

29<sup>TH</sup> OF OCTOBER, 2019

**SCREENING FOR APPROPRIATE ASSESSMENT OF SPECIFIC WORKS ASSOCIATED WITH ‘LOT 2 – MUNSTER  
BRIDGES TERM MAINTENANCE CONTRACT NO. 3’  
REASONED DETERMINATION**

Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (‘the Habitats Regulations’) states, *inter alia*, ‘A screening for Appropriate Assessment of a [...] project [...] which a public authority wishes to undertake [...] shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that [...] project, individually or in combination with other plans or projects is likely to have significant effects on the European site.’<sup>1</sup> Regulation 42(2) of the Habitats Regulations states ‘A public authority shall carry out a screening for Appropriate Assessment under paragraph (1) before [...] a decision to undertake [...] a project is taken.’<sup>2</sup> Having taken the view that the works required under ‘Lot 2 – Munster Bridges Term Maintenance Contract No. 3’ might constitute ‘projects’<sup>3</sup> within the meaning of the Habitats Regulations, Transport Infrastructure Ireland<sup>4</sup> (TII) decided that the works required under the contract should be subject to screening for Appropriate Assessment pursuant to, *inter alia*, Regulation 42 of the Habitats Regulations and Article 6(3) of the Habitats Directive.<sup>5</sup> Mr. Michael Nolan (Chief Executive of Transport Infrastructure Ireland) delegated the function of screening for Appropriate Assessment to me, Dr. Vincent O’Malley, Head of Environmental Policy and Compliance Section, Transport Infrastructure Ireland, on the 21<sup>st</sup> of June, 2018.

<sup>1</sup> Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. No. 477 of 2011).

<sup>2</sup> Regulation 42(2) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. No. 477 of 2011).

<sup>3</sup> Regulation 2(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. No. 477 of 2011) defines ‘project’ to include ‘land use or infrastructural developments, including any development of land or on land.’ Given the breadth of the term ‘project’ under the Habitats Regulations, Transport Infrastructure Ireland is uncertain as to whether or not works required under ‘Lot 2 – Munster Bridges Term Maintenance Contract No. 3’ constitute ‘projects’. It notes, however, that Section 3(1) of the Planning and Development Act, 2000, defines ‘development’ to include ‘[...] the carrying out of any works on, in, over, or under land [...]’ and that Section 2(1) of the Planning and Development Act, 2000 defines ‘works’ to include ‘[...] any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal [...]’. As such, Transport Infrastructure Ireland acknowledges that works required under ‘Lot 2 – Munster Bridges Term Maintenance Contract No. 3’ might constitute ‘projects’ within the meaning of the Habitats Regulations.

<sup>4</sup> Article 2 of the Roads Act 2015 (Operational Name of National Roads Authority) Order, 2015 (S.I. No. 297 of 2015) provides that the National Roads Authority may describe itself as Transport Infrastructure Ireland for operational purposes.

<sup>5</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora [1992] OJ L 206.

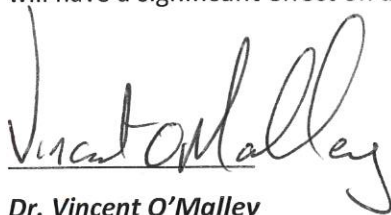
In performing this screening for Appropriate Assessment, I had regard, *inter alia*, to information contained in the following documents:

- CN291019\_Munster Bridges\_2019\_NIS Re-Screening\_For TII (16-10-2019).xls (first prepared by Atkins Limited and to which the Environmental Policy and Compliance Section of TII have added comments).

In performing this screening for Appropriate Assessment I also met and discussed with various members of staff from TII (e.g., from the legal, structures and environmental sections); and, the consultant engaged by TII to prepare and administer the contract (including the consultant's ecological expert).

The specific works that I screened for Appropriate Assessment were the works detailed in CN291019\_Munster Bridges\_2019\_NIS Re-Screening\_For TII (16-10-2019).xls, which I am advised and believe to be works required under the contract.

Having performed screening for Appropriate Assessment in respect of the specific works detailed in CN291019\_Munster Bridges\_2019\_NIS Re-Screening\_For TII (16-10-2019).xls, I accept the recommendations of Atkins Limited that the specified works proposed on the structures specifically listed in the table below, individually or in combination with other plans or projects, would not be likely to have a significant effect on any European site in view of the best scientific knowledge and the site's conservation objectives. I determine that an Appropriate Assessment of these proposed works is not required, as *it can be excluded* on the basis of objective scientific information following the screening done that the proposed works, individually or in combination with other plans or projects, will have a significant effect on any European site.



29/10/2019

**Dr. Vincent O'Malley**

*Head of the Environmental Policy and Compliance Section*

*Transport Infrastructure Ireland*

Structure ID	Structure Name	Works that 'screen out'	TII Determination
CB-N20-002.00	Carroll's Quay Bridge	<p>1 Bridge surface Cleaning of 2no. drainage gullies under the bridge. (2 no)</p>	Agree
CC-N20-031.00	Awbeg River Flood Arch	<p>5 Embankments/Revetments (20 m2)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
CC-N22-004.00	Colthurst Bridge Culvert East	<p>4 Parapets/Safety barrier Removal of vegetation behind southern safety barrier. (4 m2).</p> <p>6 Wing/Spandrel/Retaining Walls Repoint wing walls following vegetation removal. (1 m2).</p> <p>7 Abutments Concrete repair using repair mortar to spalled concrete. Concrete repair to exposed reinforcement to sections 3 and 4 from the south (2m2).</p> <p>4 Parapets/Safety barrier High-pressure hosing to 4m of safety barrier over the south side of the structure. (1 it)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
CC-N72-019.00	Firville Culvert	<p><b>4</b> Parapets/Safety barrier Removal of vegetation to northern parapet wall. (5 m<sup>2</sup>)</p> <p><b>5</b> Embankments/Revetments Removal of vegetation to embankments, 10m<sup>2</sup> to northern embankment and 30m<sup>2</sup> of vegetation clearance to south side of the structure. Debris should be cleared from embankments. (40 m<sup>2</sup>)</p> <p><b>6</b> Wing/Spandrel/Retaining Walls Removal of vegetation to northern spandrel wall and to base of north east retaining wall. (6 m<sup>2</sup>)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
CC-N72-021.00	Park Road River Bridge, Mallow	<p><b>5</b> Embankments/Revetments Cut back trees from the north parapet to maintain 1m clearance, remove fallen trees from southwest river bank. (100 m2)</p> <p><b>7</b> Abutments Clearance of minor vegetation from interfaces between abutment walls and deck. (5 m2). <b>1</b> Bridge surface Clear partial blockage from drain gully along north footway (1 no)</p>	Agree
CC-N72-024.00	Spa Walk South, Mallow	<p><b>5</b> Embankments/Revetments Cut back vegetation to maintain 1m clearance around structure, remove trees from southeast embankment (30 m2)</p> <p><b>6</b> Wing/Spandrel/Retaining Walls Clearance of minor vegetation from spandrel walls. (3 m2)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
		<p><b>4</b> Parapets/Safety barrier Removal of vegetation from parapets (5 m2)</p>	
CC-N72-025.00	Spa Walk Central, Mallow	<p><b>5</b> Embankments/Revetments Vegetation removal from embankments to maintain 1m clearance around structure (10 m2)</p> <p><b>6</b> Wing/Spandrel/Retaining Walls Vegetation to be cleared from west spandrel wall. (3 m2).</p> <p><b>1</b> Bridge surface Clear drainage channels at ends of east parapet, clear drainage units along west footway (3 no)</p>	Agree
CC-N72-026.00	Spa Walk North, Mallow	<p><b>4</b> Parapets/Safety barrier Clearance of moss growth from approach rails. (5 m2)</p> <p><b>5</b> Embankments/Revetments Clearance of 1m strip of vegetation away from structure on all embankments. (10 m2)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
CC-N72-029.00	Monanimy Cross Roads	<p><b>1</b> Bridge surface Clear 3no. drain gullies along edges of the carriageway. (3 no)</p>	Agree
CL-N67-001.00	Burrane Bridge	<p><b>12</b> Riverbed Removal of flytipped material under dry span. (20 m2). <b>1</b> Bridge surface Cleaning of blocked north-west drainage gully. (1 no)</p>	Agree



Structure ID	Structure Name	Works that 'screen out'	TII Determination
KY-N21-018.80	River Feale Bridge	<b>1</b> Bridge surface Clear drainage gullies across structure (12 no)	Agree
KY-N22-013.00	Kilkneedan Bridge	<b>1</b> Bridge surface (1 no)	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
KY-N22-017.00	Deenagh Bridge	1 Bridge surface (3 no)	Agree
KY-N69-001.50	Ballybeggan River Bridge	<p>5 Embankments/Revetments Removal of vegetation required from all embankments within 1m of bridge structure including along edges of the bridge deck. (28 m2). 1 Bridge surface Removal of vegetation and silt deposits required from 4 no. Drainage gullies. (2no. South east and 2 no. South west) (4 no).</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
KY-N69-018.00	Skehanierin Culvert	<p><b>5</b> Embankments/Revetments Clearance of 1m strip of vegetation away from structure on all embankments. (20 m2)</p> <p><b>6</b> Wing/Spandrel/Retaining Walls Clearance of vegetation from wing walls and spandrel walls. (3 m2)</p>	Agree
KY-N70-015.00	Caragh Bridge	<p><b>1</b> Bridge surface Removal of debris and silt from drainage gullies (4 no)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
KY-N70-040.00	Baslickane Bridge	<p>1 Bridge surface All debris, silt and vegetation to be removed from bridge drainage gullies (2 no)</p>	Agree
KY-N70-041.00	Darrynane Beg Bridge	<p>1 Bridge surface All debris, silt and vegetation to be removed from bridge drainage gullies (2 no)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
KY-N70-051.00	Sneem River Bridge	<p>1 Bridge surface  All debris, silt and  vegetation to be removed  from bridge drainage  gullies (3 no)</p>	Agree
KY-N70-052.00	Tahilla River Bridge	<p>1 Bridge surface  All debris, silt and  vegetation to be removed  from bridge drainage  gullies (3 no)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
KY-N70-054.00	Blackwater Bridge	<p>1 Bridge surface  All debris, silt and  vegetation to be removed  from bridge drainage  gullies (4 no)</p>	Agree
KY-N71-002.00	Muckross Friary Bridge	<p>1 Bridge surface  All debris, silt and  vegetation to be removed  from bridge drainage  gullies (2 no)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
KY-N71-003.00	Torc New Bridge	<p>1 Bridge surface  All debris, silt and  vegetation to be removed  from bridge drainage  gullies (2 no)</p>	Agree
KY-N71-010.00	Carrig East Bridge	<p>1 Bridge surface  1no. open drain at base of  parapet to be cleared. (1  no)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
KY-N72-001.00	Coolroe South Bridge	<p style="text-align: center;"><b>5</b></p> <p>Embankments/Revetments Clearance of 1m strip of vegetation away from structure on all embankments including removal of waste from the South east embankment. (15 m2). <b>1</b> Bridge surface 2no. gulleys to be cleared. (2 no)</p>	Agree
KY-N72-012.00	Cullavaw Bridge	<p><b>4</b> Parapets/Safety barrier Removal of vegetation to masonry parapet walls. (6 m2)</p> <p style="text-align: center;"><b>5</b></p> <p>Embankments/Revetments Removal of vegetation to embankments. 1m wide strip to provide access. (30 m2)</p> <p><b>6</b> Wing/Spandrel/Retaining Walls Removal of vegetation to south spandrel wall and SE wingwall and northern walls. (30 m2)</p>	Agree



Structure ID	Structure Name	Works that 'screen out'	TII Determination
KY-N86-019.00	Killelton Bridge	<p style="text-align: center;">5</p> Embankments/Revetments Removal of vegetation required within 1m of bridge structure from all embankments (24 m2)	Agree
LC-N21-002.00	Goulburn Bridge	<p style="text-align: center;">1 Bridge surface 2 no. drains to be cleared. (2 no)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
LC-N69-009.00	Askeaton Friary River Bridge	<p>1 Bridge surface Clean drain gullies at each corner of the structure (4 no). 5 Embankments/Revetments (130 m2)</p>	Agree
TS-N76-004.00	Mullennaglogh Bridge	<p>1 Bridge surface Clearing of drain gullies along edges of carriageway. (2 no)</p>	Agree

Structure ID	Structure Name	Works that 'screen out'	TII Determination
WC-N72-003.00	Little Bridge	<p><b>1</b> Bridge surface  7no. drain gulleys at base of parapet to be cleared. (7 no)</p>	Agree
WC-N72-007.00	Kildangan Bridge	<p><b>12</b> Riverbed  Clear vegetation from span containing watercourse. Tree debris under spans to be cleared. (10 m2). <b>5</b> Embankments/Revetments  Clear vegetation from embankments to maintain 1m clearance around structure (40 m2). <b>1</b> Bridge surface  Clearing of drainage units along each footway (100 m).</p>	Agree