

6<sup>TH</sup> JUNE, 2019

**SCREENING FOR APPROPRIATE ASSESSMENT OF SPECIFIC WORKS ASSOCIATED WITH 'LEINSTER 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 'Leinster 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.

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

<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 'Leinster 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 'Leinster 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.

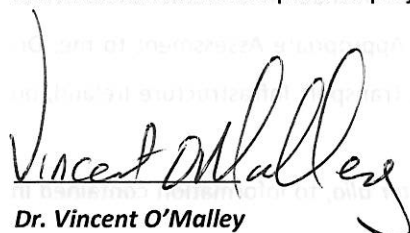
<sup>5</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora [1992] OJ L 206.

- *Leinster Bridges – Term Maintenance Contract No. 3 – Ecological Assessment* (Roughan & O'Donovan, July 2018); and,
- CN050619\_AA Screening 2019\_Leinster remaining combined.xls.<sup>6</sup>

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); Ove Arup and Partners Ireland Limited (engaged to provide ecological services to TII in relation to this screening); 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 CN050619\_AA Screening 2019\_Leinster remaining combined.xls, which I am advised and believe to be the works required under the contract in year 2 of its duration.

Having performed screening for Appropriate Assessment in respect of the specific works detailed in CN050619\_AA Screening 2019\_Leinster remaining combined.xls, I accept the recommendations of Roughan & O'Donovan Civil Engineers that the year 2 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.



**Dr. Vincent O'Malley**  
Head of the Environmental Policy and Compliance Section  
Transport Infrastructure Ireland

<sup>6</sup> The spreadsheet 'CN050619\_AA Screening 2019\_Leinster remaining combined.xls' was first prepared by Roughan & O'Donovan Civil Engineers and provided, amongst other things, the recommendations of Roughan & O'Donovan's ecologist as to whether or not specified works could be 'screened out'. Transport Infrastructure Ireland engaged Ove Arup and Partners Ireland Limited to review this information and to advise TII as to the appropriateness of the conclusions contained therein. The Environmental Policy and Compliance Section of TII reviewed the information contained in the spreadsheet and indicated whether or not it agreed with these recommendations.

| Bridge ID     | Bridge Name                         | TII Determination |
|---------------|-------------------------------------|-------------------|
| DR-M50-004.00 | Blackglen Underpass Bridge          | Agree             |
| DR-M50-006.00 | Sandyford Road Overbridge           | Agree             |
| DR-N11-001.00 | St. Columcilles Hospital Footbridge | Agree             |
| DR-N11-002.00 | Loughlinstown River Culvert         | Agree             |
| DR-N11-003.00 | Loughlinstown River Bridge          | Agree             |
| DR-N11-003.20 | Wyattville Road Overbridge          | Agree             |
| DR-N11-004.00 | Johnstown Road Footbridge           | Agree             |
| DR-N11-005.00 | Clonkeen Road Footbridge            | Agree             |
| DR-N11-006.00 | Foxrock Church Footbridge           | Agree             |
| DR-N11-007.00 | St. Laurence Park Subway            | Agree             |
| FG-M50-004.00 | Sillogue Road Bridge                | Agree             |
| FG-M50-005.00 | Dubber Cross Bridge                 | Agree             |
| FG-M50-010.00 | Cappoge Bridge                      | Agree             |
| FG-M50-014.00 | M50 Pipe Bridge                     | Agree             |
| FG-M50-016.00 | M50-N3 Canal Aquaduct               | Agree             |
| FG-M50-017.00 | M50 Rail Overpass                   | Agree             |
| FG-M50-022.00 | Castleknock Road Bridge             | Agree             |
| KE-N78-004.00 | Athy Railway Bridge                 | Agree             |
| KE-N81-001.00 | Tulfarris Bridge                    | Agree             |
| KE-N81-002.00 | Pollaphuca Footpath Bridge          | Agree             |
| KE-N81-003.00 | Poulaphouca Bridge                  | Agree             |
| KE-N81-004.00 | Blessington Culvert                 | Agree             |
| KK-N10-008.00 | Ossary Bridge                       | Agree             |
| KK-N10-009.00 | Pococke River Bridge                | Agree             |
| KK-N24-002.00 | Ballynamountain Bridge              | Agree             |
| KK-N24-005.00 | Turkstown Farm Pass                 | Agree             |
| KK-N24-006.00 | Railway                             | Agree             |
| KK-N24-007.00 | Rathmore Farm Pass                  | Agree             |
| KK-N24-008.00 | Rathmore Road Underpass             | Agree             |
| KK-N24-009.00 | Fiddown Interchange                 | Agree             |
| KK-N24-010.00 | Ardclone Farm Pass                  | Agree             |
| KK-N24-011.00 | Pil River Bridge                    | Agree             |

|               |                                |       |
|---------------|--------------------------------|-------|
| KK-N24-012.00 | Tibberaghny Bridge             | Agree |
| KK-N25-001.00 | New Ross Pipes                 | Agree |
| KK-N25-002.00 | Shanbogh Upper Underpass       | Agree |
| KK-N25-003.00 | Miltown Bridge                 | Agree |
| KK-N25-005.00 | Jamestown Farm Underpass       | Agree |
| KK-N25-007.00 | Ballyrahan Bridge              | Agree |
| KK-N29-001.00 | Gorteens Railway Bridge        | Agree |
| KK-N76-001.00 | Ahanure Bridge                 | Agree |
| KK-N76-002.00 | Kilbride River Bridge          | Agree |
| KK-N76-003.00 | Blessed Edmund Rice Bridge     | Agree |
| KK-N76-004.00 | Mullaunglass Bridge            | Agree |
| KK-N76-005.00 | Callan Farm Pass               | Agree |
| KK-N76-006.00 | Knockreagh Bridge              | Agree |
| KK-N76-007.00 | Aughcoultagh Bridge            | Agree |
| KK-N76-008.00 | Grangecuffe Pipes              | Agree |
| KK-N76-009.00 | Shellumsrath Bridge            | Agree |
| KK-N76-010.00 | Maidenhill Roundabout Bridge   | Agree |
| KK-N77-000.10 | Lacken Railway Bridge          | Agree |
| KK-N77-000.20 | Hebron Bridge                  | Agree |
| KK-N77-000.80 | Kilkenny Golf Course Underpass | Agree |
| KK-N77-000.90 | Johnswell Bridge               | Agree |
| KK-N77-001.00 | Baun Bridge                    | Agree |
| KK-N77-003.00 | Oldtown Farm Underpass         | Agree |
| KK-N77-004.00 | Castle Street Bridge           | Agree |
| KK-N78-004.00 | Dysart Bridge South            | Agree |
| KK-N78-005.00 | Dysart Bridge North.           | Agree |
| KK-N78-007.00 | Castlecomer Bridge             | Agree |
| KK-N78-008.00 | Castlecomer Tributary Bridge   | Agree |
| KK-N78-009.00 | Crettyard Bridge               | Agree |
| LS-N77-003.00 | Abbeyleix Culvert              | Agree |
| LS-N77-004.00 | Gloreen Stream Culvert         | Agree |
| LS-N77-005.00 | Industrial Railway Bridge      | Agree |
| LS-N77-006.00 | Cattle Pass at Clonad          | Agree |

|               |                                     |       |
|---------------|-------------------------------------|-------|
| LS-N77-007.00 | Clonad Underbridge                  | Agree |
| LS-N78-003.00 | Glenahane Stream Bridge             | Agree |
| LS-N78-003.90 | Mooney's Crossroads Culvert         | Agree |
| LS-N78-004.00 | Mooney's Crossroads Bridge          | Agree |
| LS-N78-005.00 | Wandesford Bridge                   | Agree |
| LS-N78-006.00 | Fuer River Bridge                   | Agree |
| LS-N80-001.00 | Douglas River Bridge                | Agree |
| LS-N80-002.00 | Milltown Bridge                     | Agree |
| LS-N80-004.00 | Masonry Arch at Portlaoise          | Agree |
| LS-N80-005.00 | Triogue River Bridge                | Agree |
| LS-N80-007.00 | Portlaoise Railway Bridge           | Agree |
| LS-N80-008.00 | Mountmellick Culvert                | Agree |
| MH-N51-002.00 | Branch of River Athboy Bridge       | Agree |
| MH-N51-003.00 | Boyerstown Accommodation Underpass  | Agree |
| MH-N51-003.30 | Parkboy Accommodation Underpass     | Agree |
| MH-N51-004.00 | Tara Mines Railway Bridge           | Agree |
| MH-N51-004.10 | Kingscourt to Duleek Railway Bridge | Agree |
| MH-N51-005.01 | River Blackwater Bridge             | Agree |
| MH-N51-008.00 | Mattock Bridge                      | Agree |
| MH-N52-001.80 | Newrath Little Underbridge          | Agree |
| MH-N52-001.90 | Oldcastle Road OB                   | Agree |
| MH-N52-002.00 | Blackwater River Bridge             | Agree |
| MH-N52-002.10 | Cakestown Culvert                   | Agree |
| MH-N52-002.20 | Cakestown Underpass                 | Agree |
| MH-N52-003.00 | Owenroe River Bridge                | Agree |
| MH-N52-004.00 | Causeway Bridge                     | Agree |
| MH-N52-005.00 | Bridge near Cross Guns              | Agree |
| MH-N52-006.00 | Glebe Bridge                        | Agree |
| MH-N52-007.00 | Siddan Bridge                       | Agree |
| MH-M03-001.00 | Swan Lane Footbridge                | Agree |
| MH-M03-002.00 | Ballybatter OB                      | Agree |
| MH-M03-004.00 | Kennastown Acc UB                   | Agree |
| MH-N02-001.00 | Devlin's Bridge                     | Agree |

|               |                                      |       |
|---------------|--------------------------------------|-------|
| MH-N02-003.00 | Adjacent to Slane Bridge             | Agree |
| MH-N02-005.00 | Ashbourne Turnpike Bridge            | Agree |
| MH-N02-006.00 | Balrath Crossroads Bridge            | Agree |
| MH-N02-007.00 | New Bridge                           | Agree |
| MH-N02-008.00 | Cushinstown Bridge                   | Agree |
| MH-N02-009.00 | Knavistown Bridge                    | Agree |
| MH-N03-001.00 | Derver Underpass                     | Agree |
| MH-N03-002.00 | Blackwater River UB                  | Agree |
| MH-N03-003.00 | Pottlebane Underpass                 | Agree |
| MH-N03-005.00 | Pottlebane Culvert No. 2             | Agree |
| MH-N03-006.00 | Woodpole Road Underpass              | Agree |
| MH-N03-007.00 | Castlekeeran Road Underpass          | Agree |
| MH-N03-008.00 | Castlekeeran Cattle Underpass        | Agree |
| MH-N03-009.00 | Castle Keeran Culvert                | Agree |
| MH-N03-010.00 | Calliaghstown Underpass              | Agree |
| SD-M50-000.80 | Kings Hospital Footbridge            | Agree |
| SD-M50-003.00 | Coldcut Road Bridge                  | Agree |
| SD-M50-004.00 | Cloverhill Road Bridge               | Agree |
| SD-M50-013.00 | Greenhills Road Bridge               | Agree |
| SD-M50-014.00 | Tymon Park Footbridge                | Agree |
| SD-M50-016.00 | National Basketball Arena Footbridge | Agree |
| SD-M50-018.00 | Balrothery Pedestrian Bridge         | Agree |
| SD-M50-022.00 | Firhouse Bridge                      | Agree |
| SD-M50-023.00 | Knocklyon Footbridge                 | Agree |
| SD-M50-023.90 | Scholarstown Pedestrian Footbridge   | Agree |
| SD-M50-025.00 | Stocking Lane Bridge                 | Agree |
| SD-N81-001.00 | Slade River Bridge                   | Agree |
| SD-N81-002.00 | Corbally Bridge                      | Agree |
| SD-N81-003.00 | Killinarden Culvert                  | Agree |
| SD-N81-004.00 | Sean Walsh Memorial Footbridge       | Agree |
| SD-N81-005.00 | St Dominic's Road Footbridge         | Agree |
| WH-N04-001.00 | Ballinalack Bridge                   | Agree |
| WH-N04-002.00 | Ballynafid Bridge                    | Agree |

|               |                                |       |
|---------------|--------------------------------|-------|
| WH-N52-001.00 | Carrick Overbridge             | Agree |
| WH-N52.002.00 | Paslicktown Bridge             | Agree |
| WH-N52-003.00 | Rocheafortbridge Rd Overbridge | Agree |
| WH-N52-004.00 | Canal Bridge                   | Agree |
| WH-N52-005.00 | Railway Bridge                 | Agree |
| WH-N52-006.00 | Rathconnell Culvert            | Agree |
| WH-N55-003.00 | Glassan Bridge                 | Agree |
| WH-N55-004.00 | Creggy Bridge                  | Agree |
| WH-N55-005.00 | Tang Bridge                    | Agree |
| WH-N62.001.00 | Ballynahown Bridge             | Agree |
| WH-N62.002.00 | Kilbillaghan Bridge            | Agree |
| WH-N62-003.00 | Kilgarvan Bridge               | Agree |
| WX-N11-000.10 | Newton Underpass               | Agree |
| WX-N11-001.00 | Newton Rail                    | Agree |
| WX-N11-002.00 | Ferrycarrig Bridge             | Agree |
| WX-N11-004.00 | Seamus Rafter Bridge           | Agree |
| WX-N11-006.00 | Enniscorthy Rail               | Agree |
| WX-N11-007.00 | Scarawalsh Farm Pass           | Agree |
| WX-N11-008.00 | Scarawalsh Bridge              | Agree |
| WX-N11-010.00 | Bay Bridge                     | Agree |
| WX-N11-011.00 | Ballydaniel Bridge             | Agree |
| WX-N11-014.00 | Clogh Road Overbridge          | Agree |
| WX-N11-015.00 | Moneycross Road Overbridge     | Agree |
| WX-N11-017.00 | Geata Salac Overbridge         | Agree |
| WX-N11-024.00 | Raheenagurren IfC Overbridge   | Agree |
| WX-N11-029.00 | Clonatin Road Overbridge       | Agree |
| WX-N11-032.00 | Tinnock Interchange Overbridge | Agree |
| WX-N11-036.00 | Perrymount Road Overbridge     | Agree |
| WX-N11-038.00 | Macoyle Road Overbridge        | Agree |
| WX-N11-041.00 | Ballyelin Road Overbridge      | Agree |
| WX-N11-042.00 | Ashwood Road Overbridge        | Agree |
| WX-N25-001.00 | Ballybing Culvert              | Agree |
| WX-N25-003.00 | Jones Cross Roads Bridge       | Agree |

|               |                                       |       |
|---------------|---------------------------------------|-------|
| WX-N25-004.00 | Killnick Station                      | Agree |
| WX-N25-005.00 | Assaly Bridge                         | Agree |
| WX-N25-006.00 | Starvehall Bridge                     | Agree |
| WX-N25-007.00 | Clonard Cross Roads Bridge            | Agree |
| WX-N25-007.50 | Larkins Cross Accommodation Underpass | Agree |
| WX-N25-007.80 | Ballywether Farm UP                   | Agree |
| WX-N25-008.00 | Tomcool Bridge                        | Agree |
| WX-N25-009.00 | Murntown Bridge                       | Agree |
| WX-N25-009.40 | Harristown Farm Underpass             | Agree |
| WX-N25-010.00 | Bricketstown Bridge                   | Agree |
| WX-N25-011.00 | Dungeer farm 1                        | Agree |
| WX-N25-012.00 | Dungeer farm 2                        | Agree |
| WX-N25-013.00 | Carrowreagh Farm 1                    | Agree |
| WX-N25-014.00 | Carrowreagh Bridge 1                  | Agree |
| WX-N25-015.00 | Carrowreagh farm 2                    | Agree |
| WX-N25-016.00 | Carrowreagh Bridge 2                  | Agree |
| WX-N25-017.00 | Camaross Bridge                       | Agree |
| WX-N25-018.00 | Kilgarvan farm pass 1                 | Agree |
| WX-N25-019.00 | Kilgarvan Bridge                      | Agree |
| WX-N25-020.00 | Kilgarvan farm pass 2                 | Agree |
| WX-N25-021.00 | Rathsillagh farm pass                 | Agree |
| WX-N25-022.00 | Rathsillagh Bridge                    | Agree |
| WX-N25-023.00 | Ballynabola Farm pass                 | Agree |
| WX-N25-024.00 | Ballynabola Bridge                    | Agree |
| WX-N25-025.00 | Sutton Bridge                         | Agree |
| WX-N25-027.00 | O'Hanrahan Bridge                     | Agree |
| WX-N30-001.00 | Enniscorthy Rail                      | Agree |
| WX-N30-003.00 | Tomduff Bridge 2                      | Agree |
| WX-N30-003.90 | Toberona Farm Underpass               | Agree |
| WX-N30-004.00 | Davidstown Overbridge                 | Agree |
| WX-N30-004.50 | Coolamurry Farm Pass                  | Agree |
| WX-N30-005.00 | Boolabaun Bridge                      | Agree |
| WX-N30-005.30 | Boolabaun River Culvert               | Agree |



|               |                                  |       |
|---------------|----------------------------------|-------|
| WX-N30-006.00 | Ballymackesy Bridge              | Agree |
| WX-N30-007.00 | MacMurrough Island Bridge 1      | Agree |
| WX-N30-008.00 | MacMurrough island Bridge 2      | Agree |
| WX-N30-009.00 | MacMurrough island Farm Pass     | Agree |
| WX-N30-010.00 | Island Bridge                    | Agree |
| WX-N80-003.00 | Coolattin Bridge                 | Agree |
| WW-N81-001.00 | Yellowford Cross<br>Roads Bridge | Agree |
| WW-N81-003.00 | Eldon Bridge Farm Pass           | Agree |
| WW-N81-005.00 | Waterloo Bridge                  | Agree |
| WW-N81-006.00 | Waterloo Bridge Farm Pass        | Agree |
| WW-N81-010.00 | Merginstown Bridge               | Agree |
| WW-N81-011.00 | Annalecky Bridge                 | Agree |
| WW-N81-012.00 | Mullycagh Lower Bridge           | Agree |
| WW-N81-013.00 | Conlans Hill Bridge              | Agree |
| WW-N81-014.00 | Toor Brook Bridge                | Agree |
| WW-N81-015.00 | Russborough Culvert              | Agree |
| WW-N11-007.00 | Ballyraine Upper Road Bridge     | Agree |
| WW-N11-011.00 | Kilbride Road Bridge             | Agree |
| WW-N11-013.00 | Avoca Road Bridge                | Agree |
| WW-N11-014.00 | Templerainy Road Bridge          | Agree |

