

**Breach of Consolidated EU Directive on Environmental Impact Assessment (EIA),  
85/337/EEC [Amended], in relation to certain Irish road schemes**

The following Irish Local Authorities have been found to have breached Article 5 of the Consolidated EU Directive (consideration of alternatives) in respect of the following road schemes: Dun Laoghaire - Rathdown Co. Council (proposed Monkstown Ring Road) Galway Co. Council (N6 Motorway) Laois Co. Council (M7 / M8 Motorway) Meath Co. Council (proposed M3 Motorway).

In all these cases the EISes for the projects interpreted alternatives purely in terms of alternative routes for the road scheme, instead of alternatives to the scheme itself, for example meeting transport demand via more sustainable modes such as rail or coach. The correct meaning of alternatives is clearly explained in the Guidelines on EIA (EU Guidelines on Scoping for EIA: <http://europa.eu.int/comm/environment/eia/eia-guidelines/g-scoping-full-text.pdf>).

These clearly outline how alternatives to road schemes should include consideration of other modes (alternative ways of meeting demand; alternative designs and processes). Recent research carried out by the undersigned into the EISes for the above projects has shown the project developers did not properly and correctly consider alternatives to the schemes. Unfortunately, all these schemes have been approved by the Irish planning consent authority (An Bord Pleanala). The undersigned cannot seek Judicial Review of these decisions because the Irish legal system imposes onerous costs on the individual, in itself a breach of Article 10(a) of the Directive.

The undersigned makes representations to the Petitions Committee to investigate this breach of the Directive as a matter of urgency.

Brian Guckian Rail & Integrated Transport Researcher, August 3rd, 2006.

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(for the attention of the Secretary-General),  
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