

ENVIRONMENTAL TRUST IRELAND

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Part 8 – South Circular Road to City Centre Active Travel Scheme

Objection to divisive, selfish and polarising active travel plan which will cause hardship and marginalise residents, women, the vulnerable, the elderly, the disabled and negatively impact upon the quality of life for residential communities in the area

1. INTRODUCTION:

The proposed development is regressive and draconian and is pandering to the whim of a small minority who have disproportionate influence in the Council relative to their size and minority viewpoint. The proposal is to the severe detriment of the many who reside and conduct business in the areas involved. Instead of promoting unity, social cohesion, inclusion, integration, togetherness, wellbeing and a pluralistic society, the proposal is divisive and the attempts to unilaterally impose it upon affected communities has caused enormous and unnecessary upset and distress. The elected Councillors are urged to reject the proposal outright.

2. LACK OF MEANINGFUL AND EFFECTIVE PUBLIC PARTICIPATION

The proposals to carry out development works commencing north –east of

Ballykeeffe roundabout to the City on R526, South Circular Rd, Henry Street and Mill Lane is premature and not properly thought out. There have been no adequate or proper impact assessments conducted and no adequate or proper surveys conducted. Some reports and assessments obtained are inadequate or materially and fundamentally flawed and are not in compliance with EU and national law requirements.

In breach of the Aarhus Convention on meaningful and effective public engagement, there was no public Participation or consultation prior to public drop in sessions commencing from 6th October 2022 in a public house and in other venues such as Mary Immaculate College and the Citizens Innovation Laboratory, where the public were belatedly invited for the first time to view a number of maps without prior consultation on what was contemplated. People were presented with a *fait accompli* by Limerick City & County Council. Not at any time prior to these information sessions were the public consulted, notified, advised or made aware of the proposed plans, which are clearly anti-resident, anti-disabled, anti-vulnerable pedestrians, antielderly.

Not at any time prior to the proposals was Environmental Trust Ireland, which had made a submission to the Draft Development Plan and is a member of the Public Participation Network, invited to any pre-planning consultation on this Part 8 development proposal.

In a recent High Court Judgment, **Environmental Trust Ireland V An Bord Pleanala and Others**, delivered on the 3 October 2022, Mr. Justice Holland found that An Bord Pleanala's failure to send the Environmental Trust Ireland submission to the Council within the statutory time limit caused prejudice to Environmental Trust Ireland and the same Judgment sets out what the learned Judge expected the Council to do with the submission. Paragraph 137 of the said judgment states.

"The making of submissions in a planning application is the exercise of a right by the person making the submission. It is the exercise of a right not merely for the benefit of that person but

for the benefit of the community as a whole. It is clear that the right to make submissions is the right to make meaningful submissions and to have those submissions considered...."

So, what happened to the Environmental Trust Ireland submission on the Draft Development Plan? Why wasn't it considered properly and taken into account because such divisive and illogical proposals were drawn up? Why was Environmental Trust Ireland excluded and not invited to participate? Who made the decision to exclude Environmental Trust Ireland from the process? Particularly, when Environmental Trust Ireland had made several submissions to Limerick City & County Council including submissions on the Southern Environs and the Development Plan.

Who were the stakeholders invited (apart from the statutory bodies) to be become involved in the drawing up of the proposed plans? What role did they have in drawing up the plan and in advocating for its inception? On what basis were they deemed eligible as Stakeholders? What influence and what contribution did they make to this proposal? Who decided that these individuals and groups should be included to the exclusion of others?

In relation to the screening report carried out by Limerick City & County Council where it is stated that Limerick City & County Council **"has determined that there is no real likelihood of significant effects on the environment"** Limerick City & County Council were not entitled to come to this conclusion based on the information available. The EIA and AA Screening reports are inadequate and do not take of the relevant law.

Was a risk assessment carried out on the impact of people with impaired mobility, disabilities, the elderly, access to emergency services, people with asthma, angina, impaired lung function who need their parking spaces outside their homes?. There is certainly no documentation available to support a conclusion that appropriate risk

assessments were conducted. There is a callous disregard for the vulnerable and the proposed Part 8 Development is anti-Resident.

The removal of parking spaces on the South Circular Road to deprive vulnerable people of their independence including people with impaired mobility and those with arthritis is cruel and blinkered vision. Those who do not learn from the mistakes of history are doomed to repeat it. Look at the debacle of O' Connell Street and the Opera Site and Hanging Gardens debacle .

The proposed removal of a right turn from Ballinacurra Road to South Circular Road, Lifford Avenue to South Circular Road, removal of the left turn from Boreen a Tobair to South Circular Road, and creation of one way streets to include Quin Street, St Gerard Street, and Mill Lane, is illogical. Defeats climate emergency response and will inevitably result in greater Green House Gas Emissions. This will create more backup of traffic onto New Street, more backup of fumes in a residential area in complete juxtaposition of what it purports to do.

Environmental Justice and Social Justice are two sides of the same coin.

In relation to the proposed insertion of traffic signals at the Ashbourne Ave /New Street. This proposal was without any consultation with the Residents. New Street is already a very busy congested street with only parking spaces at one side of the street. Local residents are forced to park on the footpath because of no parking spaces. What should be done is to provide parking spaces for the residents on New Street at both sides of the road. Traffic calming measures on New Street should be considered and a one way street from Punches Cross to Fennessy's pub, with tree planting at both sides of the street.

In addition the creation of two sets of traffic lights on a residential street where some houses have been in existence since the 1800's has a complete disregard for the Architectural Heritage of the area. The contribution of the residents in preserving

that Architectural Heritage and the sacrifices they have made in preserving that Architectural Heritage by not knocking down their walls and railings should be acknowledged.

With the Objective of ensuring the safety of pedestrians, cyclists, road and footpath users, all mechanically propelled vehicles including electric bicycles, scooters etc, with the exception of disability scooters should be licensed and insured. These vehicles typically reach speeds of 35 km / hour which is greater than the temporary speed limit of 25 km for cars in the city and in excess of the O'Connell Street speed limit approved by Councillors last year. Further, unlike cars and other motorised vehicles which are highly visible because of their bulk and size, electric bikes and scooters do not have this visibility factor, which is a major safety issue. BE SAFE - BE SEEN. Also, there are no warning signals or noise to indicate approaching electric bicycles and scooters which is a traffic safety concern. It is noted in this regard that the European Commission has introduced compulsory noise emission levels for electric cars as a safety measure, as the smooth noise free emissions from electric and hybrid vehicles is itself a traffic safety hazard. It is noted that electric scooters now regularly speed up to shop entrance doors and sometimes even enter shops, which is a safety hazard for shop consumers and pedestrians entering or exiting these shops. They also regularly use footpaths to the detriment of pedestrians. The council could introduce bye laws with appropriate sanctions in relation to electric bicycles and scooters etc.

RECOMMENDATIONS:

I Any proposal or Policy should be subjected to a thorough risk assessment by an appropriately qualified equality expert. Particular regard should be had to the possibility of indirect effects, while apparently neutral, having a disproportionate adverse impact on particular sectors of society, and in particular, on women, disabled persons and rural dwellers In this regard, a recent report showing that women are afraid to use public at night clearly indicates that one size does not fit all

2. REJECT proposal outright.

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