



**TO: AN CATHAOIRLEACH  
& EACH MEMBER OF KILKENNY COUNTY COUNCIL**

**RE: S38 Road Traffic Act 1994, Works at Hugginstown, Co. Kilkenny**

**DATE: 14<sup>TH</sup> May 2019**

**Dear Councillor,**

Under the Town & Village Renewal Scheme, traffic calming, village enhancement works were proposed at Hugginstown, Co. Kilkenny. This followed on from community engagement in 2018 and a public consultation which ran to 15<sup>th</sup> March 2019.

Works listed below were proposed included alteration aimed to provide traffic calming and enhancement of the village streetscape. Works included

- Traffic calming
- Footpaths
- Improvement parking area
- Improvements to public lighting
- Landscaping and street furniture

A number of submissions were received and these were examined by the consulting engineer and are listed in the attached report along with corresponding response. This report also includes scheme drawing and full details of submissions received.

I am satisfied having reviewed the documentation that the scheme as advertised, will provide a safer environment for pedestrians and all road users through traffic calming measures and improved pedestrian facilities. It will further improve the appearance of the village and make it a better place to live and work.

It is therefore recommended that the members approve the Hugginstown Village Scheme in accordance with Section 38(4) of the Road Traffic Act, 1994.

Ian Gardner  
Senior Executive Engineer

Seamus Kavanagh  
Senior Engineer

Tim Butler  
Director of Services









# KILKENNY COUNTY COUNCIL

## Hugginstown Village Renewal



### Section 38 Public Consultation Report - Hugginstown



**KILGALLEN & PARTNERS**  
CONSULTING ENGINEERS

**Client:**  
Kilkenny County Council  
County Hall  
John Street  
Kilkenny

Planning – Section 38

18031-S38-R01

Issue PL1

May 2019

**Kilgallen & Partners**  
Consulting Engineers  
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Kilkenny  
Tel : 056 7701090  
Email : [info@kilgallen.ie](mailto:info@kilgallen.ie)  
Web : [www.kilgallen.ie](http://www.kilgallen.ie)



## REVISION HISTORY

Client	Kilkenny County Council
Project	Hugginstown Village Renewal
Title	Section 38 Public Consultation Report

Date	Details of Issue	Issue No.	Origin	Checked	Approved
10/05/2019	Issued for review	PL1	KS	KS	NO'C

### Abbreviations:

- PR** - Preliminary
- PL** - Planning
- F** - Fire
- TI** - Tender Issue
- TA** - Tender Approval
- C** - Construction
- AC** - As Constructed



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	4.1 Submission 1	Page 6
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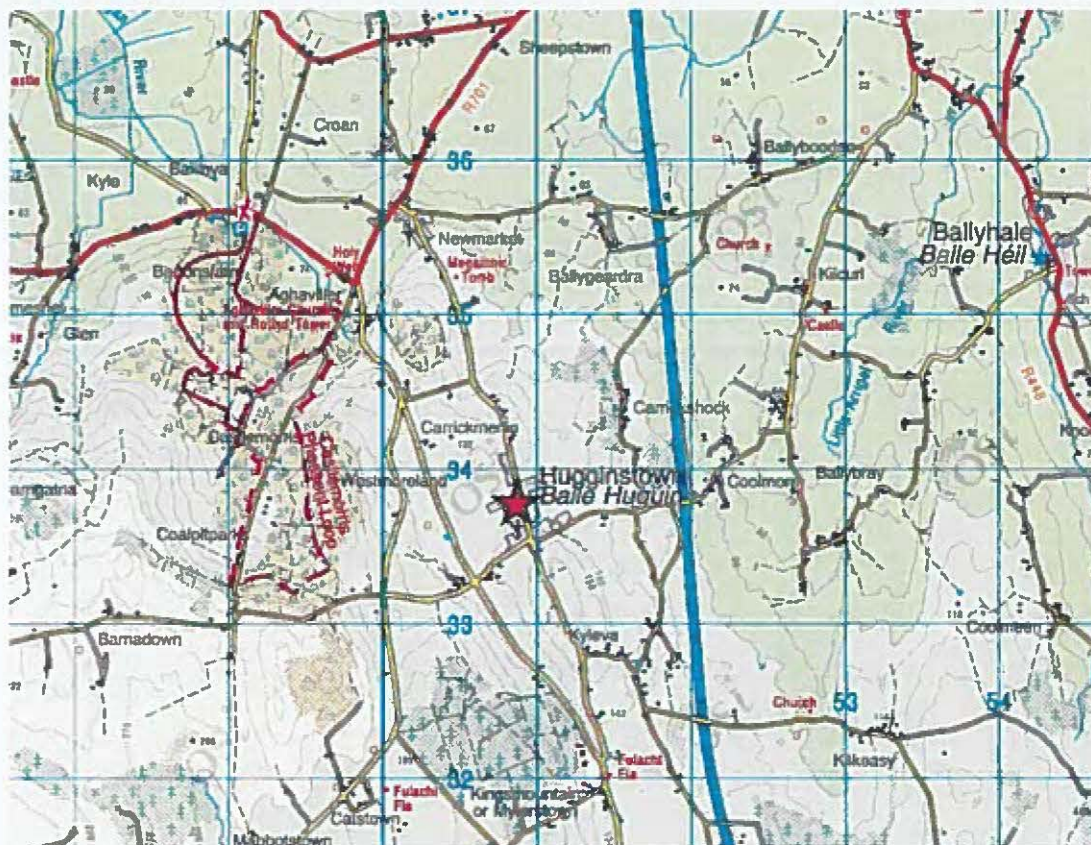
Appendix A	Scheme Drawings for Section 38
Appendix B	Copies of Submissions Received
Appendix C	Workshop Design Considerations
Appendix D	Scheme Drawings Post Section 38 Submissions



## 1. INTRODUCTION

### 1.1 SCOPE

Kilkenny County Council appointed Kilgallen and Partners Consulting Engineers Ltd. to develop a preliminary design for Hugginstown Village Renewal Scheme. The scheme comprises of improvement works on the main street over a carriageway length of approximately 460linm.



**FIGURE 1.1 SCHEME LOCATION MAP**

The scope of the proposed works include traffic calming and urban enhancement measures with the provision of new enhanced footways providing improved pedestrian linkage and accessibility. Defined parking areas, improvements to public lighting, hard and soft landscaping with street furniture.

This report should be read in conjunction with the drawings prepared for a section 38 application Public Consultation for "Hugginstown Village Renewal Scheme".

Additional details are provided in appendix A & B.



## 1.2 GENERAL DESCRIPTION OF THE SCHEME

Details of the Scheme are shown on the following drawings, which are included in Appendix A to this report and which were made available for public inspection by Kilkenny County Council under Section 38 of the Roads Traffic Act:

Drawing no.	Title
18031-100	Cover and Index of Drawings
18031-101	Scheme Location Map
18031-102	General Site Layout Plan
18031-103	Detailed Site Layout Plan (Sheet 1 of 3)
18031-104	Detailed Site Layout Plan (Sheet 2 of 3)
18031-105	Detailed Site Layout Plan (Sheet 3 of 3)

## 1.3 DESIGN STANDARDS

The Scheme has been designed in accordance with the Department of Transport Tourism & Sports "*Design Manual For Urban Roads and Streets*".

## 2. **ENVIRONMENTAL ASSESSMENT**

### 2.1 ECOLOGY

The works shall be subject to a Stage 1 Appropriate Assessment Screening Report to determine whether or not the subject Scheme requires a Natura Impact Assessment. The Appropriate Assessment (AA) Screening Report shall be carried out in accordance with the requirements of Article 6 of the EU Habitats Directive (Directive 92/43/EEC). The methodology applied in preparing the screening statement will be in accordance with the document 'Assessment of plans and projects significantly affecting Natura 2000 sites Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC' (Oxford Brookes University, 2001) and in accordance with guidelines given by the Department of Environment, Heritage and Local Government (2009).



### 3. LAND ACQUISITION AND RIGHTS OF WAY

#### 3.1 LAND ACQUISITION

In keeping with the objectives of the Scheme, Kilkenny County Council has sought to minimise the impact of the Scheme on local residents and landowners in so far as is reasonably practicable.

No lands are to be acquired for the purpose of the scheme. Where appropriate, at detail design stage an assessment of the likely impacts on individual accesses and entrances will be undertaken. Such assessments will provide for consultation with any affected commercial, residential and community facilities in the village.

### 4. SUBMISSIONS AND OBSERVATIONS

In accordance with Section 38 of the Roads Traffic Act, Kilkenny County Council gave notice of its intention carry out the Development and, in accordance with the Act and Regulations, made available for public inspection Plans and Particulars of the Scheme and invited submissions from the public. The closing date for submissions was 15<sup>th</sup> March 2019.

A total of six written submissions / observations were received and these are listed in Table 4.1.

Copies of all submissions are provided in Appendix B and where responses to these submissions are considered appropriate, these are provided below.

Reference No.	Name	Date Received	Response provided in Appendix C
1	Undisclosed	28 <sup>th</sup> Feb 2019	N
2	Caroline Doyle- Doyle Concrete	8 <sup>th</sup> March 2019	Y
3	Denis Doyle – Doyle Concrete	8 <sup>th</sup> March 2019	Y
4	David Doyle- Doyle Concrete	8 <sup>th</sup> March 2019	Y
5	Mary Doyle- Doyle Concrete	8 <sup>th</sup> March 2019	Y
6	John Doyle- Doyle Concrete	8 <sup>th</sup> March 2019	Y

**TABLE 4.1**  
**LIST OF SUBMISSIONS**



#### **4.1 SUBMISSION 1 - UNDISCLOSED**

##### **4.1.1 Summary of submission**

(i) Pedestrian Crossing

Significant benefit from inclusion

(ii) Parking at Shop

Improved visibility through designated parking

(iii) Parking at Old Church

Restricted access to old church with haphazard parking and raised kerbs for carrying of coffins during burial ceremonies.

(iv) Benefit of the Scheme to Community

Considered improvement and enhancement of Village through the proposed scheme

##### **4.1.2 Designer's Response**

(i) Pedestrian Crossing

Dual purpose Traffic Calming/raised pedestrian crossing measures shall be installed along the scheme.

(ii) Parking at shop

Designated parallel parking at exiting shop will provide improved visibility at junctions and onto main street.

(iii) Parking at Old Church

Dropped kerbs will be strategically positioned to assist with access and carparking areas will be delineated and marked with visibility and access to Old Church to be improved.

(iv) Benefit of Scheme to Community

Comments Noted



#### 4.2.1 SUBMISSION 2 TO 6 DOYLE CONCRETE- CAROLINE DOYLE, DENIS DOYLE, DAVID DOYLE, MARY DOYLE, JOHN DOYLE

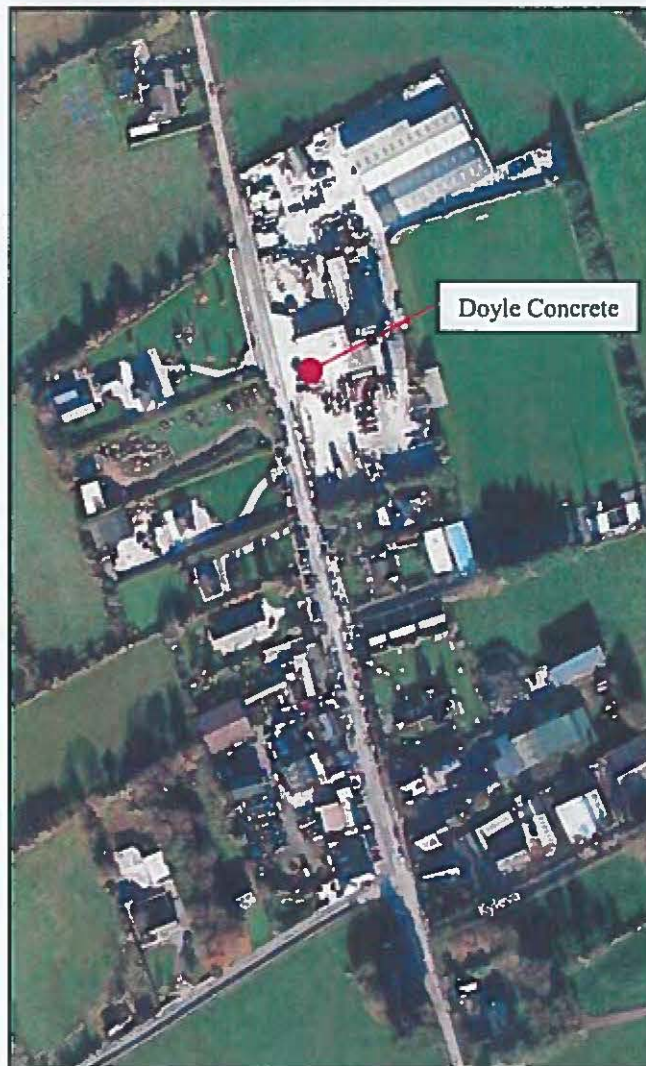


Fig 1-1 Indicative Location of Relevant Properties

#### 4.2.2 Summary of submission

- (i) Parallel Parking at Doyle Concrete Offices  
Re-orientate to provide additional spaces





(ii) Tree Planting

Planting of trees at Doyle Concrete Material Storage Area.

(iii) Provision of Public Footway link to Doyle Concrete Premises

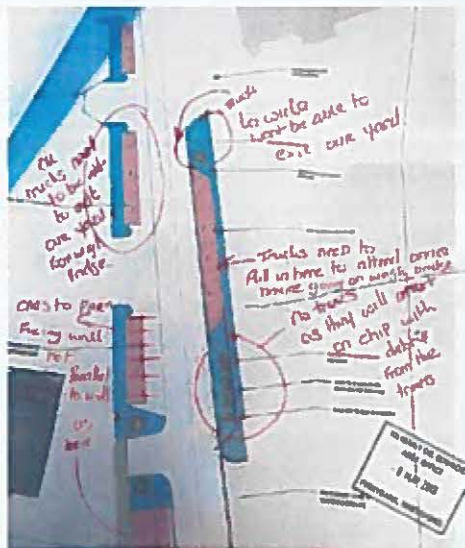
Proposed footway restricts turning movements and queuing of vehicles on public road along Doyle Concrete boundary

(iv) Carparking at Church

Re-orientate parallel to perpendicular parking at church area

(v) Pedestrian Crossing Control

Traffic Lights as opposed to flashing beacons at pedestrian crossing



## 2.1 Designer's Response

(i) Parallel Parking at Doyle Concrete Offices

The design of both parallel and perpendicular parking was assessed at the identified location. The existing horizontal alignment at the proposed tie-in and cross-sectional width on the northbound lane is a constraint in accommodating perpendicular parking at this location.

Carriageway and parking bay widths have been designed in accordance with the Design Manual Urban Roads and Streets (DMURS) with a minimum standard carriageway width of 5.5m recommended for Local Streets. However, given the significant number of HGV's to Doyle Concrete, a carriageway (Kerb to Kerb) width of 6m is proposed. The minimum parking bay depth for a perpendicular parking is 4.8m with a 300mm overhang (overall depth of 5.1m) or alternatively 2.4m wide x 6m long for parallel parking bays. The minimum footway width required is 1.8m. An available width of 8.7m only is achievable on the north bound lane and perpendicular parking would result in parking vehicles projecting onto the carriageway by 0.9m-1.2m.



The proposal mimics the current parallel parking which currently occurs at this location.



**Fig 1-2 Existing parallel parking at Doyle Concrete facility**

**(ii) Tree Planting at Doyle Concrete**

As part of the enhancement works soft landscaping is proposed at suitable and strategic locations along the extent of the scheme in order to break the current hard landscape of Hugginstown Village. The exact location of any planting will be discussed with adjacent property owners.

Existing dense planting is noted on the southern boundary of Doyle Concrete currently and it is the responsibility of Doyle Concrete to cover and or protect any raw materials from contamination from vegetation and or wind blown leaves.



**Fig 1-3 Existing mature planting to southern boundary at Doyle Concrete**

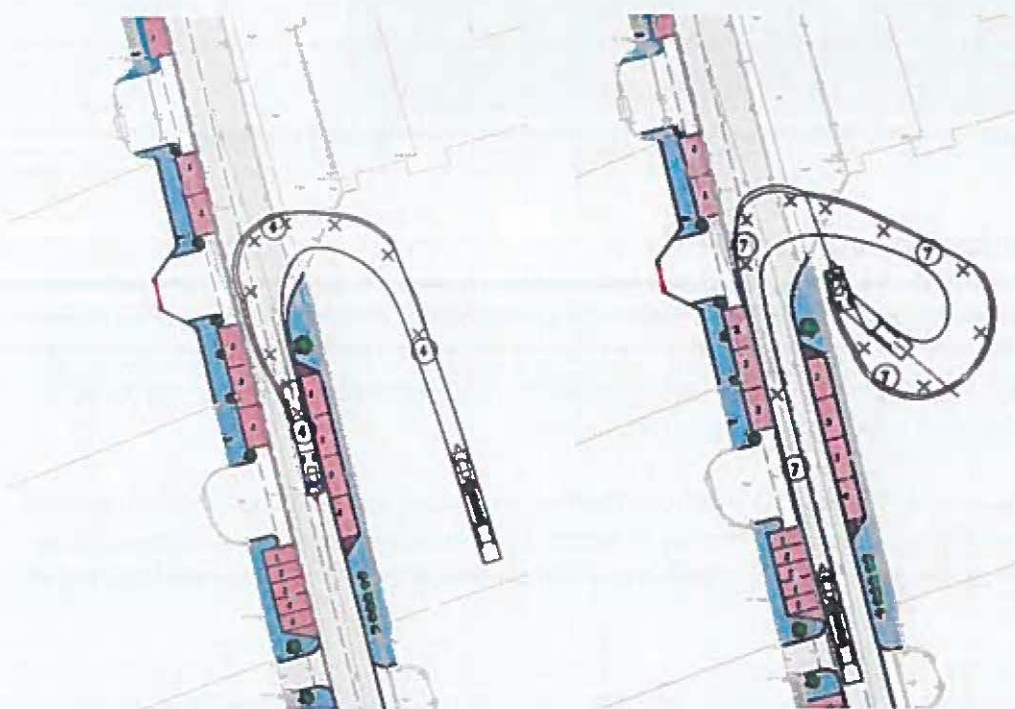
**(iii) Provision of Public Footway link to Doyle Concrete Premises**

The proposed footway is incorporated within the design to provide safe pedestrian access for both the public and employees of Doyle Concrete to the Village while also assisting with standardising the carriageway width throughout the village.



Vehicle swept paths and turning movements were prepared for a range of vehicles entering and exiting the facility (refer to image 1.4 below). The inclusion of this footway was not considered to hinder access or turning movements from the public carriageway into the facility. Provisions have been made to account for the unrestricted access of a 16.5m articulated vehicle entering and exiting the facility.

No queuing or stacking of vehicles are permitted on the public road and all vehicles intending to enter the industrial/commercial facility must be contained within the extent of the site.



**Fig 1-4 Swept Paths and Turning Movements entering and exiting Doyle Concrete (16.5m articulated vehicle)**

**(iv) Carparking at Church**

The available cross-sectional widths between existing boundaries are a constraint in achieving the design standards for parallel parking bays as outlined in item (i) above. DMURS recommends a 4.8m deep bay with 0.3m overhang provision and a 1.8m min footway. Thereby 6.9m from carriageway edge to any existing boundary wall.

It is also critical that existing sightlines from private entrances are not obstructed or dis-improved through reorientation of any parking and where possible, existing sightlines improved at private entrances. Existing parking facilities have insofar as acceptable been retained along the scope of the scheme. As parallel parking in this area is currently practised, measures to retain same have been incorporated within the scheme at the identified location.





**Fig 1-5 Existing area utilised for parallel parking north of Church entrance.**

**(v) Pedestrian Crossing Control**

A raised traffic calming island with flashing beacon zebra crossing is proposed as the pedestrian crossing. A zebra crossing is suitable for low approach speeds (up to 50km/h) and low traffic volumes (less than 500 vehicles per hour two-way without a refuge island). Further to site inspections, traffic volumes are not anticipated to exceed 500 vehicles/hr. The requirement for any traffic signal-controlled crossing shall be confirmed post a traffic survey.

To minimise the spread of light and repetitive flashing onto adjoining properties, flashing belisha beacons shall be fitted with guarding. The use of timers during darkness hours, push buttons and on-crossing pedestrian detectors will be considered to minimise the continuous and repetitive flashing of beacons.

## **5. RECOMMENDATION**

The Scheme will provide a safer environment for pedestrians and public road users through traffic calming measures and pedestrian facilities. It will also enhance the aesthetics and prominence of heritage and architectural buildings within the rural village in doing so.

It is recommended the Scheme should be proceeded with.



## **APPENDIX A SCHEME DRAWINGS**



# KILKENNY COUNTY COUNCIL

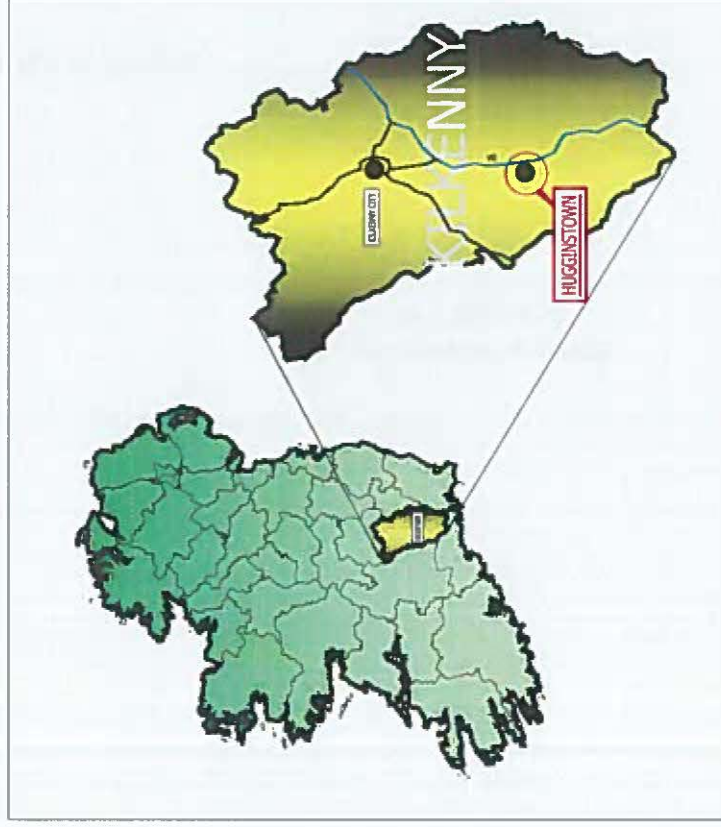
## HUGGINSTOWN VILLAGE RENEWAL SCHEME

### PUBLIC DISPLAY DRAWINGS (PUBLIC CONSULTATION PROCESS)



## INDEX OF CONTENTS

DRAWING NO.	TITLE
1000-001	COVER
1000-002	INDEX OF CONTENTS
1000-003	SITE LOCATION MAP
1000-004	GENERAL SITE LAYOUT PLAN
1000-005	DETAILED SITE LAYOUT PLAN (SHEET 1 OF 3)
1000-006	DETAILED SITE LAYOUT PLAN (SHEET 2 OF 3)
1000-007	DETAILED SITE LAYOUT PLAN (SHEET 3 OF 3)



**FOR TABLE COVER - 2020 PURPOSES**

**Author:** KILKENNY COUNTY COUNCIL

**Project:** HUGGINSTOWN VILLAGE RENEWAL SCHEME

**Scale:** 1:1000

**Drawn by:** [ ]

**Checked by:** [ ]

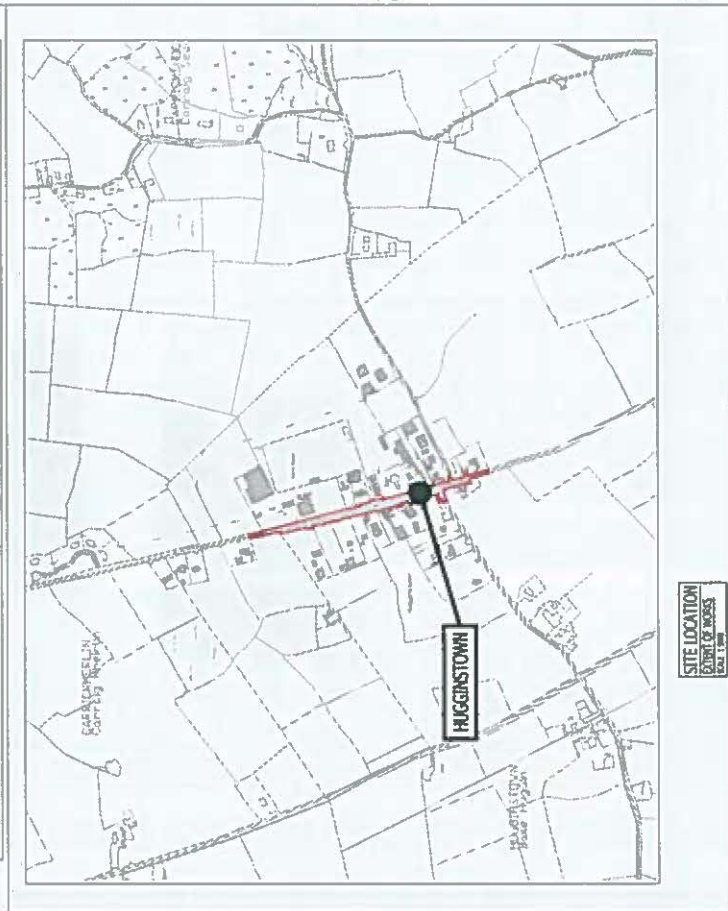
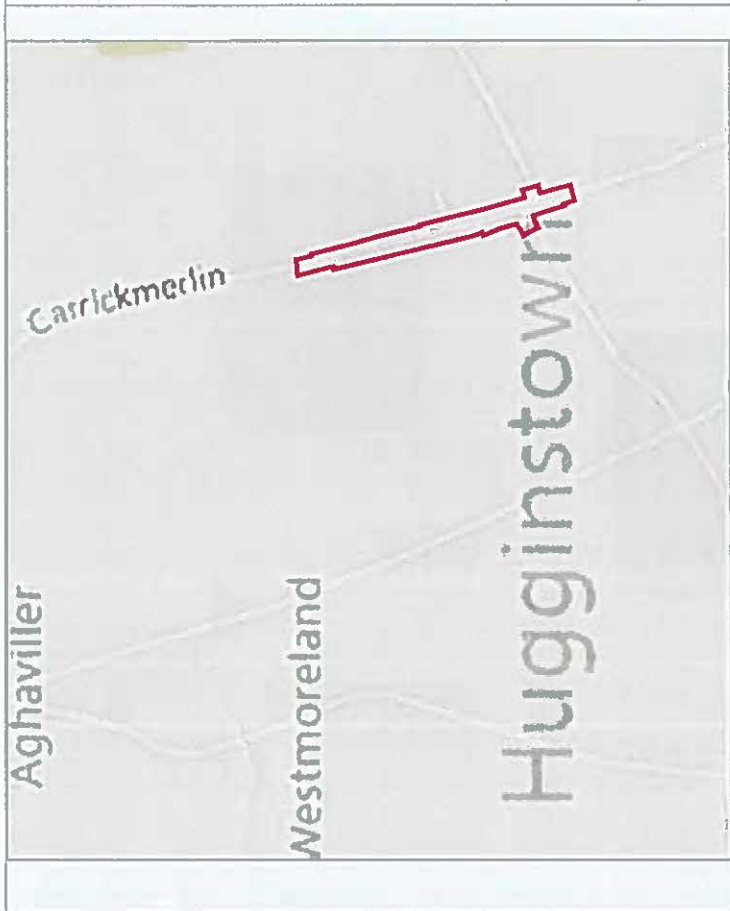
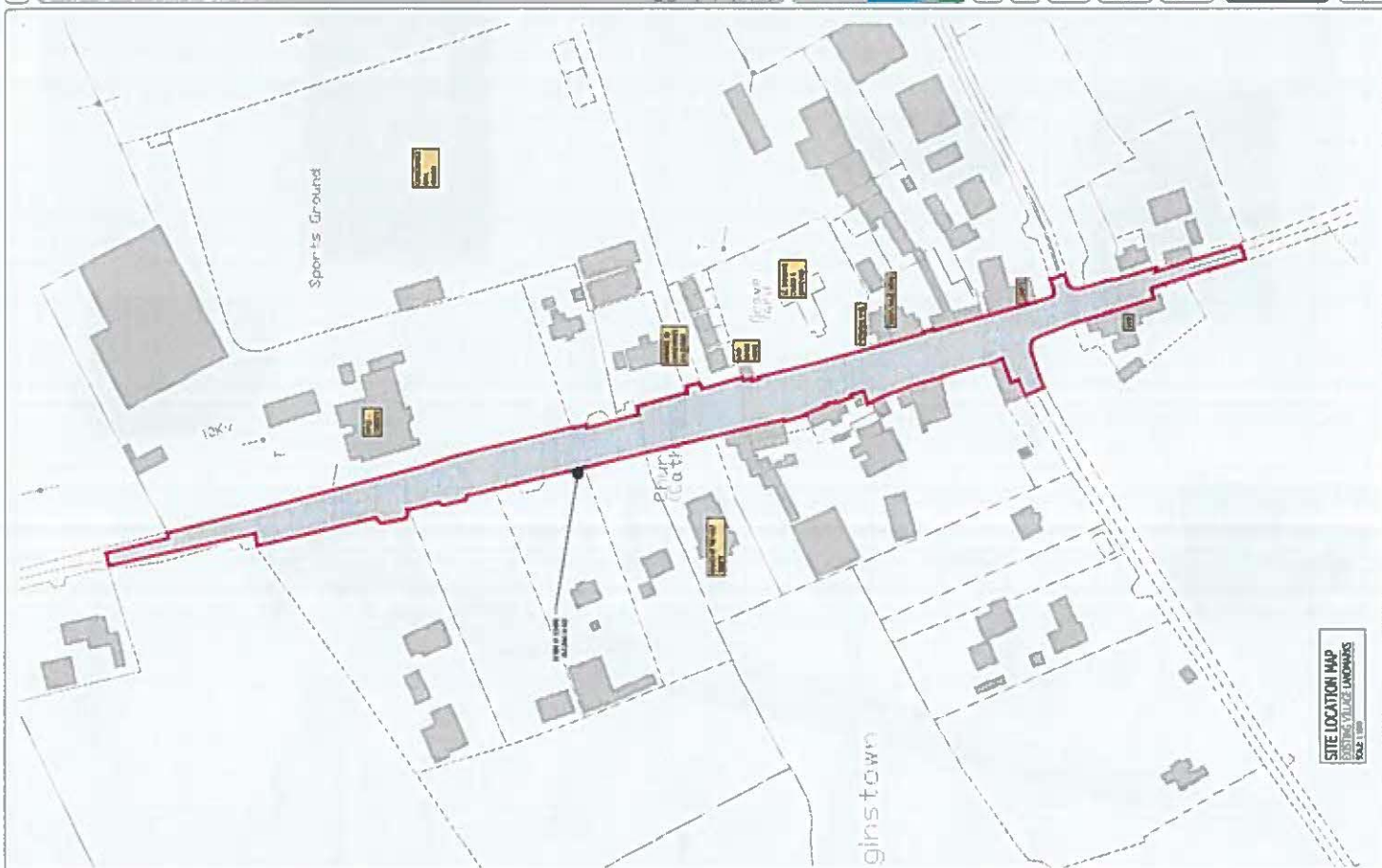
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Printed in Italy's new green

**Small 100% virgin paper 6" x 10"**  
100% virgin paper 6" x 10"

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CIVIL ENGINEERING

FOR PUBLIC CONSULTATION PURPOSES

 KALAMAZOO COUNTY COUNCIL

Product

**HUGGINSTOWN  
TOWN & VILLAGE RENEWAL**

166

GENERAL SITE LAYOUT PLAN

1000

KILGALLEN & PARTNERS  
13000 170th St. • 2000 •

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Page No.	Date	Page No.	Date
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10031-102	10031-102
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**APPENDIX B  
COPY OF SUBMISSIONS RECEIVED**





Hugginstown  
Co Kilkenny

To whom it may concern.

- The proposed pedestrian crossing is a great idea. Children coming from the G.A.A. field now <sup>will</sup> have a safe way to cross to the local shop.
- Parking in front of the old shop would hopefully help with the view when you are coming up from the pilltown road.
- Access to the old church is sometimes restricted with parked cars. A no parking zone outside the gate would help with this. Also a ramp to help coffins into the graveyard would be good.



0

It is lovely to see the local people showing an interest in updating the village for everyone's benefit.





**Doyle Concrete (Hugginstown) Ltd**  
Hugginstown, Co Kilkenny.  
Tel: 056 7768650/7768126  
Fax: 056 7768955

**Waterford Depot**  
Old Kilmeadon Road, Waterford  
Tel: 051-370777  
Fax: 051-371939

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## **Hugginstown Village Renewal Scheme**

To whom it may Concern

I have reviewed the proposed urban area enhancement scheme.

I wish to bring some points to your attention that will affect our everyday business I have included marked by page numbers

Page 1

Proposed Parking across from Doyle Concrete's Offices would it be better to park the cars facing the wall instead of parallel to the wall as this will create more spaces they park like this on match days and for funerals and its works well.

Page 2

No Trees to be planted outside Doyle Concretes Wall as the debris from the leaves will contaminate our sand and chip bays.

Proposed wide footpath along side Doyle Concretes wall will cause an obstacle for the trucks leaving our top yard when exiting from our weigh bridge which is behind this wall. It will also cause problems for trucks pulling up waiting to use weighbridge if another truck is already after pulling up on bridge.

Parking closer to the church could this also be lines facing the wall instead of parallel to the boundary wall on opposite road side to Doyle Concrete's Wall.

Page 3 & 4

Proposed Pedestrian Crossings that these will be traffic lights and not flashing beacons which will disturb local residents at night and they can be quite distracting when you are driving.

Kind Regards

Caroline Doyle  
Director

Doyle Concrete (Hugginstown) Ltd





PAGE 1.

DO NOT SCALE OR JUDGE DISTANCE TO A  
MAJOR OR MINOR ROAD OR DISTANCE

STANDARD ROAD MARKING

CARS to PARK  
Facing wall not  
Parallel to wall

NO PARKING



THIS IS THE  
STANDARD FOR  
PARKING



KILKENNY CO. COUNCIL  
AREA OFFICE  
- 8 MAR 2019  
FERRYBANK, WATERFORD.



KEY

DO NOT SCALE OR JUDGE DISTANCE TO A  
MAJOR OR MINOR ROAD OR DISTANCE

DO NOT SCALE OR JUDGE DISTANCE TO A  
MAJOR OR MINOR ROAD OR DISTANCE

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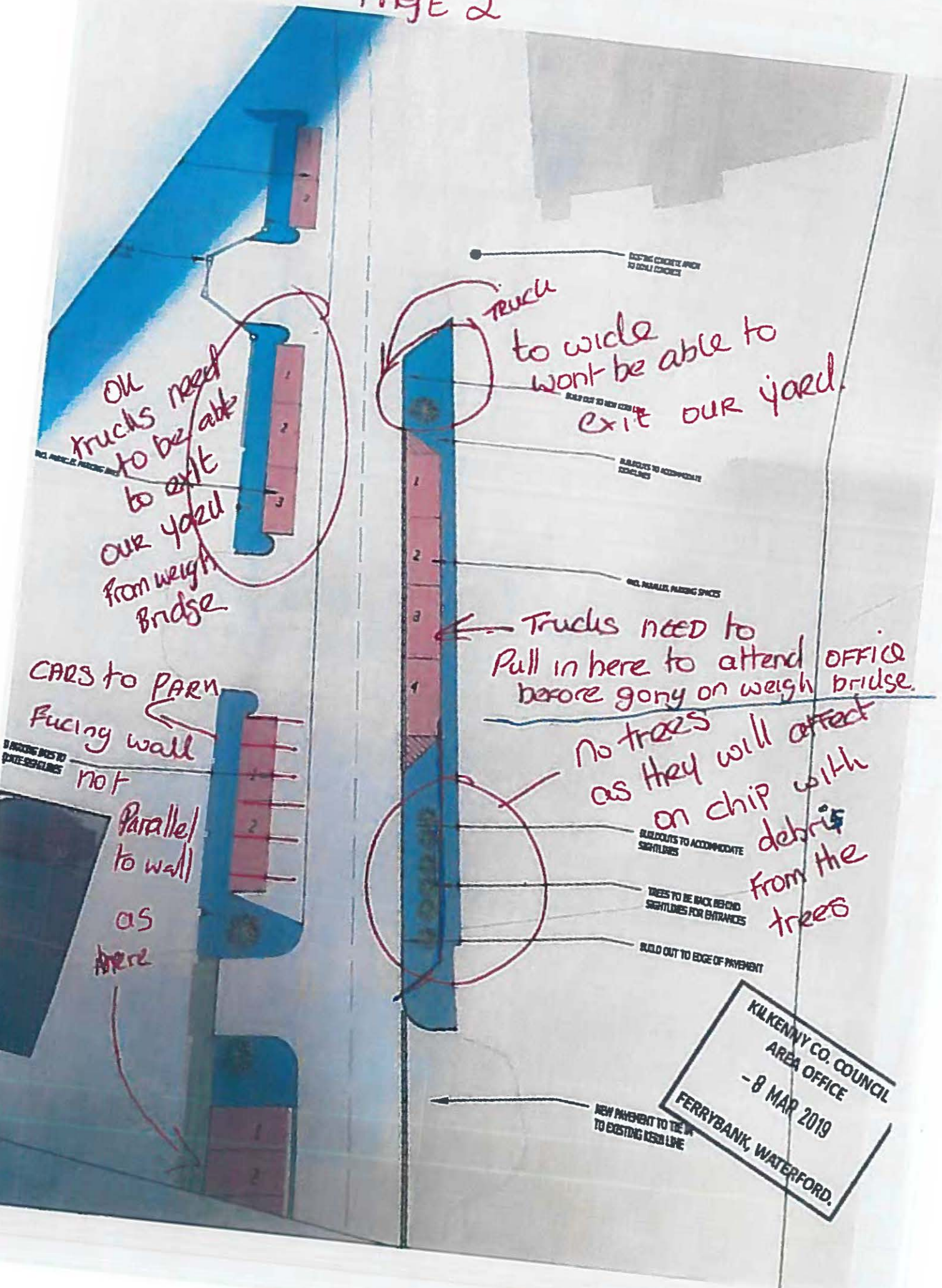
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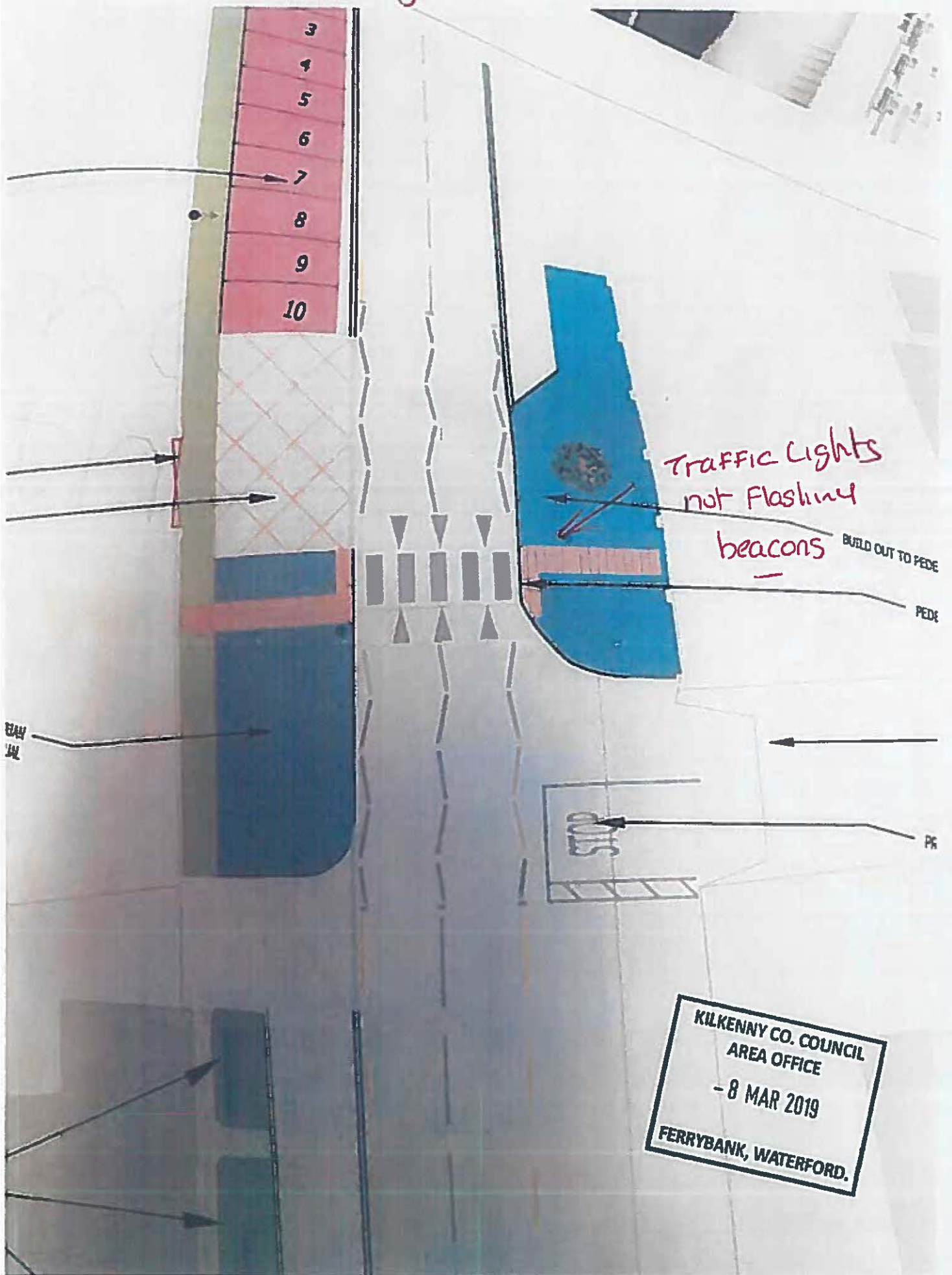
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MAJOR OR MINOR ROAD OR DISTANCE







PAGE 3





STOP

STOP

NEW PEDESTRIAN CROSSING TO SHOP

RUS027

KILKENNY CO. COUNCIL  
AREA OFFICE  
- 8 MAR 2019  
FERRYBANK, WATERFORD.

Traffic lights not flashing beacons

KERB LINE

Traffic Lights  
not Flashing beacons

NEW PEDESTALIAN CROSSING TO SHOP

RUS027

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FERRYBANK, WATERFORD.





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Proposed Pedestrian Crossings that these will be traffic lights and not flashing beacons which will disturb local residents at night and they can be quite distracting when you are driving.

Kind Regards

Denis Doyle  
Director  
Doyle Concrete (Hugginstown) Ltd







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David Doyle  
Doyle Concrete (Hugginstown) Ltd







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Mary Doyle  
Doyle Concrete (Hugginstown) Ltd







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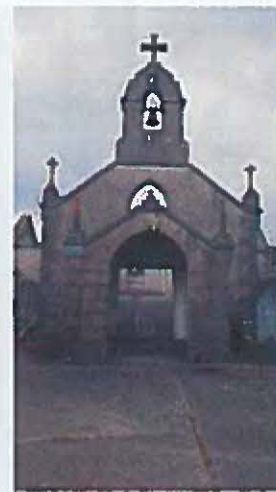




## **APPENDIX C**

### **WORKSHOP DESIGN CONSIDERATIONS**

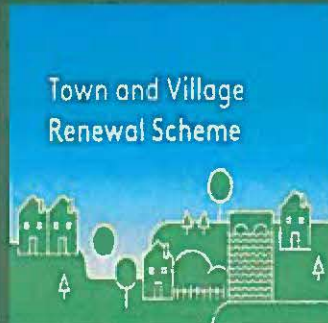
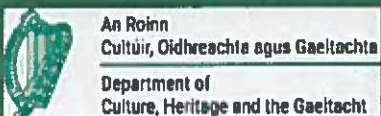




## COMMUNITY & DESIGN TEAM



## INFORMATION GATHERING WORKSHOP NO.2



## WORKSHOP NO.2

HUGGINSTOWN  
TOWN & VILLAGE RENEWAL  
JULY 2018



**KILKENNY  
COUNTY COUNCIL**



**KILGALLEN & PARTNERS**  
CONSULTING ENGINEERS



# TRAFFIC CALMING & URBAN AREA ENHANCEMENT

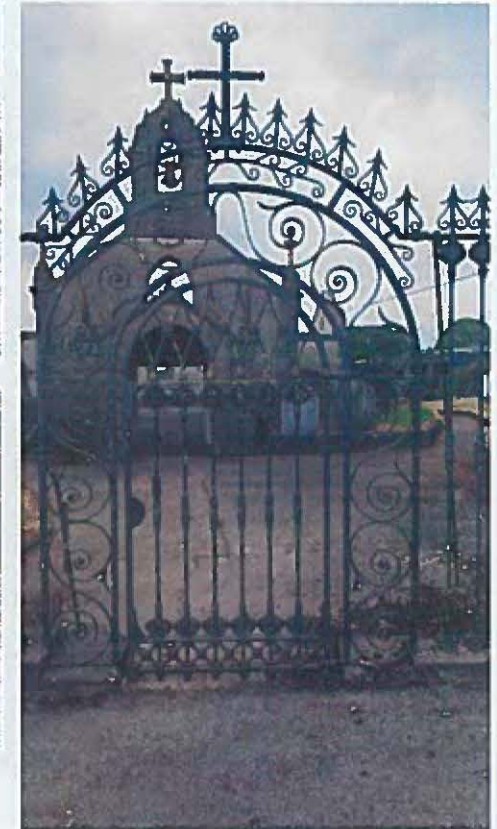
- Village Centre
- Local Commercial & Industrial premises
- Sports facilities
- Community & Religious Buildings
- St. Brendan's Church- NIAH listed building
- 50km/h Speed Limit
- 460linm of carriageway





## INCREASE THE AESTHETICS OF THE TOWN THROUGH

- Urban Area Enhancement
- Footway Improvements
- Traffic Management





# SCOPE OF WORKS

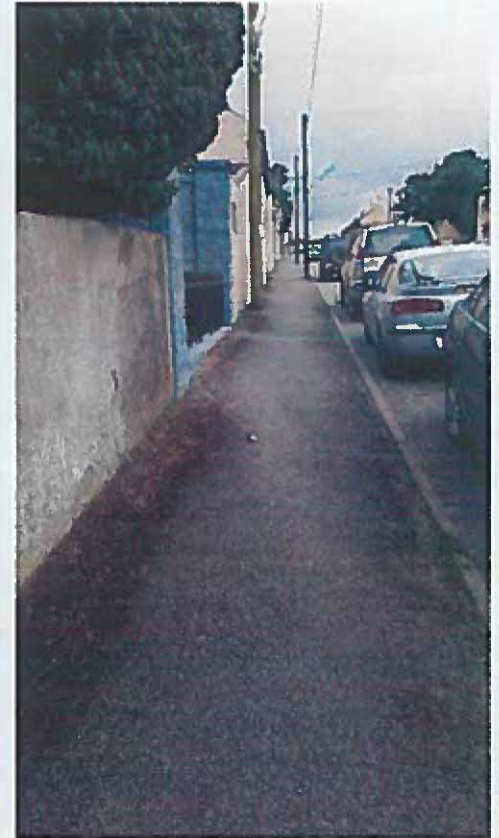
- Traffic calming/traffic management measures (approx. 460linm)
- Provision of new & enhanced footways including improved accessibility
- Definition of parking areas/disabled parking/loading bays/bus bays etc.
- Drainage design
- Public lighting
- Landscaping design (hard/soft)
- Provision of street furniture
- Improvements to signage





# URBAN AREA ENHANCEMENT

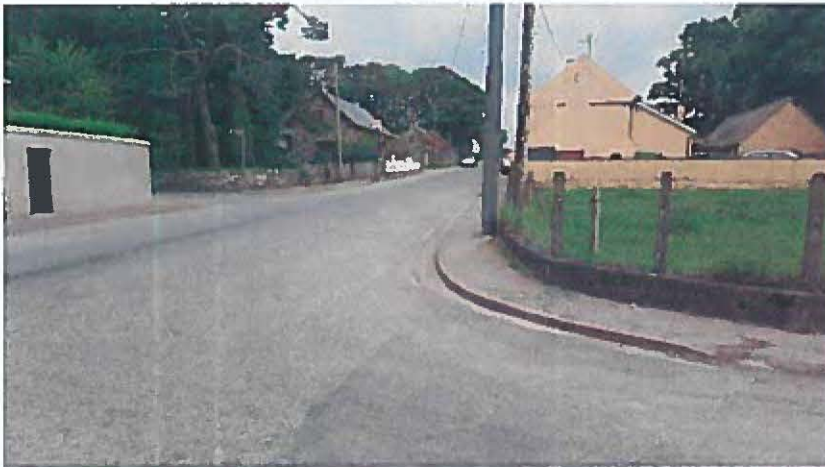
- Upgrade pavement finishes and repairs
- Reduction in carriageway widths (currently >10m in areas)
- Improved sightlines at junctions
- Pedestrian crossings
- Defined & Designated Parking Bays
- Expose existing Structures & Features





# PROVISION OF FOOTWAYS & DRAINAGE

- Improve footways and surface finish
- Replace damaged surfaces
- Rectify drainage concern at Mullinavat Road Junction
- Pedestrian Crossing (Community Desired location South of Church/GAA Ground and north of Junction)
- Removal of ESB/Telecom Poles from footways





# TRAFFIC CALMING & IMPROVEMENT WORKS

- Reduce carriageway width to a constant width through widening of footway and parking areas
- Pedestrian crossing point
- Traffic calming measures (where possible without the use of ramps)
- Defined parking bays-(removing vehicles from footways)
- Improve visibility to junctions
- Improve visibility and expose existing memorial wall, NIAH buildings etc
- Speed detection driver feedback signs





# ENHANCEMENT OF PUBLIC SPACE

- Landscaping – Approaches, Town centre & Public Areas
- Public lighting- Lanterns mounted on service poles and located within footways reducing clear widths
- Street Furniture
- Improved Signage (both road and building signage)





# TOPICS FOR DISCUSSION

- Community Input and desired requirements
- Current operation and practices
  - Church parking
  - Business parking
  - Match parking and traffic
  - Items the design team may not be aware of and to be considered within any design
- Surface Water Run-off – Ponding issue at junction with Mullinavat Road etc
- Pedestrian crossing location
- Railing north of Shop
- Is there a community preference for Ramps



# WORKS COMPLETED TO DATE & FUTURE WORKS

- Meetings with Kilkenny County Council & Community Workshops
- Topographical survey
- Identified services etc.
- Preparation of Preliminary Design Drawings
- Section 38 Public Consultation



**APPENDIX D**  
**SCHEME DRAWINGS POST SECTION 38 SUBMISSIONS**



# KILKENNY COUNTY COUNCIL

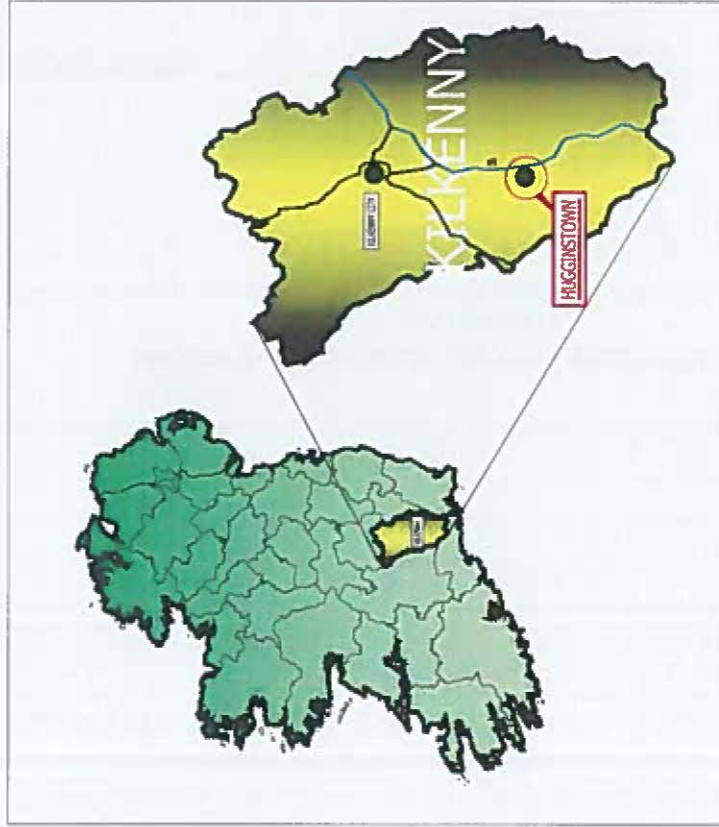
## HUGGINSTOWN VILLAGE RENEWAL SCHEME

### PUBLIC DISPLAY DRAWINGS (PUBLIC CONSULTATION PROCESS)



## INDEX OF CONTENTS

DRAWING NO.	FILE
10023-000	COVER
	INDEX OF CONTENTS
10023-001	SITE LOCATION MAP
10023-002	GENERAL SITE LAYOUT PLAN
10023-003	DETAILED SITE LAYOUT PLAN (SHEET 1 OF 3)
10023-004	DETAILED SITE LAYOUT PLAN (SHEET 2 OF 3)
10023-005	DETAILED SITE LAYOUT PLAN (SHEET 3 OF 3)



Planning Application No.		Planning Application No.	
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10023-002	10023-002	10023-002	10023-002
10023-003	10023-003	10023-003	10023-003
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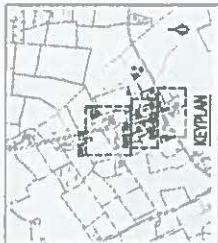
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10023-005	10023-005	10023-005	10023-005

Planning Application No.		Planning Application No.	
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10023-002	10023-002	10023-002	10023-002
10023-003	10023-003	10023-003	10023-003
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**CONCRETE THAT  
ENGINEERS**

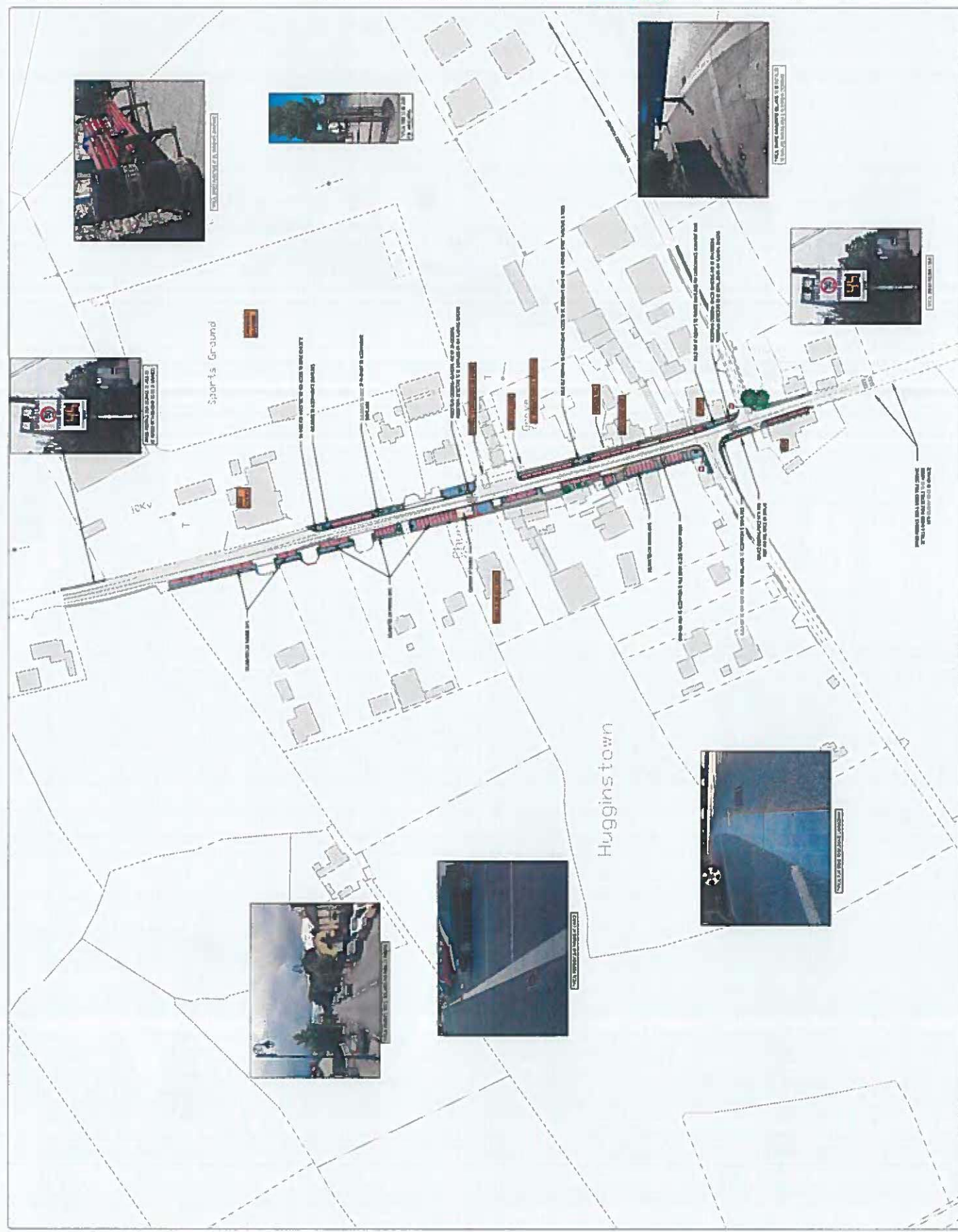
FOR PUBLIC CONSULTATION PURPOSES

**TELEPHONY COUNTY COUNCIL**

Name \_\_\_\_\_  
Address \_\_\_\_\_

TOWN &amp; VILLAGE REVENUE

GENERAL SITE LAYOUT PLAN

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




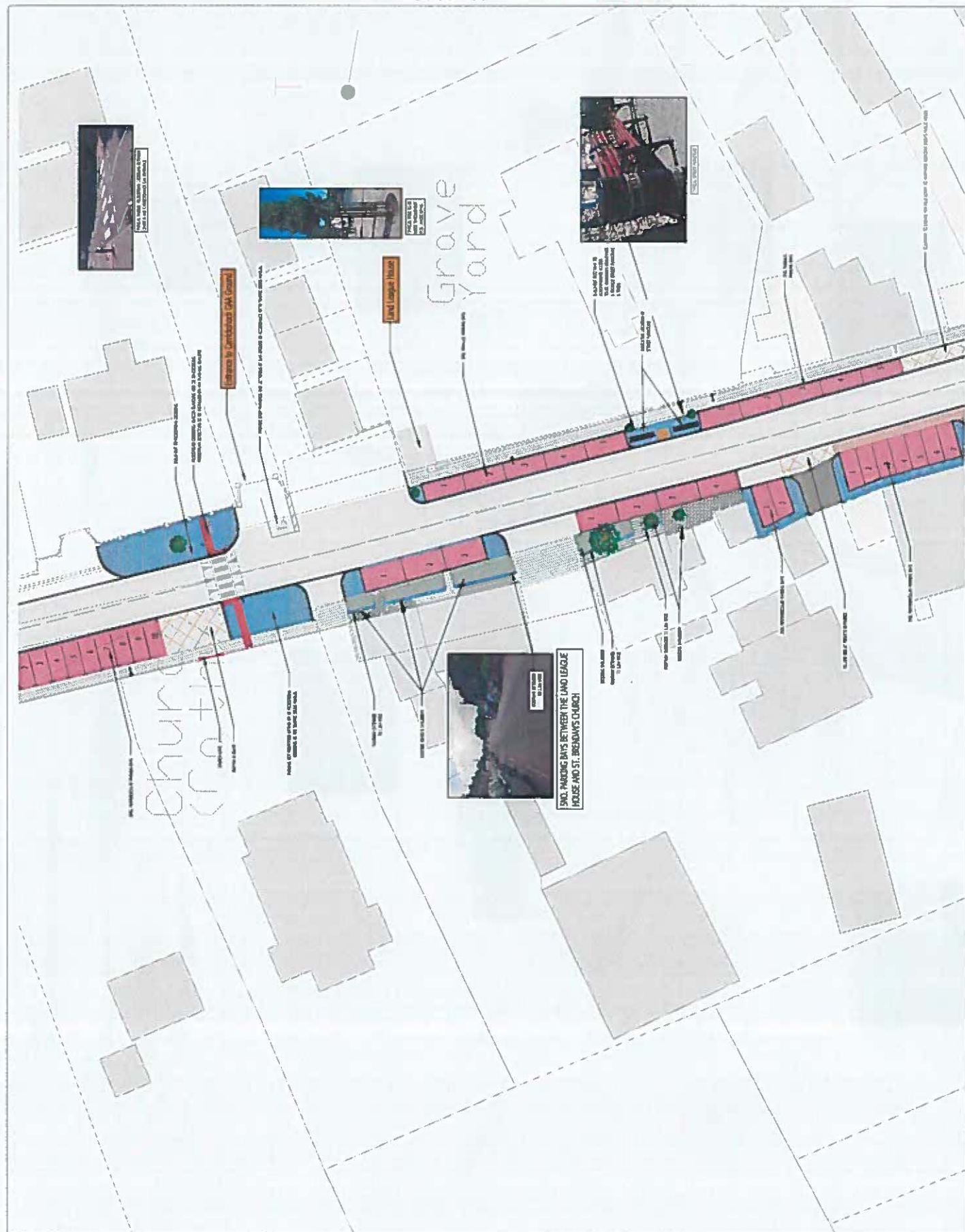


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what time is the show?	9	11:00
what time is the show?	10	11:30
what time is the show?	11	12:00



<p>City of CITY ENGINEERING</p>	<p>FOR FOR PUBLIC CONSULTATION PURPOSES</p>	<p>              GLENVIEW COUNTY COUNCIL         </p>	<p>              GLENVIEW TOWNSHIP         </p>	<p>              GLENVIEW VILLAGE         </p>	<p>              GLENVIEW TOWNSHIP         </p>	<p>              GLENVIEW VILLAGE         </p>
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Color calibration bars and grayscale targets.



11

DATE OF ADOPTION: 10/10/01  
PAGE 10 OF 14

DATE	DESCRIPTION	AMOUNT	BALANCE
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12/1/12	EXPENSES	(50.00)	150.00
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Содержание

FOR PUBLIC CONSULTATION PURPOSES

 KALAMAZOO COUNTY COUNCIL

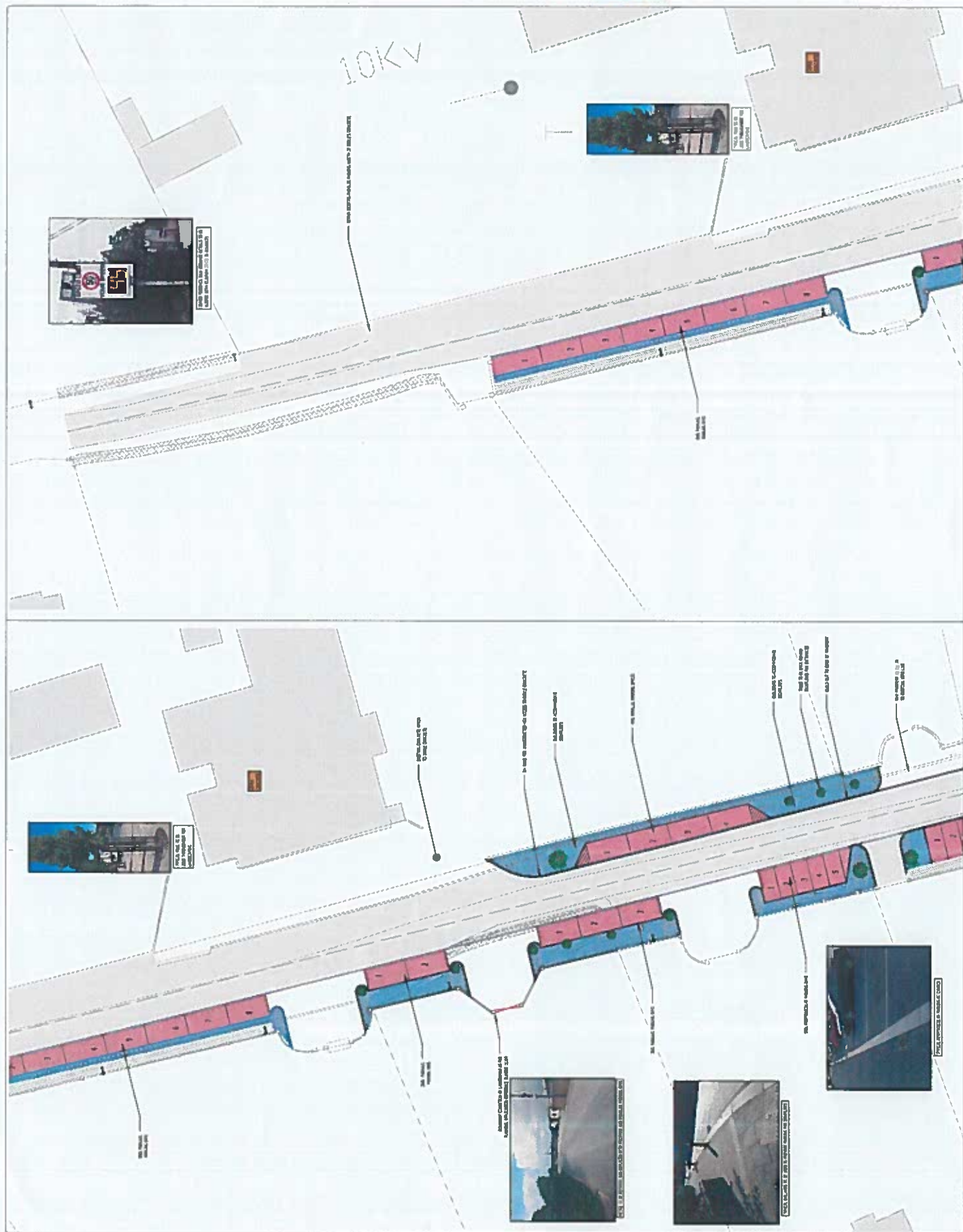
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PRACOWNIA ZDZIAŁA W KRAJACH  
WIELKIEJ WIELKIEJ

TABLED SITE LAYOUT PLAN



100-4	PL	10031-105	ISSUING AG.	NAME: 17250 @ A1 UTY @ A.J	DATE: 12/18/28
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Home > Acts > 1994 > Road Traffic Act, 1994

## Road Traffic Act, 1994

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### PART VI

#### Regulation of Traffic

Regulations for general control of traffic and pedestrians. **35.—(1)** The Minister may make regulations for the general regulation and control of traffic (including the parking of vehicles) and pedestrians in public places.

(2) Regulations under this section may, in particular and without prejudice to the generality of *subsection (1)*, provide for all or any of the following matters:

- (a) specifying rules for the use of roads by traffic and pedestrians;
- (b) requiring traffic to proceed in a specified direction only or to proceed along a specified side of the roadway or, in the case of dual or multiple carriageways, along a specified carriageway;
- (c) assigning different parts of the road to different traffic (including pedal cycles) and pedestrians;
- (d) prohibiting or restricting traffic or specified traffic from using a specified road or specified parts of the road (including footways or parts of the road reserved for pedal cycles);
- (e) specifying rights of priority of passage for traffic;
- (f) specifying the courses to be taken by traffic at road junctions;
- (g) regulating and controlling the stopping, reversing, turning and overtaking of vehicles;
- (h) prohibiting or regulating and controlling the driving of mechanically propelled vehicles and pedal cycles in relation to animals or animal-drawn traffic;
- (i) prohibiting or regulating and controlling the driving or leading of animals;



- (j) regulating and controlling the conduct of pedestrians on roads and specifying the respective rights of priority of traffic and pedestrians on roads;
  - (k) specifying rules for the parking of vehicles in public places;
  - (l) specifying, or authorising specified road authorities by resolution to specify, the places in which vehicles may be parked either indefinitely or for any period not exceeding a specified period;
  - (m) specifying the places in which the parking of vehicles may be prohibited or restricted;
  - (n) prohibiting or restricting the loading or unloading of goods on, through or across any part of a road;
  - (o) requiring specified signals to be given by persons in charge of traffic to indicate their intentions;
  - (p) the control of traffic and pedestrians by members of the Garda Síochána;
  - (q) the control and regulation of traffic and pedestrians by means of traffic signs in relation to which regulations (including regulations as to the significance to be attached to those signs) are for the time being in force under section 95 (2) of the Principal Act;
  - (r) specifying rules for the speed of traffic in specified circumstances;
  - (s) exempting specified classes of vehicles from specified provisions of regulations under this section and effecting identification of exempted vehicles.
- (3) Different regulations may be made under this section—
- (a) in respect of different classes of traffic, and
  - (b) for different circumstances, different areas and different classes of roads.
- (4) The making of a resolution pursuant to regulations under *subsection (2)* shall be a reserved function.
- (5) (a) A person who contravenes a regulation under this section shall be guilty of an offence.
- (b) Where, in relation to the parking of a mechanically propelled vehicle, there is a contravention of a regulation under this section, each of the following persons shall be guilty of an offence—



- (i) the registered owner of the vehicle,
  - (ii) if the vehicle is the subject of a hire-drive agreement on the occasion in question, the person to whom the vehicle is hired under the agreement, and
  - (iii) if the person who parked the vehicle is not its registered owner or the person to whom it is hired under a hire-drive agreement, the first-mentioned person.
- (6) (a) Where a person charged with an offence under *subsection (5)* of this section is the registered owner of the vehicle concerned, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that—
- (i) such use was unauthorised, or
  - (ii) the vehicle was on that occasion the subject of a hire-drive agreement.
- (b) Where a person charged with an offence under *subsection (5)* of this section is a person to whom the vehicle concerned stood hired at the time of the commission of the offence, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.







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## Road Traffic Act, 1994

Parking of vehicles in parking places on public roads. **36.—(1)** A road authority may make bye-laws for the control and regulation of the parking of vehicles in places specified in the bye-laws (in this section referred to as parking places) on public roads within their functional area and shall in the bye-laws provide for the payment of fees in respect of such parking.

(2) Bye-laws under this section may, in particular and without prejudice to the generality of *subsection (1)*, provide for all or any of the following matters:

- (a) the specification of parking places;
- (b) the payment of fees, including the manner and proof of payment (whether by means of a parking meter, the purchase and exhibition of a document, or otherwise) in respect of the parking of vehicles;
- (c) the specification of the amount of any fees payable pursuant to bye-laws under *paragraph (b)*;
- (d) the specification of the maximum periods for which vehicles may be parked in specified parking places;
- (e) the prohibition of the parking of vehicles in a parking place for a period for which a fee is chargeable without the appropriate fee having been paid in the manner specified;
- (f) the prohibition of the parking of vehicles in a parking place for a longer period than that in respect of which a fee was paid;
- (g) the specification of the classes of vehicles which may use a parking place in respect of which a fee is payable;
- (h) the exemption of specified classes of vehicles from the payment of fees in respect of parking, the conditions under which specified classes of vehicles may be so exempted and the identification of exempted vehicles;
- (i) that indications given by parking meters shall be treated as evidence until the contrary is shown of such facts and for such purposes as may be specified in the bye-laws.



(3) Before making bye-laws under this section (other than bye-laws relating to the fees to be paid in respect of the parking of vehicles), a road authority shall—

- (a) consult with the Commissioner;
- (b) publish a notice in one or more newspapers circulating in the area to which the bye-laws relate—
  - (i) indicating that it is proposed to make bye-laws under this section,
  - (ii) indicating the times at which, the period (being not less than one month) during which and the place (being a place within their functional area) where a copy of the draft bye-laws may be inspected,
  - (iii) stating that representations may be made in writing to the road authority in relation to the draft bye-laws before a specified date (which shall be not less than 2 weeks after the end of the period for inspection), and
  - (iv) stating that a copy of the draft bye-laws may be purchased on payment of a fee not exceeding the reasonable cost of making such copies; and
- (c) before deciding whether to make the bye-laws and determining their content, consider any observations made to them by the Commissioner or any representations made to them pursuant to *paragraph (b)(iii)*.

(4) Different bye-laws may be made under this section—

- (a) in respect of different areas within the functional area of a road authority,
- (b) in respect of different classes of vehicles,
- (c) for different circumstances, and
- (d) in respect of different periods of time.

(5) The making of bye-laws under this section and the consideration of observations or representations under *subsection (3)(c)* shall be reserved functions.

(6) As soon as may be after the making of bye-laws under this section notice of their making and of the place where copies thereof may be purchased or inspected shall be published in *Iris Oifigiúil* and in one or more newspapers circulating in the area to which the bye-laws relate.



(7) The Minister may issue general guidelines to road authorities relating to the content of bye-laws under this section and may amend or cancel any guidelines under this subsection and, where any such guidelines are in force for the time being, bye-laws under this section shall be made by road authorities in accordance with the guidelines.

(8) (a) A person who contravenes a bye-law under this section shall be guilty of an offence.

(b) Where, in relation to a mechanically propelled vehicle, there is a contravention of a bye-law under this section, each of the following persons shall be guilty of an offence—

(i) the registered owner of the vehicle,

(ii) if the vehicle is the subject of a hire-drive agreement on the occasion in question, the person to whom the vehicle is hired under the agreement, and

(iii) if the person who parked the vehicle is not its registered owner or the person to whom it is hired under a hire-drive agreement, the first-mentioned person.

(9) (a) Where a person charged with an offence under *subsection (8)* of this section is the registered owner of the vehicle concerned, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that—

(i) such use was unauthorised, or

(ii) the vehicle was on that occasion the subject of a hire-drive agreement.

(b) Where a person charged with an offence under *subsection (8)* of this section is a person to whom the vehicle concerned stood hired at the time of the commission of the offence, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.

(10) In this section “parking meter” means an apparatus for collecting fees at a parking place and for indicating payment of such fees and the periods that have elapsed since they were paid.

(11) (a) Subject to *paragraph (b)*, any fees under this section shall be disposed of in such manner as the road authority concerned may by resolution determine.



(b) The Minister may issue general guidelines to road authorities relating to the disposal of fees under this section and may amend or cancel any such guidelines and, where any such guidelines are in force for the time being, fees under this section shall be disposed of by road authorities in accordance with the guidelines.

(c) The making of a resolution pursuant to *paragraph (a)* shall be a reserved function.

(12) In any prosecution for an offence under this section, a parking meter at a parking place shall be presumed, until the contrary is shown by the defendant, to have been duly placed there under this section and to have been accurate and in good working order.

(13) The performance by a road authority of their functions under this section or under any bye-law thereunder shall not render the authority subject to any liability in respect of loss of or damage to any vehicle in a parking place or the contents of such vehicle.



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## Road Traffic Act, 1994

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Amendment of **37.**—Section 95, as amended by the Act of 1968, of the Principal Act is hereby  
section 95 of amended—  
Principal Act.

(a) in subsection (1)—

(i) by the substitution in the definition of “road regulation” of “roads”  
for “a road”; and

(ii) by the substitution of the following for the definition of “traffic  
sign”—

“‘traffic sign’ means 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’);”

(b) by the substitution for subsections (3) to (5) of the following subsections:

“(3) (a) A road authority may provide for public roads in their charge such  
information signs and warning signs as they consider desirable.

(b) Subject to subsection (4) of this section, a road authority may, after  
consultation with the Commissioner, provide for public roads in  
their charge such regulatory signs as they consider desirable.

(4) (a) Before providing a regulatory sign (such a sign being referred to in  
this section as ‘a special category sign’) of the same kind as a  
regulatory sign specified in regulations under subsection (2) of this  
section, a road authority shall—



- (i) publish a notice in one or more newspapers circulating in the functional area of the authority—
    - (I) indicating that it is proposed to provide the sign,
    - (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); and
  - (ii) consider any representations made pursuant to subparagraph (i) (II) of this paragraph.
- (b) A decision by a road authority to provide a special category sign shall be a reserved function.
- (5) (a) A road authority shall provide for public roads in their charge such regulatory signs (other than special category signs) as may be requested by the Commissioner, in the positions indicated by him and shall, as respects any traffic signs so provided, carry out any periodical transfers from place to place and any alterations and removals which he may request.
- (b) A road authority shall, at the request of the Commissioner, remove any regulatory sign which the Commissioner considers has been provided in a manner or at a location that might adversely affect the safety of road users.”,
- (c) in subsections (10) and (11), by the substitution of “road authority having charge of the road” for “Commissioner”, and
- (d) in subsection (19), by the deletion of “or consent of”.



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## Road Traffic Act, 1994

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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.