



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

Limerick City and County Council Traffic Calming Policy for Urban Areas





Traffic Calming in Limerick City



Minister Donohue launches 30kph Slow Zone Sign

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1. Introduction

In recent years the demand by Residents' groups and elected Members for traffic calming measures in residential estates has grown considerably. Speed is a significant factor in road accidents. Speeding vehicles affect the quality of life of residents, pedestrians, children and the elderly. In addition, other vulnerable road users may feel intimidated by inappropriate vehicle speeds.

Traffic calming includes traditional and new methods designed to reduce and control the adverse effect of inappropriate vehicle speeds.

It is important to recognise that the function of major distributor roads is to carry the majority of the traffic.

Accordingly, Limerick City & County Council's traffic calming policy will only apply to Local Collector Roads and Access Roads (see Section 8, Definitions) that carry primarily residential, limited commercial and social traffic (schools etc) and may also have significant pedestrian and cyclist traffic.

The Department of Transport Traffic Management Guidelines, the Design Manual for Urban Roads and Streets 2013, (DMURS) and the Department of Transport, Tourism and Sport (DTTaS) Circular RSD 01/2014 on the control of Vehicle Speeds in Housing Estates (laterally incorporated into the DTTaS Guidelines for setting and managing Speed Limits in Ireland 2015) should form the basis for a traffic calming policy for residential estates in Limerick.

These Guidelines contain a large amount of information on the technical design of various traffic calming devices. These design criteria should be adopted en-bloc.



2. Legislation and Regulations

2.1 Historical Background

In 1988, the Road Traffic (Bollards and Ramps) Regulations (S.I. No. 32 of 1988) and later part amended by (SI 291 of 1988) were introduced. These allowed road authorities to construct ramps subject to quite stringent restrictions. Whilst these regulations were revoked by SI No. 332 of 2012, they provide useful guidance on when and where ramps should/should not be used. The main features were;

Ramps shall be provided in the following manner:—

(1) There shall be a distance of at least 20 metres and not more than 200 metres between any two ramps on any roadway.

(2) Where a road has a gradient of more than 10 degrees, a ramp shall not be provided within 30 metres of the top of the gradient and the distance between any two ramps on the gradient shall not be greater than 70 metres.

(3) There shall be not less than two ramps on any roadway.

2. Where ramps are provided, they shall not be positioned—

(a) so as to obstruct an entrance for vehicles to premises or land adjoining the road,

(b) on or within 30 metres of a pedestrian crossing,

(c) at or within 30 metres of a location on a roadway where a school warden operates,

(d) on or within 30 metres of a bridge, tunnel, culvert or other structure over which the roadway passes,

(e) under or within 30 metres of a structure over the roadway any part of which is 6.5 metres or less above the roadway,

(f) at or within 8 metres of a junction or a 45° bend with an inner kerb radius of less than 50 metres.

(h) within 30 metres of a railway level crossing.

3. A ramp shall not be provided unless it is within 5 metres of a street light.

4. Ramps shall not be provided on a roadway where the road concerned is—

(*a*) a road in respect of which a speed limit exceeding 30 miles per hour applies,

(*b*) a national road,

(*c*) a dual carriageway, or

(*d*) a road on which an omnibus service operates.

5. Each ramp shall—

(*a*) be constructed of hot rolled asphalt,

(*b*) extend across the width of the roadway between channels,

(*c*) be 3.7 metres in length in the direction of the roadway,

(*d*) have a maximum height at the centre above the road surface of 10 centimetres,

(*e*) be properly secured so as to prevent movement, and

(*f*) be painted with reflectorised white paint.

2.2 Current Situation

The stringent restrictions contained in the 1988 Regulations were relaxed in the Road Traffic Act, 1994 (and subsequently revoked under SI No. 332 of 2012).

Under Section 38 of the 1994 Road Traffic Act a road authority may, in the interest of the safety and convenience of road users, provide such traffic calming measures as it considers desirable in respect of public roads in its charge.

Section 46 of the Public Transport Regulation Act 2009 (SI No. 37 of 2009) regarding; 'Measures to enhance public bus services – traffic calming measures', amended Section 38 of the Road Traffic Act 1994 by substituting a new subsection (9) and including definitions for bus and public bus service.

“Traffic calming measures” means 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),*

Section 46 provides clarity on which types of traffic calming measures come under the remit of Section 38 of the Road Traffic Act 1994.

Section 46 states; *‘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.’.*

Since the advent of the 1994 Act there is no longer the same consistency of approach by local authorities in regard to the provision of traffic calming. This has led to what many feel is an over reliance on the speed ramp as a solution to all speed problems in residential estates.

In mid 2003 a new manual “**Traffic Management Guidelines**” was jointly published by the Dept. of the Environment, the Dept. of Transport and the Dublin Transportation Office. This is a very comprehensive manual which deals with a whole range of issues including Road Safety, Consultation & Monitoring, Speed Management & Traffic Calming, Junction Design, Various Road User types (Pedestrians, Cyclists, and Disabled People etc.), Public Transport and Parking.

In 2013, the **Design Manual for Urban Roads and Streets**, (DMURS) was published. This document provides guidance on how to incorporate a variety of traffic calming measures into the design of new roads and retrofitting into existing roads. Its emphasis is on horizontal control measures such as chicanes, tightening of junction radii and narrowing of the carriageway width. It also promotes distinction between different surface types to highlight pedestrian priority over vehicle priority.

In 2014, the **Department issued a Circular on the control of Vehicle Speeds in Housing Estates**.

This Circular introduced an option to employ a 30 km/h speed limit category for Housing Estates and associated appropriate signage. These recommendations are incorporated into the **2015 Guidelines for Setting and Managing Speed Limits in Ireland**, (March 2015 edition).

Warrants for Speed Control

Advice on warrants for speed control devices was set out in a report published by the ERU in 1993 (Author: Finbarr Crowley) entitled “**Speed Control Devices for Residential Roads**”.

The report set out 5 conditions all of which had to apply before the provision of speed ramps should be considered.

These were:

- The road represents a reasonably straight uninterrupted run of at least 0.5 kms.
- The mean car speeds are at least 30 mph (50 kph).
- The road is being used for through traffic, although there is an alternative route, to the extent that the ratio of through traffic to traffic starting or terminating on the road exceeds 4:1.
- The road is not a bus route.
- One child accident has been reported or the local authority is satisfied that residents’ fears for the safety of their children are justified.

These requirements simplified the decision making process and also ensured that there was consistency throughout the country in relation to the provision of speed ramps. As the requirements were quite restrictive only a small number of ramps were installed throughout the country.

A recent nationwide survey carried out by DTTaS indicated that of the 8,725 housing estates nationally, on average approximately 14 % of estates have ramps installed and that the average cost of installing a speed ramp is € 3,200 (in 2015 prices).



3. Aims of Traffic Calming Policy

The aims of Limerick City & County Council's traffic calming policy include:

1. Incorporate traffic calming measures at planning and design of schemes.

Limerick City & County Council will adopt a pro-active approach by specifically addressing speed control issues at pre-planning discussions with Developers. It will assess all planning applications for new residential / commercial developments from a speed control perspective.

2. Respond to complaints regarding perceived speeding issues in estates or where accidents have occurred and assess the extent of the issue and priority between estates.

3. Subject to funding restrictions, Implement traffic calming on existing roads, on a phased basis, where need has been established.

Traffic calming schemes will consist of a combination of measures and the techniques chosen should be based on the most appropriate and effective measures for each individual situation. Speed limit reduction will be a major consideration in Housing Estates where problems with speeding have been established. The issue of excessive speeding will be established / determined by means of traffic speed surveys.



4. Objectives of Traffic Calming Policy

To;

- Reduce and control speed to a level commensurate with activities taking place on that road.
- Improve safety.
- Improve driver awareness of vulnerable road users.
- Enhancement of the environment.
- Improve accessibility for public transport, cyclists and pedestrians.
- Reduction in noise, disturbance and anxiety.
- Reduce Community Severance.



5. Limerick City and County Council Traffic Calming Policy

5.1 Scheme Assessment:

Requests for a traffic calming scheme within a particular estate may come from many sources.

The request may be triggered in response to an accident occurring within the estate or a general perception of a speed issue resulting in a request from residents.

The need for traffic calming measures may be brought to the attention of Council Officials either directly through a Council area office, the Customer Services Department etc. or via an elected member of the Municipal District. The need for a review may also be instigated by the local area engineer etc.

When a request for traffic calming is received it will initially be examined to see whether it complies with basic criteria before it receives further consideration.

These criteria are:

- The site should be inside an urban 50 kph speed limit zone.
- Where short circuiting (rat running) is an issue, a higher speed limit may be considered.
- There should be a significant majority of residents in favour of the introduction of traffic calming.
- In the case of a through road the minimum length of road shall be 300m.
- In the case of a cul-de-sac the minimum length of road shall be 150 m.

In exceptional circumstances schemes can also be considered by Limerick City & County Council's own staff based on their judgement of a need for traffic calming at a particular location.

Traffic calming policy will only apply to Local Collector Roads and Access Roads

(See Definitions in Chapter 8).

5.2 Prioritisation of Schemes

If the request complies with these initial criteria a further assessment will be carried out under the following headings and priority between requests may be decided on a scoring basis.

The headings will consider;

- Through road or cul-de-sac.
- Accident History/Data.
- Traffic Volumes.
- Actual measured traffic speeds, (85th percentile and average).
- Road alignment (horizontal and vertical).
- Proximity of Schools.
- The presence of 'rat-runs' where there is significant residential development fronting onto road.
- Positive/negative feedback from residents on the proposal to introduce traffic calming measures.
- Extent of direct access from frontage along a road.
- The location of green areas and play areas relative to the dwelling locations.
- Pedestrian generators, (route to shops, amenities etc.)
- The degree of vulnerable road users (pedestrians, cyclists, buggies, wheelchairs etc).
- Any other local conditions.

A Priority Assessment Form is included in Appendix A.

5.3 Scheme Selection

Consultation with members shall occur at Municipal District level as appropriate.

5.4 Financial Considerations:

A Municipal District may assign some of its discretionary funding towards implementing traffic calming in some estates, on a priority basis. At present there is no other specific avenue for funding the retrofitting of traffic calming in existing estates.

5.5 Measures to be considered

The Department's Circular RSD 01/2014 suggests that the initial approach to an established speeding issue in an estate is to introduce bye-laws to lower the speed limit within the estate to 30 km/hr.

The 30km/h speed limit should be introduced in conjunction with the erection of either the standard 30km/hr speed limit sign or a new combination sign, introduced by the Department in 2014.

If it is established thereafter that the problem persists, other engineering measures are to be considered.



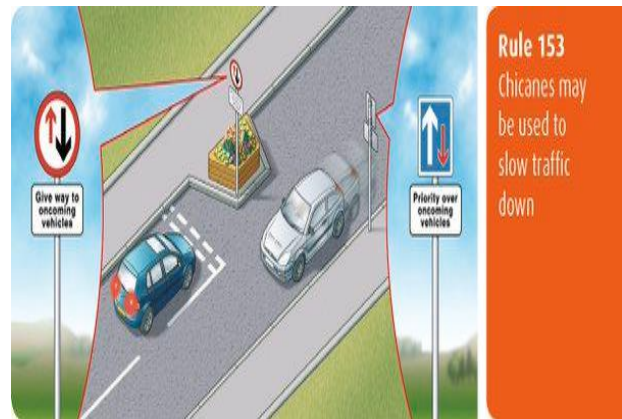
6. Procedure

6.1 Traffic Calming at planning/design stage

The best way to deal with speed control on new roads is at the design stage when the layout and geometric design can be prepared so as to limit excessive speed levels.

The process should include:

- A requirement by all residential developments to comply with DTTAS Traffic Management Guidelines with the objective of restricting traffic to a speed of 30 km/hr using the variety of measures outlined in these publications. The emphasis should be on horizontal measures and good layout design rather than vertical measures. However, vertical measures may also be appropriate in certain locations.



- Have regard to recommendations contained within the Design Manual for Urban Roads and Streets (DMURS), in particular in relation to limited curve radii at junctions, the use of varied surface types to give priority to the vulnerable road users and also the confining of road widths.
- Pre-planning discussions to include addressing traffic management issues.

6.2 Traffic Calming on existing roads

The Council receives a large number of representations each year from elected members and residents groups for traffic calming to be installed on existing roads and streets.

The provision of traffic calming is often a contentious issue and in this regard the Council must have a policy for assessing and prioritising requests.

Achieving the objectives of traffic calming schemes on existing roads requires consideration of a wide variety of measures.

In the majority of cases the demand is for the construction of speed ramps in existing estates where excessive speed is considered to be a problem.

Care must be taken that the objectives of the traffic calming policy are kept to the forefront and that what might be a community popular scheme should not be progressed if it does not achieve the stated objectives.

The procedure for dealing with traffic calming on existing roads will be as follows;

6.2.1 Traffic Calming Requests

Traffic calming requests are often received on behalf of residents groups. Any such request shall be accompanied by a plebiscite of residents in which two thirds of the residents on the street affected have indicated that they are in favour of the proposed measures. Any such plebiscite shall be restricted to residents living within 100m of the location of the proposed traffic calming measures.

Similarly, any request to remove traffic calming measures shall meet the two thirds threshold in favour of removal.

6.2.2 Data Collection

On foot of a request/recommendation for traffic calming of an existing housing estate, the first step is to determine if the estate road falls within the criteria for scheme assessment as outlined in 5.1 above and thereafter to verify that such problem exists and that it is not just a perception.

Each Municipal District of Limerick City & County Council is now equipped with automatic traffic counters/speed measuring devices which are easy to operate.

This device should be set up on a pole adjacent to the location where the speeding problem is perceived to exist or just in advance of the start of the frontage development in cases where the perception is of a general nature.

Devices should be left in situ for at least 24 hours and preferably for a longer period of time. The data from the survey will then need to be analysed.

6.2.3 Measures to be considered

Depending on the category of roadway within the estate, roads with recorded 85th percentile speeds in excess of the speed limit, will receive further consideration for the introduction of appropriate traffic calming measures.

Engineers may decide that traffic calming measures be implemented with the aim of bringing speed below the 50 km/hr threshold but should also give serious consideration to the lowering of the speed limit from 50km/h to 30 km/h within housing estate areas.

The assessment should distinguish between roads within estates in the following categories:

1. Roads which are through roads within estates and which have very little direct frontage housing and are not immediately adjacent to play areas.

These roads would generally have a speed limit of 50 km/h but may be reduced where the road authority deems it to be appropriate.

2. Roads which have direct frontage housing or are immediately adjacent to play areas.

These roads should have speed limits of 30 km/h. This requires the amendment of the Special Speed limit bye-laws.

The amendment of the Special Speed Limit Bye-Laws is a multi-step process which can take some time to complete.

The level of signage provided to incorporate this speed limit change will depend on the prevailing speeds.

(i) Where the 85th percentile speed is already less than or equal to 30 km/h minimal signage will be required.

A speed limit plate of 450 mm diameter would be appropriate when placed on a pole on the left hand side of the road at the entry point(s).



(ii) Where the 85th percentile speed is greater than 30 km/h then additional warning signs may be required in combination with the 30 km/h sign. These should be placed on a pole on the left hand side of the road at the entry point(s). The 30 km/h plate should normally have a diameter of 450 mm except where the local authority decides that increased prominence is required. Where that occurs the size of the speed limit plate (on the combination sign) may be increased to 600 mm and/or a sign may be erected on both sides of the road at the entry point(s).

(iii) In addition to the above and where a speed limit of 30 km/h is being implemented local authorities and community groups should consider the implementation of 'Slow Zones'.

'Slow Zones' should be developed and implemented as a Local Authority supported community based approach to reduce the speed limit to 30 km/h and to add safety measures within a select area in order to change driver behaviour.

The ultimate goal of a 'Slow Zone' is to lower the incidence and severity of crashes and to enhance quality of life.

'Slow Zones' should be established in self-contained areas that consist of Local Roads.



Combination of 30 km/h sign Slow Zone sign.

Gateways should announce the entry and exit from a 'Slow Zone'. These are a set of signs and markings at an intersection to alert drivers to the reduced speed limit.

Where the measures set out in 2(ii) are not sufficient to achieve an 85th percentile speed of 30 km/h then further measures should be considered and implemented to achieve the necessary reduction.

Suitable measures for consideration include;

- Closure of a through road to traffic by way of a road closure at a particular point with continued through access for pedestrians and cyclists. A network level analysis should be considered to ensure that problems do not arise elsewhere.
- Entry treatment.
- Build outs and/or increased on-street parking.
- Pinch points.
- Chicanes.
- Ramps or speed cushions.
- Speed tables.



Speed Tables

6.2.4 Assessing and Prioritising Schemes

In order to assess the priority of one location over another for limited traffic calming budgets, and to determine the best course of action, an assessment should be carried out at the location.

The assessment will be carried out by examining an estate under the headings as outlined below and through assigning a score for each heading.

The scores for each heading will then be added to establish an overall score which will assist in prioritising schemes.

The issues to be assessed are;

- Accident History/Data.
- 85th Percentile Speed.
- Vulnerable Road Users.
- Traffic Volumes.
- Local Conditions.
- Through Road.



A Priority Assessment Form is included in Appendix A

6.2.5 Scheme Selection

The selection of schemes for speed limit reduction and/or traffic calming measures shall be made in consultation with the Elected Members (Municipal Districts), based on the outcome of scheme assessments. During the course of any such meeting, the Roads Engineer will set out the proposed, prioritised traffic calming schemes for the year based on the scheme assessments and the available financial resources.

6.2.6 Design and Consultation

Following the initial assessment and scheme selection, a detailed examination of the site will be carried out to decide the optimum measures to address and control traffic speeds. The measures considered will be those recommended in the Traffic Management Guidelines and other technical guidance documents and may include:

- Introduction of 30km/hr special speed limit.
- Introduction of SLOW zones within elements of the estate.
- Through Road closures.
- Width reduction.
- Traffic regulation measures including prohibition or restriction of selected categories of traffic.
- Traffic islands.
- Mini roundabouts.
- Increased pedestrian/cyclist priority/crossing facilities.*
- Staggered parking.
- Vertical deflections - Speed ramps, tables & cushions.



- Horizontal deflections – build outs, pinch points and chicanes
- Improved street lighting, signage, lines and marking
- Landscaping.
- Driver feedback signs – on a temporary basis only as they lose effectiveness.

- Coloured or textured surfacing.

The warrant for the installation of a formal pedestrian crossing should be assessed using the NRA Pedestrian Crossing Specification and Guidance – April 2011.

During the Design phase, consultation should take place with Residents' groups, the Gardaí, Fire, Ambulance and Bus services where relevant.

It should be noted that traffic calming measures may interrupt the drainage pattern on roads and extra gullies may need to be installed etc. to overcome this.

6.2.7 Financial Considerations:

A decision on the financial impact of the installation of traffic calming measures must be made in the context of the funding available from various budgets.

There have been instances where the implementation of a 30km/hr speed limit on its own was not shown to be effective.

A limited budget for traffic calming in such instances and estates is to be allocated on an annual basis through the Low Cost Safety Schemes Department funding.

It should be borne in mind that retrofitting traffic calming measures in existing residential estates can be expensive. Limerick City & County Council may require a local contribution from residents in the order of 10% of the estimated cost of the works.

Where a local contribution is paid in respect of a particular Scheme, such Scheme may receive a higher priority.

The works on public roads may only be carried out by Limerick City & County Council or its agents (contractors).

6.2.8 Legal Process:

Once a scheme has been designed, estimated and a budget is assigned, the formal planning process should take place.

Depending on the extent of the scheme and its implications, the procedure to be followed will either involve the process outlined in Section 38 of the 1994 Road Traffic Act or a Part VIII Planning process.

The Legislative Procedure is outlined in Appendix B.

6.2.8 Monitoring

It is important that the scheme is monitored to ensure that the objectives of the policy are achieved and the issues originally identified are addressed.



6.2.9 Review

Limerick City & County Council Traffic Calming Policy for Urban Areas will be monitored and reviewed on a regular basis to ensure that all new advices, regulations, guidelines etc. in relation to traffic calming are incorporated into the policy.

7. References

7.1 Legislation

- Road Traffic Act 1994 – Section 38 (No.7 of 1994)
- Road Traffic (Bollards and Ramps) Regulations (S.I. No. 32 of 1988)
- Road Traffic (Bollards and Ramps) (Amendment) Regulations 1988 (S.I. No. 291 of 1988)
- Public Transport Regulation Act 2009 (No. 37 of 2009)
- Planning & Development Act 2000 (No. 30 of 2000), as amended
- Planning & Development Regulations 2001, as amended
- Road Traffic (Traffic & Parking) (Amendment) (No.2) Regulations 2012 (S.I. No.332 of 2012)
- Local Government Reform Act 2014 (No. 1 of 2014)

7.2 Standards/Guidance Notes

- Estates Design Guidelines.
- NRA Road Safety Audit.
- Traffic Management Guidelines.
- Design Manual for Urban Roads and Streets (DMURS).
- NRA Pedestrian Crossing Specification and Guidance – April 2011.
- Guidelines for Setting and managing Speed Limits in Ireland – March 2015.
- Traffic Advisory Leaflets.
- DMRB TA87/04.

7.3 Other

- Transport in the Urban Environment



8. Definitions

Primary Distributor Roads: The function of this type of road is to serve long distance traffic. Most existing primary distributor roads have to cater for mixed use traffic. In new designs segregation between vehicles and pedestrians is provided and no frontage access is allowed. In many cases these new roads are designed as Urban Motorways.

District Distributor Roads: These roads provide links between local districts within urban areas. Whilst they are important traffic routes they can have significant movements of buses and cyclists along them and pedestrians crossing them.

Local Collector Roads: These roads provide for local journeys and provide links to major roads. Many will have residential and limited commercial access / frontage and there will be significant movements of pedestrians and cyclists.

Access Roads: As the name suggests these roads provide access to properties of all types – residential, limited commercial, social and community. Vehicular access is allowed and speeds should be kept low. In some circumstances shared pedestrian / vehicular areas are allowed.

Housing estates generally fall into one or both of the latter two categories.

Appendix A - Traffic Calming Scheme Assessment Form



		Engineering Area	
Number of Houses		Brief Description	
Speed Limit			

QUALIFICATION

	Tick	Score
Site inside 50kph Speed Limit (unless otherwise agreed)	<input type="checkbox"/>	
Agreement of majority of Residents to accept measures	<input type="checkbox"/>	
Length of Through Road 300 m or greater	<input type="checkbox"/>	
Length of Cul De Sac 150 m or greater.	<input type="checkbox"/>	

RANKING

1 Accidents due to excessive speed

(Accident history and nature of accidents)

No	<input type="checkbox"/>	0	
Yes	<input type="checkbox"/>	20	<input type="checkbox"/>

2 85th Percentile Speed

Less than 30kph	<input type="checkbox"/>	0	
Between 30 and 40kph	<input type="checkbox"/>	10	
Between 40 and 50kph	<input type="checkbox"/>	15	<input type="checkbox"/>
Greater than 50kph	<input type="checkbox"/>	25	

3 Vulnerable Road Users (Play Areas, Shops, Schools)

No	<input type="checkbox"/>	0	
Yes	<input type="checkbox"/>	20	<input type="checkbox"/>

3 Traffic Volumes*

Less than 300 vehicles/day	<input type="checkbox"/>	0	
Greater than 300vehicles/day	<input type="checkbox"/>	5	<input type="checkbox"/>

4 Local Conditions

(Take into account parking, footpaths, houses on one side, scheme length)

	<input type="checkbox"/>	0	
	<input type="checkbox"/>	10	<input type="checkbox"/>
	<input type="checkbox"/>	20	

5 Through Road

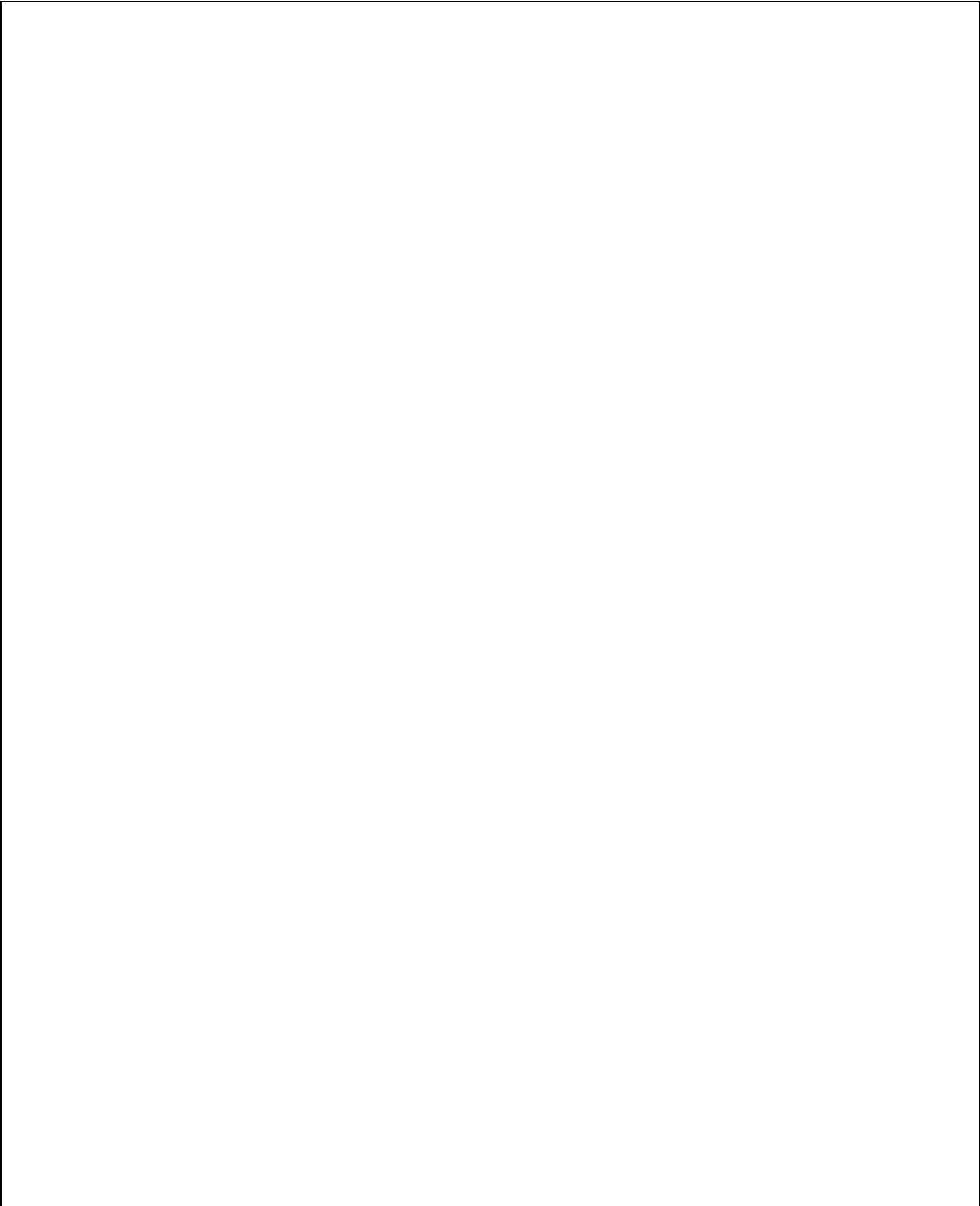
(Take into the likelihood of through traffic travelling at higher speeds)

No	<input type="checkbox"/>	0	
Yes	<input type="checkbox"/>	10	<input type="checkbox"/>

Total Ranking (out of 100)

Estimated Cost

Details of Proposed Scheme



Signed: _____

Date: _____

Appendix B - Legislative Procedure for the Implementation of Traffic Calming Measures

LIMERICK CITY & COUNTY COUNCIL - PHYSICAL DEVELOPMENT DIRECTORATE

TITLE: Legislative Procedure for Traffic Calming Measures under Section 38 of the Road Traffic Act 1994.

PURPOSE: To outline legislative procedures for Traffic Calming Measures under Section 38 of the Road Traffic Act 1994.

RELEVANT LEGISLATION:

Section 38 of the Road Traffic Act 1994, as amended.

DATE: February 2018

INTRODUCTION

This Document outlines the legislative procedure to be followed in relation to the provision or removal of traffic calming measures on public roads.

Under Section 38 – subsection (1) of the Road Traffic Act 1994, (No. 7 of 1994) 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.

Under **subsection (2)**, a Road Authority may remove any traffic calming measures provided by them under this section.

Subsection (3) sets out procedures to be followed before providing or removing traffic calming measures of such class or classes as may be prescribed.

This entails consulting with the Garda Síochána, publishing proposals and inviting representations before a specified date (which shall be not less than one month after the publication of the notice), considering any observations made by the Gardai and any representations made.

Subsection (4) provides that the making of a decision to provide or remove traffic calming measures of a prescribed class and the consideration of observations or representations shall be reserved functions.

These reserved functions were conferred on Municipal District Members under the **Local**

Government Reform Act 2014 (Part 1 of Schedule 14A Ref. No. 28).

Regulations to prescribe classes of measures have not been made and accordingly the consultation requirements set out in subsection (4) do not apply.

However, the Guidance on the 1994 Road Traffic Act, from the Department states that while it is not a legal requirement, traffic calming schemes should generally be planned and implemented with full public consultation. Consultation may not be necessary for minor works, but it is highly desirable in advance of carrying out works which materially affect the movement of traffic (whether pedestrians, cyclists or motorists). The nature and extent of consultation is a matter for individual Road Authorities.

However, where consultation is considered desirable, the following procedure applies:

- a) Consult with Garda Siochana, fire and ambulance services and other relevant prescribed bodies.
- b) Consult with Transport Infrastructure Ireland (TII) if proposal is on a National Road. c) Prepare draft Traffic Calming Scheme.
- d) Advise relevant Municipal District Members (in area where traffic measure is proposed) of draft proposals and consider their views.
- e) Publish Notice of proposed Scheme in one or more newspapers circulating in the area.
- f) Invite written submissions, representations and observations.
- g) Details of proposed Scheme to be made available for public inspection.
- h) Allow minimum period of one month for submissions.
- i) After end of consultation period, prepare Report including consideration of submissions received up to closing date for receipt of submissions.
- j) Submit Report on Scheme to relevant Municipal District meeting.
- k) If prescribed traffic measure (Reserved function), decision to proceed is made by the relevant Municipal District members.
- l) If not a prescribed traffic measure, (Executive function), Director's Order is prepared and the Report is presented to Municipal District Members for their information.

(Note:If provision of traffic calming measures entails other elements, for example provision / removal / relocation of speed limit signs, provision of regulatory traffic signs, road markings, etc. the statutory requirements for same under Road Traffic legislation must also be complied with, prior to their implementation.)

Subsection (5) provides that traffic calming measures on national roads shall not be provided or removed without the prior consent of the National Roads Authority (now Transport Infrastructure Ireland).

Subsection (6) empowers the Minister to issue general Guidelines to Road Authorities to assist them in the provision or removal of traffic calming measures. Where such Guidelines are in place, Road Authorities shall have regard to same when performing functions under this Section.

Subsection (7) provides that a traffic calming measure provided under this section shall be deemed to be a structure which forms part of the public road.

Subsection (8) provides for the offence of removing or damaging a traffic calming measure.

Subsection (9) contains definitions of the terms 'provide' and 'traffic calming measures' for the purpose of Section 38.

Section 46 of the Public Transport Regulation Act 2009 ((No. 37 of 2009) re 'measures to enhance public bus services – traffic calming measures', amends Section 38 of the Road Traffic Act 1994 by substituting a new subsection (9) and including definitions for bus and public bus service.

“traffic calming measures” means measures which—

(c) 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

(d) 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.”.

Whereas Section 38 subsection (9) of the Road Traffic Act 1994, as substituted by Section 46 of the Public Transport Regulation Act 2009, contains a definition of traffic calming measures, and lists nature of works provided for under this section, it does not specify any cost thresholds.

Where traffic calming measures are prescribed development under Part 8 – Article 80 (1) the

Planning & Development Regulations 2001 or where carried out by a Local Authority in conjunction with other road works which require Planning Permission, the procedure followed is under Section 179 of the Planning & Development Act 2000, as amended, and Part 8 of the Planning & Development Regulations 2001, as amended.

Article 80 (1) under Part 8 of the Planning & Development Regulations 2001 prescribes development for the purposes of Section 179 of the Planning & Development Act 2000.

Article 80 (1) reads as follows:

Subject to sub-article (2) and sub-section (6) of Section 179 of the Act, the following classes of development, hereafter in this Part referred to as 'proposed development', are hereby prescribed for the purposes of section 179 of the Act-

(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.

(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.

Section 46 of the Public Transport Regulation Act 2009 subsection (2) amends section 179 (6) of the Planning & Development Act 2000 by inserting after paragraph (b) the following: this section does not apply to proposed development which: (bb) consists of 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.

(Note: Separate Procedure Document for Part 8 Planning).