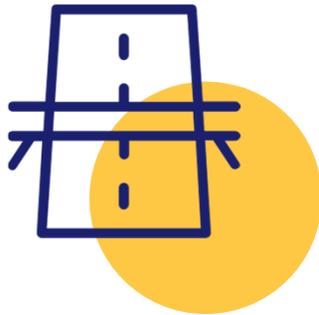




Transport Infrastructure Ireland

# Environmental Compliance Monitoring & Enforcement

Applicable Road Developments



4 March 2026

## - Content

1. **Why** is this required - Legislation?
2. **What** does this mean for Local Authorities?
3. **How** this works in practice (TII example)?
4. **Importance** of EIARs/ NIS
5. **Summary** & Next Steps



- Why is this required?

- Legislation requirement;

## Roads Act 1993 (as amended)

*by the European Union (Roads Act 1993)*

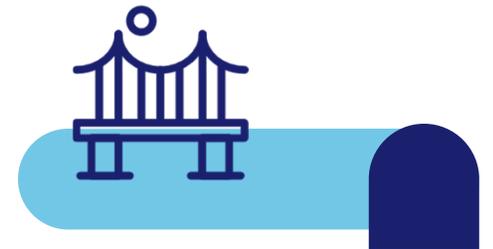
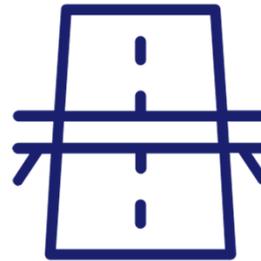
*Environmental Impact Assessment (Amendment) Regulations 2019  
(S.I. No. 279 of 2019)*



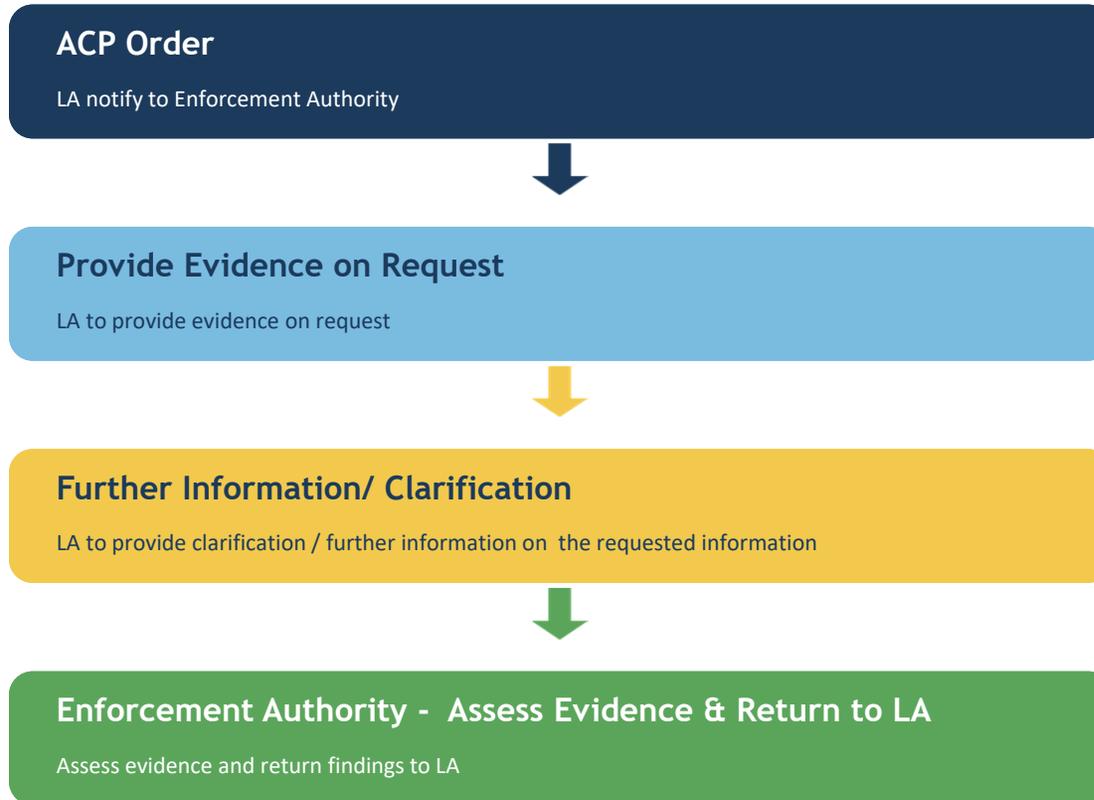
## - What does this mean for Local Authorities?

For any roads project that requires an EIAR (post 2019) progressed by road authority/ local authority:

- National Roads
- Regional and local road projects
- Greenways
- NTA projects



# What actions do Local Authorities need to take?



## WHAT ARE THE ENFORCEMENT AUTHORITY – POWERS

### Roads Act 1993 (as amended) Sections 51E – 51G Powers

**51E:** Request compliance information

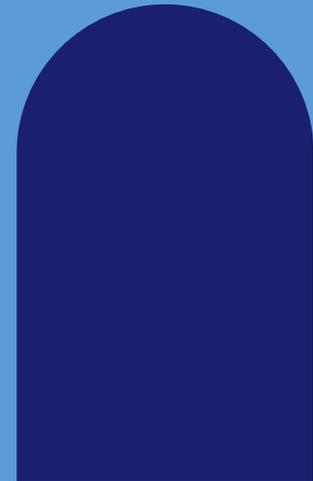
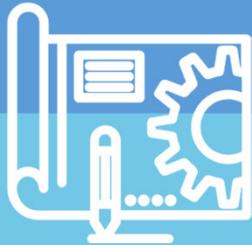
**51F:** Access land / records and assess compliance

**51G:** Direct action required to achieve compliance

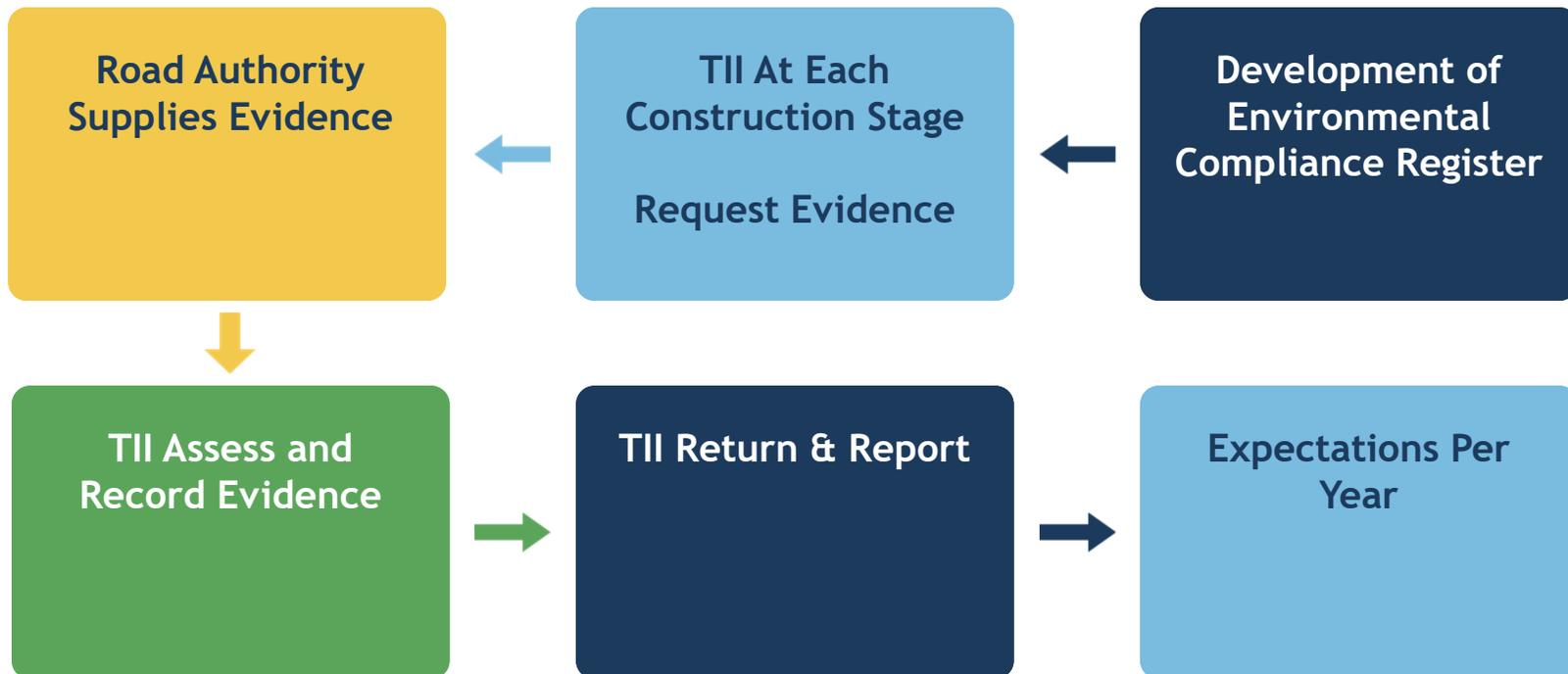
Failure to comply may lead to enforcement



# How this works in practice (TII)



# TII process as an Enforcement Authority on National Roads?



## The Environmental Compliance Register (ECR) Conditions and Mitigation

Ref	Requirement
<p>ABP - 306146-19 Order Condition 1 (a)</p>	<p><b>“Condition 1. (a) <i>The proposed development shall be carried out and completed in accordance with the plans and particulars, including the mitigation measures specified in the Environmental Impact Assessment Report and the Natura Impact</i> .....Where such conditions require details to be prepared by the roads authority, these details shall be placed on file prior to commencement of development and retained as part of the public record.”</b></p>

## The TII Environmental Compliance Register (ECR) Layout

Ref	Requirement	Required Evidence	Link to File	Road Authority Response	Date Received	Summary Assessment of Evidence
ABP - 306146-19 Order Condition 1 (a)	Condition 1. (a) The proposed development shall be carried out and completed in accordance with the plans and particulars, including the mitigation measures specified in the Environmental Impact Assessment Report and the Natura Impact Statement lodged with the application to An Bord Pleanala on the 11th day of December, 2019, as amended by the plans and particulars submitted to An Bord Pleanala on the 30th day of September, 2020, and as further stated and clarified in the Schedule of Commitments submitted by the road authority to the oral hearing on the 16th day of February, 2021, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be prepared by the roads authority, these details shall be placed on file prior to commencement of development and retained as part of the public record.	As requested in the below rows.				
ABP - 306146-19 Order Condition 1 (b)	Condition 1 (b) The updated Schedule of Commitments to include the mitigation measures outlined in the Environmental Impact Assessment Report, the schedule of commitments submitted by the road authority to the Board on the 16th day of February 2021, during the oral hearing, and as required through conditions contained in this schedule, shall be implemented in full and shall be placed on the file and retained as part of the public record. Reason: In the interest of clarity and environmental protection.	As requested in the below rows.		[REDACTED]	[REDACTED]	[REDACTED]
ABP - 306146-19 Order Condition 2	Condition 2. The Environmental Operating Plan (EOP) included in Appendix 4.1 of the Environmental Impact Assessment Report shall be finalised by the appointed contractor and shall be subject to formal approval by the road authority. Any deviations shall not cause an exceedance of the environmental effects committed to in the Environmental Impact Assessment Report and Environmental Operating Plan that accompanied the application. It shall include all of the mitigation measures prescribed in the Environmental Impact Assessment Report and the Natura Impact Statement, as added to by additional environmental commitments submitted to An Bord Pleanala at the oral hearing on the 16th day of February, 2021. It shall also include the additional measures stipulated in the conditions of this approval. The EOP shall be placed on file prior to commencement of development and retained as part of the public record. The Environmental Operating Plan shall be implemented by the appointed contractor throughout the duration of the construction phase. Reason: In the interest of clarity and environmental protection.	1. The finalised and formally approved by the road authority EOP. 2. If relevant. A documented record of deviations to measures committed to in the EIAR and EOP. 3. The date EOP is placed on file prior to commencement of development and location where retained as part of the public record		[REDACTED]	[REDACTED]	[REDACTED]
ABP - 306146-19 Order Condition 3	(a) At detailed design stage, the road authority shall engage with Irish Water to agree adequate protection of existing significant assets and ensure appropriate access is maintained during and following construction. All works that would impact Irish Waters Assets shall be carried out in compliance with Irish Water Standards and Codes of Practice. (b) Where the road authority proposes a temporary or permanent connection to public water/wastewater network operated by Irish Water, it shall enter into a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement. Reason: In the interest of public health.	N/A Not an environmental condition				

## TII Observations to-date

## TII feedback returned to road authority

1. Ensure you are clear on what is being requested
2. Include all the measures requested in ECR to demonstrate compliance
3. Document all mitigation and monitoring measures as per the Planning Consent requirements
4. Check the evidence being returned where has been sourced from elsewhere in the project team



## Benefits of Regulatory Process and Tracking

1. Improved environmental performance

2. Documented evidence of compliance

3. Build confidence for the public and other stakeholders

4. Improvements in EIAR



## Importance of Environmental Impact Assessment Reports & Potential issues

1. Mitigation measures not feasible/implementable as defined in the report

2. Mitigation and monitoring measures not specific / contradictory

3. Plans required with no guidance or technical standard referenced

4. Roles identified requiring 'appropriate' education and experience though these not stipulated



## - Summary

- 1. Why** is this required - Legislation?
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## WHAT NEXT?

- Size of **EIAR** are getting larger – **how to be manage the scale?**
- Local authorities may have **multiple enforcement authority** to report to – **can this be streamlined?**



# Thank you

## Questions?

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