

Active Travel Scheme, Longford County, Traffic Calming Measures and Pedestrian Crossings, Bundle.

Section 38 Road Traffic Act 1994 Determination Report



Longford County Council

August 2025

Contents

1	Introduction	3
2	The proposed development will consist of:.....	3
2.1	Site Location and Site Layout	3
3	Stage 1: Determining the Applicability of Section 38	4
3.1	Assessment of Traffic Calming Measures	4
3.2	Public Road Boundaries	4
3.1	Conclusion for Stage 1	5
4	Stage 2: Environmental Impact Assessment (EIA) & Appropriate Assessment (AA) Screening	5
4.1	Environmental Impact Assessment (EIA) Screening	5
4.2	Appropriate Assessment (AA) Screening	5
5	Stage 3: Planning Considerations (Part 8 of the Planning and Development Regulations, 2001)..	5
6	Final Conclusion	6
7	Recording of this Determination.....	6

1 Introduction

The purpose of this document is to determine if the works described herein, which are proposed to be carried out by Longford County Council Active Travel Section, are appropriate for assessment and implementation in accordance with Section 38 of the Road Traffic Act 1994. The Department of Transport have published a guidance document on Section 38 works and it sets 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).

It is an essential part of this process that there is a Recorded Determination of whether the works can progress under the provisions of the Section 38 procedure outline in the Oct 2023 Guidance Document. This is the record of that determination.

2 The proposed development will consist of:

This initiative is aimed at enhancing pedestrian safety through the installation of new crossings and the upgrade of existing crossings. These improvements not only enhance visibility for both drivers and pedestrians but also serve as traffic-calming features, encouraging vehicles to reduce speed as they approach the crossing.

The scheme includes the upgrade of some existing crossings to raised Zebra Crossings and also the installation of a number of new raised Zebra Crossings. These enhancements will provide safer and more accessible crossing opportunities for pedestrians, particularly in areas where crossing points are currently limited.

To further improve road safety and reduce vehicle speeds, the scheme incorporates a range of traffic-calming measures. These include junction tightening works involving narrowing of a road junction. This will reduce turning speeds and shorten pedestrian crossing distances. Such measures have been proven to enhance safety for all road users, especially vulnerable groups such as children, older adults, and individuals with mobility challenges.

The scheme also includes the provision of approximately 250m, 2m pedestrian footpath, which will significantly enhance safety by offering a dedicated and segregated route for pedestrians, separate from vehicular traffic.

2.1 Site Location and Site Layout

The scheme will be carried out at a number of locations throughout the county. Please see attached.

1. Site Location map, Drawing No. 001
2. Longford Town, Park Road.
These works include the provision of a new Raised Zebra Crossing Type B, Site Location & Layout attached. Drawing No. 002
3. Drumlish, Hill Street,
Upgrading of existing Crossing to a Raised Zebra Crossing Type B, see Site Location & Layout attached. Drawing No. 003
4. Aughnacliffe
There are three separate works in the village of Aughnacliffe, these are outlined as follows:

- i. Junction Tightening Measures, at junction between L1044 & L1049, see attached Drawing No. 004a attached.
 - ii. St. Colmcille National School, Upgrade of existing crossing to a Raised Zebra Crossing Type A, see attached Drawing No. 004b attached.
 - iii. Forthill, Road Crossing, Installation of a new Raised Zebra Crossing Type B, Site Layout, see attached Drawing No 004c attached.
5. Keenagh, Upgrade of existing Zebra crossing to a Raised Zebra Crossing Type A, Site Location & Layout attached. Drawing No. 005
6. Melview, Upgrade of an existing crossing to a Raised Zebra Crossing, Type B, Site Location & Layout attached. Drawing No. 006
7. Legan, Upgrade of existing crossing at the School to a Raised Zebra Crossing Type A, the installation of a new raised Zebra Crossing Type B and the provision of approximately 250m in length and 2m wide new Footpath, Site Location & Layout attached. Drawings No. 007, 007a, 007b.

3 Stage 1: Determining the Applicability of Section 38

3.1 Assessment of Traffic Calming Measures

Based on the proposed project, the following works qualify as traffic calming under Section 38(9) of the Road Traffic Act 1994:

1. The provision of a raised Zebra Crossings – This will enhance pedestrian safety and encourage reduced vehicle speeds.
2. Surface Colour Changes & Road Markings – Provides visual cues to alert drivers to pedestrian-priority areas.
3. Junction tightening works such as narrowing road junctions will reduce turning speeds and shorten pedestrian crossing distances. Such measures will enhance safety for all road users, especially vulnerable groups such as children, older adults, and individuals with mobility challenges.

3.2 Public Road Boundaries

All proposed works are within the public realm, comprising the roadway, paved areas, and adjacent public footpaths. In accordance with Section 2 of the Roads Act 1993, these areas are classified as public roads.

3.1 Conclusion for Stage 1

Based on the assessment, the proposed works meet the definition of traffic calming under Section 38(9) and are within the public road boundaries. Therefore, Section 38 is the appropriate procedural mechanism unless additional development consents or approvals are necessary.

4 Stage 2: Environmental Impact Assessment (EIA) & Appropriate Assessment (AA) Screening

4.1 Environmental Impact Assessment (EIA) Screening

The proposed works do not fall under the project classifications or thresholds requiring an Environmental Impact Assessment (EIA) under EU Directive 2011/92/EU:

- **Annex I Projects (EIA Mandatory):**
 - Motorways and express roads.
 - Construction of a new four-lane road or widening of an existing two-lane road over 10 km.
- **Annex II Projects (Irish Regulations for EIA Thresholds):**
 - Busways (not bus lanes), service areas, new bridges over 100m, tunnels over 100m.
 - Four-lane road construction of 500m+ in urban areas or 8km+ in rural areas.

Given the limited scope and environmental impact of this project, an EIA is not required.

4.2 Appropriate Assessment (AA) Screening

Whitehill Environmental carried out an AA Screening Report and the following is a summary of the report:

“It is of the opinion of the author that an AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites.”

5 Stage 3: Planning Considerations (Part 8 of the Planning and Development Regulations, 2001)

This project does not exceed the following limits,

- More than €126,000 in value (current estimate is less than €50k).
- Construction of new or widening or realignment of an existing road greater than 100m, for Urban Area or 1km, for Rural Area
- Construction of a Bridge or tunnel

Therefore, it can be concluded that the works do not require a Part 8 process in accordance with the Planning and Development Regulations, 2001

6 Final Conclusion

The proposed works fall within the scope of Section 38 and do not require additional development consents. The project may proceed under the Section 38 procedure outlined in the October 2023 Guidance Document (Appendix 2).

Furthermore, in line with Section 95 of the Road Traffic Act 1961, consultation with An Garda Síochána is required. As these works are permanent, the Standard Procedure specified in the Section 38 Guidance Document should be followed.

As these works are to be in the form of Permanent Works, then the **Standard Procedure** as outlined in the Section 38 Guidance Document is the appropriate procedure.

7 Recording of this Determination

It is necessary to record this formal determination of the suitability of Section 38 Procedure and therefore I request that this 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.

I so recommend,

Signed: Brian Kelly

Brian Kelly Senior Executive Engineer –
Active Travel Section,
Longford County Council.

04/09/2025