

INDEX

Introduction to the Freedom of Information Act, 1997	2
Corporate Services and Human Resources	3
Housing and Building	8
Transportation and Infrastructure – Roads Section	11
Transportation and Infrastructure - Water Services	15
Development Incentives and Controls	17
Environmental Protection	19
Finance	23

INTRODUCTION

The Freedom of Information legislation was introduced:

- to enable members of the public to obtain access to official information, to the greatest extent possible, consistent with the public interest and the right to privacy,
- to enable persons to have personal information relating to them, in the possession of public bodies, corrected,
- to provide for the right of access to records held by public bodies,
- to provide for necessary exceptions to that right,
- to provide for assistance to persons to enable them to exercise this right,
- to provide for the independent review, both of decisions of public bodies relating to that right and of the operation of the Acts generally (including the proceedings of such bodies pursuant to this Act) and for those purposes, to provide for the establishment of the Office of Information Commissioner and to define its functions,
- to provide for the publication by public bodies of certain information about them, relevant to the purposes of this Act,
- to amend the Official Secrets Act, 1963,
- to provide for related matters.

The Freedom of Information (FOI) Acts, 1997 and 2003, established three new statutory rights:

- a legal right for each person to access information held by a local authority about them.
- a legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading.
- a legal right to obtain reasons for decisions affecting oneself.

To facilitate the public in accessing this information, Section 15 & 16 of the Freedom of Information Act, 1997 require each public body to prepare, publish and make available information to themselves, the information they hold, and the internal rules and guidelines used in decision making.

This manual lists the rules, guidelines and precedents used by each section of this Local Authority in carrying out its various functions. These functions and a general description of the services provided for the for the public and how they may be availed of are set out in a manual published in accordance with Section 15 of the Freedom of Information Act, 1997 which is also available for inspection.

Copies of the rules, guidelines and precedents, appropriate to each section as listed in this manual are available for inspection at that section free of charge.

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CORPORATE SERVICES AND HUMAN RESOURCES

RULES, GUIDELINES AND PRECEDENTS USED BY THE CORPORATE SERVICES SECTION OF ENNIS TOWN COUNCIL.

Twining

- Local Government (Planning & Development) Act, 1976.
- Local Government Act 1991.

Annual Report

- Local Government Act 1991.
- Department of The Environment L.G. 24/7 (1992)

Malicious Injury Claims

- Malicious Injury Act 1981.
- Malicious Injury (Amendment) Act 1986.

Permit for Events

- Local Policy and Procedure.

Standing Order for meetings of Council

- Application for Enactment's Order 1898 (Article 35)
- Local Government Act 1955 Section 62.
- Local Government Act 1994.
- Local Government Act 2001

Statutory Meeting of Council

- City and County Management Act 1955 – Estimates Meeting.
- Application of Enactment's Order 1898 (Article 35) - Annual meeting of Town Council.
- Application of Enactment's Order 1898 (Article 36) – Quarterly meeting of Town council.
- Standing Order of Council (local) – Ordinary meetings of Councils.
- Procedure at Meetings: Standing Orders

Other Meeting of Council

- Standing Orders – Monthly Meetings.

Payments to Members of Council for attendance at meetings.

- Local Governments Act 1991 Section 51
- Department of Environs Circular Letter L.G. 49/2
- Periodic Department of the Environment and Local Government Circulars – Current Circular EL 221/2A. Circulars amending rates there of.

Health & Safety

- Health, Safety and Welfare at Work Act, 1989. (Various Regulations)

Advertising

- Various statutes regarding obligation to publish statutory notices.
- Value for Money Report.
- Local Policy on Report.

Receipt and Recording of Tenders.

- Local Policy on tender Procedures & City and Country Management (Amendment) Act, 1955

RULES, GUIDELINES AND PRECEDENTS USED BY THE HUMAN RESOURCES SECTION OF ENNIS TOWN COUNCIL.

Determination and control of staff numbers

- Local Government Act 1941
- Local Government Act 1955
- City & County Management Act 1955
- Circular Letter LA (P) 4/96 Devolution of responsibility for personnel matters.

Recruitment of Officers

- LA (P) 6/96 – Employment of People with Disabilities
- Local Government (Offices & Employees) Act 1926
- Local Government Act 1941
- Local Government (Officers) Regulations 1943
- Local Government (Appointment of Officers) Regulations 1974
- Local Government (Appointment of Officers)(Amendment) Regulations 1997
- Department of the Environment Circular Letter E.L. 7/52
- Department of the Environment Circular Letter E.L. 5/67
- Qualifications & Particulars of Office for each grade as set out by the Department of the Environment Heritage and Local Government.
- Department of the Environment Circular Letter LA (P) 4/96
- Devolution of responsibility for personnel matters
- Handbook for Guidance of Interview Board
- Local policy on recruitment of temporary officers.
- Circular Letter LA (P) 3/97 – Restructuring of Clerical/Administrative Grades
- E.L. 7/75 – Regarding of Clerical and Administrative Staff
- Terms of Employment (Information) Act 1994

Recruitment of non-officers

- Local Government Act 1941
- Local Policy on recruitment

Staff Training

- Local Training Programme
- Local Training Policy
- Department of the Environment Fees for third level courses of education LA (P) 6/83 & LA (P) 4/98

Conditions of Employment

- Department of the Environment Circular Letter E.L. 7/52
- Department of the Environment Circular Letter E.L. 5/67
- Department of the Environment Circular Letter 4/79 (re: incremental credit for temporary service)
- Department of the Environment Circular Letter E.L. 3/95
- Department of the Environment Circular Letter E.L. 14/96 – credit for temporary service and previous permanent service for incremental purposes
- Department of the environment Circular Letter E.L. 1/81 (additional increments for post graduate service engineering grades)
- Department of the Environment Fall Back Rule (credit for allowances)
- Department of the Environment rule on promotion of a servant to an officer grade
- LA (P) 10/84 – Local Government (Officers) Regulations 1984

Remuneration

- Circular Letter LA 6/95 – (PRSI)
- Circulars on remuneration issued by the Department of the Environment for all officer and non-officer grades and updated by the Department in line with national wage agreement.

Superannuation

- Local Government (Superannuation Revision) (Consolidation) Scheme 1986 (as amended)

Annual Leave – Non Officers

- Holidays (Employees) Acts 1973 – 1991
- Worker Protection (Regular Part-time Employees) Act 1991.
- Organisation of Working Time Act 1997
- Local Government (Officers) Regulations 1943
- Holidays (Employees) Act 1973 (Public Holidays) Regulations 1993

Sick Leave

- Local Government Officers Regulations 1943
- Department of the Environment Circular 7/52
- Department of the Environment Circular L.A. 6/95 (revised social insurance status and conditions of service of certain local authority officers)
- LA (P) 5/93 Payment of salary to officers on extended sick leave
- Local Sick Pay scheme

Special Leave without pay

- Department of the Environment LA (P) 18/80
- Department of the Environment LA (P) 4/96

Special Leave (Interviews)

- Department of the Environment E.L. 12/71

Special Leave (Compassionate)

- Department of the Environment Circular Letter LA (P) 19/80

Special Leave with pay

- LA (P) 4/96

Study Leave

- LA (P) 18/80

Maternity Leave

- Maternity Protection Act 1994
- Department of the Environment LA (P) 15/81/LA (P) 11/88

Adoptive Leave

- Department of the Environment LA (P) 7/84
- Adoptive Leave Act 1995

Military Training Leave

- LA (P) 10/81

Career Breaks

- Officers of Local Authority LA (P) 12/84 LA (P) 18/84 LA (P) 1/93
- Non officers: LA (P) 7/86

Work Sharing.

- Department of the Environment Circular Letter LA (P) 11/86
- Department of the Environment Circular Letter LG (P) 13/02

Suspension/Termination

- Local Government Act 1941 as amended by Section 18 of the Local Government Act 1955
- Local Government Officers Regulations 1983 L.A. (P) 8/83
- Part (IX) of the Local Government Act 1994
- Department of the Environment Letter LA (P) 8/94
- Ex-gratia payments to officers under suspension Circular LA (P) 4/96

Removal Expenses

- Circular Letter LA 4/96
- Local Government Officers Regulations 1943
- Department of the Environment Circular Letter 13/78
- Department of the Environment Circular Letter 5/84 LA (P) 1/95
- Periodic Department of the Environment Circular Letters – revising rates

Travelling Expenses

- Local Government (Officer) Regulations 1943
- Department of the Environment Circular Letter 7/52 as revised by [periodic circular letters affecting rates

Subsistence Allowances

- Local Government (Officers) Regulations 1943
- Department of the Environment Circular Letter 7/52 as revised by periodic circular letters affecting rates

Allowances – Non Officers

- Circular Letter EL 20/87
- Eating-on-Site Allowance

Overtime

- Department of the Environment Circular Letter LA (P) 3/80
- Department of the Environment Circular Letter EL 1/89
- Department of the Environment Circular Letter EL 17/97

Secondment

- Circular Letter EL 15/70
- LA (P) 4/96

Industrial Relations

- Industrial Relations Acts 1946-1990
- Local Grievance and Disciplinary Procedure Policy Document.

KEY LEGISLATION.

Application of Enactments Order 1898.
Local Government (Ireland) Act 1898.
Local Government (Officers & Employees) Act 1926.
Local Government Act 1941.
Local Government Act 1946.
Local Government Act 1955.
City & County Management (Amendment) Act 1955.
Local Government No. 2 Act 1960.
Employment Equality Act 1977.
Local Government (Reorganisation) Act, 1985.
Safety Health & Welfare at Work Act, 1997.
Industrial Relations Acts 1946 – 1990.
Minimum Notice and Terms of Employment Act 1973 to 1991.
Worker (Protection (Regular Part-Time Employees) Act 1991.
Local Government Act 1991.
Unfair Dismissals Act 1977 – 1993.
Local Government Act 1994.
Terms of Employment Information Act 1994.
Maternity Protection Act 1994.
Organisation of Working Time Act 1997.
Roads Act 1993 to 1998.
Local Government Act 1998.
Employment Equality Act 1998.
Local Government Act 2001.
Local Government (Officers) Regulations 1943 – 1997.
Local Government Act, 1991 (Removal of Control) Regulations 1993.
Local Government (Expenses of Local Authority Members) Regulations 1993 – 1995.

HOUSING AND BUILDING

RULES, GUIDELINES AND PRECEDENTS USED BY THE HOUSING SECTION OF ENNIS TOWN COUNCIL.

LOCAL AUTHORITY HOUSING

(Department of the Environment's Handbooks:

1. A Plan for Social Housing, and
2. Social Housing The Way Ahead are relevant guidelines in the delivery of the services)

Assessment of Housing Needs.

- Assessment of Housing Needs Circular, N9/88 as amended.
- Assessment of need for housing accommodation and the number of homeless persons Circular N14/95.
- Local Authority Housing Waiting List Circular N7/93.

Provision of Local Authority Housing:

- Assessment of Housing Needs.
- Department of the Environment Annual Housing Start Allocation
- Regard will be given to the Governments Plan for Social Housing.
- Standard of construction in accordance with Department of Environment Memorandum on the procedures to be followed and the standards to be applied in providing Local Authority Circular N8/82
- Department of the Environment Social Housing Guidelines – Site Selection Circular N4/97
- Local Authority Housing – provision of demountable dwellings – guidelines Circular N2/89

- Fire safety in local authority dwellings Circular HRT13/89
- Provision of local authority housing Circular N7/92
- Energy conservation in local authority dwellings Circular HRT3/96
- Positioning of letter plates Circular N10/96

Allocation of Housing to Qualified Applicants (lettings):

- Local Authority's Scheme of Letting Priorities.
- Local Authority's Housing Management and Maintenance Policy Statement.

Maintenance of Local Authority Housing.

- Local Authority's Statement of Policy on Housing Management and Tenancy Agreements.
- Management and Maintenance of local authority housing – Circular HRT3/92

Estate Management.

- Local Authority's Statement of Policy on Housing Management.
- Explanatory Memorandum – Circular H5/97
- Management and Maintenance of local authority housing – Circular HRT3/92
- Management of local authority housing – Statements of Policy – Circular HRT 4/93

Rent on Local Authority Dwellings

- Local Authority's Differential Rent Scheme
- Community Employment Programme – Circular HRT12/94

Assistance to those housing themselves.

Department of the Environment's Handbooks

1. A plan for Social Housing and,
2. Social Housing The Way Ahead are relevant guidelines in the delivery of the services)

Tenant Purchase

- Tenant Purchase Scheme 1995 - Circular HRT6/95
- Tenant Purchase Scheme 1995 – Circular HRT13/95
- Consumer Credit Act, 1995 – Circular H8/97
- Sale of houses – Circular HRT 3/98

Improvement Works in Lieu of Local Authority Housing.

- Improvement Works in lieu of Local Authority Housing – Circular N8/91
- Revised limits - Circular H10/97
- Guidelines Circular N4/98

Mortgage Allowance Scheme

- Department Circular, as amended - Circular HRT7/91
- Housing (Mortgage Allowance) Regulations - Circular 1993 H1/93
- Revised limits - Circular HGS4/95
- Eligibility – Circular HGS5/96
- Contractors - Circular HGS2/98

Sale of Sites Scheme

- Department Circular, as amended – Circular N7/91

Voluntary housing

(Department of the Environment's Handbooks

1. A Plan for Social Housing, and
2. Social Housing the Way Ahead are relevant guidelines in the delivery of the services)

Capital Assistance Scheme

- Department of Environment Circular BC3/98, as amended
- Explanatory Memorandum – Circular HGS6/92
- Clarification – Circular HGS1/96
- Revised limits - Circular H10/97

Rental Subsidy Scheme

- Department of Environment Circular HRT8/91, as amended.
- Recoupment of Subsidy – Circular HGS4/92
- Amendments - Circular HRT9/95
- Revised limits - Circular H10/97

Joint Venture Housing

- Department of Environment Circular N7/91, As amended.

Registration of Private Rented Dwellings

- Housing (Registration of Rented Houses) Regulations 1996.
- Standards for Rented Houses Regulations 1993.
- Explanatory Memorandum on (Rent Books) – Circular HRT8/93

Control of Standards of Private Rented Dwellings

- Housing (Standards for Rented Houses) Regulations 1993.

Control of Provision of Rent Books for Private Rented Dwellings.

- Housing (Rent Books) Regulations 1993.

Traveller Accommodation.

- Grants to travellers for first purchase of house – Circular N4/94
- Guidelines for residential caravan parks for travellers - Circular TAU3/97
- Housing of travellers - Circular TAU3/98

Accommodation Options for Homeless People.

- Accommodation of Homeless Persons – Circular N9/91
- Accommodation of Homeless Persons – Circular N8//93

KEY LEGISLATION

Housing Act, 1966

Housing (Miscellaneous Provisions) Act, 1979

Housing Finance Agency Act, 1981.

Housing (Private Rented Dwellings) Act, 1982

Housing Act, 1988

Housing (Miscellaneous Provisions) Act, 1992
Housing (Miscellaneous Provisions) Act, 1997
Housing (Traveller Accommodation) Act, 1998
Housing Regulations, 1980 (As Amended)
Housing (Miscellaneous Provisions) Regulations 1988.
Housing (Rent Books), Regulations, 1993
Housing (Standards for Rented Houses) Regulations, 1993
Housing (Mortgage Allowance) Regulations 1993 – 1998.
Housing (Acquisition of land) Regulations 1966 – 1993.
Housing (Sale of Houses) Regulations 1995 – 1998.
Housing (Registration of Rented Houses) Regulations, 1996

TRANSPORTATION & INFRASTRUCTURE – ROADS SECTION

RULES, GUIDELINES AND PRECEDENTS USED BY THE ROADS SECTION OF ENNIS TOWN COUNCIL.

PROVISION OF ROADS NETWORK

Preparation of Five Years Roads Plan

- Circular letter RW 7/96, as amended

Design of Roads Network

Guidelines for Roads Standards Laid Down by An Foras Forbatha:

- RT 180 Alignments
- RT 181 Junctions
- RT 182 Aesthetics
- Barbour Index

Land Acquisition

- Compulsory Purchase Order Procedure.

Implementation of Environmental Impact Assessment

- S.50 & S.51 of Roads Act, 1993.
- Environment Assessment Regulations, 1994
- Part V of Roads Regulations, 1994 (S.I No. 119/94)
- Planning and Development Act.

Tendering of Contracts for Roads Scheme

- Tender Procedure incorporation E.U. Public Procurement Regulations i.e.
- Works Directive 93/37/EEC, as amended by 97/52/EC
- Supplies Directive 93/36/EEC, as amended by 97/52/EC
- Services Directive 92/50/EEC, as amended by 97/52/EC
- Utilities Directive 93/38/EEC, as amended by 98/4/EC
- Department of Environment Circular Letter BC1/98
- Department of Local Government and National Roads Authority Procurement Policy
- DoELG and National Roads Authority Procurement Policy

Standards of Road Works – Maintenance & improvements

- Department of Environment, Specifications for Road Works
- Department of Environment, Specifications for Surface Dressing
- Road Traffic (Signs) Regulations, 1997 – SI No. 181
- Traffic Signs Manual
- Road Restoration Programme – Circular RW3/97
- Guidelines for Road Programmes – Circular RW7/96

Declaration of Roads to be Public Roads

- S.11 Roads Act, 1993
- Roads Regulations 1994 – Part 2
- S.I No. 119 of 1994
- S.I No. 197 of 1993

Public Lighting

- S.2 of Roads Act, 1993

CONTROL OF ROADS NETWORK

Temporary Closure of Roads.

- S.75 of Roads Act, 1993
- Part VIII of Roads Regulations, 1994
- S.I. No 119 of 1994

Extinguishment of Public Right of Way.

- S.73 Roads Act 1993.

Abandonment of Road

- S.12 Roads of 1993

Works near the roadside.

- S 76 Roads Act 1993

Dangerous Structures, trees, hedges, etc.

- S.70 Roads Act, 1993.

Unauthorised signs, caravans, vehicles on public roads

- S.71 Roads Act 1993.

Obligation to keep drains clear.

- S.76 Roads Act 1993.

Road Opening Licence

- S.13 of Roads Act, 1993

Vehicle Permits

- Article 17, Road Traffic (Construction, Equipment and Use of Vehicles) Regulations, 1963

Damage to Public Roads

- Land Owners and The Roads Act – A guide
- S.13 Roads Act, 1993

Hedge cutting

- Section 70 Roads Act, 1993
- Landowners and The Roads Act – A Guide

Unauthorised Signs, Caravans, Vehicles on Public Roads

- S.71 Roads Act, 1993

TRAFFIC MANAGEMENT

Traffic Management

- Part VI Road Traffic Act, 1994
- Road Traffic (Traffic and Parking) Regulations, 1997
- S.I. No. 182 of 1997
- Road Traffic (immobilisation of Vehicles) Regulations, 1998
- Road Traffic (Signs) (Amendment) regulations, 1998
- Guidance Notes on Road Traffic (Traffic and Parking) regulations 1997
- Car Park Bye-Laws.
- Disc Parking Places Bye-Laws.
- Disposal of income from fines – TC5/95
- Traffic Signs – Circular TC6/96
- Re. Traffic Signs Manual – Circular TC7/96
- Traffic Regulations - Circular TC1/97
- Traffic and Parking – Circular TC4/97
- Cycle facilities – Circular TC4/98
- Re: Immobilisation of vehicles- Circular TC5/98
- Traffic Parking and Signs – Circular TC6/98

Speed Limit Bye-Laws

- Part V of Road Traffic Act, 1994
- Road Traffic (Traffic and Parking) Regulations, 1997
- S.I. No. 182 of 1997

School Warden Service

- Road Traffic Regulations 1975-1990
- A guide to Organisation, Training and Operation of the Junior School Warden Service – National Safety Council.

Determination of Low-Cost Accident Measures

- N.R.A. Circular Letter 28/2/94
- Annual Allocation

School Flashing Lights

- S.95 Road Traffic Act, 1961

Pedestrian Crossings

Department of the Environment Circular Letter DC2/86

Department of the Environment Circular Letter DC1/91

Traffic Calming Measures

- S38 Road Traffic Act, 1994

Hackney/Taxi Licences

- PSV Regulations 1963 to 2001
- Small Public Service Vehicles – Circular Letter DC2/91
- Small Public Service Vehicles – Circular Letter TC4/95
- Small Public Service Vehicles – Circular Letter TC6/95
- Wheelchair Accessible Taxis – Circular Letter TC2/97

Insurances

- Public Bodies Order 1946
- Value for Money Report

KEY LEGISLATION

Local Government (Ireland) Act, 1898.

Local Government Act 1925.

Road Traffic Acts 1961 – 1994

Roads Act, 1993.

Roads (Amendment) Act, 1998

Local Government (Roads & Drainage) Act 1968.

Local Authority (Traffic Wardens) Act 1975.

Arterial Drainage Acts 1945 – 1995

Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998.

Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963 – 1998.

Road Traffic (Removal, Storage and Disposal of Vehicles) Regulations 1983 – 1998.

Road Regulations 1994.

Local Authorities (Traffic Warden) Act 1975 (Section e3) (Offences) Regulations 1997.

Road Traffic (Traffic and Parking) Regulations 1997 and 1998.

Road Traffic (Signs) Regulations 1997 and 1998.

Road Traffic (Immobilisation of Vehicles) Regulations 1998.

TRANSPORTATION & INFRASTRUCTURE – WATER SERVICES

RULES, GUIDELINES AND PRECEDENTS USED BY THE WATER SERVICES SECTION OF ENNIS TOWN COUNCIL.

PROVISION OF WATER AND SEWERAGE SCHEMES

Determination of Needs

- Department of the Environment Circular Letter L1/94

- Priority List for Water and Sewerage

Design of Schemes

- Condoc for water and sewerage civil works contracts (3 June 1996)
- Appointment of Consultants – Circular Letter L9/92

Land Acquisition

- Compulsory Purchase Procedure

Implementation of Environmental Impact Study (where necessary)

- Environment Assessment Regulations, 1994

Tendering

- Public Procurement Guidelines (green book)
- Works Directive 93/37/EEC (as amended)
- Supplies Directive 93/36/EEC (as amended)
- Services Directive 92/50/EEC (as amended)
- Utilities Directive 93/38/EEC (as amended by 98/4/EC)
- Circular Letter BC 1/98

Acquisition of Water Rights/Water Abstraction

- Water Supplies Act, 1942

Wayleaves

- Public Health (Ireland) Act, 1878

Operation & maintenance of water & sewerage schemes.

- Protection of Drinking Water Supplies – Circular Letter L14/92
- Protection of Drinking Water Supplies – Circular Letter L7/98

Water/sewerage charges.

- Disconnection of Domestic Water Supplies – Circular Letter FIN10/96
- Charges – Circular Letter – FIN12/97

Quality

- EC (Water Intended for Human Consumption) Regulations, 1988.
- EC (Quality of Surface Water Intended for the Abstraction of Drinking Water) Regulations, 1989.
- Health (Fluoridation of Water Supplies) Act, 1960.
- EC Directive 76/160 EEC or EC (Quality of Bathing Water) Regulations, 1988 and 1989
- EC Directive 78/659 EEC or EC (Quality of Salmonoid Waters) Regulations, 1988
- EC Directive 79/923 (Shellfish Waters)
- EC Directive 91/271 EEC or EPA Act 1992, (Urban Waste Water Treatment) Regulations, 1994.
- Quality of Surface Water Intended for the Abstraction of Drinking Water Regulations 1989 - Circular Letter L17/89
- Quality of Surface Water intended for the Abstraction of Drinking Water Regulations 1989 – Circular Letter L1/91

Water Conservation

- Water Conservation - Circular Letter L7/96

- Water Conservation – Circular Letter L14/97
- Agenda 21
- EU Guidelines

Connections to Public Water and Sewerage Mains

- Local Government (Sanitary Services) Act, 1962
- Manager’s Order on charges for connections
- Public Health (Ireland) Act, 1878 – section 271: illegal connections

Provision of public convenience.

- Guidelines on siting and design – Circular Letter 7/89

KEY LEGISLATION

Public Health (Ireland) Act 1878 (as amended)

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 (Financial Provisions) Act 1997.

Environmental Assessment Regulations 1994.

E.C. (Quality of Water Intended for Human Consumption) Regulations 1998.

E.C. (Quality of Surface Water Intended for the Abstraction of Drinking Water) Regulations 1989.

E.P.A. Acts 1992 (Urban Waste Water Treatment) Regulations 1994.

DEVELOPMENT INCENTIVES & CONTROLS

RULES, GUIDELINES AND PRECEDENTS USED BY THE PLANNING SECTION OF ENNIS TOWN COUNCIL.

Land use policy

Ennis And Environs Development Plan 2003

Control of development

- Local Government (Planning & Development) Act, 1963
- Local Government (Planning & Development) Act, 1976
- Local Government (Planning & Development) Act, 1982
- EU Directive on EIA – Circular Letter PD111/8/20
- Policy Directive regarding Air Quality Standards – Circular Letter AP2/88
- Notification of planning decisions – Circular Letter PD1/91
- Septic tank and percolation systems – Circular Letter PD1/92
- Notification of certain operations to NRA – Circular Letter NRA1/95
- Exemptions, etc. – Circular Letter PD2/95
- Availability of Documents – Circular Letter PD3/95
- Guidelines for Telecommunications Antennae & Support Structure – Circular Letter PD6/96
- Consultation on Development proposals and fees – Circular Letter PD4/97
- Changes regarding waste management – Circular Letter PD5/97
- Residential Density – Circular Letter PD4/98
- Policy and Retail Shopping Development – Circular Letter PD5/98

Contravention of Development Plan.

- Material Contravention of Development Plan – Circular Letter PU 24/2(1)

Compensation Claims.

- Wider grounds for non-compensation – Circular Letter PD103/16/4

Promotion of industrial, commercial and other development.

- Section 77 of Local Government (Planning and Development) Act, 1963
- Local Government Act, 1991
- Current Development Plan
- Urban Renewal Plan

Local authority as developer

- Local Government (Planning & Development) Act, 2000.

Promotion of Urban Renewal Scheme.

- Rates Remission – Circular Letter UR1/96
- Urban Renewal Scheme – Circular Letter UR3/97
- Urban Renewal Scheme – Circular Letter UR1/98
- Urban Renewal Scheme – Circular Letter UR4/98
- Urban Renewal Scheme – Circular Letter UR7/98
- Urban Renewal Scheme – Circular Letter UR8/98

KEY LEGISLATION

Local Government (Planning & Development) Act, 1963
Local Government (Planning & Development) Act, 1976
Local Government (Planning & Development) Act, 1982
Local Government (Planning & Development) Act, 1983

Local Government (Planning & Development) Act, 1990
 Local Government (Planning & Development) Act, 1992
 Local Government (Planning & Development) Act, 1993
 Local Government (Planning & Development) Act, 1998
 Local Government (Planning & Development) Act, 2000
 Local Government (Planning & Development) Regulations, 1994 S.I. 86/94
 Local Government (Planning & Development) Regulations, 1995 S.I. 69/95
 Local Government (Planning & Development) (No.2) Regulations, 1995 S.I. 75/95
 Local Government (Planning & Development) Regulations, 1996 S.I. 100/96
 Local Government (Planning & Development) Regulations, 1997 S.I. 78/97
 Local Government (Planning & Development) (No.2) Regulations, 1997 S.I. 121/97
 Local Government (Planning & Development) (No.3) Regulations, 1997 S.I. 261/97
 Local Government (Planning & Development) (Fees) (Amendment)
 Regulations, 1998 S.I. 119/98
 Local Government (Planning & Development) Regulations, 1998 S.I. 124/98
 Local Government (Planning & Development) (Fees) (Amendment)
 (No. 2) Regulations, 1998 S.I. 128/98
 Local Government (Planning & Development) (No. 2) Regulations, 1998 S.I. 194/98
 Local Government (Planning & Development) Regulations 2001
 Local Government (Planning & Development) General Policy Directive
 (Shopping) 1998 S.I. 193/98
 D.O.E Circular Letter PD 2/92 – Planning Applications with Employment Potential
 D.O.E. Circular Letter SR 6/91 – Septic Tank & Percolation Systems – revisions of standards
 recommendations

ENVIRONMENTAL PROTECTION

RULES, GUIDELINES AND PRECEDENTS USED BY THE ENVIRONMENT SECTION OF ENNIS TOWN COUNCIL.

Litter control

- Litter Act, 1982
- Litter Pollution Act 1997
- Anti-Litter Action Plan, 1997
- Litter Pollution Regulations 1997.
- Litter Pollution Regulations, 1999 (S.I.359 1999)
- Litter Action Plan, Department of the Environment and Local Government.
- Taking Pride in our Environment, A National Anti-Litter Strategy, Report of the National Anti-Litter Forum

Derelict Sites

- Derelict Sites Act, 1990
- Derelict Sites Regulations, 1990 to 1992.

Water pollution

- Water Pollution Act, 1977
- Water Pollution (Amendment) Act, 1990
- Local Government (Water Pollution) Regulations, 1978
- Local Government (Water Pollution) Regulations, 1992
- Local Government Water Pollution Regulations, 1996
- EPA Act, 1992, (Urban Waste Water Treatment), Regulations, 1994
- Protection of Ground Water Regulations, 1999 (S.I. No 41 1999)
- Local Government (Water Pollution) (Amendment) Regulations 1999
- Bye-Laws under the Local Government Act, 1994 and the Local Government (Water Pollution) (Amendment) Act 1990

Air pollution

- Air Pollution Act, 1987
- Air Quality Standards Regulations 1987 (S.I. No.224 1987)
- Air Pollution Act, 1987 – (Municipal Waste Incineration) Regulations, 1993
- Air Pollution Act, 1987 – (Petroleum Vapour Emissions) Regulations, 1997
- EPA Act, 1992 (Control of Volatile Organic Compound Emissions resulting from petrol storage and distribution) Regulations, 1997
- Air Pollution Act, 1987 (Marketing, Sale & Distribution of Fuels) Regulation, 1998

Noise pollution

- Section 106 Environmental Protection Agency Act, 1992
- Environmental Protection Agency Noise Regulations, 1994

Oil pollution

- Water Pollution Act, 1997
- Water Pollution (Amendment) Act, 1990

Monitoring of water quality

Drinking Water

- Drinking Water: E.C. (Quality of Water Intended for Human Consumption) Regulations, 1998
- Drinking Water: E.C. (Quality of Surface Intended for Abstraction of Drinking Water) Regulations, 1989
- Department of the Environment Handbooks on above Regulations.
- European Communities (Drinking Water) Regulations 2000 (S.I. No 439 of 2000) Bathing Water
- Quality of Bathing Water Regulations, 1988 (S.I. No. 84 1998)
- Quality of Bathing Water (Amendment) Regulations, 1989 (S.I. No 89 of 1989)
- Quality of Bathing Water (Amended) Regulations 1994
- Quality of Bathing Water (Amended) Regulations 1996

Environmental protection initiatives

- Environmental Priming Grant – Environment & Amenity works
- Best Kept Schools Competition.

Safety of structures & places

- Dangerous Structures – Sanitary Services Act, 1964
- Water Safety – Sanitary Services Act, 1964 and Annual D.O.E Circulars
- Dangerous Substances – Dangerous Substances Act, 1979
- Dangerous Substances (Retail & Petroleum) Stores Regulations, 1979
- Dangerous Substances (Retail & Petroleum) Stores (Amendment) Regulations 1988
- Dangerous Substances Act, 1972 – Guide to the storage or keeping of petroleum spirit
- Dangerous Substances Act, 1972
- Dangerous Substances (Conveyance of Petroleum by Roads) Regulations, 1979
- Dangerous Substances (Oil Jetties) Regulations, 1979
- Dangerous Substances (Bulk Storage) Regulations 1979
- Dangerous Substances (Licensing Fee) Regulations 1979
- Dangerous Substances (Conveyance of Scheduled Substances by Road) (Trade of Business) Regulations, 1980
- E.U. control of Major Accident Hazards involving Dangerous Substances Regulations, 2000 S.I. 476 of 2000

Control of Dogs

- Control of Dogs Act, 1986
- Control of Dogs (Amendment) Act, 1992
- Control of Dogs Act, 1986 (Guard Dogs) Regulations, 1988
- Control of Dogs Act, 1986 (Restriction of Certain Dogs) Regulations, 1991
- Litter Pollution Act, 1997

Control of Horses

- Control of Horses Act, 1996

Abattoirs

- Slaughter of Animals Act, 1935
- Abattoirs Act, 1988
- Abattoirs Act 1988, Veterinary Regulations, 1992
- Health Mark Regulations, 1992
- Diseases of Animals Act, 1966 & 1979
- Abattoirs Act, 1988, Abattoirs Regulations 1989 & 1997

- E.C. (Fees for Health Inspection & Control of Fresh Meat) Regulations 1955
- Diseases of Animals (Bovine Spongiform Encephalopathy) (Specific Risk Material) Order, 1997.
- Abattoirs Act, 1988 (Veterinary Examination) (Amendment) (No.2) Regulations 1998
- Control of Animal Remedies and their Residues Regulation, 1998.

Milk & Dairies.

- Milk and Dairies Acts 1935 & 1956
- Milk and Dairies Regulations, 1938 – 1962
- E. C. Production Processing & Placing on the Market of Milk & Milk based Regulations

Casual trading

- Casual Trading Act, 1995
- Casual Trading Bye-Laws

Access to information – environment

- Access to information on the Environment Regulations, 1993
- Access to information on the Environment Regulations, 1996
- Access to information on the Environment Regulations, 1998
- European Communities Act, 1972 (Access to Information the Environment) Regulations, 1998
- Integrated Pollution Control Licensing – Environmental Protection Agency Act, 1992 (Established Activities) Order 1988

Environmental impact assessment

- European Communities (Environmental Impact (Assessment) Regulations 1989
- European Communities (Environmental Impact (Assessment) (Amendment) Regulations 1994
- European Communities (Environmental Impact (Assessment) (Amendment) Regulations 1996
- European Communities (Environmental Impact (Assessment) (Amendment) Regulations 1998
- European Communities (Environmental Impact (Assessment) (Amendment) Regulations 999
- Directive 97/11/EC
- Directive 85/337/EEC

Foot and mouth

- S.I No. 56 OF 2001
- Diseases of Animals (Restriction of Movement of Animals) Order, 2001 including movement permit.
- Foot and Mouth Outbreak – Construction Contracts
- Containment of threat of Foot and mouth Disease – Road Haulage operators and bus and coach passengers operations.
- Recommendations of the expert group in relation to Foot and Mouth Disease controls. (1) and (2)
- Guidance note on emergency disposal of animals arising from the recent Foot and Mouth Disease outbreak.
- Protocol for Department of the Environment and Local Government Infrastructure works in Rural Areas
- Updated Guidance Note on emergency disposal of animals.

KEY LEGISLATION.

Public Health (Ireland) Act 1878.
Local Government Water Pollution Act 1977.
Local Government (Financial Provisions) Act 1983.
Control of Dogs Act 1986.
Air Pollution Act 1987.
Local Government Water Pollution (Amendment) Act 1990
Derelict Sites Act 1990.
Environmental Protection Agency Act 1992.
Roads Act 1993.
Casual Trading Act 1995.
Waste Management Act 1996.
Control of horses Act 1996.
Environmental Protection Agency Act 1997.
Litter Pollution Act 1997.
Waste Management (Amendment) Act 2001.
Local Government (Planning and Development) Regulations 1994 to 2001.

FINANCE

RULES, GUIDELINES AND PRECEDENTS USED BY THE FINANCE SECTION OF ENNIS TOWN COUNCIL.

Requirement to prepare the Budget

- City and County Management Act 1955

Dates and Estimates Meeting

- Public Bodies (Amendment) Order 1993

Power to borrow Money and Authorise Overdraft Facilities

- Local Government (No 2) Act 1960

Power to Levy Charges For Services

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

Value for Money

- Local Government Act 1991
- Local Government (Financial Provisions) Act 1997

Co-ordination of Accounts and Procedures

- Local Government Act 1941
- Officers Regulations 1943
- County Management Acts 1940-1942
- Public Assistance Act 1936

Remuneration

- Department Circulars issued by Department of Environment on line with National Agreements.

Sick Pay –Local Scheme

Overtime

- Department of Environment Circular LA/P 3/80

- Department of Environment Circular EL 1/89
- Department of Environment Circular EL 17/97

Holiday Pay Entitlements

- Holiday Pay (Employees Act) 1973
- Regular (Part-Time) Employees Act 1991

Recoupment Rates For Officers

- Circular S16/96

Starting Pay on Promotion

- Circular EL 5/67
- Circular EL 4/79
- Circular EL 18/97

Incremental Credit – Temporary Staff

- Circular EL 3/95

Acting Allowances

- Circular EL 9/96
- Paragraph 52 Appendix to Circular LA/P 4/96
- Circular S17/97 (Superannuation of Acting Allowances)

Introduction of full P.R.S.I

- Circular CL 695 LAS

P.A.Y.E

- Employer's Guide as issued by Revenue Commissioners
- Employer's Guide as issued by the Department of Social Welfare.

P.R.S.I. – SW

- 14-April 1998 Issue (PRSI 3) issued by the Department of Social Welfare

Sub-Contractors and Withholding Tax

- Taxes Consolidation Act 1997

Water Charges.

- Public Health Act 1878
- Local Government Act 1962
- Financial Provisions Act 1983
- Local Government (Delimitation of Water Supplies/Disconnection Powers) Act 1995
- Financial Provisions Act 1997 and Circular Fin 12/97

Waiver of Charges

- Circular Fin 9/83
- Circular Fin 13/83
- Circular Fin 12/85
- Circular Fin 27/85

Funding Arrangements

- Local Government (Financial Provisions) Act 1997

Payment of wages and salaries to staff

- Payment of Wages Act 1991
- Holidays (Employees) Act, 1973 and 1991
- Workers Protection (Regular Part-Time Employees) Act, 1991
- Public Bodies Order 1946-1993
- Various Finance Acts.
- Local Government Officers Regulations, 1943
- Rates of Wages and Salaries – Circulars EL6/98, LA/P 4/96
- Payment of Acting Allowances – Circular S17/97
- Payment of Overtime – Circulars LA/P 3/80, EL 1/89, EL 17/97
- Starting on Pay on Promotion – Circulars EL5/67, EL 18/97, EL19/97
- Increments for Temporary Staff – Circulars EL3/95, EL 14/96
- Allowances for Outdoor Staff: Listing of Rates of Allowances
- P.A.Y.E. Employers Guide – Edition No.7
- P.R.S.I. Employers Guide – SW3
- Sick Leave (Officers)- Circular LA (P) 17/80 and Local Government Officers Regulations, 1943
- Sick Leave (Employees)- Local Authorities Sick Pay Scheme.
- Special Leave – Circulars EL 59/75, LA/P18/80,LA/p 19/80, LA/P 11/81, LA/P 10/82, LA/P 18/94, LA/P 13/85, LA/P 7/86, 11/86, LA/P 12/88, LAP1/93 LA/P 4/96
- Holiday Pay Employees – Holidays (Employees) Act 1973 and Worker Protection (Regular Part –Time Employees) Act, 1991
- Computer Payroll System: LGCSB User Manual
- Local Interpretations, Procedures and Practices

Payment for goods & services (creditors payments)

- Public Bodies, 1946 – 1993
- Local Government Act, 1991
- Prompt Payment of Accounts Act, 1997
- Local Government (Expenses of Local Authority Members) Regulations, 1993
- General – Local Authorities Payment Procedures and Circular Fin 17/97
- Tax Clearance – Circular BC 5/95 and Circular 22/95 (Department of Finance)
- Withholding Tax – Revenue Commissioners Notes for Guidance of Accountable Pension in relation to Withholding Tax on Professional Services. Relevant Contracts Tax: Revenue Commissioners Explanatory Notes for Principal Contractors.
- Members Expenses – Guidelines on New System of Councilors Expenses and Circulars LG 2/95, LG 8/97, EL 13/97, EL 15/97.
- Travelling and Subsistence Allowances – Circulars EL 7/52, EL 13/97, EL 16/97, EL 2/98, EL 1/99, EL 8/01.
- Local Interpretations, Procedures and Practices.

Payment of pensions to former staff of Ennis town council and spouses & children, where applicable.

- Local Government Superannuation Act, 1980.
- Local Government (Superannuation) (Gratuities) Regulations, 1984.
- Pensions Increases – Circular S7/87
- Local Government (Superannuation Revision) (Consolidation) Scheme, 1986
- 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 & Children Contributory Pension) Scheme.

Estimate of expenses

- City and County Management (Amendment) Act, 1955
- 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, 1994
- Public Bodies Orders, 1946-1993

Annual financial statement

- Public Bodies Orders, 1946 – 1993
- Local Government (Financial Provisions) Act, 1997

Audit of accounts

- Public Bodies Order 1946

Collection of commercial rates – rate book:

- The Grand Juries (Ireland) Act 1836
- The Poor Relief (Ireland) Act 1838
- The Valuation (Ireland) Act 1852
- The Valuation (Ireland) Act 1854
- The Local Government Act 1941
- The Local Government Act 1946
- The Local Government (Financial Provisions) Act 1978
- The Valuation Act 1988
- Urban Renewal Acts 1986 – 1998
- Public Bodies Order 1946

Collection of water rates:

- Public Health Act 1878
- Local Government (Sanitary Services) Act 1962
- Local Government (Financial Provisions) Act 1983
- Local Government (Delimitation of Water Supplies Disconnection Powers) Act 1995
- Financial Provisions Act 1997 – Circular Fin 12/97

Collection of refuse charges:

- Public Health Act 1878
- Public Health (Amendment) Act 1907
- Local Government (Financial Provisions) Act 1983.

KEY LEGISLATION.

County Management Acts 1940-1942

Local Government Act 1941

City and County Management (Amendment) Act, 1955

Local Government (No 2) Act 1960

Local Government Act 1962

Local Government (Financial Provisions) Act 1978

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

Valuation Acts 1852 – 1988.

Local Government Superannuation Act 1991

Local Government Act 1991.

Local Government Act, 1994

Prompt Payment of Accounts Act 1997.

Local Government (Financial Provisions) Act, 1997

Local Government Act, 2001.

Public Bodies Orders, 1946-1993