

# AILG

Association of Irish Local Government

Aontas Rialtas Áitiúil na hÉireann

## AILG Elected Member Information Leaflet

# The temporary closing of roads – processes and notices

Leaflet

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## Temporary closing of Public Roads

The most frequently published notice by Councils in the printed press is that relating to the Temporary Closing of Roads.

The closure of a road means the closure of a public right-of-way and is therefore taken seriously in the legislation given the impacts it might have on the amenity of the general public. Specifically, the closure of roads has to take into account impacts on local residents, commercial enterprises as well as implications for the emergency services.

There is a particular emphasis on the notification of such closures in the printed press. In modern times such notices are replicated by road authorities in their online platforms. The temporary closing of roads can arise for a number of reasons:

- (1)** The road authority's own works regarding the maintenance or improvement of the road;
- (2)** The work requirements of other parties such as utility providers or private developers;
- (3)** Closure for non-construction related events such as motor rallies, street festivals and similar activities.

### Preliminary Notice to close a road

Where a local authority proposes to close a road, it is required to give at least fourteen days' notice (except in emergency or unforeseen situations). The notice must be published in at least one newspaper circulating in the area in which the road is situated.

The notice must specify:

- A description of the road to be closed including the end points of the section to be closed;
- The period for which the road will be closed;
- State the reason why it is proposed to close the road;
- Give particulars of any alternative route which will be available while the road is closed;

The notice must also state that objections may be made in writing to the road authority before a specified closing date.

### Consideration of objections

The road authority is required to consider any objections received.

### Second notice of closure

Where the road authority decides to proceed with the temporary closing of the road it must publish an advertisement in the same newspaper as its original notice giving the same particulars in relation to the description of the road, reason and duration of closure, and alternative routes.

### Emergency Closure

A road authority may close a road in the interests of public safety or for some other urgent reason without taking the preliminary steps outlined above. However, if the closing is expected to last longer than seven days it is required to publish notice in a newspaper circulating in the area.

## Requirement to notify Garda Superintendent

In all cases, whether for planned or emergency closures, the local authority is required to notify the Garda Superintendent in whose area the closure is taking place.

## National Roads

The same procedures apply in relation to roads designated as National Roads with the additional requirement that the notice be published in a national newspaper in addition to a local newspaper.

## Duration of temporary closure

The regulations require that a temporary road closure should be for no more than the minimum time required for the purpose of such closure but shall not exceed one year although a further order may be made, following notice, at the expiry of that period.

## Additional requirements on parties seeking a road closure

While the publishing of notices is the public face of the road closing process, road authorities are also empowered to set conditions where third parties require the closing of the road particularly in relation to excavation or construction projects.

Developers and utility providers will be required to provide:

- Traffic management plans;
- Safety certifications in relation to their personnel on the site;
- Insurance indemnities

- Cost of advertising and other expenses incurred by the roads authority
- Detail of how the contractor intends to respond to objections to the road closing.

In relation to city streets there are considerable requirements relating to the mitigation of traffic disruption and access to parking places.

## Offences relating to road closure

It is an offence for any party to close a road without going through the prescribed process.

It is also an offence for a driver to attempt to drive on a road which has been properly closed following a decision of the road authority.

## Legal basis for temporary closing of roads

The mandate for a roads authority to close a road is set out in the Roads Act, 1993 Section 75 while the process is set out in the Roads, Regulations 1994.

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