



STATUTORY INSTRUMENTS

**S.I. No. 49 of 2008**



ROADS (SCHEMES) (FORMS) REGULATIONS 2008

**(Prn. A8/0288)**

ROADS (SCHEMES) (FORMS) REGULATIONS 2008

I, NOEL DEMPSEY, Minister for Transport, in exercise of the powers conferred on me by section 7 and sections 47, 48 and 51 (as amended by section 9 of the Roads Act 2007 (No. 34 of 2007)) of the Roads Act 1993 (No. 14 of 1993), hereby make the following regulations:

1. These Regulations may be cited as the Roads (Schemes) (Forms) Regulations 2008.
2. In these Regulations, “Act” means the Roads Act 1993 (No. 14 of 1993).
3. The form (Form No. 1) contained in Schedule 1 is prescribed for the purposes of section 47(2) of the Act.
4. The form of the notice (Form No. 2) contained in Schedule 2 is prescribed for the purposes of section 48(a) of the Act.
5. The form of the notice (Form No. 3) contained in Schedule 3 is prescribed for the purposes of section 48(b) of the Act.
6. The form of the notice (Form No. 4) contained in Schedule 4 is prescribed for the purposes of section 51(3)(a) of the Act.
7. The form of the notice (Form No. 5) contained in Schedule 5 is prescribed for the purposes of section 51(3)(b) of the Act.
8. The form of the notice (Form No. 6) contained in Schedule 6 is prescribed for the purposes of section 51(3)(c) of the Act.
9. The Roads Regulations 2000 (S.I. No. 453 of 2000) are revoked.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 7th March, 2008.*

## SCHEDULE 1

## ROADS ACT 1993

Form No. 1.

Regulation 3.

Form under section 47(2) (as amended by section 9(1)(a) of the Roads Act 2007) for a motorway scheme, service area scheme, busway scheme, protected road scheme or a protected road scheme amending a protected road scheme approved under section 49.

.....<sup>1</sup>

The ..... (“the Authority”/“the road authority”)<sup>2</sup>, under section 47 of the Roads Act 1993, has made the .....<sup>1</sup> which it proposes, pursuant to section 49 of the Roads Act 1993, to submit to An Bord Pleanála for approval. The scheme relates to the proposed provision of a .....<sup>3</sup> on the land described in Part 1 of Schedule 1 hereto and shown coloured .....<sup>4</sup> on the scheme map marked .....<sup>1</sup> annexed hereto and sealed with the seal of the ..... (“the Authority”/“the road authority”)<sup>2</sup>.

1. Under the .....<sup>1</sup> scheme it is proposed to:
  - (a) compulsorily acquire the land or substratum of land described in Schedule 1,
  - (b) compulsorily acquire the rights in relation to land described in Schedule 2,
  - (c) extinguish over the land referred to in subparagraphs (a) and (b)—
    - (i) the public rights of way described in Part 1 of Schedule 3, and
    - (ii) the private rights of way described in Part 2 of Schedule 3,
  - (d) prohibit, close, stop up, remove, alter, divert or restrict a means of direct access to or from the proposed .....<sup>3</sup>, in respect of the land described in Schedule 4,
  - (e) prohibit, close, stop up, remove, alter, divert or restrict a means of direct access to or from the proposed protected road, in respect of land used for a specified purpose described in Schedule 5,<sup>5</sup>
  - (f) prohibit or restrict the use of the protected road or a particular part thereof by the types of traffic or the classes of vehicles specified in Schedule 6,<sup>5</sup>
  - (g) revoke the planning permissions for the development of land described in Part 1 of Schedule 7<sup>6</sup>, and

(h) modify the planning permissions for the development of land described in Part 2 of Schedule 7 to the extent specified in that Part.<sup>7</sup>

2. The land or substratum of land described in Schedules 1, 2, 4, 5 and 7 and the rights of way described in Schedule 3 are individually numbered and shown on the scheme map.

SCHEDULE 1

LAND OR SUBSTRATUM OF LAND PROPOSED TO BE COMPULSORILY ACQUIRED

*Part 1*

LAND ON WHICH IT IS PROPOSED TO PROVIDE A .....<sup>3</sup>

**I**

Land (other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense)

Reference number of land on scheme map	Area, description and situation of land	Owner or reputed owner	Lessee or reputed lessee	Occupier

**II**

Land consisting of houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense

Reference number of land on scheme map	Area, description and situation of land	Owner or reputed owner	Lessee or reputed lessee	Occupier

*Part 2*

LAND NOT FORMING PART OF THE .....<sup>3</sup> but forming part of the scheme

**I**

Land (other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense)

Reference number of land on scheme map	Area, description and situation of land	Owner or reputed owner	Lessee or reputed lessee	Occupier

**II**

Land consisting of houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense

Reference number of land on scheme map	Area, description and situation of land	Owner or reputed owner	Lessee or reputed lessee	Occupier

SCHEDULE 2

DESCRIPTION OF THE RIGHTS PROPOSED TO BE COMPULSORILY ACQUIRED IN RELATION TO LAND FOR THE PURPOSES OF THE PROPOSED .....<sup>3</sup>

SCHEDULE 3

DESCRIPTION OF THE PUBLIC AND PRIVATE RIGHTS OF WAY PROPOSED TO BE EXTINGUISHED

*Part 1*

PUBLIC RIGHTS OF WAY PROPOSED TO BE EXTINGUISHED OVER THE LAND DESCRIBED IN SCHEDULES 1 AND 2 OR OVER LAND ADJACENT TO OR ASSOCIATED WITH SUCH LAND

*Part 2*

PRIVATE RIGHTS OF WAY PROPOSED TO BE EXTINGUISHED OVER THE LAND DESCRIBED IN SCHEDULES 1 AND 2

SCHEDULE 4

LAND IN RESPECT OF WHICH IT IS PROPOSED TO PROHIBIT, CLOSE, STOP UP, REMOVE, ALTER, DIVERT OR RESTRICT A MEANS OF DIRECT ACCESS TO OR FROM THE PROPOSED .....<sup>3</sup>

Reference number of land on scheme map	Area, description and situation of land	Owner or reputed owner	Lessee or reputed lessee	Occupier	Proposed course of action <sup>8</sup>

## SCHEDULE 5

LAND USED FOR A SPECIFIED PURPOSE IN RESPECT OF WHICH IT IS PROPOSED TO PROHIBIT, CLOSE, STOP UP, REMOVE, ALTER, DIVERT OR RESTRICT A MEANS OF DIRECT ACCESS TO OR FROM A PROPOSED PROTECTED ROAD

Reference number of land on scheme map	Area, description and situation of land	Owner or reputed owner	Lessee or reputed lessee	Occupier	Proposed course of action <sup>8</sup>



## SCHEDULE 6

*Part 1*

TYPES OF TRAFFIC OR CLASSES OF VEHICLES PROPOSED TO BE PROHIBITED FROM  
USING THE PROPOSED PROTECTED ROAD OR A PARTICULAR PART THEREOF

*Part 2*

TYPES OF TRAFFIC OF CLASSES OF VEHICLES PROPOSED TO BE RESTRICTED IN THEIR  
USE OF THE PROTECTED ROAD OR A PARTICULAR PART THEREOF

## SCHEDULE 7

*Part 1*

PARTICULARS OF PLANNING PERMISSIONS FOR THE DEVELOPMENT OF LAND PROPOSED  
TO BE REVOKED

Reference number in planning register	Nature of permission	Date Granted	Reference number of land on scheme map

*Part 2*

PARTICULARS OF PLANNING PERMISSIONS PROPOSED TO BE MODIFIED AND THE  
EXTENT OF ANY SUCH MODIFICATION

Reference number in planning register	Nature of permission	Date granted	Extent of modification	Reference number of land on scheme map

**Notes to Form No. 1**

- (1) Insert the title of the scheme such as: “M4 KINNEGAD-ENFIELD-KILCOCK MOTORWAY SCHEME 2001”.
- (2) Insert the National Roads Authority or the name of the road authority/ies and delete as appropriate.
- (3) Insert: motorway/busway/protected road/service area.
- (4) The following colours should be used for scheme mapping:
  - Motorway — Blue
  - Service Area — Green
  - Busway — Orange
  - Protected Road — Yellow
  - Land not forming part of the motorway/busway/protected road/service area/ but forming part of the scheme — Grey
- (5) If not applicable insert: “none” or “not applicable” or other cognate word.
- (6) Section 47(4)(a) of the Roads Act 1993 provides that any planning permissions specified in Part 1 of Schedule 7 shall stand suspended from the date of the making of the scheme until An Bord Pleanála approves or refuses the scheme under section 49 and if the scheme is approved the planning permission shall be revoked.
- (7) Section 47(4)(b) of the Roads Act 1993 provides that any planning permissions specified in Part 2 of Schedule 7 shall stand modified to such extent as is specified in the scheme from the date of the making of the scheme until An Bord Pleanála approves or refuses to approve the scheme under section 49 and if the scheme is approved the planning permission shall be modified to such extent as is specified in the scheme as approved.
- (8) Specify what course of action is being taken e.g prohibit, close, stop up, remove, alter, etc.

SCHEDULE 2

ROADS ACT 1993

Form No. 2.

Regulation 4.

Form of notice to be published pursuant to section 48(a) (inserted by section 9(1)(b) of the Roads Act 2007) in relation to the making of a scheme under section 47.

.....1

<p>1. .... (“the Authority”/“the road authority”<sup>2</sup>), under section 47 of the Roads Act 1993, has made the .....<sup>1</sup> which it proposes to submit to An Bord Pleanála for approval. The scheme relates to the proposed provision of .....<sup>3</sup> as illustrated in the map below:</p> <p style="text-align: center;">4</p> <p>2. A copy of the scheme and the map referred to in it may be inspected at .....<sup>5</sup></p> <p>between the hours of ..... and ..... on working days between..... and .....<sup>6</sup>.</p> <p>3. Written objections in relation to the scheme may be made to An Bord Pleanála at .....<sup>7</sup> during the inspection period stated above<sup>8</sup>.</p>
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**Notes to Form No. 2**

- (1) Insert the title of the scheme such as: “M4 KINNEGAD-ENFIELD-KILCOCK MOTORWAY SCHEME 2001”.
- (2) Insert the National Roads Authority or the name of the road authority/ies and delete as appropriate.
- (3) Insert a brief non-technical description of the proposed scheme and the principal ancillary works.
- (4) Insert a sketch map which should cover at least 10% of the surface area of the notice and include an outline illustration of the proposed motorway/busway/protected road/service area. It should show the terminal points of the project and key intermediate points, should identify any significant centres of population (all census towns) and important physical or other features and should include existing roads and significant proposed ancillary works (such as new access road/service area under a motorway scheme). An approximate scale should be shown.
- (5) Insert name and address of the National Roads Authority/road authority/ies as appropriate.
- (6) Section 48(a)(ii) (substituted by section 9(b) of the Roads Act 2007) of the Roads Act 1993 stipulates that the period of inspection shall be a period of not less than 6 weeks.
- (7) Insert address of An Bord Pleanála.
- (8) In accordance with section 48(a)(iii) (substituted by section 9(b) of the Roads Act 2007) of the Roads Act 1993, the period for making objections in writing to An Bord Pleanála is the same period as the inspection period.

SCHEDULE 3

ROADS ACT 1993

Form No. 3.

Regulation 5

Form of notice to be served on persons referred to in section 48(b) (inserted by section 9(1)(b) of the Roads Act 2007) before submitting a scheme to An Bord Pleanála.

.....<sup>1</sup>

To: .....<sup>2</sup>  
of .....

1. ....<sup>3</sup>(“the Authority”/“the road authority”), under section 47 of the Roads Act 1993, has made the .....<sup>1</sup> which it proposes to submit to An Bord Pleanála for approval. The scheme relates to the proposed provision of .....<sup>4</sup>

2. For the purposes of the scheme it is proposed to: compulsorily acquire certain land or substratum of land and certain rights in relation to land; extinguish certain public and private rights of way; prohibit, close, stop up, remove, alter, divert or restrict a means of direct access to or from the proposed .....<sup>5</sup>, [prohibit, close, stop up, remove, alter, divert or restrict a means of direct access to or from the proposed protected road; prohibit or restrict the use of a protected road or a particular part of it by specified types of traffic or specified classes of vehicles<sup>6</sup>; revoke or modify certain planning permissions for the development of land<sup>7</sup>.

3. For more information on the nature and extent of the scheme, a copy of the scheme and the map referred to in it may be inspected at .....<sup>8</sup> between the hours of ..... and ..... on working days between ..... and .....<sup>9</sup>.

4. The extract from the scheme and accompanying map attached to this notice give details of the land/rights in relation to the land/rights of way/means of direct access referred to in the scheme in which you have an interest or the proposed revocation or modification of planning permissions specified in the scheme which may affect you<sup>6</sup>.

5. Objections may be made in writing to An Bord Pleanála at .....<sup>10</sup> in relation to the scheme between ..... and .....<sup>11</sup>

**Notes to Form No. 3**

- (1) Insert the title of the scheme such as: “M4 KINNEGAD-ENFIELD-KILCOCK MOTORWAY SCHEME 2001”.
- (2) Insert the name and address (if known) of the person on whom the notice is being served.
- (3) Insert “National Roads Authority” or the name of the road authority/ies and delete as appropriate.
- (4) Insert a brief non-technical description of the proposed scheme and the principal ancillary works.
- (5) Insert type of scheme- motorway/busway/protected road/ service area.
- (6) Insert the relevant information in order to show how the person on whom the notice is being served is affected by the scheme e.g. owner/occupier of land or person affected by the proposed revocation or modification of a planning permission.
- (7) As the purpose of this paragraph is to give details of the nature and extent of the scheme in accordance with section 48(b)(i) (as amended by section 9(1)(b) of the Roads Act 2007) of the Roads Act 1993, only the information pertinent to the particular scheme proposed should be included.
- (8) Insert the same details in respect of name of Authority/road authority and address as at paragraph 2 of Form No. 2.
- (9) Insert the same dates as given for inspection period in paragraph 2 of Form No. 2.
- (10) Insert address of An Bord Pleanála.
- (11) Insert same dates as in paragraph 3 (section 48(b)(iii) (as amended by section 9(1)(b) of the Roads Act 2007) of the Roads Act 1993) provides that the period during which objections can be made is that period referred to in section 48(a)(ii).

SCHEDULE 4

ROADS ACT 1993

Form No. 4.

Regulation 6

Form of notice to be published pursuant to section 51(3)(a) (as amended by section 9(1)(e) of the Roads Act 2007) in relation to an application for approval of a proposed road development and the submission of an environmental impact statement

.....<sup>1</sup>

1..... (“the Authority”/“the road authority”)<sup>2</sup> has applied under section 51(2) (as amended by section 9(1)(e)(i) of the Roads Act 2007) to An Bord Pleanála (‘the Board’) for approval in relation to a proposed road development consisting of .....<sup>3</sup>as illustrated in the map below<sup>4</sup> and has submitted to the Board the environmental impact statement prepared in accordance with section 50 (as amended by section 9(1)(d) of the Roads Act 2007) in respect of the proposed road development.

2. A copy of the environmental impact statement may be inspected at .....<sup>5</sup> on working days between the hours of ..... and ..... between ..... and .....<sup>6</sup>.

3. A copy of the environmental impact statement may be purchased on payment of a fee of €.....<sup>7</sup>.

4. The proposed road development is likely to have significant effects on the environment in Northern Ireland<sup>8</sup>.

5. The Board may, in relation to an application for approval under section 51, by order, approve the proposed road development with or without modifications or it may refuse such development.

6. Submissions may be made in writing to the Board at .....<sup>9</sup> in relation to the likely effects on the environment of the proposed road development between ..... and .....<sup>10</sup>

**Notes to Form No. 4**

- (1) Insert the title of the scheme such as: “M4 KINNEGAD-ENFIELD-KILCOCK MOTORWAY SCHEME 2001”.
- (2) Insert “National Roads Authority” or the name of the road authority/ies and delete as appropriate.
- (3) Insert a brief non-technical description of the proposed road development.
- (4) Insert a sketch map which should cover at least 10% of the surface area of the notice and include an outline illustration of the proposed motorway/busway/protected road/service area. It should show the terminal points of the project and key intermediate points, should identify any significant centres of population (all census towns) and important physical or other features and should include existing roads and significant proposed ancillary works (such as new access road/service area under a motorway scheme). An approximate scale should be shown.
- (5) Insert name and address of the National Roads Authority/road authority/ies as appropriate.
- (6) Section 51(3)(a)(iii)(as amended by section 51(3)(a) of the Planning and Development (Strategic Infrastructure) Act 2006) of the Roads Act 1993 provides that the period during which a copy of the environmental impact statement may be inspected shall be a period of not less than 6 weeks.
- (7) Section 51(3)(a)(iv) provides that the fee should not exceed the reasonable cost of making a copy of the environmental impact statement.
- (8) Delete if not relevant.
- (9) Insert address of An Bord Pleanála.
- (10) Insert the same dates as given for inspection in paragraph 2 (section 51(3)(a)(v) (as amended by section 51(3)(c) of the Planning and Development (Strategic Infrastructure) Act 2006) of the Roads Act 1993 provides that the period for making submissions is that period referred to in section 51(3)(a)(iii)).



SCHEDULE 5

ROADS ACT 1993

Form No. 5.

Regulation 7

Prescribed form of notice to be served on bodies or persons referred to in section 51(3)(b)(as amended by section 51(3)(e) of the Planning and Development (Strategic Infrastructure) Act 2006)

.....1

To.....<sup>2</sup>  
of .....

1. .... (“the Authority”/“the road authority”)<sup>3</sup> has applied under section 51(2) (as amended by section 9(1)(e)(i) of the Roads Act 2007) to An Bord Pleanála (‘the Board’) for approval in relation to a proposed road development consisting of .....<sup>4</sup> and has submitted to the Board the environmental impact statement prepared in accordance with section 50 (as amended by section 9(1)(d) of the Roads Act 2007) in respect of the proposed road development.

2. A copy of the environmental impact statement is enclosed.

3. Submissions may be made in writing to the Board at .....<sup>5</sup> in relation to the likely effects on the environment of the proposed road development between ..... and .....<sup>6</sup>

**Notes to Form No. 5**

- (1) Insert the title of the scheme such as: “M4 KINNEGAD-ENFIELD-KILCOCK MOTORWAY SCHEME 2001”.
- (2) Insert the name and address of the body or person specified by or under section 51(3)(b) of the Roads Act 1993.
- (3) Insert “National Roads Authority” or the name of the road authority/ies and delete as appropriate.
- (4) Insert a brief non-technical description of the proposed road development consisting of the construction of motorway, a busway, a service area or any prescribed type of proposed road development consisting of a proposed public road or this improvement of an existing public road and this principal ancillary works.
- (5) Insert address of An Bord Pleanála.
- (6) Insert the same dates as are specified for the period of inspection and submission of objections in Form No. 4 (section 51(3)(b) (as amended by section 51(3)(c) of the Planning and Development (Strategic Infrastructure) Act 2006) provides that the period within which submissions can be made is that period referred to in section 51(3)(a)).

SCHEDULE 6

ROADS ACT 1993

Form No. 6.

Regulation 8

Prescribed form of notice for the purposes of section 51(3)(c) (as amended by section 215 of the Planning and Development Act 2000)

.....1

To.....<sup>2</sup>  
of: .....

1. ....<sup>3</sup> (“the Authority”/“the road authority”)<sup>3</sup> has applied under section 51(2) (as amended by section 9(1)(e)(i) of the Roads Act 2007) to An Bord Pleanála (“the Board”) for approval in relation to a proposed road development consisting of .....<sup>4</sup> and has submitted to the Board the environmental impact statement prepared in accordance with section 50 (as amended by section 9(1)(d) of the Roads Act 2007) in respect of the proposed road development.

2. A copy of the environmental impact statement is enclosed.

3. Submissions may be made in writing to the Board at .....<sup>5</sup> in relation to the likely effects on the environment of the proposed road development.

**Notes to Form No. 6**

- (1) Insert the title of the scheme such as: “M4 KINNEGAD-ENFIELD-KILCOCK MOTORWAY SCHEME 2001”.
- (2) Insert name and address of prescribed authority in Northern Ireland.
- (3) Insert “National Roads Authority” or the name of the road authority/ies and delete as appropriate.
- (4) Insert a brief non-technical description of the proposed road development consisting of the construction of motorway, a busway, a service area or any prescribed type of proposed road development consisting of a proposed public road or this improvement of an existing public road and this principal ancillary works.
- (5) Insert address of An Bord Pleanála.



GIVEN under my Official Seal,  
28 February 2008

NOEL DEMPSEY.  
Minister for Transport.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation)*

These Regulations, which give effect to the provisions of the Roads Acts 1993 & 2007 (sections 47 & 9 respectively), set out the forms to be used when the National Roads Authority and local authorities are preparing and submitting plans for the provision of a motorway/busway/protected road/service area scheme to An Bord Pleanála.

These Regulations also prescribe the forms to be used to notify the public and persons affected by such schemes and the forms to be used in relation to the environmental impact assessment of road projects.

This Regulation revokes S.I. 453/2000 (Roads Regulations 2000).

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834/37 nó 1890 213434; Fax: 01 - 6476843 nó 094 - 9378964)  
nó trí aon díoltóir leabhar.

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