”

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: TENURE OF OFFICE

DESCRIPTION

<p>In general, employees hold office until they resign/retire or are removed from office. Some employees may 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. However, Managers are now appointed for a fixed term contract subject to the approval of the elected members.</p>
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LEGISLATION

<p>Redundancy Payments Acts, 1967 –2003 Local Government Act, 1991 Local Government Act, 2001 (Section 158) Protection of Employees (Part-Time Work) Act, 2001 Protection of Employees (Fixed -Term Work) Act, 2003</p>

REGULATIONS

<p>Local Government (Officers) Regulations, 1943 Local Government (Tenure of Office) Order, 1991 Local Government (Tenure of Office) Order, 2000 Local Government (Tenure of Office of Managers) Regulations, 2003 EC Directive 1999/70/EC</p>
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GUIDELINES AND CIRCULARS

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| <ul style="list-style-type: none"> • Circular LA (P) 2/92 Local Government (Tenure of Office) Order, 1991 • Circular LA (P) 2/01 - Directors of Community and Enterprise • Circular LG(P) 13/03 – Protection of Employees (Fixed-Term Work) Act, 2003 |
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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: CAREER BREAKS SCHEME

DESCRIPTION

A scheme whereby a Local Authority may grant special leave without pay to Local Authority employees.

LEGISLATION

None

REGULATIONS

None

GUIDELINES AND CIRCULARS

- **Officers of Local Authority - LA(P) 12/84**
- **Non-Officer Grades - LA(P) 7/86**
- **LA (P) 18/84: Career Breaks**
- **LA (P) 18/87: Reduction in Local Authority Staff Numbers**
- **LA (P) 7/86: Career Breaks in the Local Authority Service**
- **LA(P) 1/93: Career Breaks in the Local Authority Service**
- **LG (P) 8/00: Career Breaks and Job-Sharing Schemes**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION**FUNCTION: HUMAN RESOURCES****SERVICE: JOB-SHARING SCHEME / WORKSHARING SCHEME****DESCRIPTION**

The Worksharing Scheme expands the scope of the existing Job Sharing Scheme by providing for a wider range of attendance patterns that will assist staff combine both work and personal responsibilities or choices.

LEGISLATION

None

REGULATIONS

None

GUIDELINES AND CIRCULARS

- LA (P) 11/86 – Job- Sharing Scheme
- LA (P) 18/87 – Reduction in Local Authority Staff Numbers
- LG (P) 3/99 – Organisation of Working Time Act, 1997 – Entitlement of Job Sharers to the benefit of Public Holidays
- LG (P) 8/00 – Career Break and Job-Sharing Schemes
- LG (P) 13/02 – Local Authority Work Sharing Scheme
- LG(P) 22/04 – Worksharing and Social Insurance Contributions
- Circular LG(P) 13/2007 – Worksharing and Social Insurance Contributions

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES**PRECEDENT**

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: ANNUAL LEAVE

DESCRIPTION

Employees of the Local Authority are entitled to Annual Leave in compliance with the Organisation of Working Time Act, 1997.

LEGISLATION

Holidays (Employees) Act, 1973
Organisation of Working Time Act, 1997

REGULATIONS

Holidays (Employees) Act, 1973 (Public Holidays) Regulations, 1993

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Annual Leave Policy

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES
SERVICE: MATERNITY LEAVE

DESCRIPTION

A scheme in regard to:

- 1.the granting of maternity leave to female Local Authority employees
2. leave entitlements of fathers in the event of the death of the mother

LEGISLATION

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

REGULATIONS

Maternity Protection (Disputes & Appeals) Regulations, 1995
 Maternity Protection (Time off for Ante-Natal and Post-Natal Care) Regulations, 1995
 Maternity Protection (Health & Safety Leave Certification) Regulations, 1995
 Maternity Protection (Health & Safety Leave Remuneration) Regulations, 1995
 Safety, Health & Welfare at Work (Pregnant Employees) Regulations, 1994-2000
 Maternity Protection (Maximum Compensation) Regulations, 1999
 Maternity Protection Act, 1994 (Extension of Periods of Leave) Order, 2001
 Maternity Protection (Protection of Mothers who are Breastfeeding) Regulations, 2004
 Maternity Protection (Postponement of Leave) Regulations, 2004
 Maternity Protection (Time off for Ante-Natal Classes) Regulations, 2004

GUIDELINES AND CIRCULARS

- LA(P) 15/81 - Maternity Leave
- LA(P) 11/88 - Public Holidays in Periods of Maternity Leave
- LG(P) 5/01 – Changes in Maternity and Adoptive Leave
- LG(P) 07/03 – Public Holiday Entitlement

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: ADOPTIVE LEAVE

DESCRIPTION

The Adoptive Leave Act, 1995 provides that an entitlement to adoptive leave shall be available to all adopting mothers and it shall, also, be available to sole male adopters. The Adoptive Leave Act, 1995 (Extension of Periods of Leave) Order, 2001, apart from increasing the entitlements to adoptive leave, also, provides for leave entitlements for adopting fathers in the event of the death of the adopting mother.

LEGISLATION

Adoptive Leave Act, 1995
Adoptive Leave Act, 2005
Employment Equality Acts, 1998 -2004

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) Regulations, 1995
Adoptive Leave Act, 1995 (Extension of Periods of Leave) Order, 2001

GUIDELINES AND CIRCULARS

- Adoptive Leave - LA(P) 7/84
- LG (P) 5/01 – Changes in Maternity Leave and Adoptive Leave
- LG(P) 07/03 – Public Holiday Entitlement

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES
SERVICE: SICK LEAVE

DESCRIPTION

This scheme deals with the granting of sick leave and payment of salary during sick leave to employees.

LEGISLATION

REGULATIONS

Local Government (Officers) Regulations, 1943 (Articles 20 and 21)

GUIDELINES AND CIRCULARS

- Local Government Officers - Circular EL 7/52
- Circular Letter LA (P) 5/93 – Personnel Issues arising from the Local Government Act, 1991 (Removal of Controls) Regulations, 1993... (part (b) Payment of Salary to Officers on Extended Sick Leave)
- Sick Leave - Circular LA(P) 17/80
- Revised Social Insurance Status and Conditions of Service of certain Local Authority Officers - Circular LA 6/95

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Local Authority Sick Pay Scheme

PRECEDENT

FREEDOM OF INFORMATION**FUNCTION: HUMAN RESOURCES****SERVICE: OTHER FORMS OF LEAVE****DESCRIPTION**

The granting of special leave without pay is a matter for each Local Authority. There are various circulars regarding the granting of leave with pay to Local Authority employees.

LEGISLATION**REGULATIONS**

Local Government (Officers) Regulations, 1943 (Articles 22 and 23)

GUIDELINES AND CIRCULARS

- Special leave – LA(P) 10/82
- Unpaid Leave - LA(P) 4/96
- Marriage Leave - EL 59/75
- Interview Leave - EL 12/71
- Study/Exam Leave - LA(P) 19/80 and LA(P) 4/98
- Death/Compassionate Leave - LA(P) 18/80 and 12/88
- Family Circumstances - LA(P) 18/80
- Anticipation of Annual Leave - LA(P) 18/80
- Training with Defence Forces - LA(P) 10/81
- Devolution of Responsibility for Personnel Matters – LA(P) 4/96
- Arrangements for Local Authority Personnel on Special Leave with APSO – LA(P) 5/1998
- Special Leave Arrangements for Volunteers, Helpers for the Special Olympic World Games 2003 – LG(P) 04/03

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES**PRECEDENT**

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

**SERVICE: RESTRICTIONS ON LOCAL AUTHORITY EMPLOYMENT AND
MEMBERSHIP OF A LOCAL AUTHORITY**

DESCRIPTION

(a) Subject to *paragraph (b)*, a member of a local authority is not to be employed by a local authority.

(b) The Minister may by order –

- (i) designate such class, description or grade of employments to which *paragraph (a)* does not apply,
- (ii) specify such conditions under which *paragraph (a)* does not apply.

LEGISLATION

Local Government Act, 2001 (Section 161)

REGULATIONS

Local Government Act, 2001 (Section 161) Order, 2004 – S.I. No 216 of 2004

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: SUSPENSIONS

DESCRIPTION

Local Authorities are empowered to impose suspensions from performance of duties.

LEGISLATION

Local Government Act, 2001 – (Section 159 (5)(c))

REGULATIONS

Local Government (Officers) Regulations, 1943

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Grievance and Disciplinary Procedure

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: TERMINATION OF EMPLOYMENT

DESCRIPTION

Local Authorities may terminate the employment of an employee if the statutory grounds exist regarding unfitness for office due to conflict of interests or engagement in any occupation which might be inconsistent with the discharge of his or her duties as a local authority employee.

There are, also, provisions in legislation regarding the removal of a County Manager.

LEGISLATION

Employment Equality Acts, 1998 -2004

Unfair Dismissals Acts, 1977-2001

Local Government Act, 2001 -(Section 159 (5)(c))

Protection of Employees (Fixed-Term Work) Act, 2003

REGULATIONS

Local Government (Officers) Regulations, 1943

GUIDELINES AND CIRCULARS

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: REMOVAL EXPENSES

DESCRIPTION

This scheme provides for the 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 or

(i) where the appointment to the new office either arises from the same competition as for the existing office or the appointment to the new office occurred within a period of twelve months after the appointment to the new office.

and

(ii) they do not receive payment of removal expenses on the initial promotion

LEGISLATION

REGULATIONS

GUIDELINES AND CIRCULARS

- **Removal Expenses - Circulars EL 13/78, 6/79**
- **Removal Expenses - Circulars LA(P) 21/87, 10/96, 10/97**
- **Revised Paragraphs 17, 18 and 19 of instructions governing the payment of removal expenses - Circular LA(P) 5/84**
- **Devolution of Responsibility for Personnel Matters - Circular LA(P) 4/96**
- **Removal Expenses – Revision of Rates – LA (P) 13/99**
- **Payment of Lodging Allowance under Removal Expenses Scheme–LG (P) 1/00**
- **Removal Expenses – LG(P) 10/04**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: CODE OF CONDUCT FOR EMPLOYEES

DESCRIPTION

The purpose of the Code of Conduct is to set out principles and standards of conduct and integrity for local authority employees, to inform the public of the conduct it is entitled to expect and to uphold public confidence in local government.

LEGISLATION

Local Government Act, 2001 – (Section 169)

REGULATIONS

GUIDELINES AND CIRCULARS

- **Rules of Conduct - Circular EL 2/60**
- **Rules of Conduct for Officers of Local Authorities - Circular EL 48/74**
- **Code of Conduct for Employees – Circular LG(P) 13/04**
- **Circular LG(P) 10/2006 – Amendment of Code of Conduct for Local Authority Employees**
- **DOEHLG Letter 15.3.07 – Re: Newly Updated and Translated Code of Conduct for Employees, January 2007**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Code of Conduct for Employees, January 2007– issued to all employees

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: TRAVEL AND SUBSISTENCE ALLOWANCES

DESCRIPTION

Payment of travel and subsistence allowances to staff travelling on official business as required and approved by the local authority.

LEGISLATION

REGULATIONS

Local Government (Officers) Regulations, 1943

GUIDELINES AND CIRCULARS

- DOELG Circular Letter 7/52 as revised by numerous periodic circular letters affecting rates.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: SECONDMENT

DESCRIPTION

A Local Authority employee may be seconded, after approval by the County Manager, to another Local Authority or Health Service Executive Area to carry out a specific duty.

LEGISLATION

REGULATIONS

GUIDELINES AND CIRCULARS

- **DOELG Circular Letter - EL 15/70**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION**FUNCTION: HUMAN RESOURCES****SERVICE: STAFF TRAINING AND DEVELOPMENT****DESCRIPTION**

Staff training and development is provided in accordance with the Training Needs Analysis and Training Plan for the employees of Longford County Council.
Support is provided for staff participating in further education courses in accordance with Longford County Council's Training and Development Support Scheme Policy.

LEGISLATION

None

REGULATIONS

None

GUIDELINES AND CIRCULARS

- Study Leave – Circular LA(P) 19/80
- Fees for Third Level Courses of Education - Circular LA(P) 6/83 and LA(P) 12/85
- Fees and Study Leave for Third Level Courses of Education - Circular LA(P) 4/98
- Training personnel employed on Non-National Roads – Circular Letter RW 11/01

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Longford County Council's Training and Development Support Scheme Policy
- Training Needs Analysis and Training Plan for Longford County Council's employees
- Successive National Partnership Agreements and Sectoral Action Plans/Progress Reports for Performance Verification Group (PVG)

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: INDUSTRIAL RELATIONS

DESCRIPTION

Industrial relations is concerned with maintaining a positive working environment for all employees.

Communication is maintained with the relevant trade unions on all issues of concern. Formal procedures are in place to deal with grievance and disciplinary matters. Where a dispute is not resolved at local level, the industrial relations machinery for employees involving the Rights Commissioner, Labour Relations Commission and, ultimately, the Labour Court will be utilised.

LEGISLATION

Industrial Relations Acts, 1946 – 1990

Unfair Dismissals Acts, 1977 - 2001

Local Government Act, 2001

REGULATIONS

-S.I. 145 of 2000 – Industrial Relations Act, 1990 (Code of Practice on Voluntary Dispute Resolution) (Declaration) Order, 2000

-S.I. 146 of 2000 – Industrial Relations Act, 1990 (Code of Practice on Grievance and Disciplinary Procedure) (Declaration) Order, 2000

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- **Grievance and Disciplinary Procedure**

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCE

SERVICE: PATERNITY LEAVE

DESCRIPTION

A scheme whereby a local authority may grant three days special leave with pay to fathers in respect of each child born or adopted on or after 1st June, 2000.

LEGISLATION

None

REGULATIONS

None

GUIDELINES AND CIRCULARS

LG(P) 5/2000 Paternity Leave

PRECEDENT

FREEDOM OF INFORMATION**FUNCTION: HUMAN RESOURCES****SERVICE: TERM TIME LEAVE SCHEME****DESCRIPTION**

The Term Time Leave Scheme provides for unpaid leave for the purpose of allowing working parents or carers match their working arrangements to the main summer holidays of their children or to care for a family member who has a disability that gives rise to the need for care on a continuing or frequent basis. The period of term time leave shall be Unpaid Special Leave.

LEGISLATION

None

REGULATIONS

None

GUIDELINES AND CIRCULARS

- Circular Letter LG (P) 11/02 – Term Time Leave Scheme
- Circular Letter LG(P) 07/03 – Public Holiday Entitlement
- Circular Letter LG(P) 20/06 – Local Authority (Amended) Term Time Leave Scheme

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES**PRECEDENT**

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: PARENTAL LEAVE / FORCE MAJEURE LEAVE

DESCRIPTION

The Parental Leave Act, 1998 sets out a Statutory Entitlement for parents to take 14 weeks unpaid leave to look after eligible children. “Force Majeure” is a legal term to describe unforeseeable circumstances that prevent someone from fulfilling a contract. Under the Parental Leave Act, “Force Majeure” describes new entitlements to paid leave for staff who need time off for urgent family reasons.

LEGISLATION

Parental Leave Acts, 1998
Parental Leave (Amendment) Act, 2006

REGULATIONS

European Communities (Parental Leave) Regulations, 2000

GUIDELINES AND CIRCULARS

Guidelines for Implementation of the Parental Leave Act, 1998 in Local Authorities – issued by LGMSB, 1999.
Circular Letter LG (P) 12/02 – Amendments to Parental Leave Entitlement (Age & Disability)
Circular Letter LG(P) 07/03 – Public Holiday Entitlement
Circular Letter LG(P) 21/03 – Amendment to Parental Leave Entitlement (Age)
Circular Letter LG(P) 18/04 – Parental Leave and Sick Leave
Circular Letter LG(P) 14/06 – Parental Leave (Amendment) Act, 2006

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Local arrangements on how leave is taken i.e. in one block or spread out over a period of time.

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: EMPLOYEES 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 employees.

LEGISLATION

Local Government Act, 2001- (Section 159(5))

REGULATIONS

GUIDELINES AND CIRCULARS

The following circular letters have issued on this topic:

EL 2/60 – Rules of Conduct for Local Authorities Officers

EL 48/74 – Rules of Conduct for Officers of Local Authorities

LA (P) 10/84 – Engaging in private practice

LA (P) 3/96 – Engaging in private practice and declaration of interests

LA (P) 1/01 – Restrictions on Officers Engaging in Gainful Occupations and private practice

LG(P) 13/04 – Code of Conduct for Employees

- **Circular LG(P) 10/2006 – Amendment of Code of Conduct for Local Authority Employees**
- **DOEHLG Letter 15.3.07 – Re: Newly Updated and Translated Code of Conduct for Employees, January 2007**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Code of Conduct for Employees, January 2007– issued to all employees

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: VOLUNTARY REDUNDANCY / EARLY RETIREMENT SCHEME

DESCRIPTION

Early Retirement Scheme to allow local authority staff retire early with benefits (see note below).

LEGISLATION

None

REGULATIONS

None

GUIDELINES AND CIRCULARS

The following circular letters have issued on this topic:

- **LA(P) 18/87: Reduction in Local Authority Staff Numbers**
- **LA(P) 20/87: Voluntary Redundancy/Early Retirement terms for Local Authority Staff**
- **LA(P) 1/88: Voluntary Redundancy/Early Retirement terms for Local Authority Staff**
- **LA(P) 3/88: Voluntary Redundancy/Early Retirement terms for Local Authority Staff**
- **Circular Letter S. 9/88 – Voluntary Redundancy/Early Retirement terms for Local Authority Staff – Re-Entry**
- **LA(P) 19/88: Reduction in Local Authority Staff Numbers**
- **LA(P) 10/90: Voluntary Redundancy/Early Retirement Scheme**

The Department is prepared to approve proposals on an individual basis where the Local Authority (a) meets the cost in full and (b) accepts that the vacancy occurring is not filled.

Early Retirement:

NOTE: In accordance with Public Service Pension Reform (Commission on Public Service Pensions), Circular Letter S. 12/2004 details the introduction of Actuarially-Reduced Early Retirement from the 1 April 2004.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: CARER'S LEAVE

DESCRIPTION

Carer's leave is leave for the purpose of providing full-time care to a "relevant person". A period of qualifying service is required. The entitlement is equally available to part-time and full-time employees. The maximum carer's leave which may be availed of in respect of one "relevant person" is 65 consecutive weeks.

LEGISLATION

Health Act, 1970

Carer's Leave Act, 2001

Social Welfare Act, 2000 (for definition of "relevant person")

Social Welfare (Miscellaneous Provisions) Act, 2002

REGULATIONS

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: CODE OF CONDUCT FOR COUNCILLORS

DESCRIPTION

The purpose of the Code is to set out principles and standards of conduct and integrity for councillors, to inform the public of the conduct it is entitled to expect and to uphold public confidence in local government. Each member shall have regard to and be guided by the relevant code of conduct in the exercise of his or her functions.

LEGISLATION

Local Elections Acts

Local Government Act, 2001 – (Section 169)

REGULATIONS

GUIDELINES AND CIRCULARS

Circular Letter LG (P) 13/04 – Councillors Code of Conduct

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Code of Conduct for Councillors – issued in 2004

PRECEDENT

FREEDOM OF INFORMATION**FUNCTION: HUMAN RESOURCES****SERVICE: WORKPLACE PARTNERSHIP****DESCRIPTION**

The objective of Workplace Partnership is to achieve joint ownership between management, unions and staff and so replace the adversarial approach to change with an open, co-operative process based on effective consultation and participation by all concerned. Longford County Council has in place a Workplace Partnership Committee and this Committee is served by a Partnership Facilitator.

LANPAG – The Local Authority National Partnership Advisory Group is the national partnership body that represents the local authority employers and trade unions. It is made up of a number of nominees of the employer body, the Local Government Management Services Board and the trade unions.

LEGISLATION

None

REGULATIONS

None

GUIDELINES AND CIRCULARS

- Partnership 2000 and subsequent National Partnership Agreements
- Framework Document for Partnership in Local Authorities
- Deepening Partnership in Local Government/ Strategic Plan 2003 -2005
- Handling Significant Change through Partnership, Report 2, July 2006

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES**PRECEDENT**

FREEDOM OF INFORMATION

FUNCTION: HUMAN RESOURCES

SERVICE: EQUALITY

DESCRIPTION

Employers are obliged to take all reasonable steps to provide a working environment free of all forms of discrimination and harassment. In addition, local authorities are required to ensure that the services they provide are free from discriminative bias. To this end the Equality Action Programme for local authorities was put in place which involves the adoption of Dignity at Work policies, the appointment of an Equality Officer, the establishment of an Equality Action Team and the appointment of Designated Contact Persons.

LEGISLATION

**Employment Equality Acts, 1998 -2004
Equal Status Act, 2002**

REGULATIONS

Local Government (Officers Age Limit) Order, 1999

GUIDELINES AND CIRCULARS

**-Circular Letter LG(P) 10/98 and 5/99 – Equality Action Programme
-Circular Letter LG(P) 11/98 -Draft Code of Practice for the Employment of People with Disabilities in the Local Authority Service, July 1999
- Circular Letter LG(P) 2/99 – Local Government (Officers Age Limit) Order, 1999
-Annual Circulars in relation to Statistics for the 3% Target for the Employment of People with Disabilities in the Public Service as of the 31st December (each year)**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

Dignity at Work Policy

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: LIBRARY

SERVICE: LIBRARY, ARCHIVES AND HERITAGE
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DESCRIPTION

The Library service is an information, educational and recreational resource for the whole community. It provides services such as lending of books and audio-visual material for adults and children, reference services, local studies/archives, community information, EU information, careers information, business information, a grant-aided service to Primary Schools and much more.

It is a function of the local authority to adopt appropriate policies and practices to retain, manage and preserve local records and archives. In this regard, Longford County Council employs an Archivist on a shared basis with Leitrim County Council to examine ways in which the custody and care of the local authority archives may be enhanced and progressed.

The Heritage Officer, working in conjunction with the Heritage Council, offers professional advice on a range of heritage issues to Council staff, elected members and members of the public.

LEGISLATION

Public Bodies Orders, 1946 - 1993

Local Government (Financial Provisions) (No.2) Act, 1983

Heritage Act, 1995

Local Government Act, 2001

REGULATIONS

GUIDELINES AND CIRCULARS

- LS 2/99 Tax Free donations to public libraries and An Chomhairle Leabharlanna.
- LS 3/99 Public Libraries – PC’s with Internet Access for use of public.
- LS 5/99 Public Libraries Memberships Promotion for young people of school going age.
- LS 7/99 and LS 10/99 Implementation of ICT recommendations in Branching Out.
- LS 15/99 Recoupment of Grand-Aid for Internet PC’s installed for use by the public in libraries.
- LSS 3/00 Opening Hours of Public Libraries
- LSS 7/00 Automation Grants for Public Libraries.
- Circular LSS 04/01 – Cost to Library Authorities of providing a Schools Library Service.
- LSS 3/03 Provision of Optical Scanning Facilities for the Visually Impaired in Public Libraries: Guidelines and Grant Aid.
- RLSS 07/03 Automation Grants for Public Libraries – Delivery of Library Services Online – Reminder.
- RLSS 1 /04 – Capital Funding Programme for Libraries
- RLSS 3/04 - The National Digitisation Strategy
- LG(P) 07/05 – Library Service Review

- **LG(P) 19/05 – Extension of Deadline for Library Service Review**
 - **LG 04/07 – Sectoral Plan under Disability Act, 2007**
- Other:**
Branching Out - A New Public Library Service (DOEHLG, 1998)

Archives: - Circular A 1/96 – Local Authority Records and Archives
DOEHLG Report of the Steering Group on Local Authority Records and Archives, 1996
DOEHLG Guidelines for Local Authority Archives services, 1996
LGMSB National Retention Policy for Local Authority Records, 2002
Local Authority Archivists Group – Local Authority Archives in Ireland, 2000 and 2003

Heritage – 2007 Heritage Grant Programme

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- **Adult Membership charge.**
- **Free membership for children.**
- **Local guidelines for Heritage – County Longford Heritage Plan 2004-2009**

PRECEDENT

Empty rectangular box for precedent information.

FREEDOM OF INFORMATION

FUNCTION: LIBRARY

SERVICE: LIBRARY CAPITAL PROGRAMME

DESCRIPTION

<p>The Library Capital Programme is funded by the National Lottery and provides 100% grants to Local Authorities for the provision of new libraries including mobile libraries. Books and equipment attract 50% funding and computerisation is, also, grant-aided. Library projects are initiated by the library authorities and examined by the Department of the Environment, Heritage and Local Government in consultation with An Chomhairle Leabharlanna in accordance with standard procedures laid down in Departmental circulars.</p>
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LEGISLATION

Local Government Act, 2001

REGULATIONS

GUIDELINES AND CIRCULARS

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| <ul style="list-style-type: none"> • Procedures for Public Library Projects and arrangements for payment of Capital Grants - Circular G2/88 • Memorandum of procedure and controls for public library projects - G286/17 • Capital Funding Arrangements for Libraries – 1/99 • LS 15/99 Recoupment of Grand-Aid for Internet PC's installed for use by the public in libraries. • LSS 7/00 Automation Grants for Public Libraries. • RLSS 07/03 Automation Grants for Public Libraries – Delivery of Library Services Online – Reminder. • RLSS 1 /04 – Capital Funding Programme for Libraries • RLSS 3/04 - The National Digitisation Strategy |
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: COMMUNITY AND ENTERPRISE

SERVICE: ARTS SERVICES

DESCRIPTION

The Arts Act, 2003 empowers local authorities to directly assist the development of the arts locally through (a) stimulating public interest in the arts (b) promoting knowledge, appreciation and practice of the arts, or (c) improving standards in the arts. Local authority arts officers promote the long-term development of the arts in their area and provide people with ways to access and engage with high quality arts experiences. Longford County Council provides an ever increasing array of services and supports to the community through its Arts Office.

LEGISLATION

Arts Act, 2003

Local Government Act, 2001

REGULATIONS

GUIDELINES AND CIRCULARS

- The Arts Council – Local Authorities and the Arts, Appointment of Arts Officers – Guidelines for Local Authorities
- Arts Grant Scheme – (Sec. 12 – Arts Act, 1973)
- Public Art: Per Cent for Arts Scheme – General National Guidelines, 2004
- Arts Council – Partnership for the Arts, 2006

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- County Arts Development Plan 2004 – 2009
- Annual Arts Programmes

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: ETHICS

DESCRIPTION

<p>A new ethics regime was introduced into local government by Part 15 of the Local Government Act, 2001. This builds on recent ethics legislation, on the Code of Conduct for local authority employees and elected members and, also, on the 1976 Planning Act which for many years provided for a system of declarations and a public register of interests which was to be maintained by local authorities. Under the new statutory framework all councillors and relevant employees are required to complete and submit an annual declaration of interests. The Ethics Registrar, currently based in the Finance Section, maintains a public Register of Interests in relation to both employees and councillors which is available at the offices of the County Council for public inspection during normal office hours.</p>

LEGISLATION

Planning Act, 1976 Planning and Development Act, 2000 Local Government Act, 2001 (Part 15)
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REGULATIONS

Local Government Act, 2001 (Part 15) Regulations, 2004 – (S.I. No. 770 of 2004) Local Government Act, 2001 (Commencement) Order, 2004 – (S.I. No. 217 of 2004)

GUIDELINES AND CIRCULARS

Circulars LG 03/03, LG 10/03, LG 26/04, LG 25/07 – Ethical Framework for Local Government Service

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: PAYMENT OF WAGES & SALARIES TO STAFF

DESCRIPTION

Processing of wages and salaries for all staff including deduction of P.A.Y.E. and P.R.S.I. and other statutory and non-statutory deductions and all returns relating to same.

LEGISLATION

Payment of Wages Act, 1991
 Holidays (Employees) Acts, 1973 and 1991
 Worker Protection (Regular Part-Time Employees) Act, 1991
 Organisation of Working Time Act, 1997
 Local Government Act, 2001
 Various Finance Acts
 Protection of Employees (Fixed-Term Work) Act, 2003

REGULATIONS

Local Government Officers Regulations, 1943
 Public Bodies Orders 1946 - 1998
 Organisation of Working Time (Determination of Pay for Holidays) Regulations, 1997

GUIDELINES AND CIRCULARS

- **Payment Methods Fin Local 05/2002**
- **Rates of Wages and Salaries – Circulars EL 9/00; EL7/02, EL 3/03; EL3/03(a); EL4/03, EL8/03, EL9/2003, EL10/03, 22/2003(Dept Finance), EL 4/04, EL 6/04;EL7/04, EL8/04, EL9/04; EL 2/05; EL 4/05; EL 3/06; EL 6/06; EL 2/07; EL 05/07**
- **Payment of Acting Allowances – Circular EL9/96, S17/97, EL 08/2005**
- **Payment for Overtime - Circulars LA (P) 3/80, EL 1/89, EL 17/97**
- **Starting Pay on Promotion - Circulars EL 5/67, Circular Letter of the 29/7/75; EL4/95, EL 18/97; EL 12/00**
- **Incremental Credit for Temporary Service – Circular Letter 4/79**
- **Increments for Temporary Staff - Circulars EL 3/95, EL 14/96, EL9/01**
- **“Personal to Holder” Long Service Increments and Age Related Pay Scales - Circular Letter EL 7/00**
- **Circular Letter EL 8/00 – Retained Firefighters 1999 Agreement**
- **Circular Letter - EL 1/81 (additional increments for post graduate service engineering grades)**
- **DOEHLG Letters of the 11th July and 13th August 2002 in relation to Scheme of Performance Related Awards for Managers, Assistant Managers and Directors of Services**
- **Circular Letter LG(P) 11/03 - Scheme of Performance Related Awards for Managers, Assistant Managers and Directors of Services**
- **Circular Letter EL 4/2004 – General Operatives and Related Grades (including Waterworks and Sewerage Caretakers, Retained Firefighters and Traffic Wardens)**
- **DOELG Fall Back Rule (credit for allowance)**
- **DOELG Rule on promotion of a servant to an officer grade**
- **Allowances for Outdoor Staff: Listing of Rates of Allowances**

- **P.A.Y.E. Employers Guide**
- **P.R.S.I. Employers Guide**
- **Sick Leave - Circular LA (P) 17/80 and Local Government Officers Regulations, 1943**
- **Sick Leave (Outdoor Staff) - Local Authorities Sick Pay Scheme**
- **Holiday Pay - Worker Protection (Regular Part-Time Employees) Act, 1991, LG(P)07/03**
- **DOEHLG Periodic notification of revision of remuneration in line with National Partnership Agreements**
- **Computer Payroll System: LGCSB User Manual**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: FINANCE
SERVICE: PAYMENT FOR GOODS AND SERVICES (CREDITORS PAYMENTS)

DESCRIPTION

Processing of payment for goods and services on receipt of invoices and approval for payment.

LEGISLATION

Local Government Act, 1991
Prompt Payment of Accounts Act, 1997 (as amended)
Local Government Act, 2001
Higher Education Grants Act, 1968

REGULATIONS

Public Bodies Orders, 1946 - 1998
S.I. No. 502 of 1997 Prompt Payment of Accounts Act, 1997 (Rate of Interest Penalty) Order, 1997
EC (Late Payment in Commercial Transactions) Regulations 2002
Accounting Code of Practice (ACOP)

GUIDELINES AND CIRCULARS

- **General - Local Authorities Payment Procedures**
- **Circular Letters FIN 17/97; FIN 23/97 and Circular Letter of 23rd January 1998 - Prompt Payments of Accounts Act, 1997**
- **Payment Methods Fin Local 05/2002**
- **Circular Letter FIN 15/02 – New Statutory Provisions related to Local Government**
- **Tax Clearance - Circular BC 5/95 and Circular 22/95 (Dept. of Finance)**
- **Circular FIN 07/2005 – Receipts for payments made**
- **Withholding Tax - Revenue Commissioners Notes for Guidance of Accountable Persons in relation to Withholding Tax on Professional Services**
- **Relevant Contracts Tax - Revenue Commissioners Explanatory Notes for Principal Contractors**
- **Computer Payments System: Mentec User Manual on Agresso**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: PAYMENT OF PENSIONS TO FORMER STAFF OF LONGFORD COUNTY COUNCIL AND THEIR SPOUSES AND CHILDREN WHERE APPLICABLE

DESCRIPTION

Calculation of pensions and lump sums for retiring staff and payment of same on a fortnightly basis. Calculation of lump sums and pensions for V.E.C. staff is carried out by the V.E.C. and paid by the County Council.

LEGISLATION

Local Government (Superannuation) Act, 1980
 Pensions Act, 1990 – 1996
 Family Law Act, 1995
 Family Law (Divorce) Act, 1996
 Pensions (Amendment) Act, 2002 (*introduced the Personal Retirement Savings Accounts (PRSA's) and provided for the establishment of the Office of the Pensions Ombudsman*)
 Public Service (Miscellaneous Provisions) Act, 2004 (*introduced new superannuation and retirement provisions for new entrants to the public service on or after 1 April 2004*)

REGULATIONS

Local Government (Superannuation) (Gratuities) Regulations, 1984, as amended
 Local Government (Superannuation Revision) (Consolidation) Scheme, 1986, as amended
 Local Government (Superannuation Revision) (Consolidation) Scheme, 1987, as amended
 Local Government (Superannuation Gratuities) (Amendment) Regulations, 1995
 Local Government Superannuation (Consolidation) Scheme, 1998
 VEC Superannuation Schemes (Transfer of Departmental Administration and Ministerial Functions) Order, 1998
 Local Government Superannuation (Consolidation) (Amendment) Scheme, 2002
 Personal Retirement Savings Accounts – various regulations 2002-2003
 Pension Ombudsman Regulations, 2003
 Local Government Superannuation (Consolidation) (Amendment) Scheme, 2004
 Occupational Pension Schemes (Disclosure of Information) Regulations, 2006

GUIDELINES AND CIRCULARS

- General - DOELG “Expert” system (PC based)
- Pension Increases - Circular S7/87, EL 9/98, EL9/03, EL10/03, EL4/04, EL7/04, EL8/04, EL9/04, S3/04, S17/04
- Local Government Employees (Widows & Orphans Contributory Pension) Scheme
- Local Government Officers (Widows & Orphans Contributory Pension) Scheme
- Local Government Employees (Widows & Orphans Ex Gratia Pension) Scheme
- Local Government Officers (Widows & Orphans Ex Gratia Pension) Scheme
- Local Government Employees (Spouses & Childrens Contributory Pension) Scheme
- Local Government Officers (Spouses & Childrens Contributory Pension) Scheme
- Circular Letters EL 41/75; S 14/95; LA6/95; S17/97; S 9/98; S18/98; S21/98; S24/98 and S25/98
- Circular Letter S 8/99 – Dispensing with Probate in Certain Areas

- **Circular Letter S 9/99 – Additions to Service in the case of ill-health retirements**
- **Circular Letter S10/99 – Supplementary Pensions**
- **Circular Letter LG(P) 18/99 – Superannuation of Directors of Community and Enterprise**
- **Circular Letter S 3/00 – AVC's**
- **Circular Letter S 6/00 – Application of Personal LSI's to Pensioners**
- **Circular Letter 9/00 – Payment of a Death Gratuity...**
- **Circular Letter S 5/2001 – Transfer of responsibility for the superannuation of IT and VEC Staff (other than Vocational Teachers) to the Department of Education and Science**
- **Circular Letter 1 March 2001 and 21 August 2002– Better Local Government – Pension Issues**
- **Circular Letters S 8/2001; S 10/2001 and S 17/2001**
- **Circular Letter S 1/2002 – Family Law Legislation and the Administration of Public Service Pensions**
- **Circular Letter S 2/2002 – Superannuation Contributions – Officers on full PRSI**
- **Circular Letter s 4/2002 – 1. Equalisation of Pension Provisions for all Local Authority Staff
2. Superannuation Implications of the Protection of Employees (Part-Time) Work Act, 2001**
- **Circular Letter S 6/2002 – Reduction in qualifying period for preserved benefits**
- **Circular Letter S 10/2002 – AVC's – SIPTU Officer Grades**
- **Circular Letter S 14/02 – Pensionability of Temporary Wholetime Officers employed by Local Authorities**
- **Circular Letter S 15/2002 – Pensionability of Part-Time Staff**
- **Circular Letter S 1/2003 – Abolition of qualifying period for pensionability for wholetime non-officers of local authorities with effect from from 1 Jan. 2003**
- **Circular Letter S 2/2003 – Possible Tax Refunds to Certain Widows**
- **Circular Letter S 3/2003 – Pensions (Amendment) Act, 2002**
- **Circular Letter S 11/2003 – Personal Retirement Savings Accounts (PRSA's)**
- **Circular Letter S 13/2003; S 1/2004– Pensions Ombudsman – Procedures for Internal Resolution of Disputes**
- **Circular Letter S 3/2004 – Pension Increases – Waterworks and Sewerage Caretakers**
- **Circular Letter S 9/2004 – 8 Explanatory Booklets in relation to LGSS**
- **Circular Letter S 10/2004 Family Law Legislation and the Administration of Public Service Pensions**
- **Circular Letters S 9/01; S 11/2004 – Annual Benefit Statements for all Pension Scheme Members**
- **Circular S4/2005 – New Scheme for award at professional, technical and specialist added years to certain new entrant local authority staff**
- **Circular S13/05 – PRSA's**
- **Pension Increases – S16/05, S03/06, S08/06**
- **Circular P20/2005 – Pensions Ombudsman**
- **Circular S18/2005 – Revised arrangements for part-time public servants**
- **Circular S17/2006 – Purchase of notional service for superannuation purposes**
- **Circular S18/2006 – Finance Act, 2006**
- **Circular S08/2007 - Occupational Pension Schemes (Disclosure of Information) Regulations, 2006**
- **Pension Reform – S1/04, S4/04, S5/04, S6/04, S8/04, S12/04, S13/04, S14/04, S16/04, S05/05, S06/05, S11/05, S12/05, S12/06, S15/06**
- **Annual Reports**

- **Publications - Superannuation Explanatory Leaflets, Guide for Local Authorities and Annual Report**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: ANNUAL BUDGET

DESCRIPTION

<p>Draft budgets are prepared annually by the Head of Finance and senior administrative and technical staff and approved by the County Manager. Statutory Budget Meetings are open to the public and are held between the 25th November and 13th January. Public notice of Budget meeting is given in local press. The Budgets are available for inspection during opening hours at the County Council Offices and the County Library and a copy may be supplied for a nominal charge.</p>
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LEGISLATION

<p>Local Government (Financial Provisions) Act, 1978 Local Government (Financial Provisions) No. 2 Act, 1983 Local Government (Financial Provisions) Act, 1997 Local Government Superannuation Act, 1991 Local Government Act, 1991 Local Government Act, 1994 Local Government Act, 1998 Local Government Act, 2001</p>
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REGULATIONS

<p>Public Bodies Orders, 1946 – 1998 Local Government (Financial Procedures and Audit) Regulations 2002</p>

GUIDELINES AND CIRCULARS

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| <ul style="list-style-type: none"> • Local Authority Estimates – Circulars FIN 16/96, 14/97, 16/97, 16/98, 17/98, 18/98, 21/98 • Local Authority Budgets - Circulars FIN 28/03, 30/2003, 31/2003, 3/04, 5/04, 16/04, 23/04, 24/04, 25/04, 28/04, 02/05, 18/05 • Local Authority Funding - Circulars FIN Local 21/96, 18/97, 20/97, 2/98, 23/2002 • Circular Letter FIN 15/02 – New Statutory provisions related to local government finance • Circular FIN 09/07- Costing System for Local Authorities |
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LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: ANNUAL FINANCIAL STATEMENT (AFS)

DESCRIPTION

The Annual Financial Statement is prepared at the end of each financial year on an accrual basis in respect of the Revenue and Capital Account. Full Balance Sheet Accounting was introduced in 2003. The AFS is available within eight weeks from the end of the financial year at the offices of the County Council and the County Library. Accounts are open for public inspection during office hours for 7 days before audit - notice of which is given in local press.

LEGISLATION

Public Bodies Orders, 1946 - 1998
 Local Government (Financial Provisions) Act, 1978
 Local Government (Financial Provisions) Act, 1997
 Local Government Act, 2001

REGULATIONS

Local Government (Financial Procedures and Audit) Regulations 2002

GUIDELINES AND CIRCULARS

- Accounting for Income – General Guidelines – Fin Local 09/12/02
- Circular Fin 15/02 – New Statutory provisions related to local government finance
- Preparation of Annual Financial Statement 2003 - Guidance Note and
- Annual Financial Statement Preparation– Accounting for Assets: Fin Local 01/01/04, Fin 02/04, Fin 06/04, Fin 11/04, Fin 15/04, 25/04. 01/05, 4/07
- Circular Fin 10/2006 – Publication of Accounting Manual
- Circular Fin 13/2006 – Accounting Issues; Development Contributions
- Guidelines for the Valuation of Historical Assets
- Accounting for Income General Guidelines
- Accounting for Assets 2003 – Guidance Note
- Asset Register Guidelines

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: AUDIT OF ACCOUNTS

DESCRIPTION

Internal audit reviews the operations and procedures of the County Council in terms of efficiency, effectiveness of internal check and accounting procedures. The Local Government auditor is appointed by the Minister for the Environment Heritage and Local Government to audit the accounts of the Local Authority and to report on them. Notice of the commencement of the audit is published and members of the public are entitled to bring to the attention of the auditor any item of the accounts which they believe to be incorrect.

LEGISLATION

Local Government Act 2001

REGULATIONS

Public Bodies Order, 1946 – 1998

Local Government (Financial Procedures and Audit) Regulations 2002

GUIDELINES AND CIRCULARS

- Value for Money Studies (Issued by VFM Unit, DOEHLG)
- Fiscal Prudence re Banking - Circular Letter Fin 19/01
- Circular Fin 15/02 – New Statutory provisions related to local government finance

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: CONTROL OF INSURANCES

DESCRIPTION

Arrangement of insurance cover and payment of premiums in respect of Public Liability, Employer's Liability and all relevant risks is the responsibility of the Head of Finance and the Insurance Administrator.

LEGISLATION

Personal Injuries Assessment Board Act, 2003
Civil Liability and Courts Act, 2004

REGULATIONS

Public Bodies Order, 1946 - 1998

GUIDELINES AND CIRCULARS

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: TREASURY MANAGEMENT

DESCRIPTION

Management of County Council's cash transactions including banking, borrowing, leasing and investments.

LEGISLATION

Local Government (No. 2) Act, 1960

Local Government Act 2001

REGULATIONS

Public Bodies Orders, 1946 – 1998

Local Government (Financial Procedures and Audit) Regulations 2002

GUIDELINES AND CIRCULARS

Bank and Loan Arrangements Fin 19/01

Accounting for Loan Charges Payable and Receivable Fin 21/2002

Accounting for Income Fin 21/2002

Payment Methods Fin Local 05/2002

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: HIGHER EDUCATION GRANTS SCHEME

DESCRIPTION

Under the Local Authorities (Higher Education Grants) Acts, 1968 - 1992 and in accordance with the provisions of the relevant Higher Education Grants Scheme, Longford County Council is enabled to grant aid to eligible students undertaking courses in most third level institutions in the State. The Scheme for each year is drawn up by the Department of Education and Science and is adopted by the County Council. It sets out details of eligibility and grants payable. To be eligible for a grant under this Scheme candidates shall fulfil certain conditions as to residence, age, academic attainments, means and nationality. Applications for grants are considered strictly in accordance with the terms of the Scheme. The closing date for application forms is normally late August. Application forms and full details are available from the HEG/Rates Department.

LEGISLATION

Local Authorities (Higher Education Grants) Acts, 1968 - 1992

REGULATIONS

GUIDELINES AND CIRCULARS

- Various letters from the Department of Education and Science in relation to amendments/eligibility etc.
- Higher Education Grants Scheme (Annually) from the Department of Education and Science.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- Local Application procedures

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: MALICIOUS INJURY CLAIMS

DESCRIPTION

Where damage is maliciously caused to property, the person who suffers the damage shall be entitled to obtain compensation from the Local Authority in accordance with legislation.

LEGISLATION

Malicious Injuries Act, 1981

Malicious Injuries (Amendment) Act, 1986

REGULATIONS

Malicious Injuries (Preliminary Notice) Regulations, 1987

GUIDELINES AND CIRCULARS

Malicious Injuries Recoupment - Circular Fin 22/04, Fin 10/05, Fin 12/06

Malicious Injuries – Notification of Claims – Circular Fin 07/07

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE
SERVICE: PAYMENT OF CORONERS FEES

DESCRIPTION

The County Council is responsible for the payment of fees due to the County Coroner in the performance of his duties e.g. holding of inquests.

LEGISLATION

Local Government Act, 1941 (Section 17)
Coroners Act, 1962
Local Government Act, 2001 (Section 157(3))

REGULATIONS

Coroner's Act, 1962 (Fees and Expenses) Regulations, 2005
Coroner's Act, 1962 (Fees and Expenses) Regulations, 2007 – S.I. No. 240 of 2007

GUIDELINES AND CIRCULARS

- Circular Letter 31/153 from Department Justice, Equality and Law Reform

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: ELECTED MEMBERS' EXPENSES AND REMUNERATION

DESCRIPTION

Payment of expenses to the Elected Members of the Local Authority for attendance at meetings of the Council and representation at conferences at home and abroad, entertainment and associated expenses and the Chairperson's allowance.

LEGISLATION

Local Government Act, 1955
Local Government Act, 1991
Local Government Act, 2001

REGULATIONS

Local Government (Expenses of Local Authority Members) Regulations, 1993
Local Government (Representational Payment for Members) Regulations 2001

GUIDELINES AND CIRCULARS

- Members Representational Payments: LA 15A/2001, LG 15B/2001, LG 18/04, LG 27/04, LG 06/03, LG 04/06, LG 17/06, LG 32/06, LG 17/07,
- Members Expenses – LG2/95, LG15A/2001, LG15B/2001, 06/02, EL01/03, EL 01/04 , EL 02/04, LG 22/04, EL 06/05, EL 07/05, LG 10/05, LG 10/11/05, EL 07/06, EL 08/06, LG 28/06, LG 33/06
- Travelling Expenses and Subsistence Allowance Abroad - Circular Letter EL 05/2004, EL 01/2005, EL 01/2006, EL 03/2007

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION**FUNCTION: FINANCE****SERVICE: LOCAL AUTHORITY MEMBERS (GRATUITY) SCHEME****DESCRIPTION**

The Minister for the Environment, Heritage and Local Government has made a scheme to provide for the payment of a once-off gratuity to members of Local Authorities who are or were serving at any time following the last local elections and who do not form part of the 2004 elected Council

LEGISLATION

Local Government Act, 2001 (Sec. 4 and 142)

REGULATIONS

S.I. No. 281 of 2002 (Local Authority Members (Gratuity) Regulations, 2002)
Local Authority Members (Gratuity) (Amendment) Regulations, 2006

GUIDELINES AND CIRCULARS

- Circular Letter - S 7/2002 and S9/2003
- Circular Letter S 3/2007

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES**PRECEDENT**

FREEDOM OF INFORMATION

FUNCTION: FINANCE

SERVICE: RESIDENTIAL HOMES AND SPECIAL SCHOOLS

DESCRIPTION

The County Council is liable for the maintenance of children committed to special schools by the Courts. The cost of such maintenance is fixed by regulation.

LEGISLATION

**Children Acts, 1908, 1934, 1941
Children (Amendment) Act, 1949
Children (Amendment) Act, 1957
Children (Amendment) Act, 1989**

REGULATIONS

**Education (Transfer of Departmental Administration Functions) Order, 1983, S.I. 358 of 1993
Children Act, 1941 (Section 21) Regulations, 1984**

GUIDELINES AND CIRCULARS

- **Circular FIN 12/84**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: MOTOR TAX

SERVICE: VEHICLE LICENSING (MOTOR TAX)

DESCRIPTION

Motor Tax on vehicles (cars, lorries, etc.) used in a public place

LEGISLATION

Finance (Excise Duties) (Vehicles) Act, 1952
Finance Acts (successive) to 1996
Local Government (Financial Provisions) Act, 1997
Local Government Act, 1998
Motor Vehicle (Duties and Licences) Act, 2004
Road Traffic Act, 2004
Road Traffic Act, 2006

REGULATIONS

Road Vehicles (Registration and Licensing) (Amendment) Regulations, 1992
S.I. No. 15 of 1958; S.I. No. 385 of 1992; S.I. No. 409 of 1992, S.I. No. 198 of 1993; S.I. No. 23 of 1993; S.I. No. 263 of 1993; S.I. No. 126 of 1993; S.I. No. 277 of 1994; S.I. No. 125 of 1996; S.I. No. 338 of 1996; S.I. No. 405 of 1997; S.I. No. 319 of 2000; S.I. No. 74 of 2001; S.I. No. 75 of 2001; S.I. No. 516 of 2001; S.I. No. 537 of 2001
MT 4/04 – Consolidation of 1992 MT Regulations with amended version of 1992 Regulations on trade plate licensing.
EC (Vehicle Testing) Regulations, 2004
Road Traffic (National Car Test) (Amendment) Regulations, 2005 – S.I. No. 62 of 2005
Disabled Drivers and Disabled Passengers (Tax Concessions)(Amendment) Regulations, 2005
DOEHLG – Draft Waste Management (End-of Life) Vehicle Regulations, 2006

GUIDELINES AND CIRCULARS

- **Motor Tax liability of road marking vehicles - Circular MT 672**
- **Motor Tax liability of mobile libraries and banks - Circular MT 720**
- **Motor Tax liability of refuse carts - Circular MT 744**
- **Licensing gap on first taxing of vehicle on change of ownership - Circular MT 835**
- **Refund of Motor Tax - Circular MT 836**
- **Insertion of “special alert” in certain cases - Circular MT 838**
- **Motor Tax liability of refuse/waste collection vehicles - Circular MT 882**
- **Transfer of ownership of vehicles - Circular MT 893**
- **Taxing of vehicle without production of vehicle registration book - Circular MT 896**
- **Veteran and vintage vehicles - Circular MT 896A**
- **Motor tax liability of road dumpers - MT 899**
- **Motor tax liability of recovered vehicles - MT 922**
- **Registration and Licensing of Motor Vehicles from 1/1/93 – MT 928**
- **Licensing of Trailers and Semi-Trailers – MT 963**
- **Disabled Driver/Passengers (Tax Concession) Regulations – MT 997**
- **Mobile Machines/Workshops Rate of Motor Tax – MT 1014**

- **Special Arrangements for the first licensing of Cars to facilitate Car Hire Companies in the Tourist Season – MT 1048 and MT 1074**
- **Vehicle Licensing Certificates and Tax Books – Use of Alternative Form by Telecom Eireann – VT 4/98**
- **Modifications to Vehicles – VS 3/2001**
- **NCT and Renewal of Motor Tax – VS 15/01**
- **Circular MT 1/04 – Annual Audit of Motor Tax Offices**
- **Circular MT 4/04 – Consolidation of Motor Tax Regulations with amended version of 1992 Regulations**
- **Taxation of Island Vehicles – Circular Letter 5/2004**
- **MT 1/2005 – Taxation of Motor Caravans**
- **Circular 03/05 – Special Arrangements for first licensing of cars to facilitate car hire companies in the tourist season**
- **DOEHLG – 04/05 – Taxation of Articulated Vehicles**
- **DOEHLG – 05/05 – Taxation of Articulated Vehicles – revised weight docket**
- **Circular MT 9/2005 – Taxation of vehicles constructed to carry a machine or a workshop...**
- **Circular MT 10/2005 – Taxation of Goods Vehicles and Adapted Goods Vehicles**
- **Circular 1/2006 – Taxation of All-Terrain Vehicles**
- **Circular 2/2006 – Joint Owner Details on the NVDF**
- **Circular 6/2006 – Incorrect Taxation of Articulated Vehicles**
- **DOEHLG Index of Legislation and Circulars relating to Motor Taxation**

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

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PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: MOTOR TAX

SERVICE: DRIVER LICENCES

DESCRIPTION

In order to drive a mechanically propelled vehicle in a public place, a driver is required to hold a valid provisional driving licence or a valid full driving licence in respect of the category of vehicle being driven. In order to become eligible to apply for a full driving licence in a particular vehicle category, a person is required to pass the Theory Test in a specific category and then apply for a Learner Permit in that category and submit the Pass Theory Test Certificate. To obtain a full driving licence a person must then undertake successfully the driving test procedure in that category.

The Department of Environment, Heritage and Local Government is responsible for setting out, in compliance with EU Directive requirements, the legislative framework governing (a) the conditions and procedures in relation to the granting of provisional and full driving licences and (b) the conduct of driving tests.

The Department is also the authority responsible for administering the driver testing system i.e. processing driving test applications and arranging and conducting tests on foot of same. However, responsibility for the actual issuing of provisional and full driving licences is a function which has been devolved under legislation to local licensing authorities (Motor Taxation Offices) who issue such licences on an agency basis on behalf of the Department. The local licensing authorities are required to issue licences strictly in accordance with the legislative provisions outlined below. In effect, decisions in relation to the granting of driving licences in individual cases are a matter for the respective licensing authorities concerned and the Department has no function in this regard. The fees collected by the Motor Taxation Offices in respect of driving licences are transferred to the Exchequer i.e. the Local Government Fund.

LEGISLATION

Road Traffic Acts, 1961 – 1995

Road Traffic Act, 2006

REGULATIONS

S.I. No. 234 of 1984 European Communities (Licensing of Drivers) Regulations, 1984
S.I. No. 285 of 1989 Road Traffic (Licensing of Drivers) Regulations, 1989
S.I. No. 286 of 1989 Driving Licences (Repayment of Excise Duties) Regulations, 1989
S.I. No. 287 of 1989 European Communities (Licensing of Drivers) Regulations, 1989
S.I. No. 320 of 1991 Road Traffic (Licensing of Drivers) (Amendment) Regulations, 1991
S.I. No. 328 of 1996 Road Traffic (Licensing of Drivers) (Amendment) Regulations, 1996
S.I. No. 353 of 1989 Road Traffic (Licensing of Drivers) (Amendment) Regulations, 1989
S.I. No. 384 of 1992 Mechanically Propelled Vehicles (International Circulation) Order, 1992
S.I. No. 511 of 1997 Road Traffic (Licensing of Drivers) (Amendment) Regulations, 1997
S.I. No. 56 of 1994 Road Traffic (Licensing of Drivers) (Amendment) Regulations, 1994
S.I. No. 352 of 1999 Road Traffic (Licensing of Drivers) Regulations, 1999
S.I. No. 366 of 1999 Road Traffic (Licensing of Drivers) (Amendment) Regulations, 1999
Road Traffic (Licensing of Drivers) Regulations, 2006

Road Traffic (Licensing of Learner Drivers) Regulations, 2007

GUIDELINES AND CIRCULARS

- Exchange of recognised driving licences - Circular 7/93
- The issue of certificates under Article 29 (1) (a) (iii) of the Road Traffic (Licensing of Drivers) Regulations, 1989 - Circular DC 10/91
- Issuing of Driving Licences - Circular DC 2/95
- Free-in-lieu driving licences - Circular DC 2/96
- Provisional Driving Licences (5 Year rule) - Circular DC 2/97
- The Issue of Certificates under Article 29 (1) (a)(ii) of the Road Traffic (Licensing of Drivers) Regulations 1989 - Circular DC 3/93
- Exchange of recognised driving licences; Japan - Circular DC 4/90
- Exchange of recognised driving licences - Circular DC 5/94
- Road Traffic (Licensing of Drivers) (Amendment) Regulations 1997 - S.I. No. 511 of 1997 - Circular DC 5/97
- Road Traffic (Licensing of Drivers) (Amendment) Regulations 1996 - S.I. No. 328 of 1996 - Circular DC 6/96
- Road Traffic (Licensing of Drivers) Regulations, 1999 – S.I. No. 352 of 1999 – Circulars DL 7/99
- Dept. of Transport – D. L. 03/2005 – Introduction of new formal driving licence
- Dept. of Transport – RST 2/05 – Replacement of the Fines On-the- Spot (FOTS) System by new Fixed Charge system
- Dept. of Transport – D.L. 01/2006 – Endorsement of Driving Licences – Penalty Point Offences
- Dept. of Transport – D.L. 02/2006 – New Format Lithuanian Driving Licence
- DOEHLG 03/2006 – Penalty Points – NVDF Involvement
- Dept. of Transport – D.L. 06/2006 – Driver Theory Test Certificates
- Dept. of Transport – D.L. 01/2007 – Driver Licences for New Member States
- Dept. of Transport – D.L. 02/2007 – Revised Medical Report Form
- Dept. of Transport – D.L. 04/2007 – Driving Licence Renewal Notices

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: MOTOR TAX
SERVICE: VEHICLE TESTING SCHEME

DESCRIPTION

All Commercial Vehicles, Large Trailers, Buses, Coaches and Ambulances are required to be roadworthiness tested annually from the time they are one year old. Testing is carried out by authorised testers, generally private garages appointed by the main local authorities.

LEGISLATION

European Communities Act, 1972 (No. 27 of 1972)

REGULATIONS

European Communities (Vehicle Testing) Regulations, 1991 (No. 356 of 1991)
 European Communities (Vehicle Testing) (Amendment) Regulations, 1992 (No. 324 of 1992)
 European Communities (Vehicle Testing) (Amendment) Regulations, 1996
 (No. 108 of 1996)
 European Communities (Vehicle Testing) (Amendment) (No. 2) Regulations, 1996 (No. 174 of 1996)

GUIDELINES AND CIRCULARS

- Jost Fifthwheel Coupling - Model JSK 36D - Circular VC 1/94
- Light Goods Vehicle Testing/Metered Smoke Test on Diesel Engines - Circular VC 300/24/3
- New Headlamp Beam Aim Requirements - Circular VF 3/92
- Headlamp Aim - Circular VF 4/92
- Using Smoke Meters - Circular VT 10/95
- Revised Brake Performance Requirements for Buses with more than 14 passenger seats - Circular VT 1/96
- (1) Speed Limiters (2) CO Emissions - Circular VT 2/94
- Diesel Metered Smoke Test - Circulars VT 7/95 and VT 8/95
- (1) Speed Limiters (2) Smoke Test - Circular VT 9/95
- Revised Brake Performance Requirements for Buses with more than 14 passenger seats - VT 1/96
- Dept. of Transport – VS 20/04 – Roadworthiness Testing of Commercial Vehicles
- DOEHLG – NVDF 12/2006 – Change of Ownership, Change of Particulars etc.
- Road Safety Authority VS 01/07 Certificates of Roadworthiness and Motor Tax

(Copies of above Circulars are available from the Vehicle Standards Section, DOEHLG, Findlater House, Dublin 1

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

PRECEDENT

FREEDOM OF INFORMATION

FUNCTION: INFORMATION SYSTEMS

SERVICE: IS SERVICES

DESCRIPTION

The IS Department provides support to all areas of Longford County Council and Longford Town Council in the operation and maintenance of computer systems, networks and infrastructure. It implements the Councils' IS strategies and maximises the use of ICT to improve and expand the delivery of services internally in the organisation and externally to customers.

LEGISLATION

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REGULATIONS

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GUIDELINES AND CIRCULARS

The Local Government Computer Services Board (LGCSB) provides local authorities with the best possible solutions to meet their needs within information and communications technologies.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

**Longford County Council's Communications Policy
- Email and Web Usage Monitoring System**

PRECEDENT

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FREEDOM OF INFORMATION

FUNCTION: COMMON THEMES

SERVICE: PUBLIC PROCUREMENT

DESCRIPTION

The main body of existing guidance on public procurement is set out in Public Procurement – 1994 Edition (Green Book). Developments in the meantime, including new and innovative purchasing methods and strategies, increasing emphasis on the need for best practice, best value for money and greater accountability, required that the existing guidelines be updated. Revised guidelines have, therefore, been drafted by the National Public Procurement Policy Unit (NPPPU) of the Department of Finance in consultation with other participants in the public procurement market.

These revised guidelines “Public Procurement Guidelines – Competitive Process” (2004) set out the steps to be followed in conducting an appropriate competitive process under EU and national rules.

LEGISLATION

Three former public sector EU Directives for works, supplies and services have been consolidated into one text. The revised Directives are:

- 2004/18/EC – covering the procurement procedures of public sector bodies, and
 - 2004/17/EC – covering the procurement procedures of entities operating in the utilities sector.
- They are published in Official Journal L 134 of 30 April 2004 and can be accessed on www.europa.eu.int/eur-lex/en/index.html or on the EU public procurement website www.simap.eu.int.

REGULATIONS

European Communities (Award of Public Authorities Contracts) Regulations, 2006 – S.I. No. 329 of 2006

European Communities (Award of Contracts by Utilities Undertakings) Regulations, 2007 – S.I. No. 50 of 2007

GUIDELINES AND CIRCULARS

- National public procurement website – www.etenders.gov.ie
- Code of Practice for the Governance of State Bodies (Dept. of Finance, 2001)
- Circular PPP 2/05 – Procurement through PPP – Stakeholder Consultation
- Circular PPP 3/05 – Advising Local Authorities on the publication of guidelines
- Circular IPPP 1/06 – Revised thresholds for publication in EU OJ.
- Circular PPP 6/05; 3/06 – National Public Procurement Policy Framework
- Circular IPPP 8/06 – Fixed Price Contracts
- Circular PPP 11/06; 13/06 – Framework for Consultancy Services
- Circular 12/06 – Environmental Considerations in public procurement
- Circular PPP 33/06 – Construction Procurement Reform
- Circular IPPP 5.07 – Funding for Corporate Procurement Plans in the Local Government Sector and Attached Guidance
- Various Circulars on Sample Public Works Contracts, Training Courses.

LOCAL INTERPRETATIONS, PROCEDURES AND PRACTICES

- **Longford County Council and Longford Town Council Tendering Procedures – June 2004**
- **Receipt of Tenders**

PRECEDENT

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APPENDIX 1

Glossary of Terms used in this Section 16 Manual

Reference may be made in the Manual to terminology with which the general public may not be familiar. A glossary of the more commonly used terms is set out underneath.

Section 16 – In accordance with the provisions of Section 16 of the Freedom of Information Acts 1997 and 2003, a public body shall cause to be prepared and published and to be made available..... “the rules, procedures, practices, guidelines and interpretations used by the body, and an index of any precedents kept by the body, for the purposes of decisions, determinations or recommendations, under or for the purposes of any enactment or scheme administered by the body with respect to rights, privileges, benefits, obligations, penalties or other sanctions to which members of the public are or may be entitled or subject under the enactment or scheme...”. The term “Section 16” is therefore used in the title of such published manuals.

Legislation – Written law. Proposals for legislation are initiated as Bills. When the Bill has passed all stages in the Houses of the Oireachtas it is then signed into law by the President and its terms have binding legal effect.

Act – An Act is legislation that has been passed by the Oireachtas. It does not come into force until a *Commencement Order* is made specifying the date from which it will apply. *Commencement Orders* may apply to sections only or may apply to the entire Act.

Regulations – An Act may empower the relevant Minister to make Regulations in relation to certain provisions of the Act. These Regulations may specify procedures to be followed, set fees to be charged, provide for appeal processes etc.

Statutory Instrument – Is an Order, Rule, Regulation, Scheme or Bye-Law made under powers conferred in some statute by a designated Minister.

EU Directives/Guidelines – Much of the work of the public service is now set out in European Union directives and guidelines on particular aspects of policy enacted at union level. Directives are EU acts adopted by the Council or the Commission. They are binding on any member state to which they are addressed as to the objectives to be achieved but leave the choice of method of implementation to the member state. Directives can be implemented domestically in either of two ways: 1. by primary legislation or 2. by secondary legislation which involves ministerial regulations. The majority of directives are implemented through this latter method.

Bye-Laws – These refer to local laws imposed by a local authority under its statutory powers. These bye-laws, which affect the public or a section of the public, order something to be done or not to be done and are accompanied by some sanction or penalty for non-compliance. Bye-Laws are formally adopted by the local authority before they become effective.

Guidelines and Circulars – These relate to new or revised procedures/guidelines for various schemes, programmes or areas of activity and are circulated to Local Authorities by Government Departments.

Local Interpretations, Procedures and Practices – These relate to either approved, staff policy documents on entitlements and obligations, or the formal policy of the Elected Council on

particular matters as adopted by formal resolution and once adopted used as guidance in the determination and execution of actions in relation to the policy.

***Resolution of Council* – Means by which reserved functions are exercised by the Elected Members only.**

***Manager's Order* – Means by which executive functions are exercised by the Manager only.**