

**Minutes of Meeting of Infrastructure Strategic Policy Committee
held on 4th September, 2023 via Zoom**

PRESENT: Cllr. Michael O'Meara (Chair)
Cllr. Micheál Anglim
Cllr. Michael Fitzgerald
Cllr. Jim Ryan
Cllr. Kevin O'Meara
Cllr. Hughie McGrath
Mr. Gerard Shanahan PPN
Mr. Brian Pope, PPN
Ms. Michelle Aylward, County Tipperary Chamber
Mr. Liam Browne, PPN
Mr. Liam Brett, Senior Engineer, Roads Operational
Mr. James Murray, Senior Engineer, Roads Operational
Ms. Michèle Maher, Administrative Officer, Roads
Mr. Michael Tierney, Executive Engineer, Roads
Ms. Mary Murphy, Assistant Staff Officer, Roads (Minutes)
Ms. Lisa Noonan, Clerical Officer, Roads

APOLOGIES: Mr. Marcus O'Connor, Director of Services, Roads & Transportation
Mr. John Nolan, Senior Engineer, Roads Capital

1. Minutes of Meeting held on 29 May 2023 and Matters Arising

Cllr. Michael O'Meara welcomed everybody to the meeting.

The Minutes of the meeting of 29 May 2023 were proposed by Cllr. Michael Fitzgerald and seconded by Cllr. Jim Ryan. There were no matters arising.

2. Public Lighting Energy Efficiency Project (PLEEP) – Project Update - Michael Tierney, Executive Engineer

Mr. Michael Tierney gave a presentation on the Public Lighting Energy Efficiency Project (PLEEP). He noted that there are 21 local authorities involved in the scheme and that Tipperary County Council is in the East Region with the county councils of Carlow, Kildare, Kilkenny, Louth, Meath, Offaly, Westmeath and Wicklow. Kilkenny County Council is the lead authority and Killaree Lighting Services (KLS) has been appointed as the Contractor. Lights on motorways are under the auspices of Transport Infrastructure Ireland (TII). Since the first LED lights were installed in 2017, a total of 6,700 have been replaced by Tipperary County Council. These will not be included in the PLEEP scheme. 11,600 lights will be upgraded to LED and the new LED street lights will have a 2700k to 3000K colour temperature to minimise disruption to nocturnal wildlife.

The lights will have an adjustable dimming profile capability - they can be dimmed back between 12:00 midnight and early morning in areas with low activity. Upgrading the remaining 11,600 lights to Smart LED and using dimming profiles will bring the Council close to meeting its 2030 carbon emissions targets.

Public lights currently account for half of all energy consumed by Tipperary County Council. Upgrading the lights will reduce energy use by approximately 55%. This project will also reduce energy and maintenance costs, saving the council approximately €350,000 annually. Savings made from reduced power bills and reduced maintenance costs will be used pay back the funds borrowed to carry out this project.

Cllr. Michael O'Meara thanked Mr. Tierney for his presentation.

Mr. Gerard Shanahan requested an update on the alternative fuel trials discussed at the last meeting. Mr. Tierney said that the trial is continuing.

Cllr. Jim Ryan thanked Mr. Tierney for his work on public lighting. He said that the feedback regarding the lights upgraded in Thurles was very positive and that it is important for the council to be a leader in reducing our carbon footprint. He also said that a lot of poles don't have a number on them and that this makes it difficult to report a fault. He enquired if numbers would be put on the poles as part of the survey. He also enquired if the survey would look into areas that require street lighting and why it is taking longer for repairs to be completed. Mr. Tierney replied that new numbers would go on poles at the installation stage rather than the survey stage. He said that all urban and rural lights would be looked at but that new lights may have to be left in order to keep within budget. He informed the group that the council's lighting contractor, Enerveo Ireland Ltd., is reporting a shortage of electricians and that this is leading to delays.

3. Road Traffic & Roads Act 2023 - E-Scooters, E-Bikes and E-Mopeds: Technical, Usage and Timelines Briefing Presentation – Liam Brett, SE

Mr. Liam Brett presented a briefing document on the Road Traffic & Roads Act 2023. The Act introduces a new class of vehicle, PPTs, for micro mobility devices such as e-scooters. PPTs which comply with regulations made under the Act may be used on public roads, including cycle lanes, and will not require registration, motor tax, insurance or a driving licence. However, users must obey the rules of the road.

The relevant section of the 2023 Act will need to be commenced to allow PPTs to be used and it is anticipated that this will occur in Q4 2023. E-scooters will not be legal for use on Irish roads until regulations on their use and construction are in place. The Act also clarifies the legal position on e-bikes. The Road Traffic (Electric Scooter) Regulations 2023 must, under EU law, be notified to the European Commission for review, to ensure that they comply with Single Market rules before they come into

effect (the TRIS process). This process forms part of EU law through Directive (EU) 2015/1535 and takes approximately 12 weeks. Mr. Brett said that it is positive that regulation of e-scooters is coming and that users will need to comply with the rules of the road.

Cllr. O'Meara said that he would like to have it noted that he extends his sympathy to the families of those who died recently on Tipperary roads. He felt that the SPC should do everything it can to promote road safety.

Mr. Liam Browne said that the legislation seems to be all over the place. He queried only over 16s being allowed to use PPTs, noting that children are using them to go to school. It is proposed that they can't go on the footpaths and will be banned from the roads. He wondered whether scooters would be confiscated, and whether a parent can be held responsible for accidents caused by a 12 or 13-year-old.

Cllr. Jim Ryan said that he agreed with Mr. Browne. He has seen children as young as 7 or 8 using e-scooters. He said that he is really concerned about the legislation and wouldn't be supporting it. He enquired if a number plate of some sort could be added to e-scooters to identify them. He asked if somebody is injured and the person using the e-scooter leaves the scene how can they be identified? He also queried if shops are aware of the legislation regarding PPTs.

Mr. Gerard Shanahan said that a fund would have to be created that a person could sue against similar to that for uninsured vehicles. He said that the governor regulating speed could be adjusted. He also queried electric bicycles using shared space where pedestrian and cycle lanes are next to each other. He said that as a blind person he had been almost clipped by e-bikes. He also felt that users should have to wear helmets.

Mr. Brett replied that these are all very valid points. He said that it is an evolving area and that the technology is changing very quickly. He said that it is to be welcomed that e-scooters will be prohibited on footpaths, will be subject to a speed limit and the power output will be controlled. In relation to the questions raised he said that:

- The legislation states that a person must be 16 years or older to use an e-scooter;
- The motor on e-bikes can only support pedalling;
- Every road user has a duty of care regardless of age and there will be a potential liability for parents;
- A speed limit of 20 km/h will apply according to the regulations although the legislation says 25 km/h;
- E-scooters will not require registration if below the threshold just like bicycles;
- Regarding uninsured users, he said that the current scenario is completely unregulated;

- Regarding shared spaces he said that it is a shared surface and both pedestrians and bicycles can be there legally.

Cllr. Michael O'Meara said that it is an evolving process but that Mr. Shanahan made a good point, that e-scooters should need Public Liability insurance.

4. To consider Review of Policy on Local Improvement Schemes (adopted October 2018) – Lisa Noonan CO, Michèle Maher, AO

Ms. Michèle Maher introduced the presentation saying that the previous Strategic Policy Committee (SPC) had adopted a policy on Local Improvement Schemes in 2018. The scheme operates under the auspices of the Department of Rural and Community Affairs and a new policy is needed to reflect the changes in recent years to the scheme by the Department.

Ms. Lisa Noonan then gave a presentation on the Local Improvement Scheme (LIS). She informed the group that the scheme supports the improvement of non-public rural roads and laneways that are not normally maintained by local authorities. Ms. Noonan highlighted the proposed amendments to the scheme and informed the group of the funding received in each of the years 2021, 2022 and 2023 together with the number of projects completed in those years. She recommended the revised policy to the SPC for approval.

Cllr. Fitzgerald complimented Ms. Noonan on her work on LIS and her courteous approach. He said that as public representatives Councillors are very involved in the scheme, are well aware of its value, and how underfunded it is. He enquired how many projects were still waiting and whether it would be possible to transfer money from somewhere else to fund this scheme.

Ms. Maher replied that there was a huge response to the scheme in 2023, and that the Council could probably spend a further €2 million on it. There are 40 or 50 projects on the secondary waiting list. The initial allocation for 2022 was €744,000 and an additional allocation brought it up to €1.12m. Significant funding of €1.8m was received in 2023 which allowed 2 phases to be completed. She advised that funding could not be transferred from elsewhere as it came from a different government Department.

Mr. Liam Brett thanked Lisa for all her work and said that Tipperary County Council is one of the top three local authorities in terms of funding received and projects completed under the Local Improvement Scheme.

Cllr. Michael O'Meara acknowledged the quality of the workmanship on the completed projects in 2023.

The revised Policy on Local Improvement Schemes was proposed by Cllr. Michael Fitzgerald and seconded by Cllr. Micheál Anglim. It will go before the Plenary meeting of the Council on Monday 11th September 2023, recommended by the SPC for adoption.

5. AOB

Cllr. Michael O'Meara asked if there for an update on the N24 scheme. Mr. Brett replied that the Cahir to Limerick Junction section was progressing well and is at Phase 3 – Design. The Waterford to Cahir Section is at Phase 2 where the options are being evaluated and this would be announced shortly. He noted that the N24 is a major factor in road deaths and he supported the Chair's message of sympathy to the families of all those involved in road traffic collisions in Co. Tipperary.

Cllr. Jim Ryan asked about a bypass project for Thurles. He proposed that a delegation would meet with the Minister for Transport in relation to this. He said that there had been several deaths in Liberty Square, Thurles in recent years where pedestrians had been hit by articulated lorries. He said that a bypass is not in the current National Development Plan and a meeting with the Minister is necessary to have this changed.

Liam Brett replied that he is supportive of a bypass for Thurles but queried if this was the correct group to request the meeting. He felt that the request should come from Thurles Municipal District or the Plenary Council.

Cllr. Michael O'Meara said that he fully supported the bypass for Thurles and asked Cllr. Ryan to prepare a Notice of Motion to be put before the Council. Cllr. Ryan said that he had put in many Notices of Motion to date, and that this is an important road safety issue. Cllr. Fitzgerald said that he agreed with Cllr. Ryan about the need for a bypass. He said that now would be the right time to make a case for the bypass, because of the road safety focus on Tipperary, but that it has to be done in the right way.

Mr. Brian Pope enquired about roadworks at the train station in Nenagh and it was agreed with Mr. Brett to look at this off-line. Mr. Pope also enquired about the Nenagh to Limerick railway and is to put something together in relation to same. He also suggested that pedestrian crossings in Liberty Square might improve the situation in the short-term.

Mr. Ger Shanahan said that he was advised by an official of Tipperary County Council that it would not be possible to have a pedestrian crossing on the Square as it was a national road, noting that there are four cursory crossings. He commented in relation to DMURS guidance on shared spaces and agreed that he would meet with Mr. Brett regarding local issues. Mr. Brett said that DMURS is now a mandatory guidance document and that it is being continuously updated. Mr. Shanahan said that vehicles are being prioritised over pedestrians and referred to S.19 of the Equality Act, 2000. Mr. Brett said that each programme made it safer generally and said that they could engage outside of the meeting on these matters.

6. To note date of next meeting

Friday 8th December 2023 at 11.00am in the Horse and Jockey Hotel, Thurles, followed by lunch.

7. To confirm the date of the following meeting

Monday 25th March 2024.

This concluded the business of the meeting.

Signed:  _____
Cllr. Michael O'Meara
Cathaoirleach