



**NOTIFICATION TO ATTEND MEETING OF THE TRAFFIC AND TRANSPORT SPC
ON WEDNESDAY 8 NOVEMBER 2023 AT 3.00 PM**

**THE MEETING IS A HYBRID FORMAT AND WILL BE HELD
IN THE COUNCIL CHAMBER, CITY HALL, DAME STREET, DUBLIN 2.
AND ONLINE VIA ZOOM**

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AGENDA

WEDNESDAY 8 NOVEMBER 2023

		PAGE
1	Minutes of the Traffic and Transport Strategic Policy Committee Meeting dated 13th September, 2023	3 - 48
	a Minutes of the Public Transport Sub Committee Meeting dated 22nd June, 2023	49 - 50
	b Minutes of the Walking and Cycling Sub Committee Meeting dated 3rd July, 2023	51 - 55
2	Finance SPC request for discussion at the Traffic and Transport SPC on the issue of congestion charges for Dublin City.	56 - 57
3	Report on Draft Dublin City Council Parking Control Bye-Laws 2024	58 - 81
4	Guidelines on Traffic Works Procedures - Section 38 of the Road Traffic Act (1994)	82 - 108
5	Active Travel Programme - Update	109 - 115
6	AOB	



**MINUTES OF THE TRAFFIC AND TRANSPORT SPC
HELD ON WEDNESDAY 13 SEPTEMBER 2023**

- 1 Minutes of SPC meeting of 7th June , 2023

Agreed

- 2 Minutes of the Public Transport Subcommittee - 11th May 20233

Agreed

- 3 Draft City Centre Transport Plan. Presentation by Brendan O'Brien, Executive Manager & Hugh Creegan National Transport Authority **4 - 46**

Copy of presentation attached

The Plan was broadly welcomed by members and questions where mostly asking for greater detail on issues such as:

- Funding/Budget
- Locations of Bus Gates
- Modelling information
- Blue Badge Access
- Clarity on Traffic Free Street V Pedestrian Zones
- Effect of the changes on outer areas of the city

Detailed engagement with the business community was requested along with a Delivery Strategy for the City

Brendan O'Brien said all particulars of the plan would be detailed over time. He said the report sets out an implementation programme with some traffic management changes listed for 2024 and 2025 and that while big changes are proposed for the city, they are in line with the policy voted on by Dublin City Council Members in the Development Plan to move to a more traffic free environment for the City

The public engagement will take place through the online consultation

Hugh Creegan of the NTA stated that both public and political acceptance is required and that funding is available for the projects.

Mr Creegan also informed the members that Bus Levels are now back above pre pandemic levels and the only major issue in providing services is recruitment of drivers.

- 4 Report on the Bike Bunker scheme and recommendations for how this scheme should be implemented.

Jennifer McGrath, Senior Executive Engineer

A number questions arose including:

Q - Colm Ryder highlighted issues regarding cost, and the issue of equity, where annual car parking fees are currently half the cost of Bike Bunker fees.
Reply: The costs are up for review

Q - Cllr Michael Pigeon asked that the tender process be provided.
Reply: The tender will be published in Quarter 4 following agreement at today's meeting.

Q - Cllr Ray McAdam questioned on why there were delays in delivering the project.
Reply: Staff resources is the reason for delays, which hopefully hiring a service provider will alleviate.
The target of a minimum delivery of 50 bunkers a year over a three year period will be sought from a service provider.

Q - Cllr Horner asked about the budget and if more funding was needed and also about targeted theft
Reply: The budget has not been agreed until tender details agreed today

Q - Martin Hoey asked about charging arrangements
Reply such matters are up for consideration

**The following recommendation was agreed:
that the policy of Dublin City Council will be to continue to roll out the "Bike Bunker " scheme in the manner set out above i.e. by contracting a third party to work with DCC to provide this scheme on a city wide basis subject to funding."**

- 5 Dublin City Council Road Safety Strategy

Colm Ryder highlighted the ongoing issues regarding access to good data on traffic incidents. Asking that the executive of DCC should take the lead on sorting this issue.

Order: Reports and Recommendations noted and agreed.

- 6 Active travel Programme Office update report - Christopher Manzira

Order: Update Report noted

- 7 Make Way day presentation - Disability Federation of Ireland

Order: Presentation Noted

8 Motion in the name of Councillor Janet Horner, Carolyn Moore, Michael Pidgeon & Caroline Conroy

Members agreed to a workshop to be held with Councillors in the context of what was proposed in the motion.

Councillor Noeleen Reilly
Chairperson
Wednesday 13 September 2023

ATTENDANCE:

SPC Members:

Chair, Councillor Noeleen Reilly; Councillor Daniel Céitinn; Councillor Caroline Conroy; Councillor Deirdre Conroy; Councillor Keith Connolly; Councillor Anne Feeney; Councillor Mannix Flynn; Councillor Jane Horgan Jones; Councillor Janet Horner; Councillor Paddy McCartan; Councillor Larry O'Toole; Councillor Michael Pidgeon.

Mr Martin Hoey, Public Participation Network; Mr Colm Ryder, Dublin Cycling Campaign; Richard Guiney, Dublin Town, Mr Keith Gavin, Irish Parking; Gary Kearney, Public Participation Network;

Non-Members:

Councillor Ray McAdam; Councillor Donna Cooney.

Dublin City Council Staff:

Brendan O'Brien, Head of Technical Services (Traffic);
Christopher Manzira, Deputy Director for the Active Travel Programme Office;
Michelle Murphy, Senior Executive Planner, Active Travel Programme Office;
Claire French, Senior Executive Engineer, City Centre Transport Projects;
Jennifer McGrath, Senior Executive Engineer, Micro Mobility Unit;
William Mangan, A/Senior Executive Engineer, Road Safety Section;
Rossana Camargo, Executive Engineer, Road Safety Section;

Ciarán McGoldrick, Senior Staff Officer; Mary Boyle a/Senior Staff Officer;
Michael Mann, Staff Officer; Edel Joy, Staff Officer; Fergal McKay, Assistant Staff Officer.

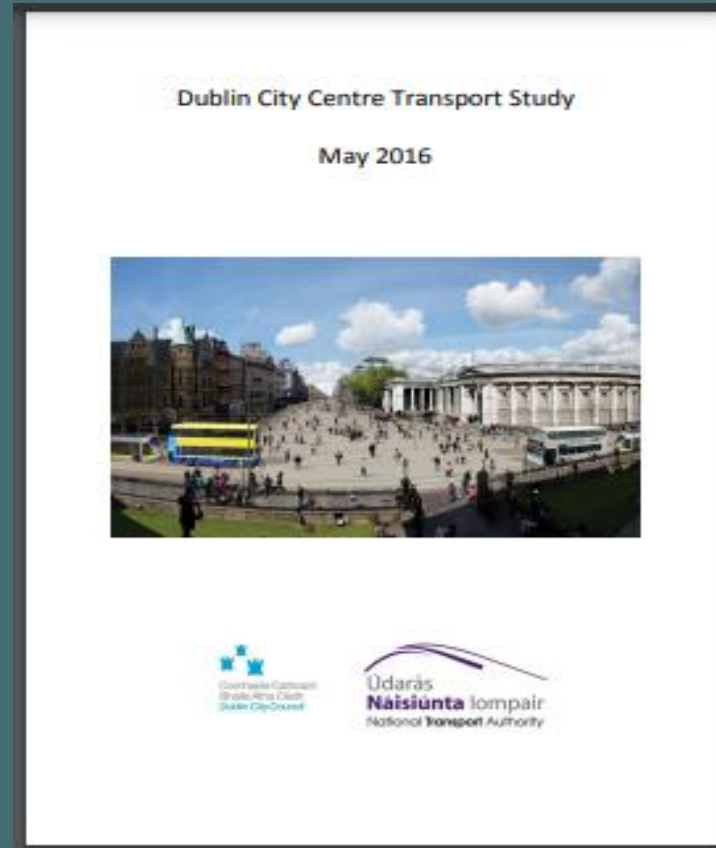
DRAFT DUBLIN CITY CENTRE TRANSPORT PLAN 2023

Transportation SPC Briefing September 2023 Brendan O'Brien Hugh Creegan NTA

Page 6



City Centre Transport Study 2016



2015: Dublin City Council and the NTA published a draft City Centre Study which set out a series of proposals and objectives for City Centre Transport until 2023

2016: A final report was published following an extensive consultation process

City Centre Transport changes 2016 - 2023

Successful introduction of Luas Cross City

- Dawson Street traffic calmed
- Public Transport only section from Duke Street to Westmoreland Street



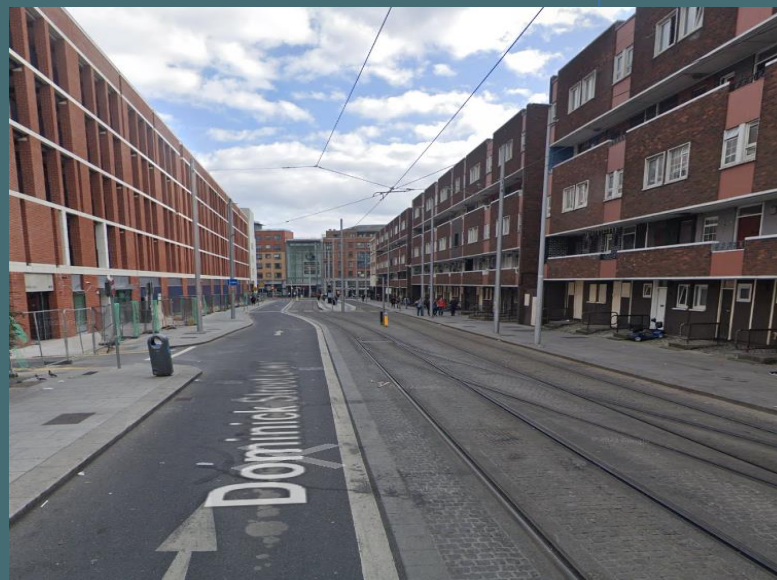
City Centre Transport changes 2016 - 2023

- Suffolk Street Traffic Free
- Broadstone Plaza

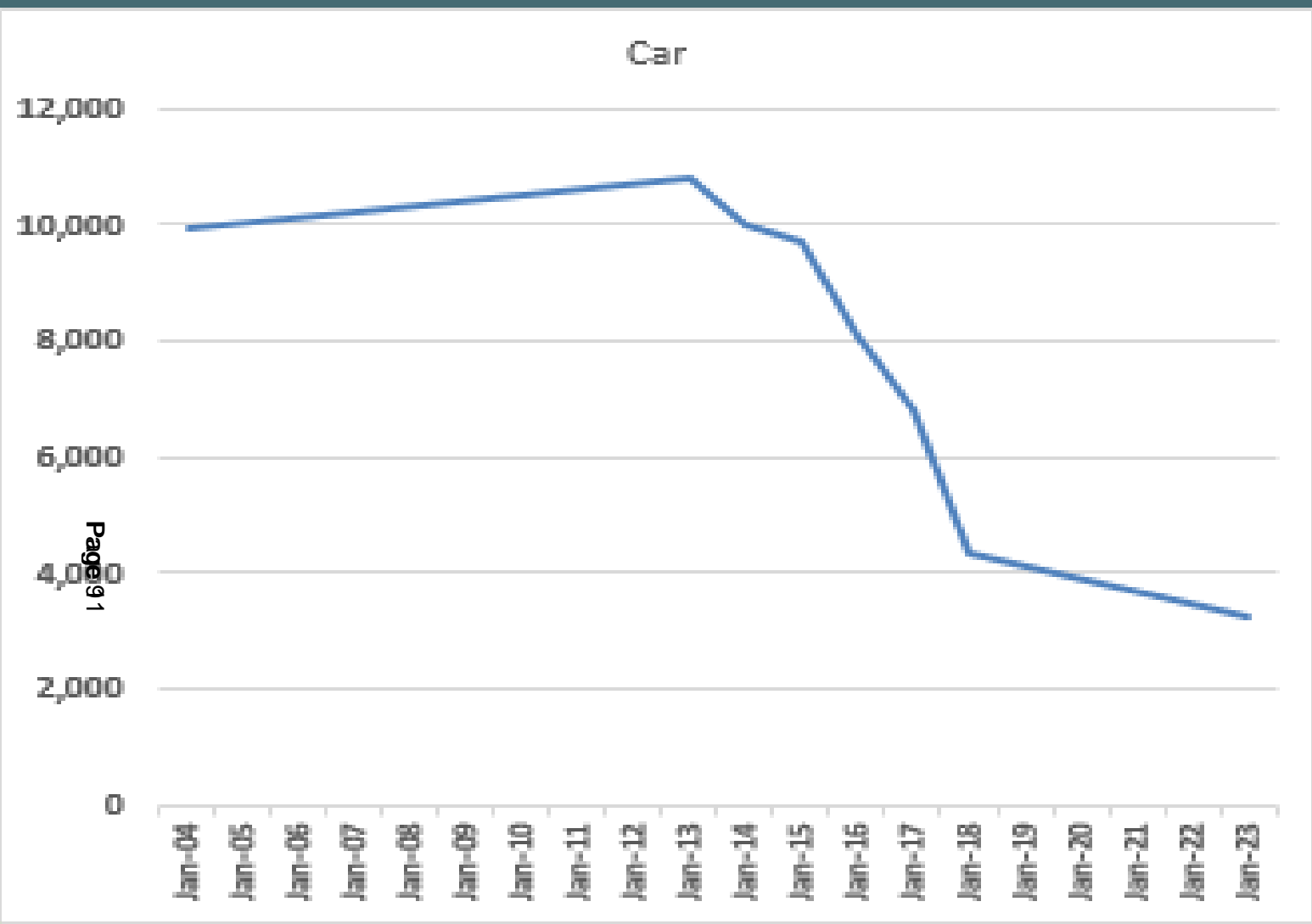


City Centre Transport changes 2016 - 2023

- Numerous traffic Changes required across the city
 - Stephen's Green North East/ Merrion St
 - Kildare Street
 - Grafton Street Lower two way PT
 - Kildare Street 2 way with PT lane
 - Double Bus Lane Introduced North Quays and Bus Signals
 - Bus Lane South Quays
 - Dominick Street one way



City Centre Transport changes 2016 - 2023



Bachelors Walk 2004 – 2023 Car numbers: 68% reduction

City Centre Transport Plan 2023

The Dublin City Development plan 2022- 2028 has the following Objective

It is an Objective of Dublin City Council:

Page 10

SMT05

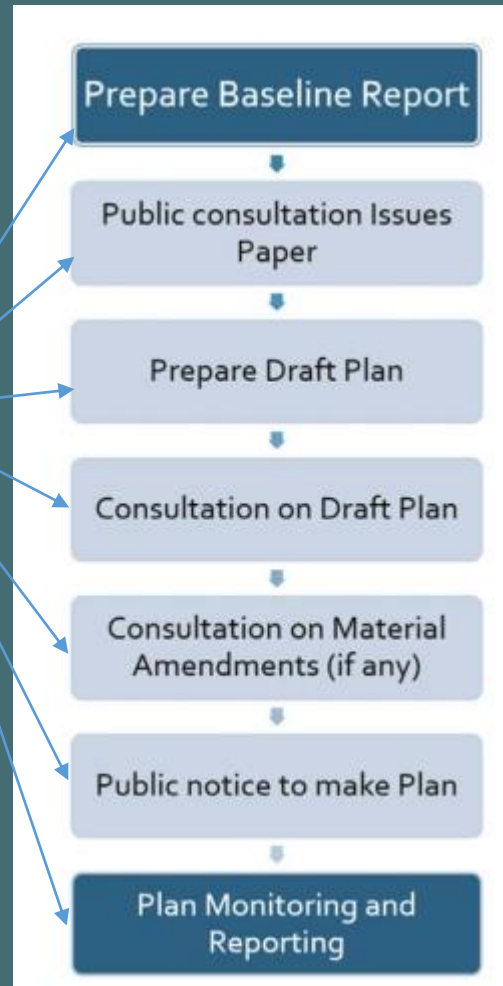
Review of the City Centre Transport Study

To review the City Centre Transport Study 2016 in collaboration with the NTA in the lifetime of the plan, setting out a clear strategy to prioritise active travel modes and public transport use, whilst ensuring the integration of high quality public realm.

What is the Dublin City Development Plan 2022-2028

Section 10(1) of the Planning Act states that:

"A development plan shall set out an overall strategy for the proper planning and sustainable development of the area of the development plan and shall consist of a written statement and a plan or plans indicating the development objectives for the area in question."



Steps in the preparation of the Development Plan

Elected Members as Decision-Makers

The adoption, or 'making' of the Development Plan is the responsibility of the elected members (City Councillors) and is a reserved function under Section 12 of the Planning and Development Act.

The City Development Plan was adopted in November 2022

Dublin City Development Plan 2022-2028

It is an Objective of Dublin City Council:

SMT01

Transition to More Sustainable Travel Modes

To achieve and monitor a transition to more sustainable travel modes including walking, cycling and public transport over the lifetime of the development plan, in line with the city mode share targets of 26% walking/cycling/micro mobility; 57% public transport (bus/rail/Luas); and 17% private (car/van/HGV/motorcycle).

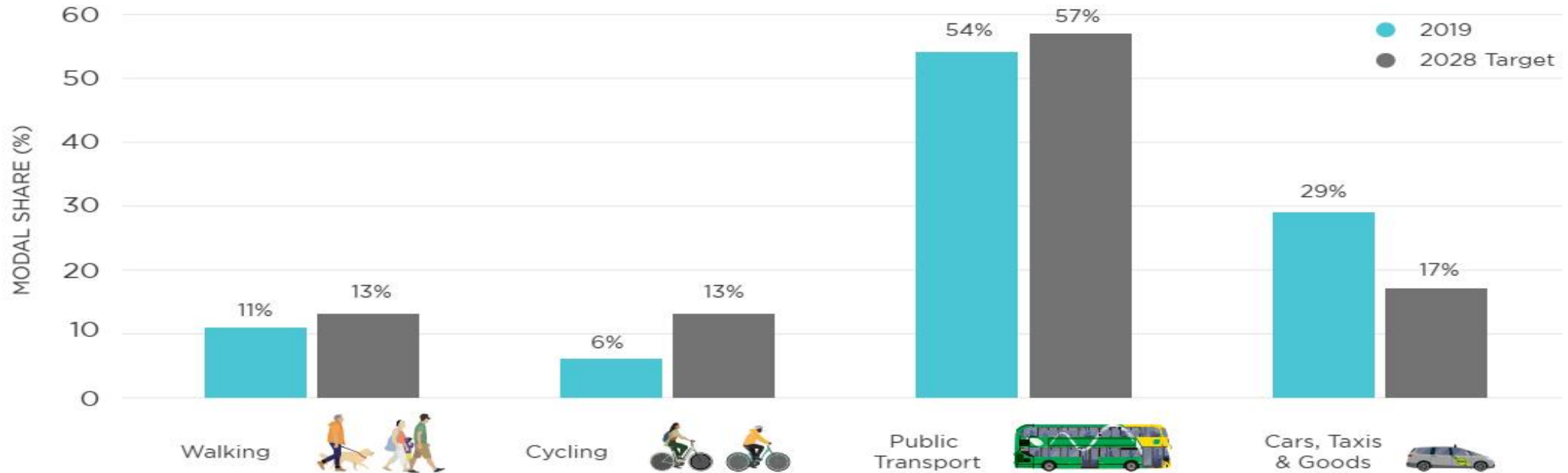


Figure 2.1 - 2028 Development Plan Target Outcome

Dublin City Development Plan 2022-2028

It is the Policy of Dublin City Council:

SMT1	Modal Shift and Compact Growth To continue to promote modal shift from private car use towards increased use of more sustainable forms of transport such as active mobility and public transport, and to work with the National Transport Authority (NTA), Transport Infrastructure Ireland (TII) and other transport agencies in progressing an integrated set of transport objectives to achieve compact growth.
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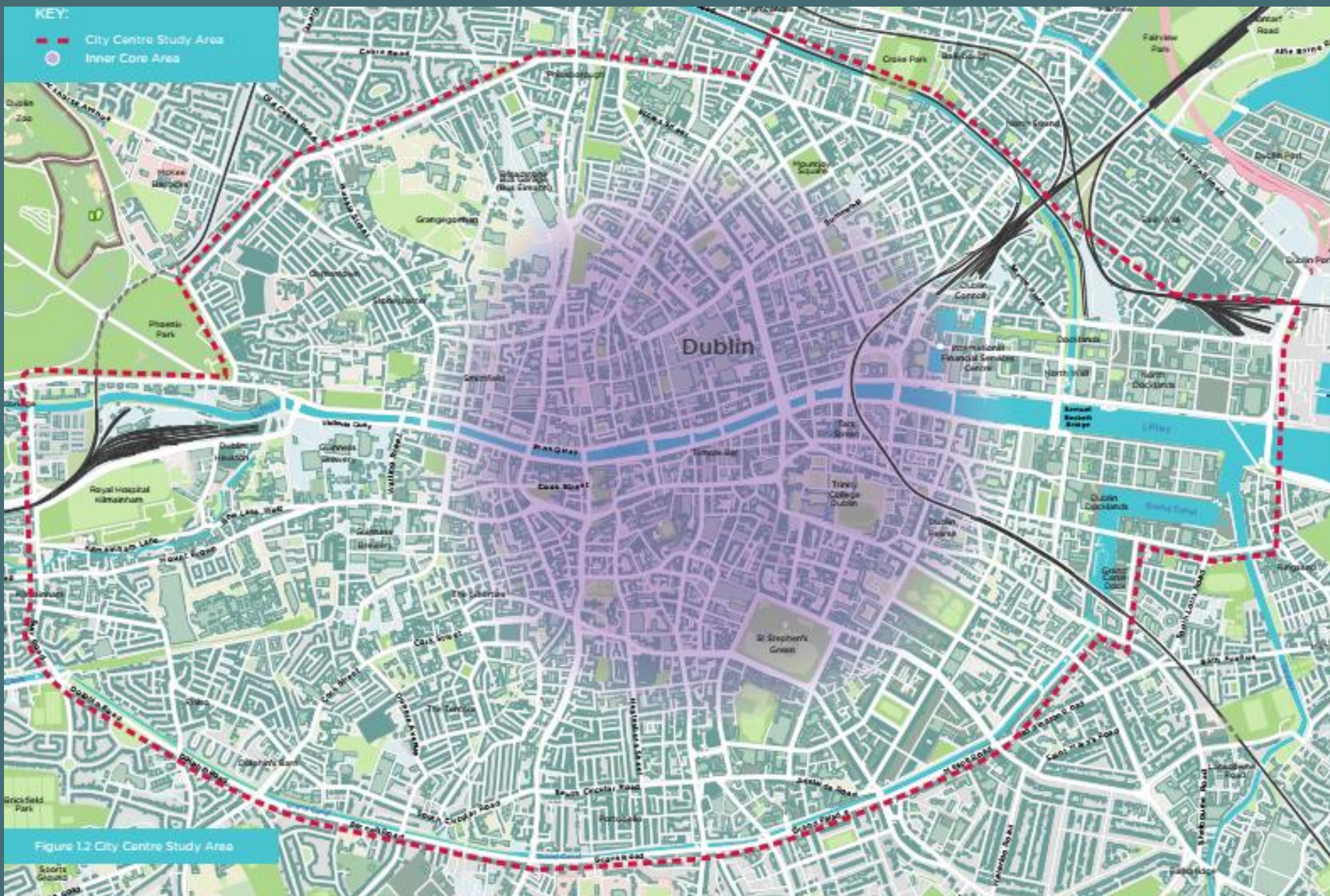
Page 8
These Development Plan targets translate into the following objectives:

- **Reduce cars numbers in the city by 21,500 (Based on 2019 numbers)**
- **Increase PT, walking and cycling numbers by 47,000**

These targets will require significant change in the city centre, focusing on prioritizing Public Transport Walking and cycling

Currently roughly 6 of every 10 cars entering the core City Centre across the day are passing through to external destinations (7am – 7pm).





City Centre Plan 2023

The purpose of this plan is to identify and prioritise changes to the current transport arrangements which are necessary to fulfil the vision of the city set out in the City Development Plan and adopted by the Elected Members.

It is the Policy of Dublin City Council:

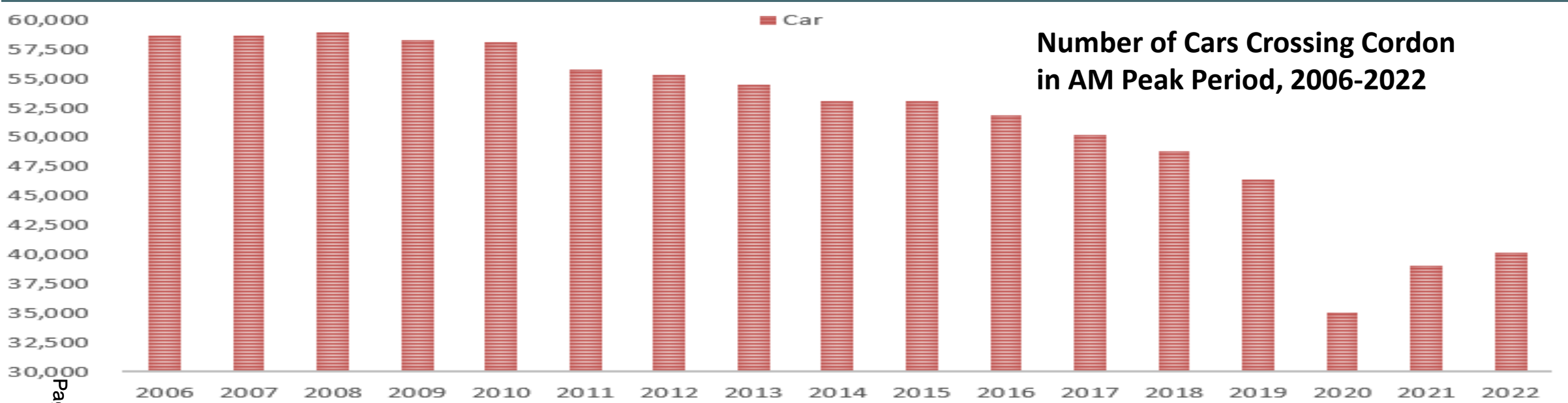
SMT3

Integrated Transport Network

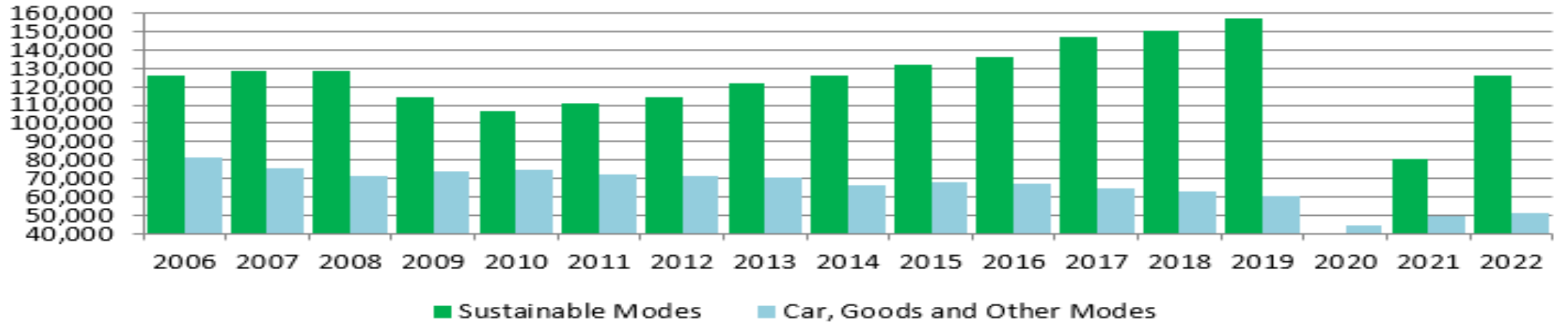
To support and promote the sustainability principles set out in National and Regional documents to ensure the creation of an integrated transport network that services the needs of communities and businesses of Dublin City and the region.

The Plan also facilitates the implementation of the NTA's Transport Strategy for the Greater Dublin Area 2022–2042 by providing a framework for accommodating significantly higher numbers of people travelling into the City Centre by rail, bus, cycling and walking.

Dublin City Canal Cordon Count 2006-2022



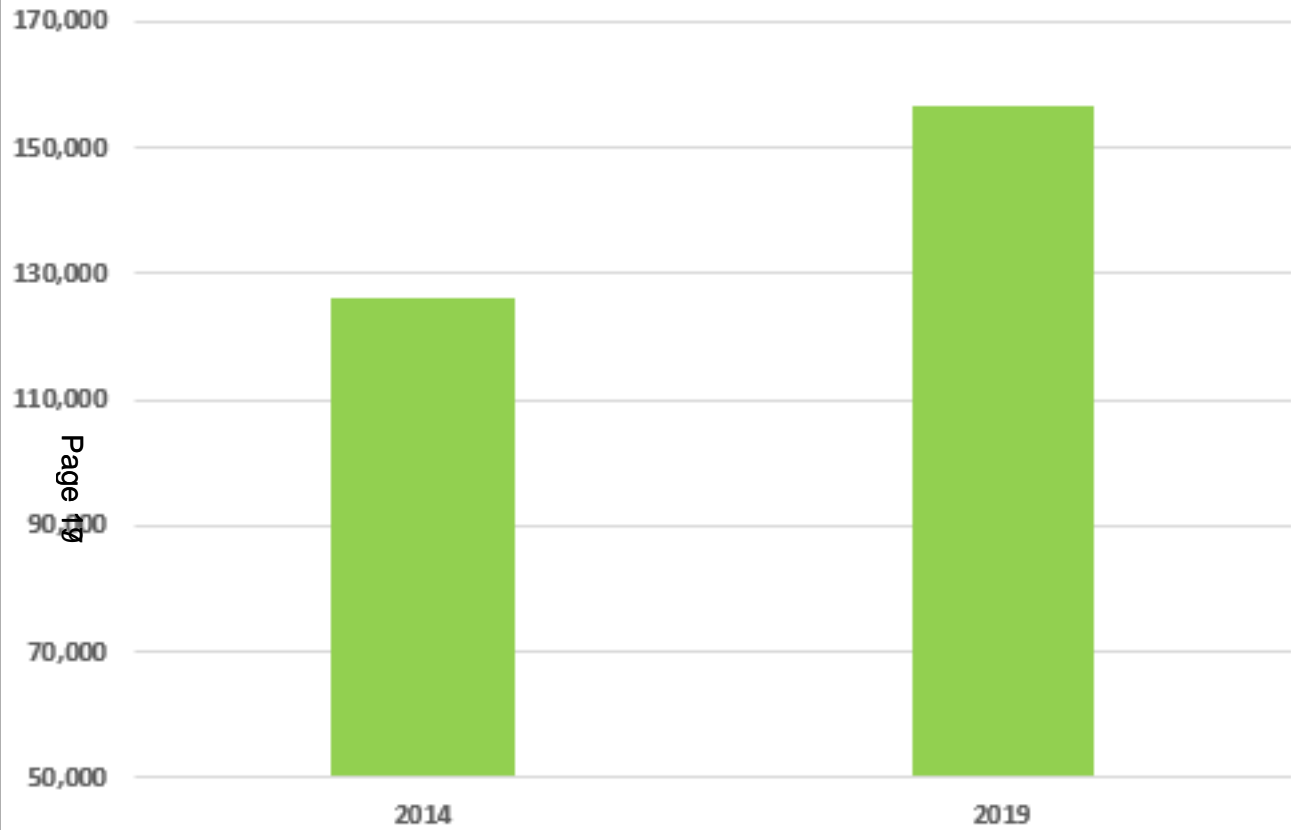
Page 18



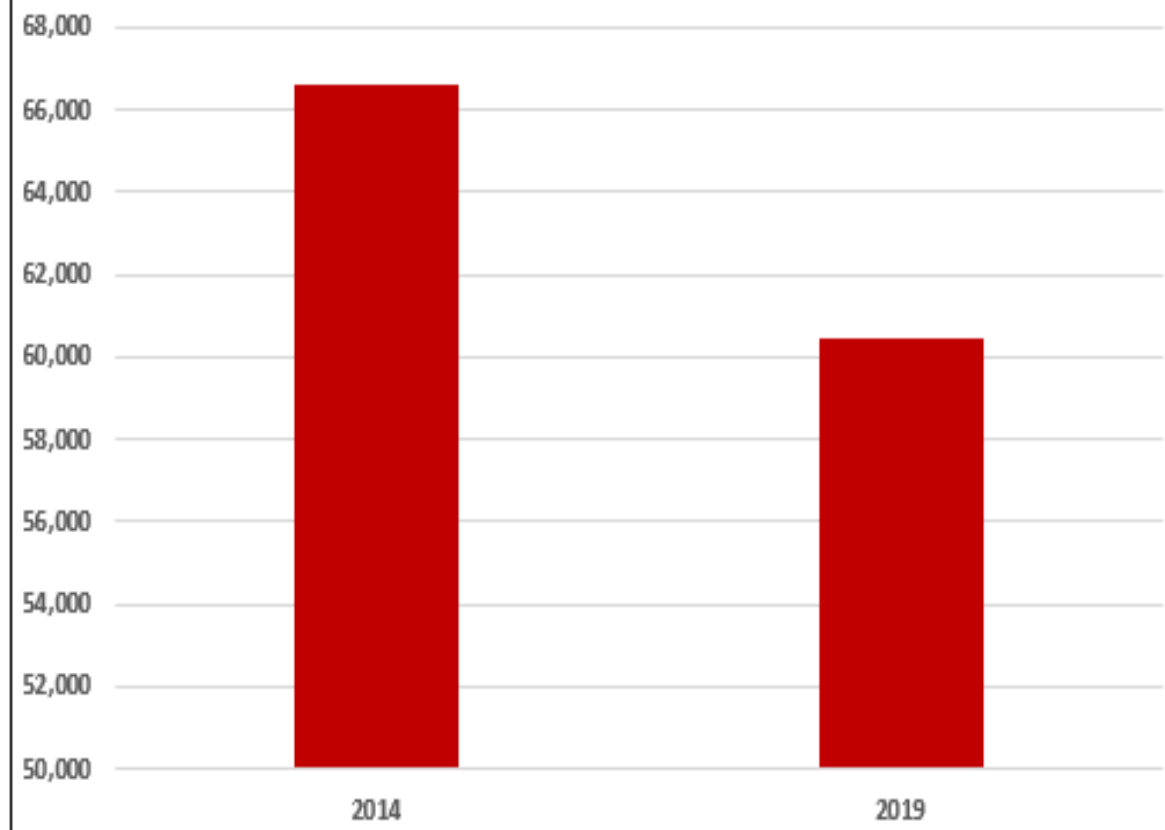
Number of people crossing the canal cordon 07:00- 10:00 2006 – 2022

Dublin City Canal Cordon Count 2006-2022

Sustainable Modes 2014 v 2019



Car, Goods and Other Modes 2014 v 2019

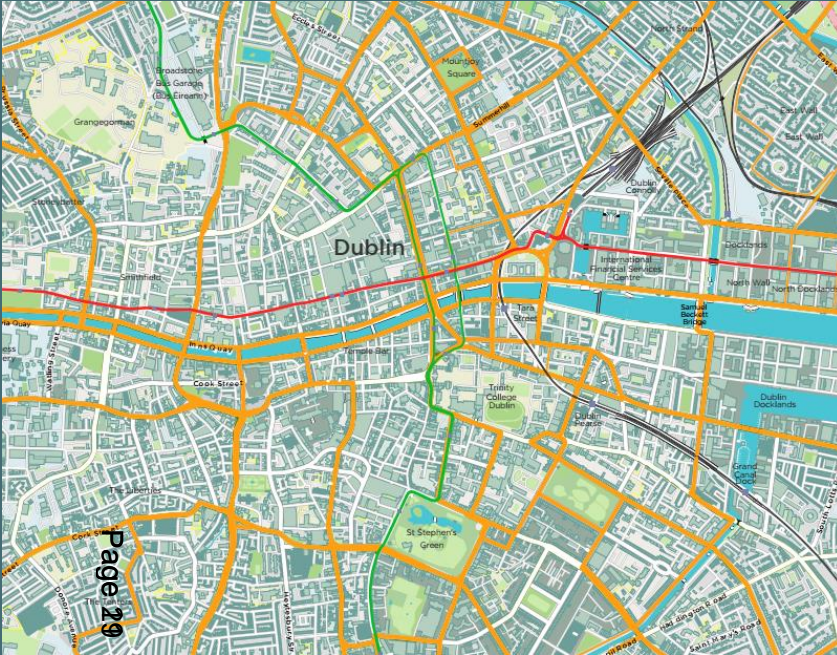


City Centre Public Transport Projects

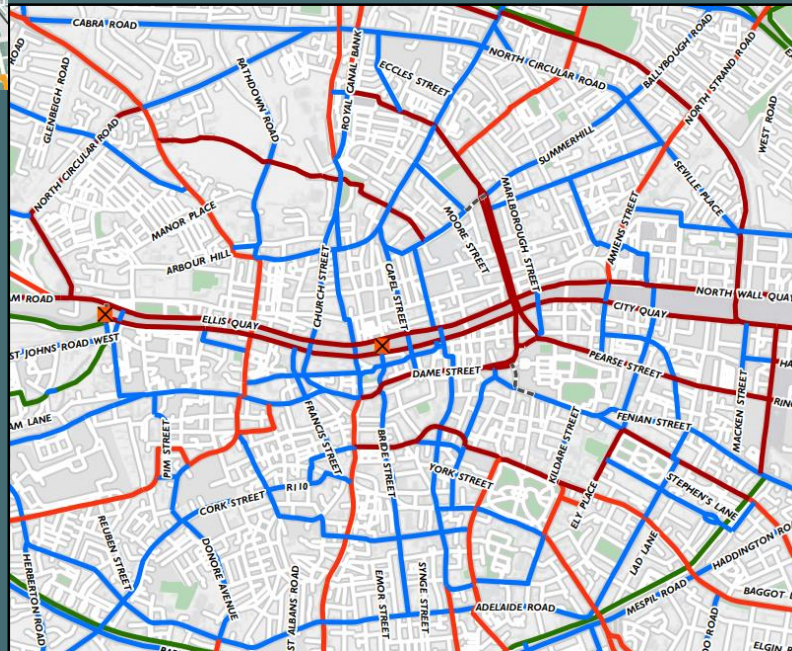
1. Bus Connects Network redesign in progress with new routings and requirements for new bus stopping locations.
2. Bus Connects Corridors (with ABP) --- anticipated start 2024/5
3. DART + project (with ABP)
4. Metro Link (with ABP)
5. Active Travel Network --- on going

City Centre Networks

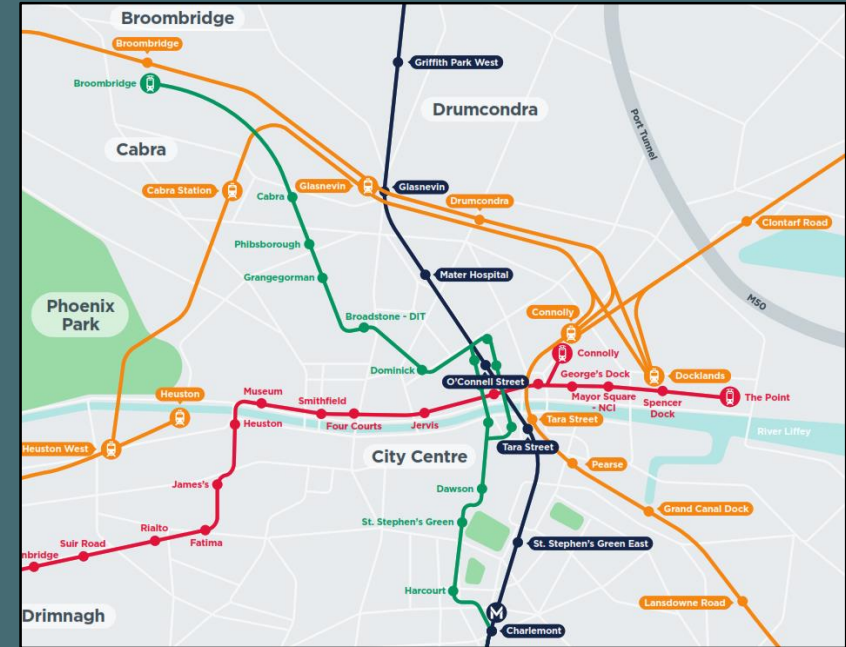
The coming years will see the continued delivery of the new BusConnects network of bus services, coupled with the roll-out of Cycle Connects and various pedestrian focussed projects. In addition, there is also a need to accommodate, and provide for, both rail transport and connectivity to stations.



BusConnects Bus Network



Cycle Connects Network



Rail Network (Heavy/Light/Metro)

Aims of the revised traffic arrangements

The major changes that are underway both in the public transport network and the cycling and walking network means that the general traffic network cannot be left as is but must be adjusted to:

- Allow the Public Transport network to grow and to provide for stable journey times across and through the city centre.
- Provide the opportunities for multi modal interchange by providing additional space for stops and waiting areas.
- Allow the construction of public transport projects (Metro Link).
- Make space to allow the growth of the cycling network.
- Make the walking network more connected and pleasant through the creation of new public realm areas, reduction in general traffic lanes and facilitate better crossing points.
- Ensure accessibility to and continued ability of businesses to operate.

Proposed changes in the general traffic network

- 60% of traffic in the city centre is through traffic leading to :-
 - Delays for public transport on the network in the city centre
 - Congestion and difficulties for servicing of the city
 - Constricting space for cyclists and making implementation of the cycle network far more difficult
- Implementation of a number of changes in 2024 and 2025 will have the aim of reducing this through traffic creating a low traffic environment in the City Centre

It is the Policy of Dublin City Council:

CCUV42

Public Realm – City Centre

To move to a low traffic environment generally and to increase the amount of traffic free spaces provided in the city centre over the lifetime of the Plan as well as create new high quality public realm areas where possible taking into account the objective to enhance access to and within the city centre by public transport, walking and cycling.

Proposed Traffic Management changes

The implementation of the Dublin City Transport Plan will begin with a series of traffic management changes.

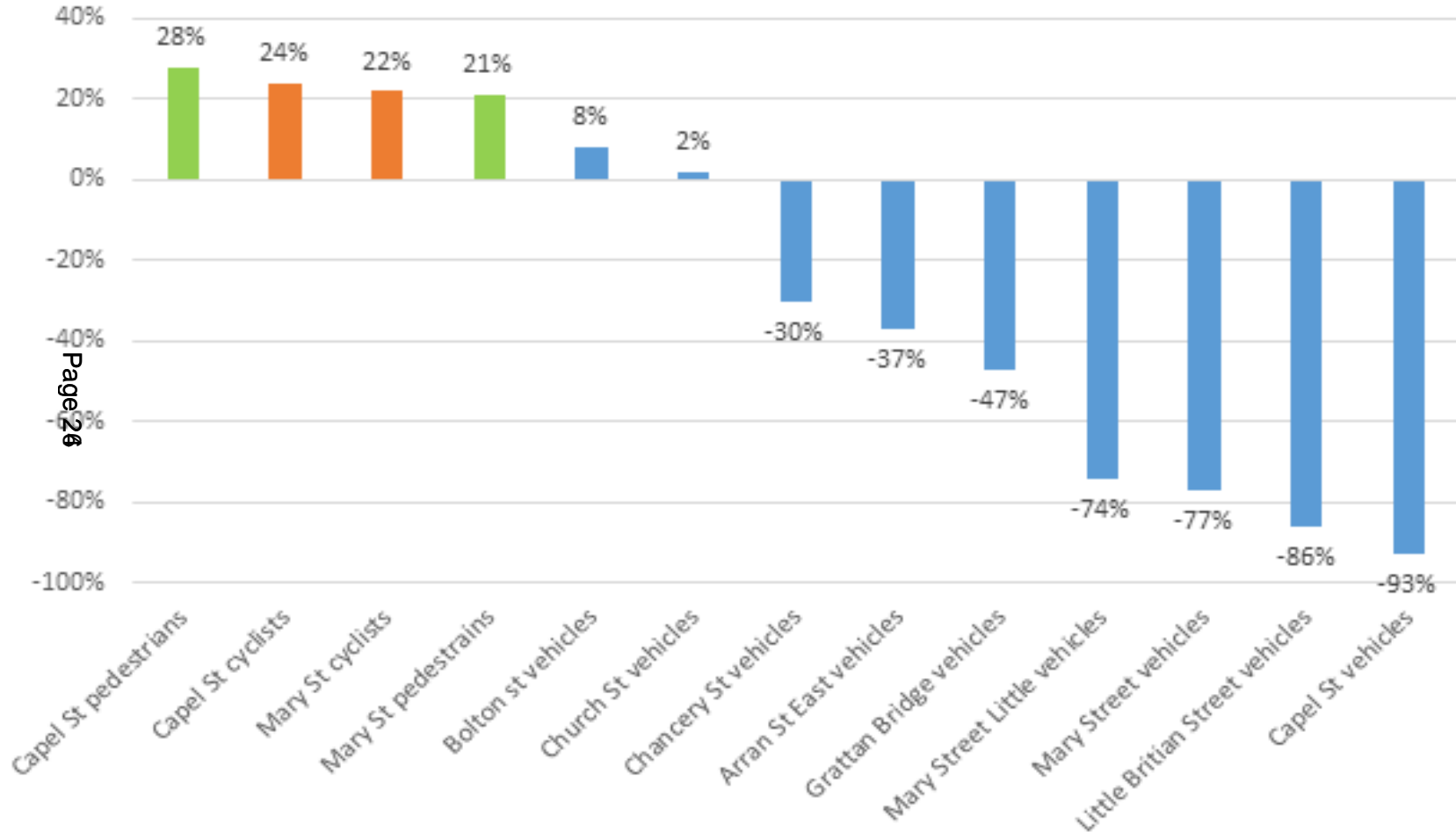
- ❑ **Bachelor's Walk Bus Gate:** Bus gate on Bachelor's Walk close to O'Connell Bridge for public transport, taxis, cyclists and pedestrians only.
- ❑ **Aston Quay Bus Gate:** Bus gate on Aston Quay close to O'Connell Bridge, for east-west movement to public transport, taxis, cyclists and pedestrians.
- ❑ **Westland Row – Left Turn PT only:** Bus only left turn Westland Row to Pearse Street.
- ❑ **Two Way Pearse Street Westland Row to Sandwith Street:** New right turn at Westland Row to two way Pearse Street – allows high sided vehicles a safe route under the railway bridge.
- ❑ **Pearse Street / Tara Street:** The implementation of the changes at Westland Row / Pearse Street will reduce traffic on Pearse Street and Tara Street allowing reduction in traffic lanes providing scope for increased pedestrian space and safe cycling provision.

Proposed Traffic Management changes

- ❑ **Beresford Place / Custom House Quay:** The implementation of the traffic management changes proposed on the Quays and Pearse Street will allow for significant changes around this area.
- ❑ **College Green / Dame Street:** Implementation of proposals to make College Green and Dame Street traffic free (except for access and deliveries).
- ❑ **Parliament Street:** Parliament Street to be made traffic free, once Bus Network changes are complete, Cycle link to Capel Street.
- ❑ **Other Local Interventions:** The above earlier phases of changes open up potential other more localised traffic changes, giving rise to extra space for sustainable modes and public realm enhancements. These include locations such as Lincoln Place (subject to bus turning movement confirmation), Christchurch Place and others.

Capel Street Example

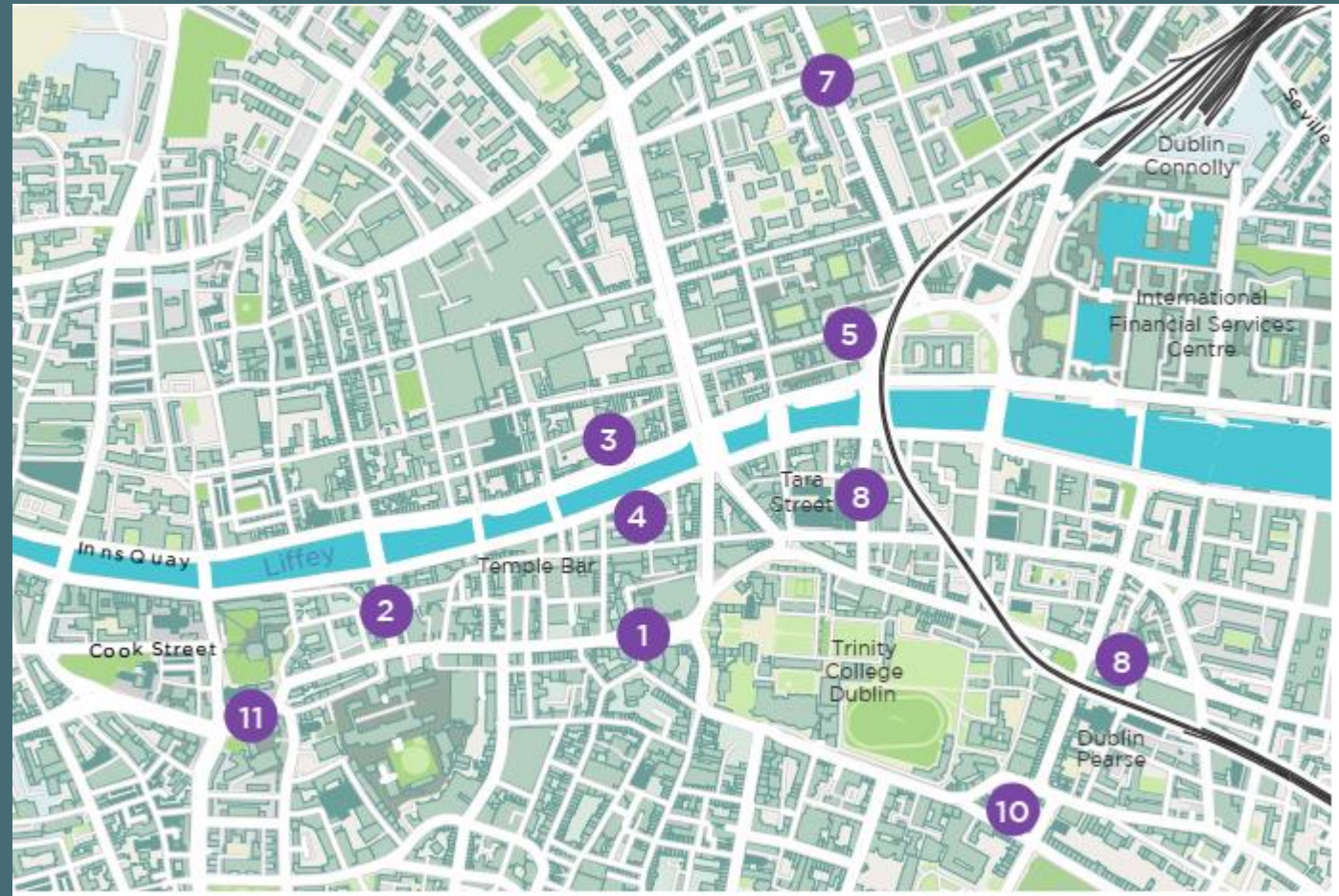
Capel St 12 month post implementation comparison
(Apr 22 to May 23)



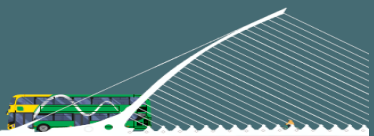
- Implemented in May 2022, multiple changes around the area made initially, as problems developed.
- Changes once bedded down, allowed Mary Street to be added and will allow the proposal in Parliament Street to be implemented.
- Work now underway on streetscape enhancements for walking and cycling.

Developing the Solution - Opportunities for Dublin City

- As the Traffic volumes decrease, significant opportunities become available to reimagine parts of the city.
- The following represent a selection of conceptual projects which become possible as traffic volumes reduce.
- Several of these are proposed to be quickly implemented on an interim basis pending the more long term permanent implementation.



Page 28

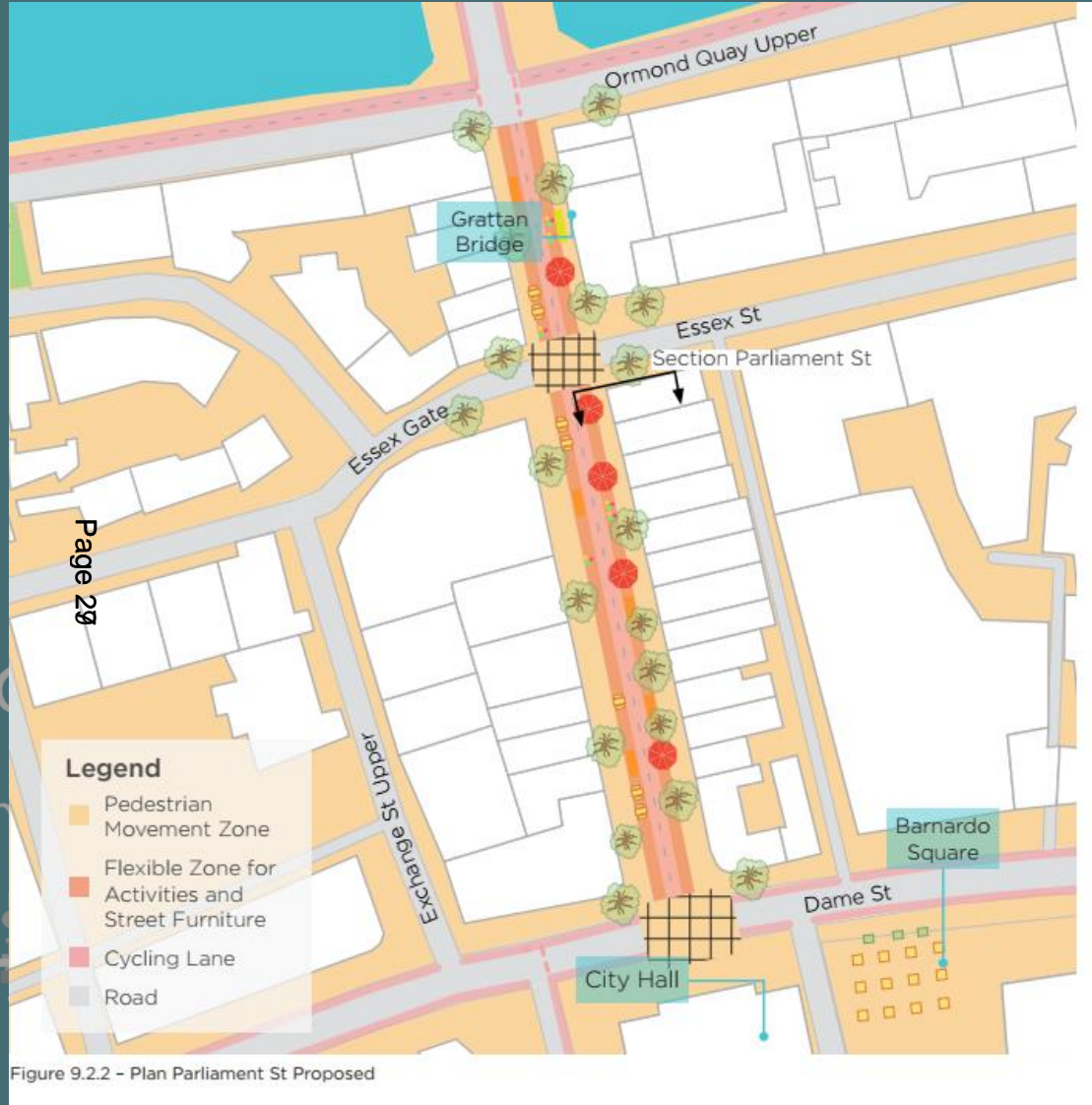


Opportunities for Dublin City - College Green / Dame Street



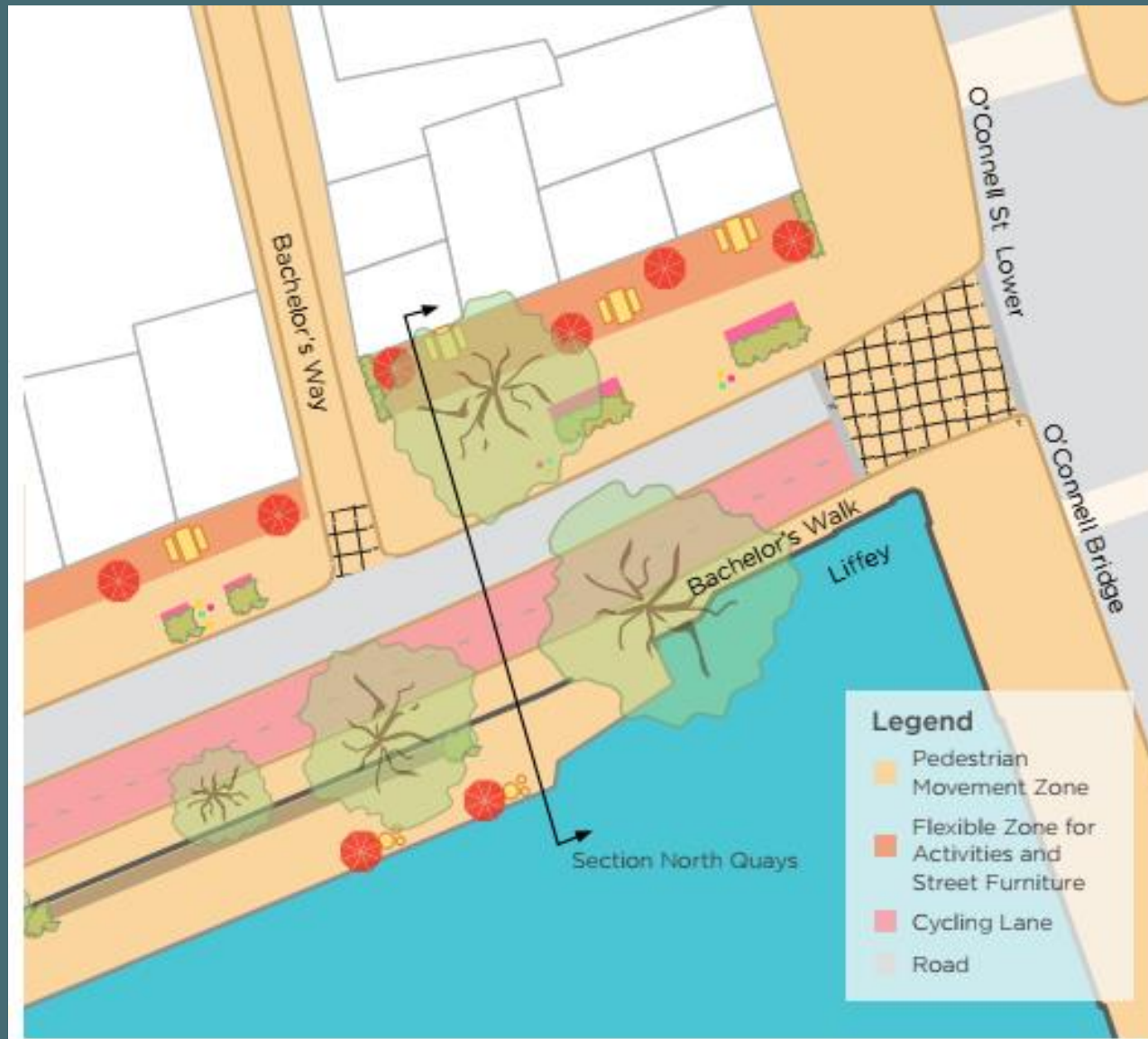
Traffic Free in 2024/5 once Network Redesign has moved buses from the area.

Opportunities for Dublin City - Parliament Street



Existing situation

Opportunities for Dublin City - The Quays



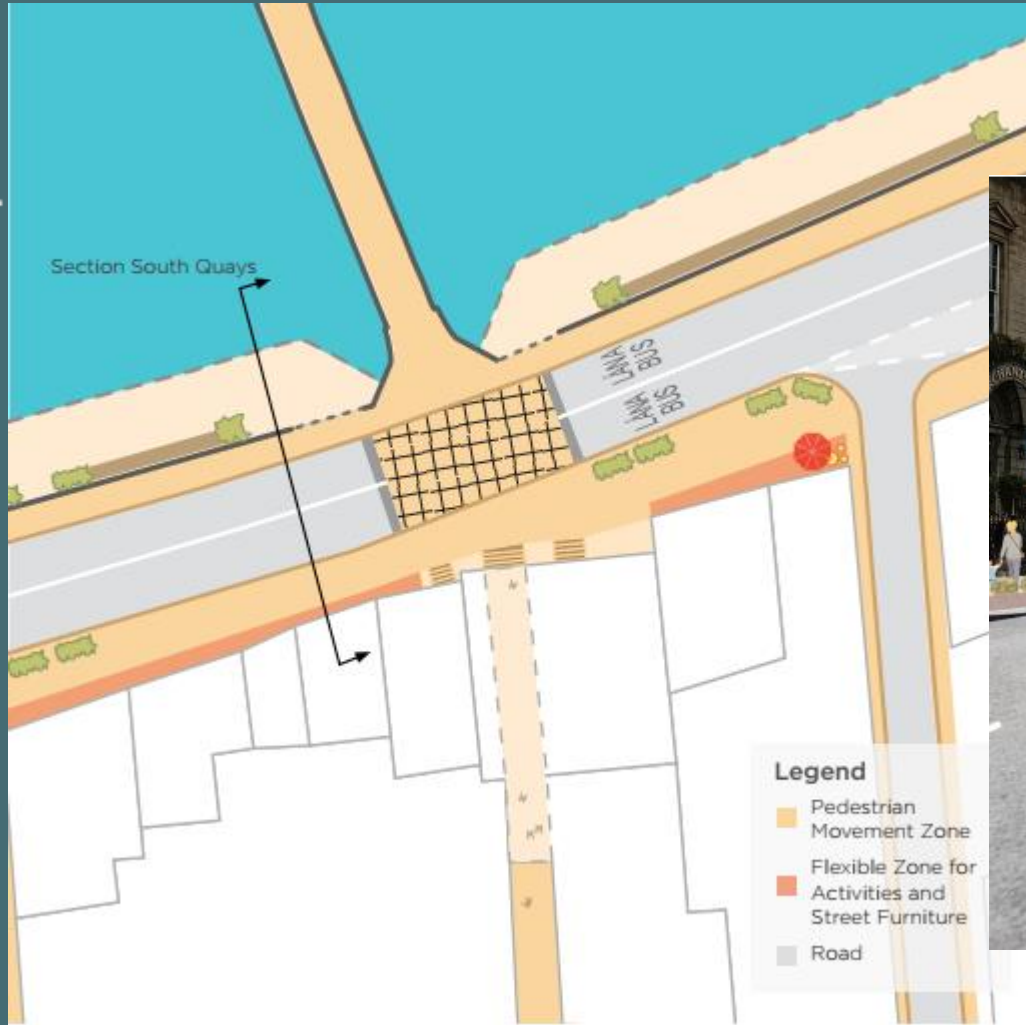
- The reduction in vehicular traffic will facilitate a significant reallocation of space, notably for pedestrian and cycle movement.
- The extra space will also allow reconsideration of bus routing and stopping arrangements which are currently constrained by traffic management arrangements.

Opportunities for Dublin City - The Quays

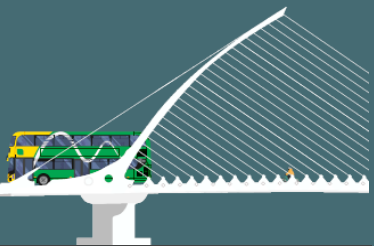
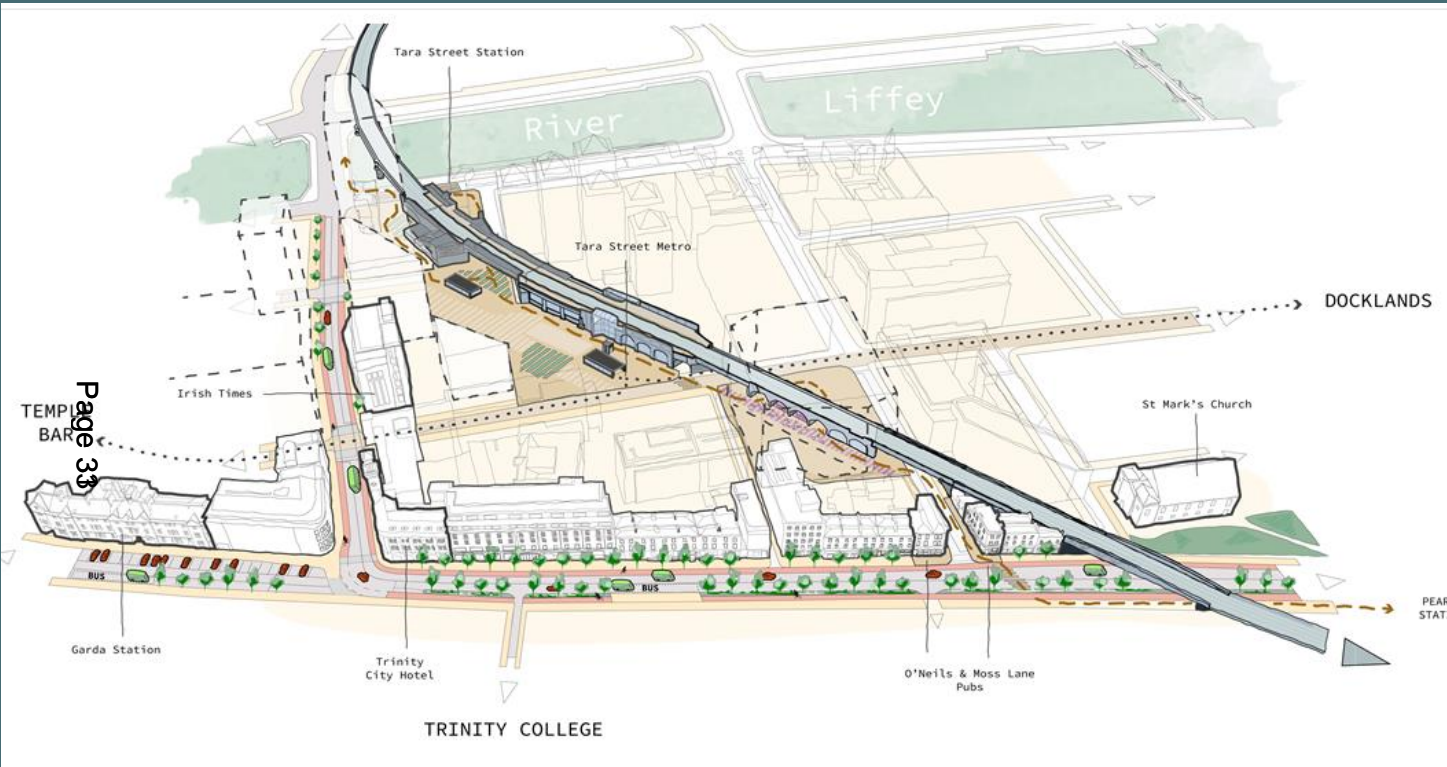


Opportunities for Dublin City - The Quays

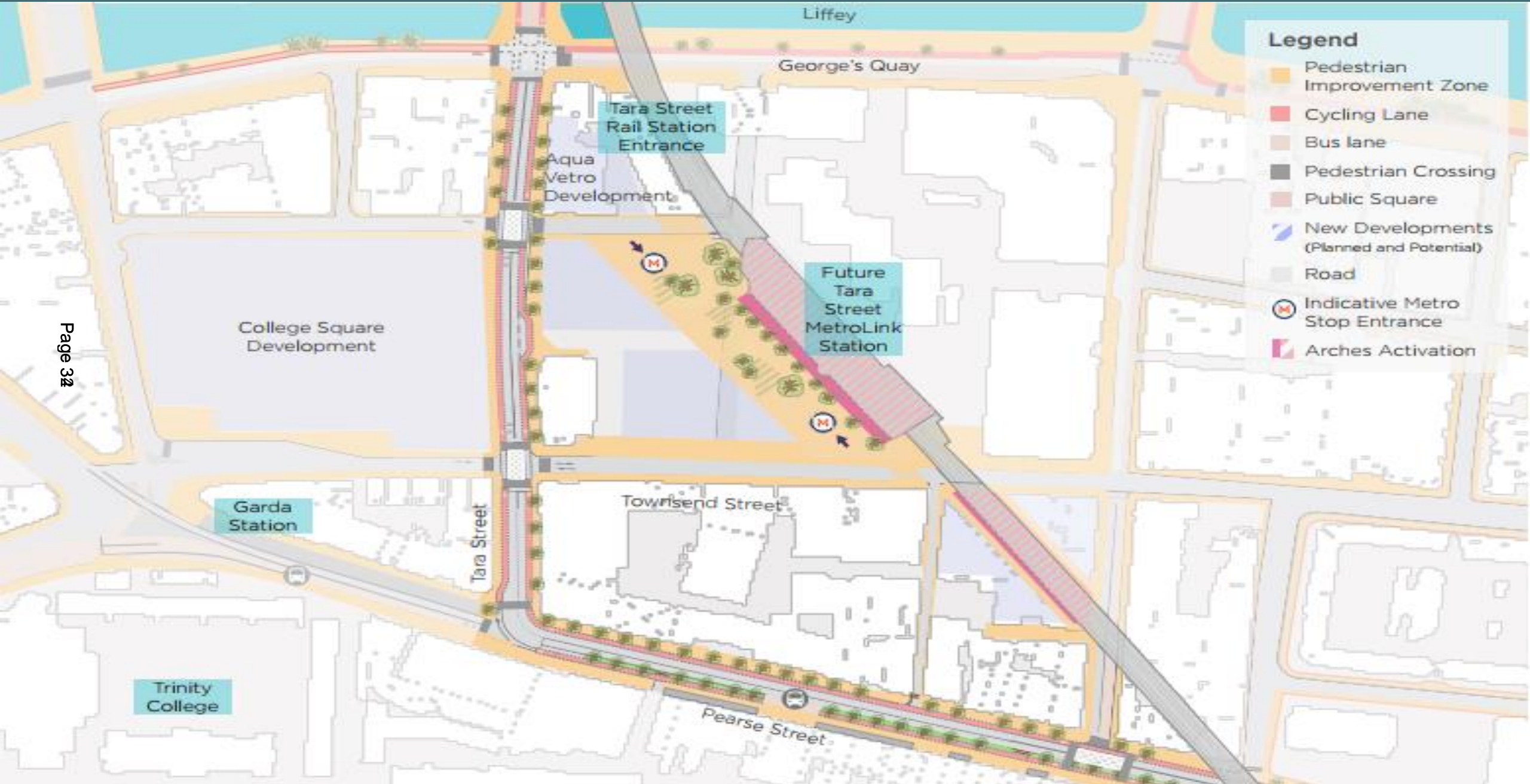
Page 30



Opportunities for Dublin City - Pearse Street



Opportunities for Dublin City - Tara Street

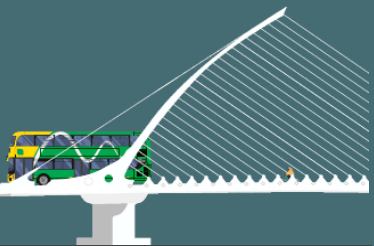
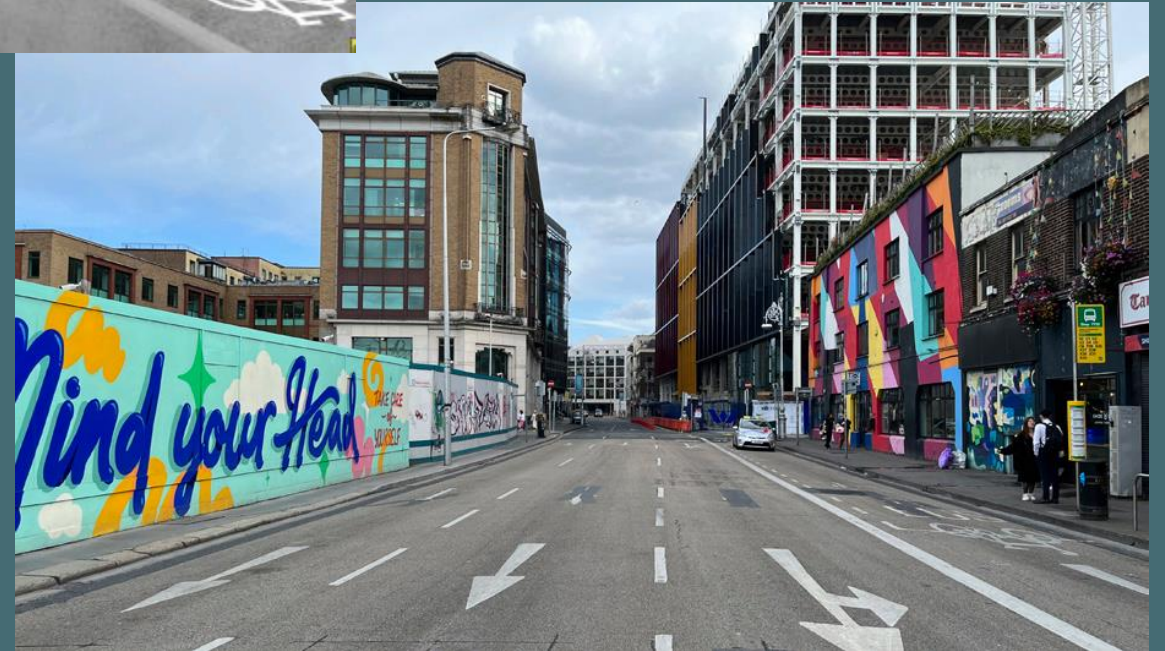


- ### Legend
- Pedestrian Improvement Zone
 - Cycling Lane
 - Bus lane
 - Pedestrian Crossing
 - Public Square
 - New Developments (Planned and Potential)
 - Road
 - Indicative Metro Stop Entrance
 - Arches Activation

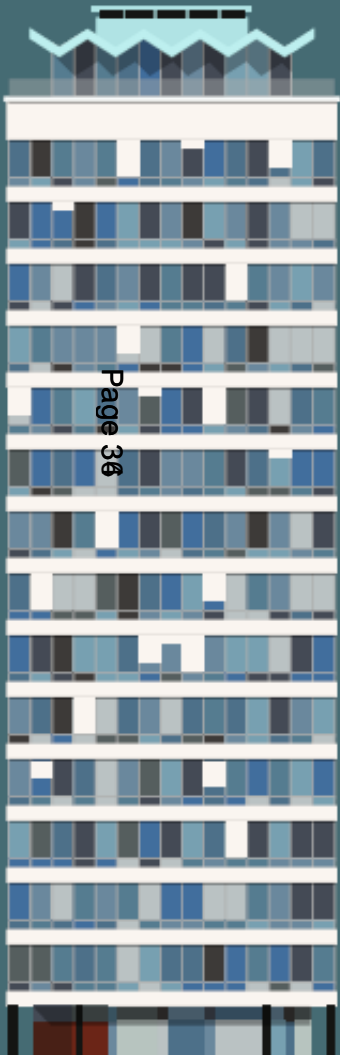
Opportunities for Dublin City - Tara Street



Page 38

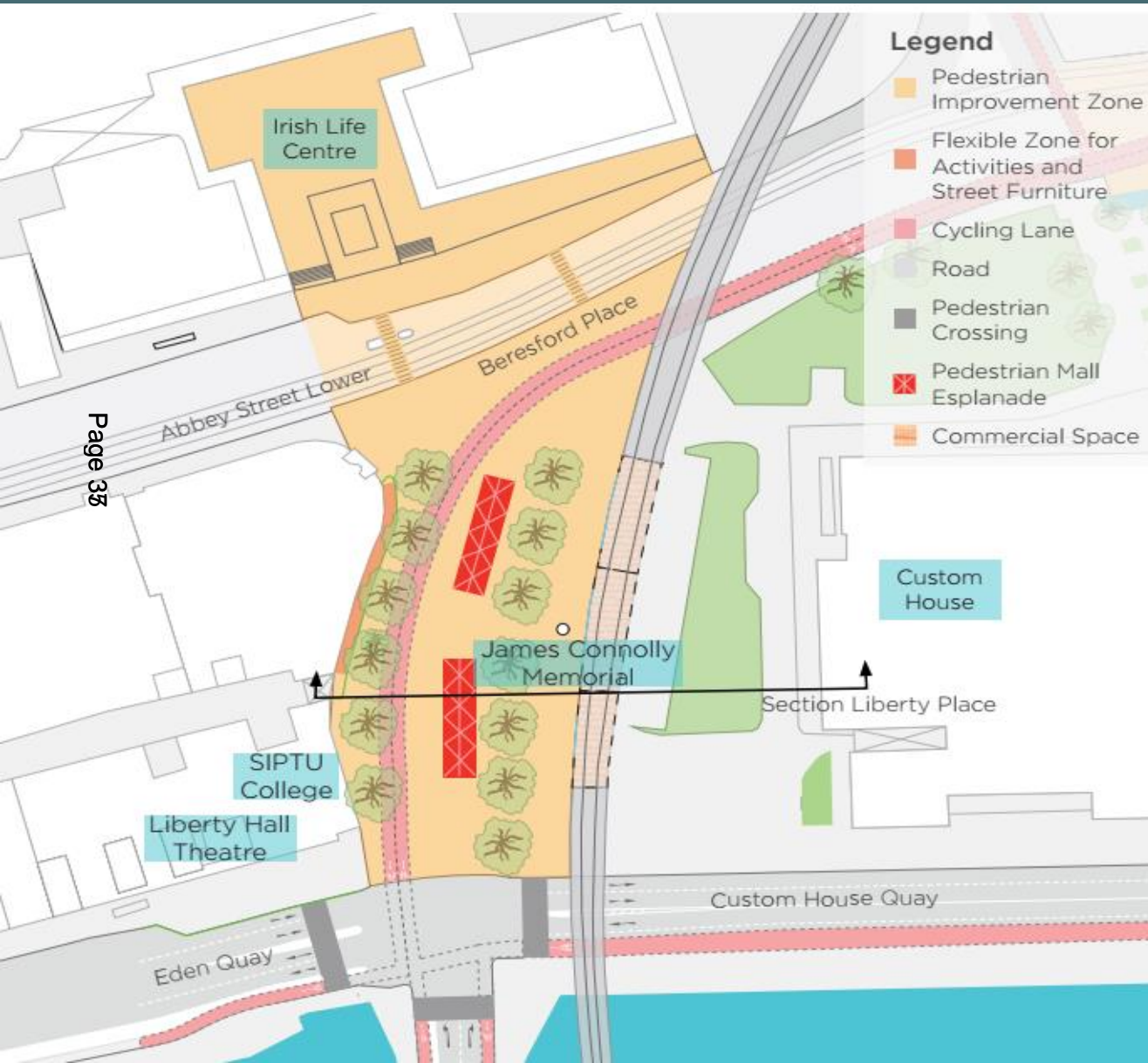


Opportunities for Dublin City - Future Options for Customs Quay or Beresford Place



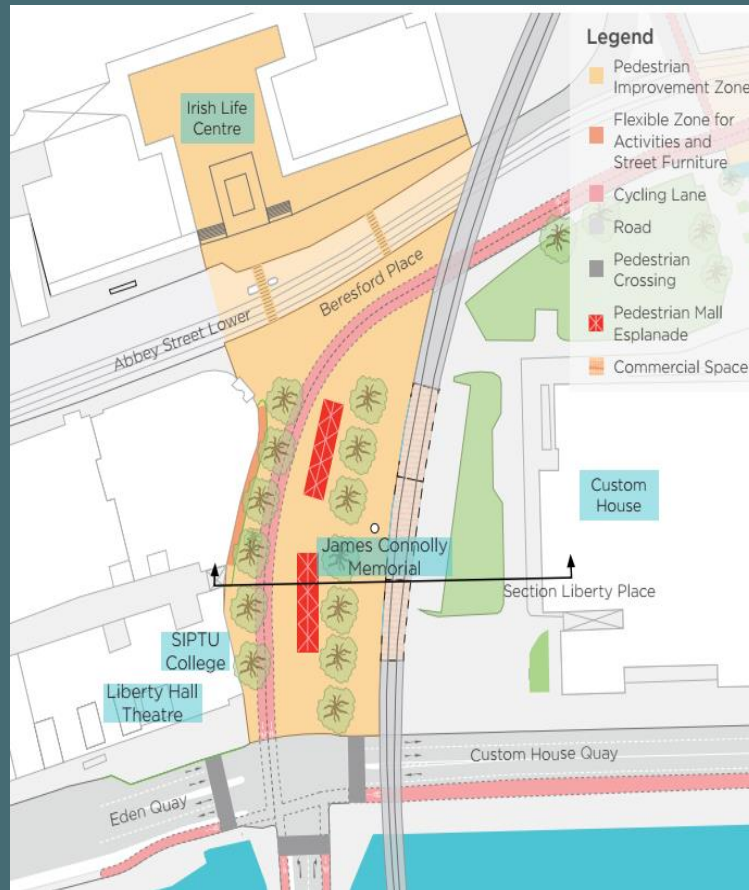
Opportunities for Dublin City - Future Options for Customs Quay or Beresford Place

Option 1 Intervention at Beresford Place Eden Quay



Opportunities for Dublin City - Future Options for Customs Quay or Beresford Place

Option 1 Intervention at Beresford Place Eden Quay



Opportunities for Dublin City - Future Options for Customs Quay or Beresford Place

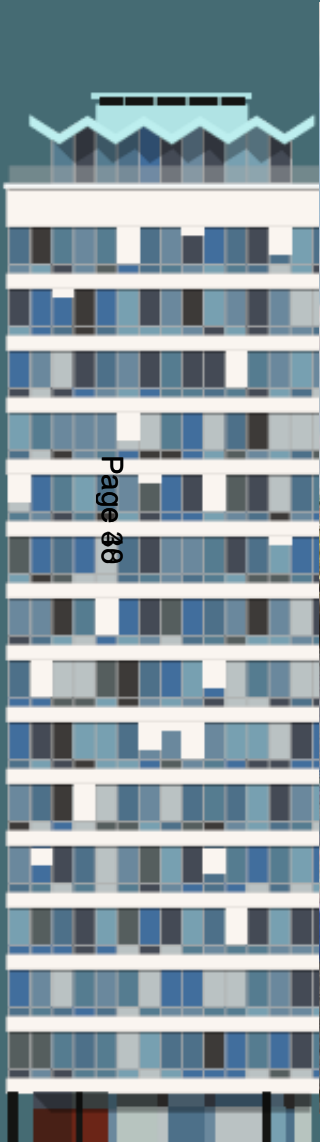
Option 2 Intervention at Custom House Quay



Figure 9.6.1 - Plan Custom House Quay Proposed

Opportunities for Dublin City - Future Options for Customs Quay or Beresford Place

Option 2 Intervention at Custom House Quay



Page 28



Opportunities for Dublin City - Gardiner Street



Page 29



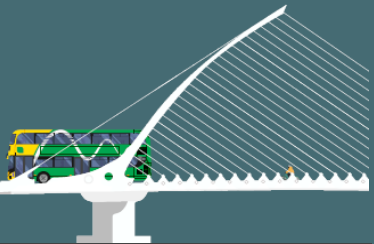
Figure 9.7.3 - Plan Gardiner Street Proposed



Opportunities for Dublin City - Gardiner Street



Page 40



Opportunities for Dublin City - Lincoln Place

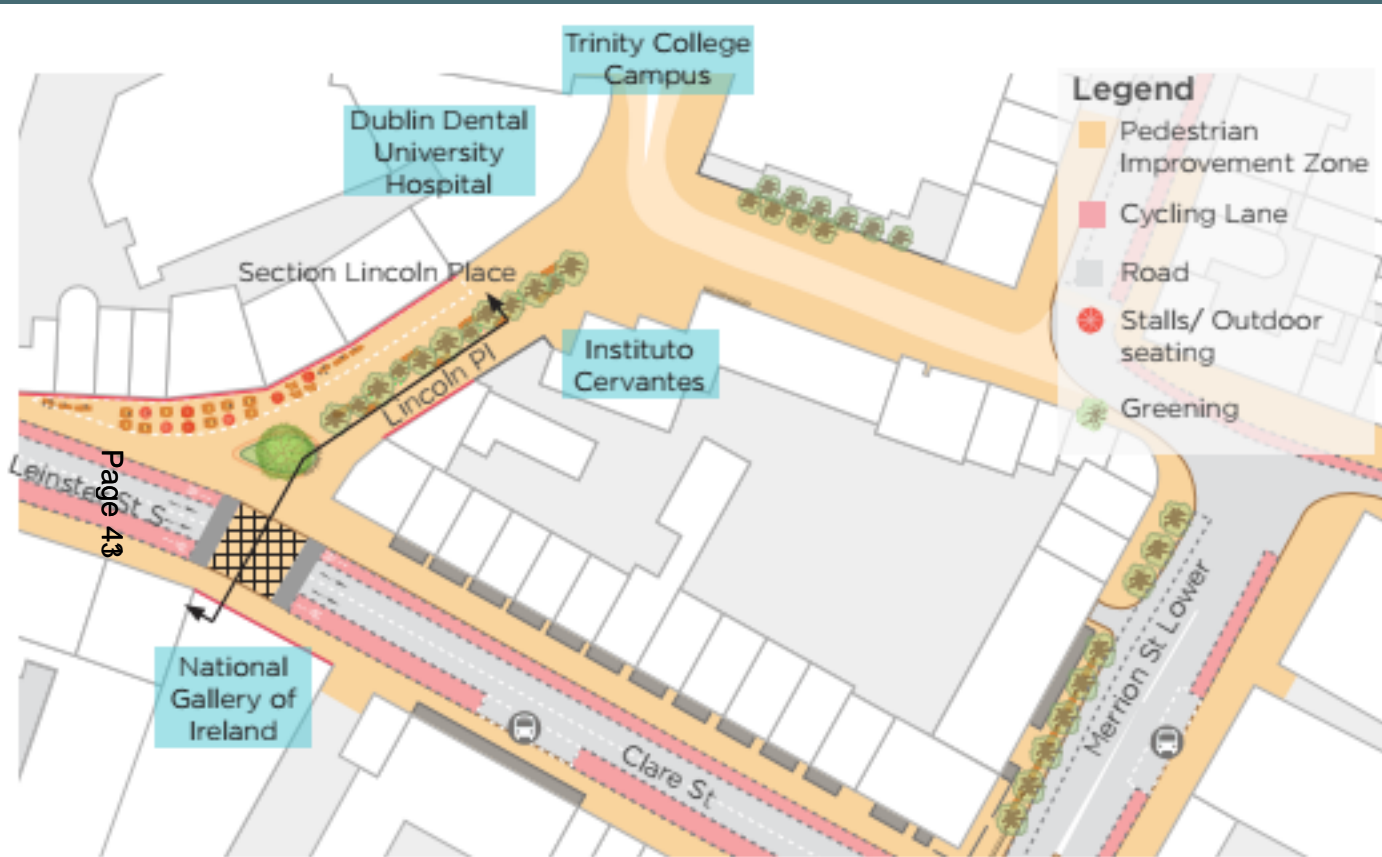
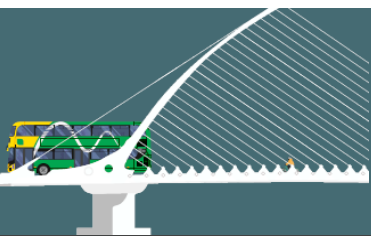


Figure 9.9.1 - Plan Lincoln Place Proposed



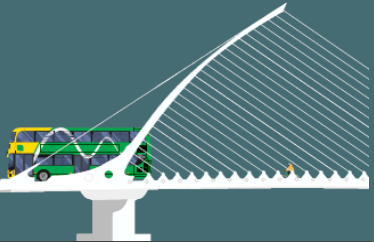
Opportunities for Dublin City - Lincoln Place



Page 42

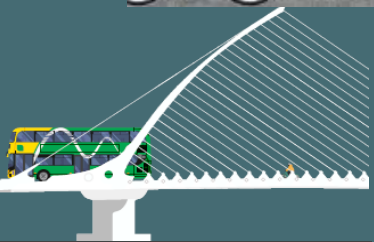


Existing situation



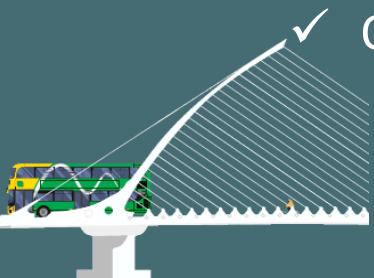
Opportunities for Dublin City - Christchurch

Page 48



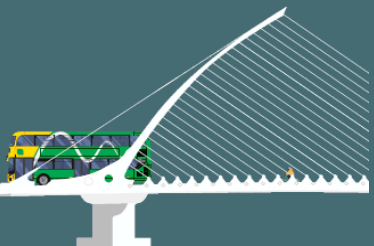
Key outcomes of the Dublin City Centre Transport Plan

- ✓ Reduction of up to 60 % of car traffic in city core meeting DCC policy to make the City Centre a low Traffic environment.
- ✓ More reliable and frequent Public Transport.
- ✓ Reduced emissions due to reduction of 34% in Kms travelled by private car in city centre.
- ✓ Reduction in population exposed to traffic noise.
- ✓ Improved cross-city pedestrian connectivity with 30% less time waiting at junctions on the walk from Stephen's Green to the Spire.
- ✓ 17% reduction in pedestrian wait time at O'Connell Bridge.
- ✓ Opportunity for cycling projects to cross and connect through the city centre.



Next Steps for the Dublin City Centre Transport Plan

- Public consultation commences today until the 1st of December.
- It will be accompanied by a full SEA / AA as well as an Equality Impact Assessment (EqIA).
- The public consultation report and final version of the City Centre Plan will be presented to the SPC in February 2024.







Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

**Minutes of the Meeting of the Public Transport Sub-Committee
(Sub-Committee of the Traffic and Transport Strategic Policy Committee)**

Date: Thursday 22nd June, 2023

Time: 15.00

Venue: Via Zoom

Attendees: Councillor Deirdre Conroy, Councillor Larry O'Toole, Gary Kearney (PPN), Martin Hoey (PPN), Maggie O'Donnell, DCC, Sarah O'Donnell, TII, Gráinne Macken NTA, Ciarán McGoldrick, DCC

1. Minutes of the meeting held on 11th May 2023 (attached)

Order: Agreed

2. Update from TII, Luas Finglas for Luas Sara O'Donnell, TII

Members thanked Sarah for her comprehensive presentation and made the following observations

- It is vital that cyclists are solidly segregated, a white line won't do
- It would be helpful if a video on the development and roll of the project could be made available to the public.
- Concern was raised about the integration of the project at 'St Helena' (Creche / HSE)

Order: Presentation Noted

3. Update from NTA, BusConnects Update

- 6 of the schemes submitted to An Bord Pleanála will not require an Oral Hearing
- It is hoped all schemes will be submitted to the Bord within the next month.

Order: Presentation Noted, Gráinne to forward slide with BusConnects updates

4. Policy to bring to the Transportation SPC

Noted, any items members wish to bring forward should be forwarded to Maggie.

5. AOB

Recommend that future meetings held on zoom

Minutes of the Walking & Cycling Sub-Committee (Sub-Committee of the Traffic & Transportation Strategic Policy Committee)

Meeting Details:

Date: Monday 3rd July 2023

Time: 10 a.m.

Location: Hybrid Meeting - in-person in the Richard O'Carroll Room, City Hall and online via MS TEAMS

Attendees: Cllr. Janet Horner, Martin Hoey, Cllr. Mannix Flynn, Colm Ryder, Cllr. Michael Pidgeon, Gary Kearney

Apologies: Oliver Dalton, Cllr. Caroline Conroy, Inspector Peter Woods, Declan Gray, Naomi Oldenburg, Ciara Norton, Cllr. Larry O'Toole, Cllr. Keith Connolly, Will Andrews

DCC Officials: William McLean, Susan Fitzsimons, Rónán Costello, Kristina Moody, Michelle Murphy, Deirdre Kelly.

Minutes by: Deirdre Kelly

1. Minutes of previous meeting

- Minutes agreed

2. Members information sharing

Colm Ryder, Dublin Cycling Campaign:

- Dublin Cycling Campaign are working on submissions for many different active travel schemes.
- Media work on bike bunkers, helmet wearing, licensing and registration of bikes as well as interviews with NEAR FM on cycling issues.
- Engaging with the Active Travel coalition with health bodies including the Irish Heart Foundation, Doctors for the Environment
- Presenting at Healthy Ireland national conference on 7th July.
- Meetings with RSA, Garda, Department of Transport, NTA – happy to share any particular info from these meetings.
- More details available in report circulated to the group by Colm.

Questions / Comments:

- Gary Kearney: is the Active Travel coalition going the UNCRPD?
 - Colm Ryder: Will check with the main contact for the group on this.

3. Active Travel Programme Update

- William McLean, Assistant Engineer, Active Travel Programme Office, gave an update to on the work of the Active Travel Programme Office and Kristina Moody, Walking & Cycling Officer, Active Travel Programme Office gave an update on the Follow project.

Questions / Comments:

- Gary Kearney shared concerns about shared space and flagged a presentation he sent to the group. These concerns include bus stop islands and their safety for pedestrians. He flagged that universal design doesn't include shared space, and asked how is Dublin going to be different to other places where this has been trialled?
 - William McLean: Request to forward on the presentation mentioned as it wasn't attached in the email. DCC is trying to segregate pedestrians and cyclists in the city where possible and trying to reduce conflicts through behaviour change campaigns.
- Cllr. Michael Pidgeon: When will plans be published for the Thomas Street to Kilmainham scheme? Are we moving away from interim schemes?
 - William McLean: plans would have been on website. No date yet for final scheme as it's still at design. Interim schemes include bollards and are temporary in nature. Rapid build includes extruded kerbs and are more permanent.
- Cllr. Mannix Flynn: Request for interim audit on the safety of walking and cycling schemes. This could help to give confidence to future schemes. Request for the environmental documents for these projects, such as the environmental impact assessment, rather than scoping exercises – particularly on Dodder Greenway and Anglesea Road.
 - Michelle Murphy: DCC is meeting all the requirements. The screening report was received last week from Dodder Greenway and will be made public as soon as possible. Looking at implementing this development through a Section 38. Looking at design issues that need to be ironed out. Public consultation completed last night – documents being assessed and then will be shared. The Dodder Greenway project is being delivered in phases – working with other local authorities on this.
 - Cllr. Janet Horner: The road safety working group could potentially look at the interim H&S report.
 - Cllr. Mannix Flynn: assessment still required for this project.
 - Rónán Costello: a road safety audit would be done on the majority of projects – these can be shared.
 - Cllr. Mannix Flynn: obligation on DCC to share documents on website.
- Colm Ryder: Dublin Cycling Campaign also want to see less shared space. Need protection at junctions on Grand Canal route to ensure safety for cyclists. Flagged concerns raised online in relation to the Follow project. A road safety working together group is being set up – important role in pulling together info on incidents across the city. It will be an ongoing issue – to show that we are making the city safer.
- Martin Hoey: canal road closed on Withworth Road – not suitable for greater numbers of pedestrians using it, especially on bin day. Flagged concerns around the road being unsafe for cyclists, and that there have been near misses in that area, as it's too narrow to accommodate everyone.
- Cllr. Janet Horner: flagged that C2CC increased traffic on Summerhill which has caused issues. Suggestion to focus on safety as well as reducing public inconvenience. Requested details for the behaviour change campaign. Request for more details on the NTA rapid build – how do they interact with each other? Pedestrian crossing at Summerhill was started in February but still not finished – concerns about the pace of this project. How can we increase the pace? Phase 3 of Royal Canal – has an Ecology Officer been appointed? Comparison between DCC & DLR and flagged that the quality and pace seems higher in DLR.

- William McLean: eliminating share space where possible. Behaviour change campaign acknowledges it's not always possible. Grand Canal: can investigate this route more.
- Cllr. Michael Pidgeon: lane markings haven't gone in because SIAC went out of business.
- William McLean: Need to show how we are reducing incidents. The behaviour change campaign is in early stages– looking to include as many stakeholders as possible. Traffic are looking after pedestrian crossing at Summerhill – Deirdre to follow up.
- Michelle Murphy: more info to be shared on what's happening in city. Royal Canal Phase 3 – ecologists on the consultant's team – they have shared reports which will be shared. DLR & DCC have different processes. DLR ahead in some instances – learning from each other. Crossing schemes across local authority borders should all be seamless.
- Cllr Mannix Flynn: DCC had plenty of time to plan this in relation to catering for larger volume of traffic. Not reducing car numbers. Scoping exercises aren't the same as statutory documents. Flagged concern about scoping exercises. Need to look at schemes in holistic way.
- Gary Kearney: WT3 regulations need to be applied. Gary will contact disability tech for disability technology. Concerns about safety on Withworth Road. Flagged that 300 year old trees were cut down.
 - Michelle Murphy: more new trees to be planted than the number cut down.

4. Data from Bike Share Schemes

Moby Bikes

- Aadarsh Das, Moby Bikes, gave a presentation on the data that Moby Bikes collects.

Questions / Comments:

- Colm Ryder: Request to share US tool mentioned. Are wooden bikes still in use?
 - Aadarsh Das: Wooden bike pilot is closed now. Will send on link for US tool.
- Martin Hoey: Have you had many anti-social issues? Are there issues with parking violations and how do you deal with them? Has there been progress on bringing cargo bikes in Dublin City? Are there plans to bring in accessible bikes to the fleet?
 - Aadarsh Das: there have been some anti-social activities but mostly the bikes are safe against this. No accessible bikes yet – not sure of use of them in a sharing scheme. Looking into cargo bike with DCC. Parking violations: must take photo of bike to end rental – if this isn't done user will be fined. After 3rd offence, the user is fined. If it keeps happening account is de-activated.
- Michelle Murphy: do you have many new people joining or mostly repeated users? Use for route planning would be helpful.
 - Aadarsh Das: Partner with organisation to look at safe cycling routes – based on users' cumulative feedback.
- Cllr. Janet Horner: this data could be helpful for route planning – are there areas that people avoid, for example? What's the profile of people using the bikes and purpose of journey? Are e-bikes back in the fleet again? Enforcement of parking at poles etc.
 - Aadarsh Das: don't collect data on gender, age, journey purpose. Anyone over 16 can use them. Looking to integrate more ebikes back into fleet.
- Gary Kearney: Need numbers on e-bikes to report problems. Challenge of safety and injury with e-bikes. Batteries – are they included in environmental data?

- For first-time users – easier to ride an e-bike. Limited to 25KPH. In compliance with all EU regulations. Recycling of batteries: partner with company in Netherlands on this and recycle tyres and tubes as well. Bikes aren't hackable as follow all GDPR and cyber security rules.

NOWDublinBikes

- Tony Flanagan, JC Decaux / NOWDublin Bikes gave a presentation on the data in relation to their scheme.

Questions / Comments:

- Gary Kearney: stations on footpaths are a problem – people cycle on footpath. Flagged concerns about illegal parking of the bikes. Suggestion that promotion should follow RSA cycling safety. Make Way Day in September – NOWdublinbikes could support. Suggestion to put rules of the road and instructions at stations.
 - Tony Flanagan: not aware of parking on footpaths as a major problem. Most people park bike at station. Safe cycling messages run with 98fm and Spin fm and refer to rules of the road on website and app and flag these with people when then sign up.
- Colm Ryder: any info for 2022 or 2023 daily usage patterns? Drop in number journeys – understanding of why / how?
 - Tony Flanagan: can send on 2022 info on daily usage. Drop in numbers is related to Covid and working from home. Similar trend to canal cordon counts. Numbers are increasing again but this is slow. Scooters also provide other options for people that weren't available previously.
- Martin Hoey: are there any anti-social problems with bikes? 9% older people using them – bikes not suitable for people who can't cycle well. Could trikes be included in fleet? JC Decaux advertising on outskirts are low on footpaths and it's easy to hit them – is there not a minimum height?
 - Tony Flanagan: Slightly more anti-social behaviour than before but don't have stats on this. Some stations were targets – it's now been resolved. We'd have to look into the possibility for accessible cycles in the fleet and how they'd fit into station stands etc. Advertising boards – all fully planned.
- William McLean: open data – what's the best way to get additional data?
 - Tony Flanagan: Open data – link available. Share requests through Deirdre for any additional data requests.
- Cllr. Janet Horner: level of engagement with DCC on this data – we can learn a lot from it. Not current plans to expand the bike scheme but would be great to see. Concern about electric bikes – putting people off using them – non e-bikes users don't want to use bike as it's heavier. Engagement with Gardaí – are certain stations being targeted for theft?
 - Tony Flanagan: Would like to see expansion of stations. E-dublinbike is heavier – that's why they have 7 gears instead of 3. Haven't had feedback about them being awkward to cycle.

5. Walking & Cycling Promotions Update

- Deirdre Kelly, Cycling & Walking Officer, Traffic Department was due to give an update from Bike Week. However the microphones stopped working so the meeting ended early.
- The Bike Week report was sent as an attachment by email. If members have questions or would like further information on the report please email Deirdre, Deirdre.kelly@dublincity.ie

6. Next Meeting date

- The next meeting takes place from 10am – 12pm on Monday 25th September.

Oifig an Cheannasaí Airgeadais, An Roinn Airgeadais,
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8, Éire

Office of the Head of Finance, Finance Department,
Civic Offices, Wood Quay, Dublin 8, Ireland
T. 01 222 2102/3 E. finoff@dublincity.ie

18th October, 2023.

Cllr. Noeleen Reilly,
Chairperson of the Traffic and Transport SPC,
Council Chamber.

RE: Congestion Charges in Dublin City

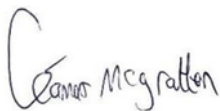
Dear Councillor Reilly,

At the recent meeting of the Finance SPC held on 21st September the above issue was raised and discussed. It is judged to be of high importance from a transport management and financial perspective.

The Finance SPC Members had considered this issue at the January 2022 meeting also and they now wish to have a joint meeting with the Traffic and Transport SPC at the earliest opportunity to commence the deliberation of this subject.

I look forward to hearing from you.

Yours sincerely,



**Cllr Séamas McGrattan,
Chairperson Finance Strategic Policy Committee
Dublin City Council**

DRAFT

**Report to the Chairperson and the Members of the
Traffic and Transport
Strategic Policy Committee**

*Report on Draft Dublin City Council Parking Control
Bye-Laws 2024*

Linda McDonald

Acting Parking Enforcement Officer

Environment & Transportation

1st November 2023

Introduction:

As part of the proposed budget for 2024, it was recommended to increase current hourly parking charges. It is therefore proposed to make amendments outlined below.

A copy of the existing Dublin City Parking Control Bye-Laws 2020 is available at:

<https://www.dublincity.ie/residential/parking-dublin-city-centre/dublin-city-parking-control-bye-laws-2020>

Due to the Covid-19 pandemic the Dublin City Parking Control Bye-Laws 2020 were only adopted on the 1st February 2022.

Proposed Amendments:

- Fees for Pay and Display Parking

It is proposed to increase the charges in all zones across the city. The proposed rates are outlined in the Table below:

Zone	Current Rate	Proposed Rate
Yellow	€3.40	€4.00
White (Sunday 14:00-18:00)	€1.50	€1.80
Red	€2.90	€3.50
Green	€1.70	€2.00
Orange	€1.05	€1.20
Blue	€0.70	€0.90

Next Steps:

This report will be brought to the City Council Meeting in December to initiate the necessary statutory public consultation process.

Linda McDonald

Acting Parking Enforcement Officer



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

DRAFT

**DUBLIN CITY COUNCIL
PARKING CONTROL BYE-LAWS 2024**

Dublin City Council Parking Control Bye-Laws 2024

Long Title: The Lord Mayor and members of Dublin City Council (hereafter referred to as “the Council”) in exercise of the powers vested in them by Section 36 of the Road Traffic Act 1994 (No 7 of 1994) and having consulted with the Commissioner of An Garda Síochána hereby make the following Bye-Laws.

PART I Preliminary

- | | | |
|---------------------|----|---|
| Short Title | 1. | These bye-laws may be cited as the Dublin City Council Parking Control Bye-Laws, 2024. |
| Commencement | 2. | These bye-laws shall come into operation on xxxxxx, 2024. |
| Revocations | 3. | The Dublin City Council Parking Control Bye-Laws 2020 are revoked with effect from the coming into operation of these bye-laws. |
| Area of Application | 4. | These bye-laws apply to the area comprising the City of Dublin. |
| Interpretation | 5. | In these bye-laws:

“the Regulations of 1997” means the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No 182 of 1997);

“the Signs Regulations of 1997” means the Road Traffic (Signs) Regulations, 1997 (S.I. No 181 of 1997);

“acceptable evidence “ means:

(1) (a) A current insurance certificate indicating that the vehicle is normally kept by the resident on the residential parking permit road to which the permit will relate, or

(b) Where the applicant is the registered owner of the vehicle in respect of which the application for a resident’s parking permit is being made and the vehicle is insured by his/her employer, the employer’s insurance certificate and satisfactory documentary evidence from the employer that the applicant is in full time employment of the company and that the specified vehicle is insured by the company, or

(c) Where the applicant is not the registered owner of the vehicle in respect of which the application for a resident’s parking permit is being made, but has the use of the vehicle in the course of his or her employment, the employer’s insurance certificate for the vehicle and satisfactory documentary evidence from the employer, who is the registered owner of the vehicle, that the applicant is in the full time employment of the registered owner and that the vehicle is normally kept by the applicant at the residents’ address on the residents’ parking permit road to which the resident’s parking permit will relate, and |

- (2) except in the case of paragraph 1 (c) of this Bye-Law, a vehicle licensing certificate or a registration book confirming that the resident applying for a resident's parking permit is the registered owner of the vehicle in respect of which the application for a resident's parking permit is being made and that the vehicle is registered at the resident's address on the residential parking permit road to which the resident's parking permit will relate and
- (3) a driving or provisional licence in the name of the resident applying for the resident's parking permit and
- (4) any two of the following: current utility bills, financial statements, or other documentation, acceptable to the Council, addressed to the applicant at his/her address on the residential parking permit road to which the resident's parking permit will relate.

"agent of the Council" means any person employed by the Council or any other person authorised by the Council to carry out functions under these bye-laws;

"appropriate pay and display parking ticket machine" means:

- (a) a pay and display parking ticket machine located on the road in which the vehicle is parked or located on an adjacent road, where indicated by a sign, or
- (b) a pay and display parking ticket machine where the period of time which may be purchased for 20 cent is the same as, or less than the period of time which may be purchased for 20 cent from the pay and display parking ticket machine at (a) above;

"authorised outlet" means a point of sale outlet appointed by the Council or its agent to facilitate a cashless parking system;

"authorised person" has the meaning assigned to it by Section 103 (8) (inserted by the Road Traffic Act 1968) (No. 25 of 1968) of the Road Traffic Act, 1961;

"buffer area" means an area between two parking bays;

"building" means any structure which either stands on its own or is separated vertically from any adjoining structure or structures by a party wall or walls;

"car club vehicle" means a vehicle licensed to operate by a Car Club operator under the Dublin City Council Control of On-Street Car Club Bye-Laws 2013;

"Coach Parking" means an area designated for the parking of Coaches or Buses where traffic number RUS 019 accompanied by an information plate containing the hours of operation and the words "Except Buses - Ach Amháin Busanna" is provided;

"converted house" means a building comprising a former single dwelling house which has been altered or converted so as to contain within it more than a single housing unit;

“disabled persons parking permit” means a permit granted in accordance with Article 43 of the Regulations of 1997;

“goods vehicle” means a vehicle used for the carriage of goods or burden in the course of trade or business and taxed as a goods vehicle;

“heavy demand road” means a residential parking permit road where either the number of residents parking permits that have been issued for the road exceeds 65% of the total number of residential parking permit bays on the road or where that number is less than or equal to 65% and a proposed extension of eligibility for permits will result in 85% of the total number of residential parking permit bays on the road being exceeded;

“housing unit” means the normal dwelling place where a person lives and resides;

“immediate family member” means a spouse, father, mother, brother, sister, son, daughter, niece, nephew, aunt or uncle;

“information plate” means a plate accompanying a traffic sign which indicates the period during which the restrictions or prohibition indicated by such traffic sign applies;

“large public service vehicle” means a public service vehicle having seating passenger accommodation for more than 8 persons exclusive of the driver;

“loading bay” means that portion of a road indicated by means of traffic sign RRM009 accompanied by an information plate indicating the period of operation of the loading bay;

“major events” means an event in the vicinity of a residential permit parking road where the parking on that road will be impacted by the event;

“normal dwelling place” means the housing unit where a person either lives and resides, or satisfies the Council that he/she intends to live and reside, overnight for more than 183 days per year;

“operational hours” means the time period indicated on:

- (a) an information plate accompanying traffic Sign No. RUS018 authorised by the Signs Regulations of 1997 in the ticket parking area where the vehicle is parked, or
- (b) the appropriate pay and display parking ticket machine located on the road in which the vehicle is parked or located on an adjacent road, where indicated by a sign;

“paid parking area” means an area on a road where traffic sign RUS 018 together with an accompanying information plate indicates that parking of vehicles is subject to the parking fee;

“paid parking bay” means a parking bay in a paid parking area;

“parking area” means an area on a road which is designated for parking of vehicles;

“parking bay” means a space in a parking area or any other place on a road intended for the parking of a mechanically propelled vehicle where parking Sign No. RRM011, RRM012, RRM013, RRM014 or RRM016 is provided;

“parking fee” means the fee payable in accordance with these bye-laws for parking in the parking area;

“pay and display parking ticket” means a parking ticket which is issued by the Council by means of a pay and display parking ticket machine and which contains the following particulars:

- (a) the words “Baile Átha Cliath” and/or “Dublin City”,
- (b) the fee paid in respect of the ticket,
- (c) the date and time of issue of the ticket,
- (d) the time of expiry of the ticket;

“pay and display parking ticket machine” means a machine capable of automatically delivering a pay and display parking ticket when the parking fee prescribed by these Bye-Laws is paid;

“parking tag” is the Council’s pay by phone option to pay for on-road parking.

“payment card” means any card, acceptable to the Council or its agents, which can be used for the payment of goods and services whether by means of credit, direct debit or charging the cardholder’s account;

“permit quota” is the maximum number of permits assigned to a building or converted house;

“public service vehicle” means a mechanically propelled vehicle used for the carriage of persons for reward;

“resident” means a person who satisfies the Council that his/her normal dwelling place is at a building situated on a road that is a residential parking permit road;

“resident’s parking permit” means a document issued by the Council or its agents for the purposes of bye-laws 16 to 31 and containing the particulars specified in bye-law 17;

“residential institution” means a place of employment such as a nursing home, hostel, hotel, convent, embassy or other institution of a similar nature;

“residential parking permit area” means a parking area on a road where traffic sign number RUS 018 together with an accompanying information plate indicates that parking of vehicles is subject to the parking fee or the display of a valid resident’s parking permit;

“residential parking permit bay” means a parking bay in a residential parking permit area;

“residential parking permit road” means the road indicated on a resident’s or visitor’s parking permit;

“retail parking” is the Council’s pay in store option to pay for on-road parking.

“road” means a public road within the meaning of the Roads Act 1993, s. 2 and responsibility for the maintenance of which lies with a road authority;

“traffic warden” has the meaning assigned to it by Section 2 of the Local Authorities (Traffic Wardens) Act, 1975 (No 14 of 1975);

“valid coins” means the coins indicated on the appropriate pay and display parking ticket machine;

“valid parking tag” means that a registered user of parking tag has paid the parking fee and that the period paid for has not expired;

“valid resident’s parking permit” means a resident’s parking permit issued in respect of the vehicle in which the permit is displayed which relates to the residential parking permit road where the vehicle is parked and to a period which has not expired;

“valid pay and display parking ticket” means a pay and display parking ticket which was purchased at an appropriate pay and display parking ticket machine and has not expired;

“valid retail parking” means that the parking fee paid in store has not expired;

“vehicle” means:

- (a) A passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle;
- (b) A goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle.

“visitor” means one who visits, calls on, or makes a stay with the resident or is engaged by the resident to carry out works on the dwelling or provide any other service ancillary to the use of the dwelling;

“visitor’s parking permit” means a permit issued by the Council or its agents for the purposes of bye-laws 32 to 38 and containing the particulars specified in bye-law 32;

“valid visitor’s parking permit” means a visitor’s parking permit which:

- (a) relates to the residential parking permit road where the vehicle is parked;
- (b) Has been scratched as appropriate to indicate clearly the year, month, day in the month, hour of the day and (to the nearest following five-minute period) minute of the hour of the commencement of a period of parking
- (c) Indicates that the vehicle is so parked for a period not exceeding a continuous period of 24 hours from the time the parking commenced.

PART II Paid Parking

Parking in a paid parking area

- 6. (1) The following provisions shall apply during operational hours to parking of a vehicle in a paid parking bay:
 - (a) payment of the parking fee;
 - (b) subject to paragraph (2) of this bye-law, a vehicle which is parked in a paid parking bay during operational hours shall be parked within the area comprising a parking bay,

- (c) a vehicle, excepting Car Club vehicles displaying a valid Car Club permit or vehicles displaying a valid disabled persons parking permit, which had been parked in a paid parking bay for the maximum period permitted in that paid parking area, as indicated on the appropriate pay and display ticket parking machine in accordance with Bye-law 11, shall not be parked again in a paid parking bay on the road in which that paid parking bay is situated until at least one hour has elapsed since the vehicle was last parked in that paid parking bay,
 - (d) a vehicle shall not be parked in a buffer area,
 - (e) a vehicle parked in a paid parking bay at a time which is not during operational hours shall be removed from the paid parking bay when a period of operational hours commences, unless at such commencement and during the remainder of the period of parking, a parking fee is paid.
- (2) Notwithstanding paragraph (1)(b) of this bye-law, a vehicle parked in a parking bay during operational hours may project into an adjoining buffer area if the length of the vehicle prevents its being parked wholly in accordance with paragraph (1)(b) of this bye-law.
 - (3) This bye-law shall not apply to a parking bay when the paid parking bay is temporarily suspended from operation in accordance with Bye-law 14.

Vehicles which may be parked in a paid parking bay

- 7. Having paid the parking fee, mechanically propelled vehicles only, of the following classes, may be parked in a paid parking bay during operational hours:
 - (1) a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle;
 - (2) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle;
 - (3) a Car Club Vehicle displaying a valid Car Club Vehicle permit;
 - (4) a vehicle displaying a valid disabled persons parking permit
 - (5) large public service vehicle in a paid parking bay where traffic sign number RUS 019 accompanied by an information plate containing the hours of operation and the words "Except Buses - Ach Amháin Busanna" is provided;
 - (6) A vehicle classed as an "Electric Vehicle" or "EV"

Obligation to display a valid parking ticket

- 8. (1) Payment of the parking fee via a pay and display parking ticket machine requires that a valid pay and display parking ticket shall be displayed as specified in this Bye-Law in the interior of a vehicle lawfully parked in a paid parking bay during operational hours.
- (2) The valid pay and display parking ticket shall be exhibited on the front dashboard of the vehicle so that a person outside the vehicle looking at/through the front window of the vehicle can ascertain when the parking ticket ceases to be valid.

- (3) The pay and display parking ticket shall be exhibited in accordance with paragraph (2) of this Bye-Law for so long as the vehicle is parked in that ticket parking bay.
- (4) Failure to correctly exhibit a valid pay and display parking ticket may result in enforcement for non-payment of the parking fee.
- (5) Valid Parking Tag and Valid Retail Parking do not require a ticket or tag to be displayed.

Fees

- 9. (1) The maximum parking fee, except where specified under Bye-Law 9(4), payable during operational hours in respect of the vehicles specified in paragraph (1), (2), (5), and (6) of Bye-law 7 shall be as indicated hereunder. The parking tariff zones (as indicated on Drawing No. RT5224-001).

Tariff Zone	Maximum Tariff €
Zone One – Yellow	4.00 per hour or pro rata for periods less than 1 hour. Minimum purchase 20 cent.
Zone One – White (Sun 14:00-18:00)	1.80 per hour or pro rata for periods less than 1 hour. Minimum purchase 20 cent.
Zone Two – Red	3.50 per hour or pro rata for periods less than 1 hour. Minimum purchase 20 cent.
Zone Three – Green	2.00 per hour or pro rata for periods less than 1 hour. Minimum purchase 20 cent.
Zone Four – Orange	1.20 per hour or pro rata for periods less than 1 hour. Minimum purchase 20 cent.
Zone Five – Blue	0.90 per hour or pro rata for periods less than 1 hour. Minimum purchase 20 cent.
Coach Parking	9.00 per hour

Tariffs apply on a pro-rata basis for any period of parking up to the maximum period allowed in that paid parking bay in accordance with Bye-law 11.

These Tariffs may be reviewed and increased or decreased by resolution of the Council Members.

- (2) The parking fee payable during operational hours in respect of the vehicles specified in paragraph (5) of Bye-law 7 shall be 20 cent for each continuous period of parking not exceeding 10 minutes of parking up to the maximum period allowed in that paid parking bay as indicated on the appropriate pay and display parking ticket machine in accordance with Bye-law 11.
- (3) Parking tag and retail parking transactions are time-based and require a minimum purchase of 10 minutes per transaction in accordance with the tariffs set out in Bye-Law 9 (1).
- (4) In order to allow for the promotion of retail activity in the City or to promote a particular method or methods of payment, the Council may, make a reduced parking fee for vehicles parked in accordance with Bye-Law 7 (1) and (2), and (6) at such rates at such times and for such periods set out by report, and granted by resolution of the Council Members.

Manner and time of payment of parking fee

- 10. (1) A pay and display parking ticket shall be purchased from an appropriate pay and display parking ticket machine.
- (2) The fee for the pay and display parking ticket shall be paid by means of any combination of valid coins, or by payment card. The method/methods of payment will be indicated on the pay and display parking ticket machine.
- (3) The valid parking ticket shall be displayed in accordance with Bye-law 8 immediately on parking during operational hours and when a vehicle is parked at a time not during operational hours the valid parking ticket shall be displayed by the commencement of operational hours.
- (4) A minimum payment for a parking period of 10 minutes in the relevant zone is required when using Parking Tag or Retail Parking to pay for on-road parking.

Period of parking in paid parking area

- 11. Excepting Car Club vehicles displaying a valid Car Club Vehicle permit and vehicles displaying a valid disabled persons parking permit, a vehicle parked in a paid parking area during operational hours shall not be so parked for a period longer than the maximum period for which parking is permitted on that day in that paid parking area as indicated on the appropriate pay and display parking ticket machine located on the road in which the vehicle is parked or located on an adjacent road or where indicated by a sign.

Suspension of paid parking controls on specified days	12.	<p>Paid parking controls shall not apply in any paid parking area on the following days:</p> <table border="0" style="margin-left: 40px;"> <tr> <td>New Year's Day</td> <td>1st January</td> </tr> <tr> <td>St. Patrick's Day</td> <td>17th March</td> </tr> <tr> <td>Easter Sunday</td> <td>Variable</td> </tr> <tr> <td>Easter Monday</td> <td>Variable</td> </tr> <tr> <td>May Public Holiday</td> <td>First Monday in May</td> </tr> <tr> <td>June Public holiday</td> <td>First Monday in June</td> </tr> <tr> <td>August Public holiday</td> <td>First Monday in August</td> </tr> <tr> <td>October Public Holiday</td> <td>Last Monday in October</td> </tr> <tr> <td>Christmas Day</td> <td>25th December</td> </tr> <tr> <td>St. Stephen's Day</td> <td>26th December.</td> </tr> </table>	New Year's Day	1 st January	St. Patrick's Day	17 th March	Easter Sunday	Variable	Easter Monday	Variable	May Public Holiday	First Monday in May	June Public holiday	First Monday in June	August Public holiday	First Monday in August	October Public Holiday	Last Monday in October	Christmas Day	25 th December	St. Stephen's Day	26 th December.
New Year's Day	1 st January																					
St. Patrick's Day	17 th March																					
Easter Sunday	Variable																					
Easter Monday	Variable																					
May Public Holiday	First Monday in May																					
June Public holiday	First Monday in June																					
August Public holiday	First Monday in August																					
October Public Holiday	Last Monday in October																					
Christmas Day	25 th December																					
St. Stephen's Day	26 th December.																					
Motor cycles and pedal cycles prohibited from parking in paid parking areas	13.	A motor cycle, with or without a sidecar, or a pedal cycle shall not be parked during operational hours in a paid parking area.																				
Suspension of pay and display machines or paid parking bays	14. (1)	The Council or its agents may suspend from operation a pay and display parking ticket machine or a paid parking bay in a paid parking area. The suspension shall be subject to any conditions, which may be specified in writing by the Council, including the payment of a fee by the person requesting the suspension.																				
	(2)	The suspension of a pay and display parking ticket machine or a paid parking bay shall be indicated by the placing thereon of a sign or other device clearly indicating that it is non-operational or by the temporary removal of the pay and display parking ticket machine and the erection of a sign indicating that the parking of vehicles is prohibited in the paid parking bay.																				
	(3)	It shall be an offence to breach a condition specified in writing by the Council when a pay and display ticket parking machine or a paid parking bay is being suspended. In the event of vehicles being parked in contravention of these conditions they shall be deemed to be unlawfully parked for the purposes of the Road Traffic Act and any Regulations made thereunder.																				
Interference	15. (1)	No person shall insert any coin, article, or object, other than the coins specified or a payment card for the purchase of a pay and display parking ticket, in a pay and display parking ticket machine, or interfere in any other way with a pay and display parking ticket machine in a paid parking area.																				
	(2)	A person found guilty of interfering with a pay and display parking ticket machine may be subject to prosecution.																				
	(3)	No person other than an agent of the Council, a member of An Garda Síochána, an authorised person, or a traffic warden shall interfere in any way with a hood, sign or other device placed on a pay and display parking ticket machine in a paid parking area.																				

- (4) A person shall not interfere with, alter or deface a pay and display parking ticket.

PART III
Permit Parking for Residents

Issue of
resident's
parking permit

16. (1) A resident's parking permit may be issued by the Council or its agents in respect of the parking of a vehicle on a residential parking permit road;
- (2) A resident's parking permit may be issued by the Council or its agents subject to the provisions of paragraph 5 of this Bye-Law in respect of one vehicle where the Council are satisfied, following production of acceptable evidence, that the applicant is a resident on the residential parking permit road to which the permit will relate and that the vehicle is normally kept at the resident's normal dwelling place on that road. The resident's parking permit shall be granted for a period of either one year or a period of two years from the date of issue in respect of that vehicle and for the residential parking permit road to which the permit relates.
- (3) A resident's parking permit may be issued by the Council or its agents, subject to the provisions of paragraph 5 of this Bye-Law, to an applicant in respect of one vehicle where the Council are satisfied, following production of acceptable evidence, that the applicant's normal dwelling place is at a building situated on a road which is adjacent to a residential parking permit road and to which the permit will relate and where the parking of vehicles on the applicant's road is significantly restricted by parking controls.
- (4) On a residential parking permit road containing one or more residential parking permit area(s) and area(s) of free parking, only a resident whose normal dwelling place is bounded by a residential parking permit area may be issued with a parking permit. An applicant whose normal dwelling place is located on a road adjacent to such a residential parking permit road, who qualifies for a parking permit in accordance with paragraph 3 of this Bye-Law, may be issued with a parking permit.
- (5) (a) where the building is a single housing unit located on a heavy demand road, the maximum number of residents in that building who may concurrently hold a resident's parking permit shall be 2 save where previous quota applied.
- (b) where the building is a single housing unit not located on a heavy demand road, the maximum number of residents in that building who may concurrently hold a resident's parking permit shall be 4.
- (c) where the building consists of 2, 3 or 4 housing units the maximum number of residents in each unit who may concurrently hold a resident's parking permit shall be 1 except where issued in accordance with bye-law 22 paragraph 6;
- (d) where the building consists of more than 4 housing units and is not located on a heavy demand road, the maximum number of residents in each unit who may concurrently hold a resident's parking permit shall be 1;
- (e) except as provided in Bye-Law 22, where the building consists of more than 4 housing units and is located on a heavy demand road, residents shall not be eligible for residents' parking permits.

Particulars of resident's parking permit	17.	A resident's parking permit shall contain the following particulars:
	(1)	the words "Comhairle Cathrach Bhaile Átha Cliath" and/or "Dublin City Council"
	(2)	the registration number of the vehicle in respect of which it is issued,
	(3)	the residential parking permit road to which it relates,
	(4)	the date of expiry of the resident's parking permit,
Permission to park vehicle displaying resident's parking permit	18.	The display, in accordance with Bye-law 20, of a valid resident's parking permit on the vehicle in respect of which the permit was issued, shall permit the vehicle to be parked without limitation as to time in a parking bay on the residential parking permit road to which the permit relates provided that the vehicle is otherwise legally parked.
Non-application of Bye-Laws 6 to 11 of these Bye-Laws	19.	Bye-Laws 6 to 11 of these bye-laws shall not apply to the parking of a vehicle in a residential parking permit bay if there is a valid resident's parking permit displayed in accordance with Bye-Law 20 of these bye-laws in the vehicle when it is so parked.
Display of resident's parking permit	20.	A valid resident's parking permit or virtual parking scheme indicator shall be displayed either on the front dashboard or in a dedicated permit holder attached to the inside of the front window of the vehicle in respect of which it is issued so that it can be read by a person looking at/through the front window of the vehicle.
Issue of Resident's Parking Permit for self-employed	21. (1)	An additional resident's parking permit may be issued by the Council where an applicant satisfies the Council that he/she is self-employed, the owner of a private vehicle and of a goods vehicle and the use of the goods vehicle is necessary for the conduct of his/her trade or occupation, there is no off-road parking available at the applicant's dwelling place and the applicant's dwelling place is not located on a heavy demand road.
	(2)	A permit may only be issued in accordance with paragraph (1) of this bye-law where the vehicle concerned has dimensions equal to or less than: 2.1 metres in height and 4.9 metres in length.
	(3)	Where a permit has been issued in accordance with paragraph (1) of this bye-law only one resident of the building or of the housing unit, as the case may be, may concurrently hold a resident's parking permit.
	(4)	Where an applicant for a permit under paragraph (1) of this bye-law resides on a road or a part of a road where there are no front gardens between the front of the houses and the road, the Council may refuse to issue such permit.

Permit quota and permit entitlement for converted houses

22. (1) Where a building comprises a converted house containing more than 4 housing units and is located on a heavy demand road, the total number of residents' parking permits that may be held concurrently by residents of housing units in that building shall be 4 or the permit quota for that building, whichever is the greater, subject to the limit of one resident's parking permit per housing unit. For dwellings not formally in multiple units, the number of permits issued will be 1 permit, per premises.
- (2) If the road on which a building comprising a converted house containing more than 4 housing units is located is not classified as heavy demand or ceases to be classified as heavy demand the number of residents' parking permits that may be held concurrently by residents of housing units in that building may exceed the entitlement set out in paragraph (1) of this Bye-Law, subject to the limit of one resident's parking permit per housing unit.
- (3) If the road on which a building comprising a converted house containing more than 4 housing units is located is reclassified as heavy demand the entitlement set out in paragraph (1) of this Bye-Law, will apply but without prejudice to the rights of existing permit holders in that building to renew their parking permits.
- (4) Non-renewal of permits by existing holders where the permit quota exceeds the level as per paragraph (1) will result in the extinguishment of an automatic entitlement for a new applicant to a permit for that unit.
- (5) Where the permit quota has been reached, as set out in paragraph (1) of this Bye-Law, new applications will only be accepted after a permit vacancy becomes available in a building on the basis of first application received and subject to the limit of one resident's permit per housing unit.
- (6) In a converted house containing 2 housing units, where the quota was previously 3 permits for the single housing unit then the building shall retain its previous quota up to a maximum of 2 permits for the larger housing unit.
- (7) Any newly converted house on a residential parking permit road will retain the previous quota for the building. The date of conversion will, for the purposes of these Bye-Laws, be the date the Council was first notified of the conversion.

Issue of resident's parking permit to non-resident family member(s)

23. (1) A resident's parking permit may be issued by the Council or its agents with a maximum of two vehicle registration numbers on the permit for up to two non-resident immediate family members who act as voluntary carers for a resident whose normal dwelling place is on a residential parking permit road and who requires on-going daily care for a chronic illness. The resident's parking permit shall be issued annually subject to the submission of the immediate family member(s) vehicle insurance certificate(s) and written confirmation from the resident's doctor that the resident requires on-going daily care for a chronic illness.
- (2) The issue of a special permit under this Bye-Law is subject to the maximum number of permits issuable under Bye-Laws 16 and 22, in respect of the housing unit in which the resident who requires on-going daily care resides, not being exceeded.

Issue of resident's parking permit to employee of certain residential institutions

24. A resident's parking permit may be issued by the Council or its agents to an individual if the Council is satisfied that he/she is required as part of his/her employment to reside overnight in a residential institution for more than 183 nights per year. The resident's parking permit shall be issued annually on compliance with the following conditions:
- (1) the residential institution has no off-road car parking available to it;
 - (2) the maximum number of residents' parking permits issuable concurrently to any one residential institution shall be 2;
 - (3) A resident's permit shall be granted for a maximum period of one year, subject to submission of acceptable evidence of residency.

Fees

25. (1) The fees for the issue and renewal of residents' parking permits shall be as follows:

- (a) Category A: All applicants to whom category B does not apply:

<u>Issue and Renewal</u>	<u>1 Year Permit</u>	<u>2 Year Permit</u>
	€50	€80;

- (b) Category B: Applicants who are residents of buildings consisting of more than 4 housing units, with off-road parking and not located on a heavy demand road and of buildings comprising converted houses consisting of more than 4 housing units, with off road parking, located on a heavy demand road

<u>Issue and Renewal</u>	<u>1 Year Permit</u>	<u>2 Year Permit</u>
	€400	€750;

- (2) The fee for residential parking permits includes the issue of 8 complimentary visitor parking permits for a 1 Year Permit and 16 complimentary visitor parking permits for a 2 Year Permit.

Renewal of a resident's parking permit	26. (1)	A resident's parking permit must be renewed within the renewal period, which ends 28 days after the expiry date of the existing permit. Where a permit is not renewed within the renewal period, the holder of an expired permit shall, on subsequent application for a resident's parking permit for that address, be considered as a first time applicant under these Bye-Laws and a permit shall not issue unless the applicant is eligible for a permit under these Bye-Laws at the time of the subsequent application and where a quota applies, eligibility for a new resident's parking permit will be determined by reference to the quota at the time the subsequent permit application is made.
	(2)	The council may renew a resident's parking permit on submission of a completed application form and on payment of the appropriate fee without submission of "acceptable evidence" that the applicant's normal dwelling place is on a road either in or adjacent to a residential parking permit road to which the resident's parking permit will relate.
	(3)	At any stage prior to the expiry of a resident's parking permit the Council may request the person to whom a permit was issued to produce "acceptable evidence" that his or her normal dwelling place is on a road either in or adjacent to a residential parking permit road to which the permit relates. Any such request will be made in writing to the person to whom the permit was issued at the address given by that person on the application form.
	(4)	In the event of "acceptable evidence" not being produced to the Council within one month from the date of the written request in accordance with paragraph (3) of this bye-law the Council may, at its discretion, deem the resident's parking permit to be invalid and cancel the permit without further notice.
Issue of replacement resident's parking permit	27.	Where the Council are satisfied that a valid resident's parking permit has been lost, destroyed or stolen, the Council or its agents shall issue a replacement to the owner on payment of a fee of €10 and such replacement permit shall be substituted for the original permit and the original permit shall be cancelled.
Return of resident's parking permit	28.	Where, during the period to which a resident's parking permit relates, the holder ceases to reside at the address notified at the time of issue of the permit or ceases to be an owner by disposing of the vehicle to which the permit relates, the holder shall return the resident's parking permit to the Council or its agents. No credit or refund in respect of the unexpired period shall be granted in respect of a returned resident's parking permit except in the case of a Category B permit with a minimum of three months remaining on the term of the permit, where, on application to the Council, a refund may be made pro rata with the unexpired term of the permit.
Change of vehicle - issue of resident's parking permit	29.	If the holder of a resident's parking permit for a vehicle replaces that vehicle with another the Council or its agents may, following the surrender of the original permit, issue a resident's parking permit in respect of the new vehicle which shall be valid for the remainder of the period specified on the original permit. If the original permit is not surrendered, a fee of €10 shall apply to the issue of the new resident's parking permit.

Change of address – issue of resident’s parking permit

30. (1) If the holder of a resident’s parking permit granted under these Bye-Laws changes address, either within a residential parking permit road or from one residential parking permit road to another, the Council or its agents may, following surrender of the original permit and production of acceptable evidence, issue a resident’s parking permit in respect of the new address, provided that the permit holder would otherwise qualify for a resident’s permit at the new address under these Bye-Laws. A permit issued under this Bye-Law shall be valid for the remainder of the period specified in the original permit. If the original permit is not surrendered, a fee of €10 shall apply to the issue of the new resident’s parking permit. No financial adjustment, credit or refund shall be granted in respect of the difference in price between a move from category B to A. A move from category A to B will incur the additional cost of the permit for the new category calculated on a pro rata basis.

(2) The fee for the subsequent renewal of a permit issued under this Bye-Law shall be charged at the appropriate category rate in accordance with Bye Law 25 (a) or (b) of these Bye-Laws as if it were in respect of a new application.

Display of invalid and interference with resident’s parking permit

31. (1) It shall be an offence to display an invalid resident’s parking permit which may result in the resident or applicant being permanently excluded from the scheme.

(2) Where a vehicle displaying a resident’s parking permit is parked in a parking bay on a residential parking permit road a person shall not interfere with the resident’s parking permit.

PART IV
Visitors' Permit Parking

- | | | |
|---|------------|---|
| Particulars of a visitor's parking permit | 32. | <p>A visitor's parking permit shall contain the following particulars:</p> <ol style="list-style-type: none">(1) the words "Comhairle Cathrach Bhaile Átha Cliath" and/or "Dublin City Council"(2) the words "Visitor's Parking Permit"(3) the residential parking permit road to which it relates and(4) having symbols capable of indicating the year, date and time when the permit becomes a valid visitor's parking permit; |
| Non-application of Bye-Laws 6 to 11 of these Bye-Laws | 33. | <p>Bye-Laws 6 to 11 of these Bye-Laws shall not apply to the parking of a vehicle on a residential parking permit road if there is displayed, in accordance with Bye-law 36 of these Bye-Laws, in the vehicle when it is so parked, a valid visitor's parking permit.</p> |
| Issue of, and fee for, visitors' parking permits | 34. | <ol style="list-style-type: none">(1) Visitors' parking permits may be issued by the Council or its agents to a resident on a residential parking permit road in respect of the parking of vehicles which are not normally kept on that road and which require to be parked temporarily in a residential parking permit bay on that road for a purpose which is ancillary to the use of the resident's dwelling.(2) Visitors' parking permits may also be issued by the Council or its agents to an applicant whose normal dwelling place is at a building situated on a road adjacent to a residential parking permit road and to which the permit will relate and where the parking of vehicles on the applicant's road is significantly restricted.(3) The total number of visitors' parking permits, excluding those specified in Bye-law 35 of these Bye-Laws, which may be issued to each resident or applicant in accordance with paragraph (1) and (2) of this bye-law is as follows:<ol style="list-style-type: none">(a) in the case of a building used as a single housing unit 80 visitors' parking permits in any calendar year subject to an overall limit of 160 visitors' parking permits per building in any calendar year.(b) in the case of a building divided into 2 or more housing units 80 visitors' parking permits per housing unit in any calendar year.(c) Where the Council is satisfied that there will be no negative impact on permit holders for a residential parking permit road, it may upon request and at its discretion issue additional visitors' parking permits to a resident or applicant.(4) A resident who qualifies for a resident's parking permit under Bye-Law 24 of these Bye-Laws shall not be entitled to receive visitors' parking permits.(5) The fee for each visitor's parking permit shall be €1.25 with a minimum purchase of four permits per transaction |

- (6) Visitors' parking permits shall be non-refundable and non exchangeable.
- (7) A visitor's parking permit shall only be valid for use on the residential parking permit road to which the permit relates.
- Issue of free visitors' parking permits with each resident's parking permit. **35.** A total of 8 visitors' parking permits shall be issued free with each annual resident's parking permit and a total of 16 visitors' parking permits shall be issued free with each two-year resident's parking permit and these shall be in addition to the number of visitors' parking permits issuable under Bye-Law 34 (3) of these Bye-Laws. Visitors' parking permits issued under this Bye-Law shall only be valid for use on the residential parking permit road to which the resident's parking permit relates.
- Display of a visitor's parking permit **36. (1)** The valid visitor's parking permit or virtual parking scheme indicator shall be exhibited on the front dashboard of the vehicle so that a person outside the vehicle looking at/through the front window of the vehicle can ascertain, by reference to the panels scratched, when the parking commenced and shall be exhibited so long as the vehicle is parked on that residential parking permit road.
- (2) A vehicle, displaying a visitor's parking permit, parked in a residential parking permit bay for a period less than the maximum parking period in accordance with Bye-law 37 of these bye-laws, may subsequently be lawfully parked in another residential parking permit bay on the same residential parking permit road on the same day, within the said maximum parking period, subject to compliance with paragraph 1 of this Bye-Law.
- Permission to park vehicle displaying a visitor's parking permit **37.** The display, in accordance with Bye-law 36, of a valid visitor's parking permit in a vehicle shall permit the vehicle to be parked not in excess of 24 hours from commencement of parking in a parking bay on the residential parking permit road to which it relates provided that the vehicle is otherwise legally parked.
- Offences **38. (1)** It shall be an offence for a resident to sell a visitor's parking permit to any person;
- (2) It shall be an offence to display an invalid visitor's parking permit.
- (3) It shall be an offence to interfere with a visitors parking permit.

**PART V
Miscellaneous**

Waiver in respect of specific classes or categories of vehicles

- 39.** The requirement to pay a parking fee in any parking bay or residential parking permit bay to which these Bye-Laws relate shall not apply to the following:
- (a) a vehicle being used in connection with the removal of an obstruction to traffic, the removal of a vehicle pursuant to section 97 of the 1961 Road Traffic Act as amended, the immobilisation and release of vehicles, the maintenance, improvement or reconstruction of a road, the provision, alteration or repair of a main drain, pipe or apparatus for the supply of gas, oil, water or electricity or of a telephone line or the provision of a traffic sign,
 - (b) a fire brigade vehicle, an ambulance, a vehicle being used by a member of An Garda Síochána in the performance of the duties of that member, or a vehicle in which a valid disabled person's permit is displayed and which is parked for the convenience of the person to whom that permit was granted if the permit is prominently displayed on the vehicle when that vehicle is parked in a paid parking bay.
 - (c) A vehicle which has been damaged or has broken down, during the period necessary to effect repairs to the vehicle or remove it from the location.

Issue of complimentary parking permits

- 40.** The Council may issue complimentary parking permits which, when correctly displayed in a vehicle, will enable that vehicle to be parked in any paid parking bay or residential parking permit bay to which these bye-laws relate, provided that the vehicle is otherwise legally parked, and subject to compliance with the conditions set out on the complimentary parking permit.

Falsified documentation

- 41. (1)** A resident or applicant who submits falsified documentation to support his/her application for a resident's parking permit shall not be issued with a resident's parking permit or visitors' parking permits.
- (2)** The City Council may cancel a resident's parking permit and/or visitors' parking permits where it establishes that the holder of the resident's permit does not hold an entitlement to the permit in accordance with these Bye-Laws, or where it establishes that the holder has obtained the permit by the submission of falsified documentation.
- (3)** A resident or applicant may be permanently excluded from obtaining a permit if there is evidence of falsified information or documentation.



An Roinn Iompair
Department of Transport

Guidelines on Traffic Works Procedures

Section 38 of the Road Traffic Act (1994)

October 2023

Guidelines under Section 38(6) of the Road Traffic Act 1994

Contents

1. Introduction	4
2. Background	4
3. Scope of Section 38	4
4. Prescribed Measures	6
5. Section 38 and the Planning Process.....	6
6. Determining the Appropriate Procedure	8
7. Interaction with Section 95 of the Road Traffic Act 1961	10
8. Section 38 – Standard Procedure (Traffic Works Order).....	11
9. Section 38 –Trials Procedure (Temporary Traffic Works Order).....	11
Appendix A	16
Traffic Works Procedure Flowchart	16
Appendix B	18
Statutory Approval Processes	18
Appendix C	22
Section 38 – Road Traffic Act (1994).....	22

1. Introduction

These Guidelines apply to all Local Authorities (Road Authorities) in relation to works undertaken in accordance with Section 38 of the Road Traffic Act 1994. In particular the Guidelines set out types of works that can be undertaken, processes that apply for permanent works and procedures for temporary or ‘trial’ works. Such processes and procedures allow for consultation and related Traffic Works Orders (Chief Executive Orders).

2. Background

Section 38 of the Road Traffic Act 1994 (“**Section 38**”) sets out powers of a road authority in relation to the provision and removal of certain measures, categorised as “*traffic calming measures*”, in respect of public roads in their charge.

Subsection (6) of Section 38 identifies that guidelines may be issued by the Minister for Transport to road authorities relating to traffic calming measures under this section and that road authorities are required to have regard to such guidelines when performing functions under this section.

3. Scope of Section 38

3.1. Overview

Section 38 relates to the provision or removal of traffic calming measures by a local authority “*in respect of public roads in their charge.*”

The Roads Act, 1993 defines a “*public road*” as meaning “*a road over which a public right of way exists and the responsibility for the maintenance of which lies on a road authority*”.

“*Traffic calming measures*” are defined in Subsection (9) of Section 38 as meaning:

“*measures which —*

- (a) *enhance the provision of public bus services, including measures which restrict or control access to all or part of a public road by mechanically propelled vehicles (whether generally or of a particular class) for the purpose of enhancing public bus services, or*
- (b) *restrict or control the speed or movement of, or which prevent, restrict or control access to a public road or roads by, mechanically propelled vehicles (whether generally or of a particular class) and measures which facilitate the safe use of public roads by different classes of traffic (including pedestrians and cyclists),*

and includes for the purposes of the above the provision of traffic signs, road markings, bollards, posts, poles, chicanes, rumble areas, raised, lowered or modified road surfaces, ramps, speed cushions, speed tables or other similar works or devices, islands or central reservations, roundabouts, modified

junctions, works to reduce or modify the width of the roadway and landscaping, planting or other similar works.”

3.2. Types of Measures

There is a broad scope of interventions on public roads which fall within the definition of “*traffic calming measures*” for the purposes of this legislation. This can include such items, *inter alia*, as:

- Roadway alterations to enhance safety,
- Re-allocation of street space,
- Junction enhancement schemes to improve safety,
- Filtered permeability / filtered one-ways,

- Provision of bus lanes and bus gates,
- Bus facilities such as lay-bys, accessible bus stops and bus shelters.

- Construction or enhancement of footpaths,
- Pedestrianisation of sections of public roads,
- Construction of pedestrian and/or cycle crossings,

- Installation of cycle tracks,
- Cycle facilities, such as cycle stands, bike stations or bike parking.

The above list is not exhaustive in any way, but is illustrative of the range of road measures falling within the scope of Section 38.

However, it is important to note that the proposed particular measure, or measures, must be on or within the boundaries of a public road (or roads). There may be circumstances where the prevention, restriction or control of access to a public road take place outside of the public road, and may fall within the scope of Section 38, but this should be considered an exceptional circumstance.

More generally, the position will be that where the intended intervention is not being implemented in full on a public road, Section 38 is not the applicable empowering provision. Accordingly, where the proposed measure extends outside the boundary of the public road, an alternative approval process is required, as Section 38 will not be applicable in those circumstances.

For completeness, the Roads Act, 1993 defines a “*road*” as including:

- “(a) *any street, lane, footpath, square, court, alley or passage,*
- (b) *any bridge, viaduct, underpass, subway, tunnel, overpass, overbridge, flyover, carriageway (whether single or multiple and whether or not designated for a particular class of vehicle), pavement or footway,*
- (c) *any weighbridge or other facility for the weighing or inspection of vehicles, toll plaza or other facility for the collection of tolls, service area, emergency telephone, first aid post, culvert, arch, gully, railing, fence, wall, barrier, guardrail, margin, verge, kerb, lay-by, hard shoulder,*

island, pedestrian refuge, median, central reserve, channelliser, roundabout, gantry, pole, ramp, bollard, pipe, wire, cable, sign, signal or lighting forming part of the road, and

- (d) *any other structure or thing forming part of the road—*
- (i) *used, or the use of which is reasonably required, for the safety, convenience or amenity of road users or for the construction, maintenance, operation or management of the road or for the protection of the environment, or*
 - (ii) *prescribed by the Minister”.*

4. Prescribed Measures

Subsection (3) of Section 38 references the provision or removal of “*traffic calming measures under this section of such class or classes as may be prescribed*”. As at the date of these Guidelines, no traffic calming measures have been prescribed by regulation and, accordingly, the requirements set out in subsections 3(a), 3(b) and 3(c) are not mandatory and the associated requirement in subsection (4) is not applicable and is not in operation.

5. Section 38 and the Planning Process

5.1. General

Section 38 of the Road Traffic Act 1994 empowers a local authority to carry out certain works in accordance with the provisions of that section. However, by itself it does not remove the requirement to comply with planning consent legislation.

Development by a local authority is generally governed by Section 179 of the Planning and Development Act of 2000 (“**Section 179**”), except where proposals are required to be referred to An Bord Pleanála in relation to Environmental Impact Assessment and Appropriate Assessment. Section 179 outlines the procedures that must be followed for local authority own development, the application of which is then prescribed in Part VIII of the Planning and Development Regulations 2001 – for the purpose of this guidance, this process is referred to as the “**Part 8 procedure**”.

Section 80 of the Planning and Development Regulations 2001 prescribes the development types to which the Part VIII procedure applies. Of most relevance are Sections 80(1)(b), (c) and (k) below, which applies the Part VII procedure to:

- (b) *“the construction of a new road or the widening or realignment of an existing road, where the length of the new road or of the widened or realigned portion of the existing road, as the case may be, would be—*
 - (i) *in the case of a road in an urban area, 100 metres or more, or*
 - (ii) *in the case of a road in any other area, 1 kilometre or more”,*
- (c) *“the construction of a bridge or tunnel”, and*

- (k) *“any development other than those specified in paragraphs (a) to (j), the estimated cost of which exceeds €126,000, not being development consisting of the laying underground of sewers, mains, pipes or other apparatus.”*

Unless subject to other processes under environmental impact assessment or appropriate assessment, projects falling within these categories are, in the absence of an exemption applying as set out below, subject to the Part VIII procedure.

5.2. Exemptions from Part 8 Procedure

There are a number of exemptions from the Part 8 Procedure, with one of those exemptions relating to certain proposals under Section 38 of the Road Traffic Act 1994. This is set out in Section 179(6)(bb) of the Planning and Development Act of 2000, which states the following exemption: -

“works, other than works involving road widening, to enhance public bus services or improve facilities for cyclists provided under section 95 (as amended by section 37 of the Road Traffic Act 1994) of the Road Traffic Act 1961 or under section 38 of the Road Traffic Act 1994”.

Accordingly, any works *“to enhance public bus services or improve facilities for cyclists”* which are delivered under Section 38 of the Road Traffic Act 1994, are exempted from the normal local authority Part VIII planning process.

It is important to note that other works proposed to be implemented under Section 38, which are not for the purposes of enhancing public bus services or improving facilities for cyclists, will require approval under the Part 8 procedure, unless exempted under another provision, such as the exemption for certain works below a certain value, which is currently €126,000 (Section 80(1)(k) of the Planning and Development Regulations 2001) and which may be subject to review from time to time.

It is also important to note that the exemption in subsection (6)(bb) of Section 179, is qualified to relate only to works *“other than works involving road widening”*. Accordingly, where the proposed works include road widening, this exemption does not apply.

5.3. Multi-faceted Works

Frequently works which are primarily to enhance public bus services or improve facilities for cyclists, also contain other ancillary elements such as improvements for pedestrians, possibly in the form of upgraded footpaths or upgraded pedestrian crossings. It is recommended that a decision on the appropriateness of utilising either the Section 38 procedure or the applicability of the exemption from the Part 8 Procedure is made based on the primary purpose of the scheme.

If the primary purpose of the project does not relate to bus or cycling enhancements, then the exemption set out in Section 179(6)(bb) of the Planning and Development Act of 2000 does not apply. On the other hand, if the primary objective is either bus or cycling enhancements, then the exemption should apply, notwithstanding that there may be other elements associated with the project.

6. Determining the Appropriate Procedure

The process of determining the appropriate planning procedure involves a number of stages which are set out in the following sections.

6.1. Stage 1: Is Section 38 the appropriate empowerment section?

The first step in the process of this determination is the assessment of whether the proposed scheme or plan falls within the ambit of Section 38. To make this determination, the following steps should be undertaken:

- Identify the scope and key details of the proposal and assess whether they constitute traffic management measures within the definition set out in Section 38; and
- Determine if the proposed scheme is to be undertaken on a public road or public roads and does not extend outside the boundaries of the public road(s).

If the proposal constitute traffic management measures, as defined in Section 38, and are wholly undertaken within the boundaries of a public road or public roads, then Section 38 is the appropriate empowerment provision under which the local authority may implement the proposed scheme. However, this in itself does not obviate the need for a separate development consent process and further steps are required to determine if, and what, additional development consent process may be required.

6.2. Stage 2: EIA and AA Screening Process

Central to the decision as to whether an additional development consent process is required, is the determination of the need for environmental impact assessment or appropriate assessment. The relevant steps are as follows:

- Identify if the proposal is above the threshold prescribed for the preparation of an Environmental Impact Assessment Report (EIAR);
- Where the scheme is below the prescribed threshold for the preparation of an EIAR, identify if EIA screening is required and, if so, an EIA screening determination must identify whether or not EIA is required; and
- Identify if Appropriate Assessment (AA) screening is required and, if so, an AA screening determination must identify whether or not AA is required.

Where a proposal requires the preparation of either an EIAR or the undertaking of Appropriate Assessment, separate development consent processes are required in respect of such EIAR or Appropriate Assessment, requiring applications to An Bord Pleanála under the relevant legislation.

6.3. Stage 3: Applicability of Part 8 Procedure

Where it has been determined that a proposal does fall within the ambit of Section 38, and that it does not require either the preparation of an EIAR or the undertaking of Appropriate Assessment, the

issue of whether the proposal requires consent under the Part 8 procedure or is exempted from the Part 8 Procedure remains to be determined.

The key step in this determination is the following:

- Identify whether the primary purpose of the proposal is to enhance public bus services or improve facilities for cyclists.

Where the primary purpose of the proposal is for the enhancement of public bus services or the improvement of facilities for cyclists, the proposal is exempt from the Part 8 Procedure as identified under the exemption set out in subsection (6)(bb) of Section 179. Where the primary objective of the proposal is for purposes other than the enhancement of public bus services or the improvement of facilities for cyclists, then the Part 8 Procedure will apply, unless the proposal falls under one of the other available exemptions.

To determine whether other exemptions to the Part 8 Procedure apply, four further tests are required. These four tests are:

- Determine whether the cost of the proposal is likely to be below €126,000 (Section 80(1)(k) of the Planning and Development Regulations 2001) - works below this value are exempted from the Part 8 procedure.
- Determine whether the proposal consists of works of maintenance or repair (other than significant works to a protected structure, or a proposed protected structure) – such maintenance or repair works are exempted from the Part 8 procedure.
- Determine whether the proposal consists of works necessary for dealing urgently with an emergency situation calling for immediate action – such emergency works are exempted from the Part 8 procedure, and
- Determine if the proposal comprises of works which a local authority is required to undertake by or under any Irish or European legislation or under a Court order – such mandated works are exempted from the Part 8 procedure.

These four tests will determine whether any of these exemptions apply to the proposal.

6.4. Decision Making Process

A local authority should initially determine whether the proposed scheme or plan falls within the ambit of Section 38. This requires the undertaking of the assessment set out in Section 6.1 above.

Where that determination identifies that Section 38 is the appropriate empowerment provision for the proposed scheme, the steps set out in sections 6.2 and 6.3 should then be undertaken. This will identify whether or not an additional development consent process is required in respect of the proposal.

The outcome of the determination will be one of the following options:

1. The proposal will be progressed under the provisions of Section 38,

2. An EIAR is required and an application for development consent will be made to An Bord Pleanála in line with legislative requirements,
3. No EIAR is necessary but Appropriate Assessment is required, which will be submitted to An Bord Pleanála in line with legislative requirements, or
4. Development consent under Section 179 of the Planning and Development Act 2000 is required and the proposal will be the subject of a Part 8 Procedure.

Where the outcome of the determination process is that the proposal will be progressed under the provisions of Section 38 without requiring an EIAR, Appropriate Assessment or development consent under Section 179, that decision should be recorded in a formal decision record and published on the local authority's website. This allows the public to become aware that such a decision has been taken in respect of the applicable proposal.

7. Interaction with Section 95 of the Road Traffic Act 1961

Section 95 of the Road Traffic Act 1961 (as amended) deals with the erection and removal of traffic signs on public roads. Traffic signs are defined in this section as meaning:

“any sign, device, notice or road marking, or any instrument for giving signals by mechanical means, which does one or more of the following in relation to a public road or public roads:

- (a) gives information (such a sign being referred to in this section as ‘an information sign’),*
- (b) warns persons of danger or advises persons of the precautions to be taken against such danger, or both (such a sign being referred to in this section as ‘a warning sign’),*
- (c) indicates the existence of a road regulation or implements such a regulation, or both, or indicates the existence of a provision in an enactment relating to road traffic (such a sign being referred to in this section as ‘a regulatory sign’);”*

The section provides a procedure for the provision of regulatory signs, requiring consultation with the Commissioner of An Garda Síochána.

The definition of *“traffic management measures”* in Section 38 also includes reference to *“the provision of traffic signs, road markings, ...”*. For the provision of traffic signs in respect of a scheme being advanced under Section 38, it is important for a local authority to also comply with the requirements of Section 95 of the Road Traffic Act 1961 and to ensure that the appropriate process is followed in relation to regulatory signs. It is insufficient to rely solely upon Section 38 powers for the provision of regulatory signs.

Thus in addition to complying with the processes prescribed in Section 95 of the Road Traffic Act 1961 in the provision of traffic signs, it is recommended that any decision to progress a proposal under the provisions of Section 38 would, where traffic signs will form part of the proposal, also reference Section 95 in the decision. This will ensure that the appropriate powers are referenced in the determination related to the appropriate process.

8. Section 38 – Standard Procedure (Traffic Works Order)

Road authorities should carry out non-statutory public consultation in relation to proposals to be delivered under Section 38, except in the case of:

- (i) works which are required to be carried out to deal with an emergency,
- (ii) works of a very minor nature,
- (iii) works subject to a trial scheme as outlined in Section 9 of this document.

The type of public consultation to be undertaken will be guided by the location and nature of the proposed measures. Generally, road authorities are advised to place the public consultation material on its website for a period of not less than two weeks, allowing for submissions or observations to be submitted to the road authority during that period.

At the end of the consultation period, road authorities should carefully consider any submissions or observations received by the consultation deadline, and should determine whether:

- (a) the proposal should proceed without any further modifications,
- (b) the proposal should proceed with some modifications, or
- (c) the proposal should not proceed.

With the exception of minor and emergency works, a decision to implement proposals to be delivered under Section 38 is an executive decision and should be recorded in a formal decision record as a Chief Executive's Order (**Traffic Works Order**) and should be published on the local authority's website. The local authority shall also inform the elected members of the Council of the determination.

9. Section 38 – Trials Procedure (Temporary Traffic Works Order)

9.1. General

Trial provision of certain arrangements falling under the ambit of Section 38 can be a useful way of assessing the full implications of a particular proposal. While such a trial provision is not practicable in many cases, in other cases it may be feasible to proceed with a trial implementation.

Such trial implementation can be progressed under the provisions of Section 38, provided that:

- (a) the proposal falls within the definition of "*traffic management measures*",
- (b) the proposed particular measure, or measures, is on a public road (or roads),
- (c) neither an EIAR nor an Appropriate Assessment is required, and
- (d) the proposal is exempted from the Part 8 Procedure, most likely on the basis of the exemption set out in Section 179(6)(bb) of the Planning and Development Act 2000.

The core rationale for a trial is to allow particular proposals to be implemented on a temporary basis, for a defined period of time, allowing the impacts of the proposal to be monitored. This then informs a subsequent decision on whether the proposals should or should not be implemented on a permanent basis. Accordingly, instead of seeking public feedback on draft proposals in the usual

manner, the consultation process should be focussed on obtaining feedback on the trial scheme in operation. The following arrangements are recommended where it is proposed to implement a trial scheme.

9.2. Trial Scheme Procedure

9.2.1 Where a local authority proposes to implement a scheme on a trial basis, referred to in this guidance as a “trial scheme”, in accordance with the provisions of Section 38, the local authority should confirm that:

- (a) the trial scheme proposal falls within the definition of “*traffic management measures*”;
- (b) the proposed particular measure, or measures, implementing the trial scheme is/are on a public road (or roads);
- (c) neither an EIAR nor an Appropriate Assessment is required for the trial scheme; and
- (d) the trial scheme is exempted from the Part 8 Procedure, such as on the basis of the exemption set out in Section 179(6)(bb) of the Planning and Development Act 2000.

9.2.2 The period of the trial should be established. It is essential that sufficient time is given to allow revised patterns to become fully established in order to be properly able to assess the impact of the trial scheme. In most cases the trial period should be between six months and twelve months, but where there are specific reasons to do so, shorter or longer trials can be considered. However, the period of a trial should not exceed 18 months.

9.2.3 The local authority should consult with An Garda Síochána and, in the case of schemes where the direction of general traffic movement on a road is proposed to be changed or restricted, the fire service and the ambulance service, in relation to the proposals. Where views are provided, these shall be considered by the relevant local authority.

9.2.4. Prior to implementing the trial scheme, the local authority shall place a notice on its website setting out its intention to introduce the trial and providing details of the trial scheme, including the general layout of the scheme, its approximate implementation commencement date and the planned conclusion date of the trial scheme. Such notice shall be placed at least fourteen (14) days prior to the commencement of the implementation of the trial scheme.

In addition, the notice should advise that feedback on the trial scheme can be provided at any stage while the trial scheme is in operation, up to a date stated in the notice, which should be between four and eight weeks prior to the planned conclusion date stated in the notice. This feedback should be facilitated through a specified email address and a specified postal address, or it may utilise any other convenient feedback arrangements that the local authority may have in place.

9.2.5 Prior to implementing the trial scheme, the local authority shall inform the elected members of the Council of the intention to proceed with the trial. This should be by way of regular monthly update to the Councillors, or by specific communication.

- 9.2.6 A decision to implement a ‘trial’ is an executive decision and should be recorded in a formal decision record as a Chief Executive’s Order (**Temporary Traffic Works Order**) and should be published on the local authority’s website.
- 9.2.7 Where the trial scheme requires new infrastructure to be put in place, such infrastructure should comprise, as far as practicable, of temporary elements (examples are plastic delineators and moveable planter boxes) or elements that can be relatively easily removed at the end of the period of the trial scheme. However, this does not preclude the use of elements such as concrete kerbs or bitumen-based materials where considered appropriate.
- 9.2.8 Upon the introduction of the trial scheme, the local authority should be available to engage with local stakeholders, particularly local shops, businesses and residents, in relation to any operational issues that may arise from the implementation of the trial scheme.
- 9.2.9 Where a trial scheme is carried out involving traffic changes, road users should be advised of the changes through appropriate signage.
- 9.2.10 Where a local authority considers that the period of implementation of a trial scheme should be extended, it shall place a notice on its website setting out its intention to extend the period of the trial scheme and shall state the revised conclusion date of the trial scheme. Such notice shall be placed at least seven (7) days prior to the previously planned conclusion date of the trial scheme. In addition, the local authority shall also inform the elected members of the Council of the extension of the trial period. This should be by way of regular monthly update to the Councillors, or by specific communication. It should be noted that the period of a trial, inclusive of any extensions, should not exceed 18 months.
- 9.2.11 Within the final three-month period prior to the planned conclusion date of the trial scheme, or the extended date where applicable, the local authority shall compile a report of the trial scheme. This report should set out its assessment of the operation of the trial scheme, a summary of the feedback received during the trial period and a recommendation that:
- (a) the provisions of the trial scheme should be implemented on permanent basis,
 - (b) a modified version of the trial scheme should be implemented on a permanent basis,
 - (c) the provisions of the trial scheme should not be implemented on permanent basis,
 - (d) an alternative trial scheme should be considered for implementation.

Following completion of the report on the trial scheme, the local authority shall make a determination on the future arrangements, having regard to the recommendation of the report. This determination will be an executive decision and should be recorded in a formal decision record as a Chief Executive’s Order (**Traffic Works Order**). The determination should also be published on the local authority’s website.

- 9.2.12 At end of the period of the trial scheme, infrastructure elements of the trial should be removed as soon as practicable, unless a prior decision has been taken to make the provisions of the trial scheme permanent either with or without modifications.

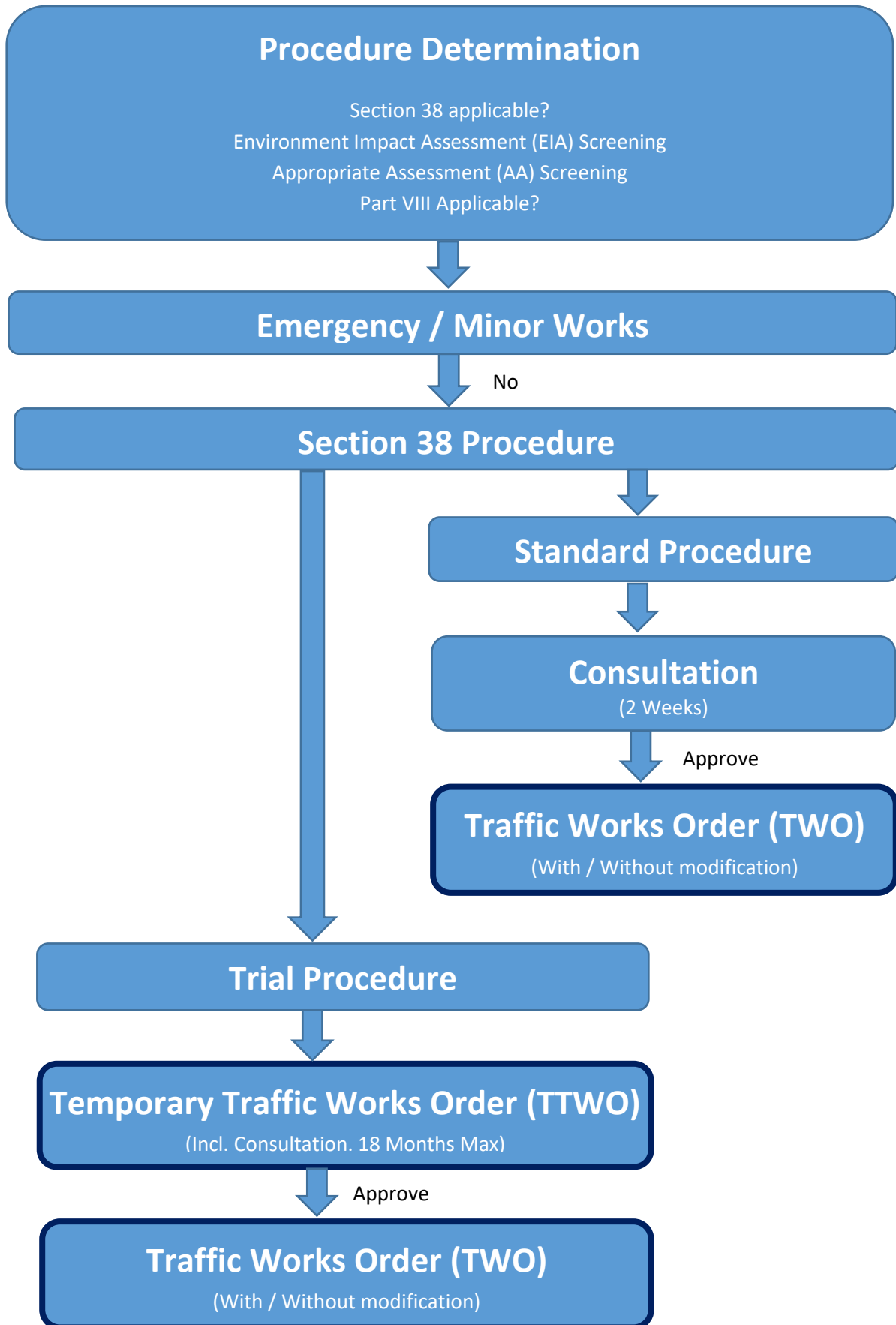
Where it is decided that the provisions of the trial scheme should be implemented on a permanent basis, with or without modifications, the local authority shall proceed, in accordance with the relevant procedures, to replace the elements of the trial scheme, modified as necessary, with the permanent proposals. The normal notification procedures of the local authority shall apply to such implementation. However, as feedback arrangements were in place in respect of the trial scheme, a further public consultation process in relation to the permanent scheme is not required.

Where a decision is made to make the scheme permanent the temporary works may remain in place until the permanent scheme has been installed.

- 9.2.13 Where the above process for the implementation of trial schemes requires notification to the elected members of the Council, such notification may be to the full Council, the members of the Strategic Policy Committee of the Council dealing with transport matters, the elected members of a Municipal District or to the elected members of a local electoral area.

Appendix A

Traffic Works Procedure Flowchart



Appendix B

Statutory Approval Processes

The different consent procedures for delivery of traffic, traffic calming or active travel projects are set out below:

1. **Section 38 of the Road Traffic Act 1994** – this is an Executive decision of the relevant local authority;
2. **Part VIII Procedure** (under the Planning and Development Regulations 2001) to be adjudicated by the elected Councillors of the relevant local authority;
3. **Environmental Impact Assessment Report** to be adjudicated by An Bord Pleanála; and
4. **Appropriate Assessment** process under Section 177AE of the Planning and Development Act 2000.
5. Information to Elected Members and power of Direction.

Each of these is elaborated in the subsequent sections.

2.1 Section 38 of the Road Traffic Act 1994

Section 38 of the Road Traffic Act 1994 deals with the implementation of “*traffic calming measures*” meaning measures which:

- (a) *enhance the provision of public bus services, including measures which restrict or control access to all or part of a public road by mechanically propelled vehicles (whether generally or of a particular class) for the purpose of enhancing public bus services, or*
- (b) *restrict or control the speed or movement of, or which prevent, restrict or control access to a public road or roads by, mechanically propelled vehicles (whether generally or of a particular class) and measures which facilitate the safe use of public roads by different classes of traffic (including pedestrians and cyclists),*

and includes for the purposes of the above the provision of traffic signs, road markings, bollards, posts, poles, chicanes, rumble areas, raised, lowered or modified road surfaces, ramps, speed cushions, speed tables or other similar works or devices, islands or central reservations, roundabouts, modified junctions, works to reduce or modify the width of the roadway and landscaping, planting or other similar works.”

The definition of “*traffic calming measures*” is very wide, including “*measures which facilitate the safe use of public roads by different classes of traffic (including pedestrians and cyclists)*”.

Projects developed under the provisions of Section 38 are exempt from the provisions of the Part VIII planning process. Section 179(6)(bb) of the Planning and Development Act 2000 includes as an exemption from the Part VIII process: “*works, other than works involving road widening, to enhance public bus services or improve facilities for cyclists provided under section 95 (as amended by section*

37 of the Road Traffic Act 1994) of the Road Traffic Act 1961 or under section 38 of the Road Traffic Act 1994". Progression of schemes under Section 38 of the Road Traffic Act 1994 is an Executive function of the relevant local authority.

2.2 Part VIII Procedure (under the Planning and Development Regulations 2001)

The Part VIII procedure set out in the Planning and Development Regulations 2001 is the process by which local authority development, which is below the threshold for referral to An Bord Pleanála, is approved for implementation. Part VIII are required for: -

(b) the construction of a new road or the widening or realignment of an existing road, where the length of the new road or of the widened or realigned portion of the existing road would be—

(i) 100 metres or more, in the case of a road in an urban area, or,

(ii) 1 kilometre or more in the case of a road in any other area,

(c) the construction of a bridge or tunnel.

The process involves a public consultation process and consideration by the Councillors of the project details and the feedback from the consultation process.

2.3 Environmental Impact Assessment Report

Very large schemes may trigger the need for an Environmental Impact Assessment Report (EIAR) on the basis that the scheme is likely to have significant environmental impacts – these impacts can be both positive and negative. There may be other cases where the proposed scheme is above one of the prescribed thresholds for an EIAR.

Screening is the initial stage in the EIA process and determines whether or not specified public or private developments are likely to have significant effects on the environment and, as such, require EIA to be carried out prior to a decision on a development consent application being made.

An assessment as to whether to carry out a screening process needs to be considered for all projects and is based on the whether such a project is covered by the schedule in the annex and any national thresholds. Environmental effects can, in principle, be either positive or negative.

EU Directive 2011/92/EU thresholds for which an EIA is required for projects are: -

Annex I projects (EIA required by Directive) are: -

“(b) Construction of motorways and express roads,

(c) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road or realigned and/or widened section of road would be 10 km or more in a continuous length.”,

Annex II projects (Irish requirements specifying thresholds which trigger an EIA),

Includes busway (not bus lanes), service area, new 100m bridge, new 100m tunnel, four-lane road of 500m or more in an urban area and 8 km in a rural area.

In general, it should be noted that any project of whatever scale that is likely to have significant effects on the environment would trigger the need for an EIA.

If an EIAR is required, then the application for development approval must be made to An Bord Pleanála and the normal procedures operated by the Board applies. The process may, and in most cases will be likely to, include an oral hearing held by an inspector appointed by An Bord Pleanála.

Schemes for which an EIAR is required are then exempted from going through the separate Part VIII planning procedure.

2.4 Appropriate Assessment Process

Appropriate Assessment is a process set out under the Habitats Directive (Directive 92/43/EEC) and the European Communities (Birds and Natural Habitats) Regulations 2011 to assess the potential impacts of plans or projects on sites of environmental importance. There is a process set out in the above legislation that requires preliminary evaluations to be undertaken (screening) to establish whether an Appropriate Assessment process should be undertaken for the relevant plan or project. Where Appropriate Assessment is undertaken, it is a form of environmental assessment establishing the potential impacts on relevant designated sites, culminating in the preparation of a “*Natura Impact Statement*”. This statement is then required to be submitted to An Bord Pleanála under Section 177AE of the Planning and Development Act 2000, for its determination.

Where an Appropriate Assessment application has been made by a local authority to An Bord Pleanála for a project under this section, it then does not follow the Section 38 or Part VIII planning process.

2.5 Information to Elected Members and power of Direction

Section 138 of the local government act provides for information to be provided to a local authority elected council before any works are undertaken. Specifically, the chief executive shall inform the elected council before any works (other than maintenance or repair) are undertaken, or before committing the local authority to any expenditure in connection with proposed works (other than maintenance or repair).

In addition, an elected council or joint body may by resolution direct that, before the chief executive performs any specified executive function, he or she shall inform the elected council or joint body, as the case may be, of the manner in which he or she proposes to perform that function, and the chief executive shall comply with the resolution.

Section 139 of the Local Government Act provides that where the elected council or joint body is informed in accordance with section 138 of any works (not being any works which the local authority or joint body are required by or under statute or by order of a court to undertake), the elected council or joint body may by resolution, direct that those works shall not proceed. Where such a direction is made the chief executive shall comply with it.

Section 140 allows for an elected council or joint body to requirement that a particular thing is done. This must occur by resolution to require any particular act, matter or thing specifically mentioned in the resolution and which the local authority or the chief executive concerned can lawfully do or effect, to be done or effected in the performance of the executive functions of the local authority.

Appendix C

Section 38 – Road Traffic Act (1994)

Road Traffic Act 1994

Traffic calming measures.

- 38.— (1) A road authority may, in the interest of the safety and convenience of road users, provide such traffic calming measures as they consider desirable in respect of public roads in their charge.
- (2) A road authority may remove any traffic calming measures provided by them under this section.
- (3) Before providing or removing traffic calming measures under this section of such class or classes as may be prescribed, a road authority shall—
- (a) consult with the Commissioner;
 - (b) publish a notice in one or more newspapers circulating in the functional area of the authority—
 - (i) indicating that it is proposed to provide or remove the measures, and
 - (ii) stating that representations in relation to the proposal may be made in writing to the road authority before a specified date (which shall be not less than one month after the publication of the notice);
 - (c) consider any observations made by the Commissioner or any representations made pursuant to paragraph (b) (ii).
- (4) The making of a decision to provide or remove traffic calming measures of a class prescribed under subsection (3) and the consideration of observations or representations under paragraph (c) of that subsection shall be reserved functions.
- (5) Traffic calming measures shall not be provided or removed in respect of a national road without the prior consent of the National Roads Authority.
- (6) The Minister may issue general guidelines to road authorities relating to traffic calming measures under this section and may amend or cancel any such guidelines and, where any such guidelines are, for the time being, in force, road authorities shall have regard to such guidelines when performing functions under this section.
- (7) A traffic calming measure provided under this section shall be deemed to be a structure forming part of the public road concerned and necessary for the safety of road users.
- (8) (a) A person who, without lawful authority, removes or damages or attempts to remove or damage a traffic calming measure provided under this section shall be guilty of an offence.

(b) An offence under this subsection may be prosecuted by the road authority in whose functional area the acts constituting the offence were done.

(9) In this section—

“provide” includes erect or place, maintain and (in the case of an instrument for giving signals by mechanical means) operate and cognate words shall be construed accordingly; and

“traffic calming measures” means measures which restrict or control the speed or movement of, or which prevent, restrict or control access to a public road or roads by, mechanically propelled vehicles (whether generally or of a particular class) and measures which facilitate the safe use of public roads by different classes of traffic (including pedestrians and cyclists) and includes the provision of traffic signs, road markings, bollards, posts, poles, chicanes, rumble areas, raised, lowered or modified road surfaces, ramps, speed cushions, speed tables or other similar works or devices, islands or central reservations, roundabouts, modified junctions, works to reduce or modify the width of the roadway and landscaping, planting or other similar works.





12 October 2023

NGSG Circular 3 of 2023

National (Infrastructure) Guidelines and Standards Group

To: -

Chief Executive of each Local Authority
Chief Executive of Transport Infrastructure Ireland
Chief Executive of the National Transport Authority

**Re: - Publication of Guidelines on Traffic Works Procedures
Section 38 of the Road Traffic Act**

Dear Chief Executive,

I am directed by the Minister for Transport to inform you that The *Guidelines on Traffic Works* were published by the Department for Transport on 12 October 2023. These new Statutory Guidelines, in accordance with Section 38 of the Road Traffic Act, 1994, as amended, apply to all works undertaken under that Section.

The Guidelines document is attached to this circular and together with this circular can be viewed at: -

<https://www.gov.ie/en/publication/0efde-guidelines-and-standards-for-roads-greenways-and-active-travel/>

This Circular provides information on the powers of Local Authorities under Section 38 of the Road Traffic Act regarding traffic calming measures in respect of public roads in their charge.

Subsection (6) of Section 38 identifies that guidelines may be issued by the Minister for Transport to road authorities relating to traffic calming measures under this section and that road authorities are required to have regard to such guidelines when performing functions under this section.

The attached Guidelines set out:

- Types of measures which fall under Section 38, such as reallocation of street space, provision of bus lanes, etc.



- Section 38 and its interaction with the Planning Process.
- Determining appropriate procedures for schemes which fall under Section 38.
- Standard Procedures to be adopted under Section 38 including 'Traffic Works Orders', and
- Trials Procedures to be used in accordance with Section 38 including 'Temporary Traffic Works Orders'.

It is anticipated that a briefing session on the guidelines will take place in the coming months, information on which will be provided in due course.

Queries or clarification on any of the matters referred to in this circular may be obtained from the Department of Transport (DoT), National Guidelines and Standards group at ngsg@transport.gov.ie.

Yours sincerely,

John McCarthy,
Department of Transport,
Chair, National Guidelines and Standards Group.

CC: - The Director of Services/Senior Engineer for Roads/Transport/Infrastructure for each City & County Council.

Report to Traffic and Transport SPC: Wed 8th November 2023

Project Updates:

Summary:

There are 7 Schemes currently in construction and 1 completed giving an increase of 2 on the last quarter

- **Clontarf to City Centre (3km)**
- **Royal Canal Greenway Phase 3 (2.1km)**
- **Dodder Greenway: Herbert Park to Donnybrook (0.5km)**
- **South Grand Canal Cycle Safety Improvements (2.2km)**
- **Liffey Cycle Route at Eden Quay: O'Connell Bridge to Butt Bridge/Beresford Place junction (0.25km)**
- **East Coast Trail**
- **Suir Road to Thomas St**

- **Fitzwilliam Street Cycle route - To commence in Q1 2024 subject to NTA approval.**
- **Sandyford Clonskeagh to Charlemont Street - SC2C (installation of Phase 1 is planned to commence in Q4 2023).**

31 of our schemes are currently in design stage a sample of which are stated below;

-
- Royal Canal Phase 4
- Dodder Greenway Interim Scheme
- Sir John Rogerson's Quay
- Chesterfield Avenue Project
- Finglas Village Improvement Scheme
- Finglas Area Roundabouts
- Trinity to Ballsbridge
- Grand Canal to Lincoln Place
- Coolock to Clontarf
- Ratoath Road and Cappagh Road

The following scheme commenced its Public Consultation stage in Q4 2023:

- Dodder Greenway - Beavers Row

Schemes currently in Construction Stage:

Clontarf to City Centre Route

- This project will deliver 8km of walking facilities, 6km of cycling facilities, and 5.4km of bus lanes, from Alfie Byrne Road/Clontarf Road Junction to Amiens Street/Talbot Street Junction and a section of the Tolka Valley Greenway from Annesley Bridge to Alfie Byrne Road/East Wall Road Junction when completed

- There is continued progress all along the outbound side of the Scheme from Talbot Street all the way to Alfie Byrne Road junction. 100+ Operatives are distributed along the 2.7km Scheme and continue to construct new footways, cycle-track, installation of new kerbing, watermains, public lighting ducting and columns and surface water drainage
- Currently there is 1,500m of cycle-track opened on the inbound side
- Works continue in preparation for the opening of the remaining 1,200m of inbound cycle-track which is scheduled to be opened at the end of November.
- Extensive works have taken place over recent weekends on Five Lamps Junction to provide a brand new fully constructed pavement on the junction. By the end of October the Five Lamps junction shall be fully reconstructed with only the surface course to be placed in Spring 2024 when the weather improves.
- Further road construction works are planned for North Strand Road and through Fairview for those weekends available in November.
- Of the 6 no. bus stops to be constructed on the inbound side 5 no. are complete and in use, 1no. of the outbound stops is complete and in use. Construction of the remaining bus stops on the Scheme continue (12 no. bus stops in total)
- All details and progress of the scheme can be obtained on our dedicated webpage www.c2cc.ie

Royal Canal Greenway Phase 3

- Royal Canal Phase 3 will provide 2.1 km of cycling facilities and 2.1 km of walking facilities along the Royal Canal, from Newcomen Bridge (North Strand Road) to Cross Guns Bridge (Phibsborough Road).
- Temporary road closure were required along Charleville Mall the contractor is currently laying a new bituminous road surface and new concrete flags on the south side footpath. The road will be re-opened to vehicular traffic mid-November but works will continue on the northside and south side footpaths. Localised traffic management arrangements will remain in place.
- The canal towpaths between Cross Guns Bridge and Binns Bridge, between Russell Street Bridge and Clarke's Bridge and between Clarke's Bridge and St Vincent's primary school continue to be unavoidably closed to the public until further notice to facilitate the works
- Works were suspended on the towpath from Clarke's Bridge to Charleville Mall due to fragile nature of the canal wall. The scope of the remediation works to the canal bank wall between Clarke's Bridge and Newcomen Bridge are to be determined further to the Ground Investigation (GI) works and a conservation led approach to remediation is to be carried out in agreement with Waterways Ireland.
- Installation of micro piles for the Russell Street Bridge ramps (east & west) was completed in September and works have commenced on the construction of pile caps on the west side ramp. Once complete, pile cap works will commence on the east side ramp. Ducting has also been installed along the towpath on the east side of Russell St to facilitate a localised underground ESB cable diversion.
- Works on the east side of Binns Bridge are on hold until an amending Part VIII planning process. A report on this has been submitted to the Lord Mayor and Elected Members on report 234/2023. In the interim, the main contractor is undertaking ground investigation works adjacent Binns Bridge and on Dorset St adjacent St Ignatius road to identify existing gas main services that will have to be diverted to facilitate the proposed ramp works at Binns Bridge.
- The new pedestrian bridge was installed on 17th October near Lock 3. Service ducts are currently being installed inside the bridge deck.

- Waterways Ireland have commenced canal dredging works between Binns Bridge and Lock 3. These works are anticipated to take 6 – 8 weeks to complete. All ducting on the south side towpath between Binns Bridge and Lock 3 were installed in advance of the dredging works.
- A dedicated webpage for the project was also launched and regular updates on the project will be available at www.dublincity.ie/RCGP3

Dodder Greenway – Herbert Park to Donnybrook

- This Scheme will deliver 450m of walking and cycling facilities including flood protection measures along the Dodder Greenway on the Northern bank between Donnybrook and Herbert Park.
- The works for Bective Lawn Tennis Club (court number six) and for the IRFU (Car Park) have been handed over, although Landscaping has yet to commence. The Greenway works are well advanced, with entrance works at both ends, Herbert Park and Donnybrook Road, incomplete.
- The Greenway Binder course is 90 % complete and the Wearing Course 30% complete.
- These works have also been extended to include ducting and infrastructure work for the Donnybrook Toucan Crossing. Further Toucan Ducting works across Eglington and Donnybrook Road commenced in October including new changing Temporary Traffic Management until the end of November 2023.
- Certificate of Substantial Completion will now including the extra works for the Toucan on Donnybrook Road. The target is to complete is to finish before Operation Open City (free flow) by the end of November. Failing that, the remaining Donnybrook Roadworks will be finished early in 2024 when Temporary Traffic Management measures may resume.

South Grand Canal on Road Safety Improvement Scheme

- This scheme involves the cycling improvements along the R111 between Suir Road in the West to Rathmines and further towards Ballsbridge.
- The works at the South Grand Canal are currently delayed due to the recent Liquidation of the main contractor - SIAC Construction Ltd.
- The new lights at Clogher Road Junction are now fully operational with the majority of associated minor works at this location also completed.
- Emergency works have also been carried out at Aughavannagh Road to allow the pedestrian crossing to be commissioned.
- A completion plan is now in place to allow the remainder of the project to be closed out. There are two main categories of works remaining – the resurfacing of the six main junctions and the completion of footpath works at Charlemont Bridge, Mount Pleasant & other minor footpath works. These have now be split into two separate works packages and completed under existing council Frameworks.
- The resurfacing of the six junctions will be carried out under the Multi-Party Framework Agreement for Bituminous Pavement Contract 2020-2024.
- The remaining footpath works will be completed under the Multi-Party Framework Agreement for Carrying out Roadwork Contracts 2021-25. Tenders have been received and a contractor will be appointed in the coming weeks to commence completion of the works.

Liffey Cycle Route

- This is an east west City centre cycling route linking Matt Talbot Bridge in the East with Heuston Station and the Phoenix park in the west.
- Contractors Cairn Construction are progressing the works along a segment of the route

commencing at Eden Quay (0.25km section) from O'Connell Bridge to Butt Bridge/Beresford Place junction.

- A build out at the O'Connell Bridge junction and resurfacing of Eden Quay from O'Connell Bridge to Rosie Hackett Bridge has been completed.
- All works expected to be completed in Q4 2023.

East Coast Trail – S2S (Alfie Byrne Road/East Wall Road Section)

- This project will provide segregated cycling facilities and improved pedestrian facilities along a 1km route that extends from the entrance to the Eastpoint Business Park on Alfie Byrne Road, along Alfie Byrne Road and East Wall Road as far as East Road.
- The majority of the footpath works along East Wall Road are now complete including all footpath works at the Junction of East Road and East Wall Road. The final section of footpath along East Wall Rd is now under construction at the junction of Church Road and East Wall Road.
- Works on Alfie Byrne Road are continuing with 70% of the work between the end of the project and the junction of the East Point Business Park complete.
- Upcoming works will include the completion of the Church Road Junction, the New Crossing which will link the scheme to Fairview Park and the install of the on road traffic islands and kerbs which will delineate the new cycle lane.
- Finally resurfacing works will be carried out which will include regular asphalt, red SMA asphalt and Buff coloured surfacing in the school zone outside St Josephs NS.
- The newly created webpage has drawings and project information available for download, and can be found at www.dublincity.ie/ectnp1

Kilmainham to Thomas Street

- The **Kilmainham to Thomas Street** Cycle Route will provide 2.6km walking & cycling improvements from Kilmainham Gaol to Thomas Street from the South Circular Road Kilmainham Lane junction to the Thomas Court Thomas Street junction. The project is being delivered in phases:

- ***Suir Road to Thomas St (Interim Scheme)***

The Contractor Citius Ltd commenced installation of first Phase of the scheme (along James Walk, Marrowbone Lane, Forbes Lane and Rialto Bridge) on 8th August, 2023. The implementation of this phase is ongoing and it is expected to be substantially complete by Dec 2023.

- **Suir Road Junction Upgrade** Consultants DBFL are developing options for the upgrade of the Suir Road Junction. It is expected that Suir Road junction will be implemented in Q1 2024.
- **Thomas Court link to Thomas St** : DBFL are currently developing options for the link between Marrowbone Lane to Thomas Street.
- ***Kilmainham to Thomas St (Permanent measures)***
The project team and design Consultants are progressing with option appraisal for the permanent scheme which is along the full length of the Kilmainham to Thomas Street route. Public Consultation for the permanent design is planned for Q2 2024.
- Full details of the scheme can be found on the Active travel webpage. www.activetravel.ie

Fitzwilliam Street Cycle Route

- This scheme will deliver 1 kilometre of cycling facilities. Construction tenders have been published and it is anticipated that the preferred tenderer will commence in Q1 2024 pending the approval of the funding body to proceed.

Schemes Currently at Design / Planning Stage:

Royal Canal Phase 4 Route

- The project will deliver 4.3km of cycling facilities and 4.3km of walking facilities along the Royal Canal, from Cross Guns Bridge (Phibsborough Road) to the city boundary at Ashtown. A presentation was given by members of the project team on the proposed amending Part VIII to the Central Area Committee on 9th of May 2023.
- The Amending Part VIII was formally lodged on 2nd September 2023 and submissions were closed on 3rd November 2023.

Dodder Greenway Route

- This is a route along the Dodder from Docklands to DCC boundary at Orwell Park. The scheme will be delivered in conjunction with DLRCC and SDCC in sections, with focus currently on 6 rapid deployment schemes as follows;
 - Fitzwilliam Quay to Londonbridge Road
 - Beatty's Avenue to Herbert Park
 - Donnybrook Road to Clonskeagh Road
 - Clonskeagh Bridge to Patrick Doyle Road
 - Orwell Road to Dodder Road Lower.
 - Milltown Road (Dodder Walk to Dundrum Road)
- Non statutory Public Consultation has commenced on the Donnybrook Road = Clonskeagh Road section, and will run from October 31st to December 8th with a public event planed for November 9th.
- Further information will be available on the Citizen Space website <https://consultation.dublincity.ie/>

Sir John Rogerson Quay Project

- The multi-disciplinary design team is now established for the Sir John Rogerson Quay project. The scope of the design work includes upgrades to the public realm of 800 metres on Sir John Rodgers Quay, Flood alleviation measures, a two way high quality cycle route from Samuel Beckett Bridge to the proposed Dodder Bridge and changes to the road alignment to integrate the complete design with Bus Connects route 16.
- The design is being progressed taking into consideration constraints for the site. It is envisaged that a Part VIII will be submitted in Q1 2024

North Circular Road

- The North Circular Road Project aims to provide high-quality segregated cycling facilities along a 5.5km route from Infirmary Road at the junction with Conyngham Road and Parkgate Street to Seville Place at the junction with Guild Street. The project will be delivered in five schemes and the Active Travel Team are currently progressing with three as follows:
 - **Dorset St Lwr to Amiens St:** A Public Consultation Report for this scheme is expected to be published over the coming Quarter. Consultants Jacobs have commenced detailed design on the project.
 - **Hanlon's Corner junction upgrade:** A Public Consultation Report for this junction is expected to be published over the coming Quarter. A tender for engaging Consultants to develop the detailed designs was issued in Sep 2023.

- **Seville Place:** Consultants have developed concept designs and photomontages for a scheme along Seville Place and these were sent to NTA for review. An options report in line with the NTA's latest requirement for consideration of rapid build measures is currently being prepared.

Chesterfield Avenue Project

- The Chesterfield Avenue Project involves the upgrade of walking and cycle facilities in the Phoenix Park between Castleknock and Conyngham Road/Parkgate Street in a manner that is in keeping with the vision for the park into the future.
- A multidisciplinary design team is expected to be appointed in Q4 2023.

Trinity to Ballsbridge Walking & Cycling Route

- This scheme is proposed to be delivered in two phases
- **Phase 1: Holles St to Lansdowne Road** along Mount Street Lower and Northumberland Road.

Public Consultation for this Phase commence on 19th September 2023 and closed on 20th October. Information leaflets were distributed in the local area during the Public Consultation period.

A Public Consultation report is currently being prepared.

More information, can be found on the Dublin City Council Public Consultation Hub at <https://consultation.dublincity.ie/>.

- **Phase 2: Dawson St to Holles Street** along Nassau Street, Clare Street and Merrion Square North

Public Consultation for Phase 2 will follow at a future date.

Grand Canal to Lincoln Place

- Improved walking and cycling facilities are proposed for 1.3km as part of this scheme from the Townsend St / Lombard St junction along Townsend St, Sandwith Street Lower, Sandwith Street Upper, Hogan Place and Grand Canal Street Upper as far as Clanwilliam Terrace. Also a section along Fenian Street from the junction with Sandwith Street Upper to the junction with Lincoln Place.
- Draft Preliminary designs have been prepared and internal consultation undertaken. Consultants Jacobs to complete the preliminary design on the project and bring it to Public Consultation in Q1 2024.

Coolock to Clontarf

This Scheme will provide a walking and cycling route of 5.1km in length and is proposed to be delivered in three Phases:

- **Phase 1- Gracefield Rd to Vernon Avenue** along Gracefield Road, Brookwood Avenue, Sybil Hill Road and Vernon Ave.(2.6km)
The non-statutory Public Consultation for this Phase of the route was carried out from 6th June to 31st July, 2023. A public information event was held in Artane Coolock Family Resource Centre on Tuesday 25th July, 2023 with over eighty persons attending. Over 800 submissions have been received. These are being reviewed and the Public Consultation report is currently being prepared. Consultants Jacobs to commence detailed design on the project.

- **Phase 2- Vernon Ave to Clontarf Rd** along Vernon Avenue terminating at the junction with Clontarf Road.
- **Phase 3- Artane Roundabout to Clonshaugh Road** from Artane Roundabout, along Ardlea Road, Kincora Rd, Oscar Traynor Rd, Clonshaugh Rd.
Consultants Jacobs to commence concept design on Phases 2 & Phase 3 in Q1 2024.

Ratoath Road & Cappagh Rd

- A tender has been issued for the engagement of Consultants for the detailed design for this Rapid Build Scheme
- The Consultants will also be commissioned to develop a concept design for a permanent scheme along Ratoath Road (Westwood to Ratoath Avenue).

Sandyford Clonskeagh to Charlemont Street (SC2C)

- The Public Consultation Report has been drafted and is expected to be published on the DCC website during November.
- EIA/AA screening reports have been submitted to the planning department and they have returned their report which will feed into the planning determination process.

Further information on the overall network, including an interactive GIS map of all routes and a complete list of all roads and streets involved, is available at www.dublincity.ie/activetravel

Communications:

AcTPrO aims to provide clear, concise and accurate information to Councillors, businesses and residents, and all users of the project within any particular project corridor and all other relevant stakeholders, on the delivery of the Active Travel Network.

All public consultation material is on the Dublin City Council Consultation Hub, <https://consultation.dublincity.ie/>

Project information is also available on the Dublin City Council website www.dublincity.ie/activetravel. This is used to update project progress, provide further details on specific designs such as maps, drawings, artist impressions and communicate different elements of the project. A section on how to contact the project team is also available. AcTPrO maintains an active social media presence on the DCC social media channels using the hashtags #activetravelnetwork and #climate action, posting on average six times per week

A regular monthly update on the progress of the programme is contained within the Environment & Transportation section of each Monthly Management report to all of the Elected Members.

In addition, a comprehensive quarterly progress update on the programme is issued to the Full Council meeting and all Elected Members.

Christopher K. Manzira,

Deputy Director for the Active Travel Programme Office

06th November 2023