

FIFTEENTH SCHEDULE

NOTES IN RELATION TO THE DECISION OF AN BORD PLEANÁLA TO GRANT THE RAILWAY ORDER

Interaction between the LUAS BXD and the Railway Orders for the Metro North (MN) and Dart Underground (DU) projects.

The Board noted the RPA's response on this issue, to the effect that LUAS BXD can proceed in advance of either MN or DU, without prejudicing the delivery of either of those two projects, although some modifications to the approved MN and DU schemes might be necessary prior to their development. The Board is satisfied that options are available to allow LUAS BXD to continue in operation even during construction of the underground elements of the other projects. This approach has been endorsed by the National Transport Authority. The Board agreed with the Inspector's conclusion on this issue, and found that:

- (i) the potential cumulative construction impacts of the three projects, including socio-economic impacts on the city centre, had been addressed in the original application;
- (ii) the construction of LUAS BXD in advance of the other projects, as now proposed, would not have a greater negative impact on the environment compared to the scenarios already examined;
- (iii) no material alteration arises for the LUAS BXD scheme as a result of the revised sequencing;
- (iv) should material amendments be necessary for MN or DU at a later point in time, such alterations would be subject to updated environmental impact assessment.

Therefore the Board was satisfied it could complete its environmental impact assessment of the scheme based on the information and submissions before it.

The feasibility of alternative power supply systems for the sensitive areas of the city centre.

The application as submitted was based on the use of overhead wires ('Overhead Catenary System' (OCS)) to power the trams, as is already familiar in Dublin. The Board agreed with the Inspector (paragraph 6.4.4.8) that the OCS as proposed had been carefully designed to minimise impacts on heritage buildings and on visual amenity.

However, an alternative power system that would obviate the need for OCS had been recommended by Dublin City Council and other parties in written and oral submissions. In response, technical concerns in relation to such alternatives were highlighted by the RPA.

The Board acknowledged the benefits that would accrue to the city environment in terms of architectural heritage protection, civic design and tourism from the use of a wire-free system and commissioned an independent report, by consultants Systra, on the feasibility of using an alternative system to power the LUAS trams in the sensitive areas of the city centre, namely from St. Stephen's Green to the northern end of O'Connell Street.

The Board considered that the Systra report provided clarity on the technical aspects of the alternative systems available, and accepted their conclusions, that an alternative power system involving a 'third rail' would be feasible in Dublin, albeit with some technical risks remaining to be resolved. The Board did not consider procurement concerns to be insurmountable, and agreed with Systra that the retrofitting of the red-line fleet appeared unnecessary.

In respect of the technical concerns, the reliability of the alternative system during extreme weather conditions (such as snow/ice, and extreme rainfall events), would need further consideration, and would require revisions to current practices for de-icing roads etc. Dublin City Council expressed concerns in relation to the ability of the existing city drainage system to deal with extreme rainfall events, which might impair tram functioning. The extensive shared running between trams and cars/ buses for Luas BXD was also taken into consideration. In such circumstances, given the unresolved operational issues, the Board did not consider it appropriate to impose a condition requiring the provision of alternative power system in the city centre.

Dawson Street Stop

Having considered the Inspector's initial report (September 2011) the Board was concerned, given the existing conditions on Dawson Street and the existing levels of pedestrian activity on the western side of Dawson Street (owing partly to bus stops) that the proposed northbound stop might have negative consequences for pedestrian movement, bus movement, and the amenity of the street in general.

The Board requested the RPA to present a design and assessment for an 'island platform' at the northern end of Dawson Street, as had been recommended by the Inspector. Various parties, including Dublin City Council, Dublin Bus and the National Transport Authority made submissions on this alternative. The Board tended to agree with the above

mentioned parties that the island platform option would conflict with city bus services, and would also potentially reduce safety levels for pedestrians at this location. Displacement of the numerous affected bus routes to Kildare Street on a permanent basis, as preferred by the Inspector, was not considered to be within the Board's remit, and in any case the negative consequences for bus patrons would need to be further considered.

Having examined the issue in detail, the Board considered it appropriate in the interests of the proper planning of the area to omit the northbound (i.e. inbound) stop on Dawson Street, notwithstanding the impacts of this omission on the LUAS patrons. It was considered that the stops at St. Stephen's Green and Westmoreland Street would be capable of catering for the additional demand created by this condition without undue impacts. The omission of this stop would also provide an opportunity for the proposed track alignment to be revised on Dawson Street, which in itself might reduce the extent of shared running with existing bus services.

Alignment in the median at O'Connell Street

The Board agreed with the Inspector that the alignment of the Luas in the central median at the northern end of O'Connell Street was acceptable, but disagreed with his recommendation (paragraph 6.5.21) in relation to the treatment of the track at this location. The Board considered that the running of the tram at the level of the raised median would provide a preferable visual resolution in the streetscape and would not pose any major technical or safety concerns.

Time periods set out in the Railway Order for carrying out the works and compulsory purchase.

The draft Railway Order had set out a period of 10 years within which to carry out the project including the implementation of compulsory purchase of lands etc. This matter was the subject of submissions as summarised by the Inspector (section 6.3.2 of his report). The Inspector recommended to the Board that the 10 year period was appropriate. However, the further information submitted to An Bord Pleanála by the applicant and the National Transport Authority in March 2012 confirmed that the subject project would now take priority over Metro North or Dart Underground in terms of construction sequence. Having regard to this revised sequence and taking into consideration:

- the nature, scale and complexity of this major public infrastructure project, including the necessity for completion of contractual and financing arrangements,
- the precedent set by previous railway orders including light rail and heavy rail projects in terms of the duration approved (including the

decision of the Board under the ‘Dart Underground’ project, reference NA0005, whereby explicit consideration was given to this issue),

the Board decided that a period of **seven years** would be appropriate and reasonable for this railway order. Article 15 was amended accordingly. (It was not considered necessary to amend the 15-year period allowed for in relation to the possible Grangegorman Stop).

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2012.