

An Bord Pleanála Oral Hearing

**In the matter of an application for a Railway Order pursuant to the Transport (Railway Infrastructure) Act 2001 (as amended and substituted) ('the 2001 Act')
Córas Iompair Éireann / Iarnród Éireann**

An Bord Pleanála Ref. NA29S.314232

DART+ West Electrified Heavy Railway Order [2023]

Agreement between:

Córas Iompair Éireann (CIÉ)

Iarnród Éireann/Irish Rail

First Party

And

Transport Infrastructure Ireland ("TII")

Second Party

27th SEPTEMBER 2023

SCHEDULED AGREEMENT

The following Scheduled Agreement has been reached between CIÉ/Iarnród Éireann-Irish Rail of the first part and Transport Infrastructure Ireland ("TII") of the second part ("the parties") in relation to the aforesaid application for the DART+ West Electrified Heavy Railway Order [2023] ("the Railway Order").

1. The parties agree that if An Bord Pleanála ("the Board") is of the view that it would be appropriate to grant the Railway Order, this Scheduled Agreement shall, subject to the Board's discretion, be included as an Agreement to the Thirteenth Schedule of the draft Railway Order (or such other or alternatively numbered Schedule as the Board may decide) and, where required, part of the provisions of this Agreement may be included as (a) condition(s) in the Eleventh Schedule of the draft Railway Order (or such other or alternatively numbered Schedule as the Board may decide).

CIÉ/Iarnród Éireann-Irish Rail agree to the following schedule of commitments for the protection of the national road and light rail network to form part of the proposed Railway Order.

Proposed Railway Order conditions for the protection of the national road network

2. Development shall be undertaken in accordance with TII Publications. Prior to commencement of development, plans and details of works on, or in the vicinity of the national road network required under TII Publications shall be submitted for the written agreement of the planning authority in consultation with TII.
3. Prior to commencement of development in the vicinity of the National Road Network, the Construction Environmental Management Plan (CEMP) shall be submitted for the written agreement of the planning authority subject to the written agreement of TII. The CEMP will reflect mitigation and monitoring for the national road network.
4. Prior to commencement of development in the vicinity of the National Road Network, the Construction Traffic Management Plan including access to services, shall be submitted for the written agreement of the planning authority subject to the written agreement of TII. The Construction Traffic Management Plan shall:-
 - a. Demonstrate consultation with the Motorway Maintenance and Renewals Contract Network A and M3 PPP Contractors, via Transport Infrastructure Ireland and the relevant road authorities, and
 - b. Include detailed information on traffic management, including signage (static and VMS) to ensure the strategic function of the national road network is protected.

Proposed Railway Order conditions for the protection of the light rail network (Luas)

- (1) Overhead Conductor System (OCS) poles are located on / or adjacent to the proposed scheme. Prior to commencement of development in the vicinity of the light rail network (Luas), the following plans and details shall be submitted for the written agreement of the planning authority subject to the written agreement of TII:
 - i. OCS pole protection and safety distances, and / or
 - ii. Existing, temporary and subsequent permanent fixings.

CIÉ/Iarnród Éireann-Irish Rail shall be liable for all costs associated with the removal and reinstatement of the Luas related infrastructure.

- (2) Prior to commencement of development in the vicinity of the light rail network (Luas), the Construction Environmental Management Plan (CEMP) shall be submitted for the written agreement of the planning authority subject to the written agreement of TII. The CEMP will contain a method statement to resolve all Luas interface issues that shall:-
- i. identify all Luas alignment interfaces,
 - ii. contain a risk assessment for works associated with the interfaces, including all electrification fault scenarios and
 - iii. contain mitigation measures for unacceptably high risks, including electromagnetic interference (EMI) and vibration and settlement monitoring regime if necessary.

The method statement shall be in accordance with Transport Infrastructure Ireland's "Code of engineering practice for works on, near, or adjacent the Luas light rail system."


- (3) All works associated with removal, temporary and final installation of Luas infrastructure are to be undertaken outside of Luas operational hours, under system shutdown and Overhead Conductor System isolation with prior agreement with TII and the Luas Operator as required.
- (4) Prior to commencement of development in the vicinity of the light rail network (Luas), the Construction Traffic Management Plan including access to services, shall be submitted for the written agreement of the planning authority subject to the written agreement of TII. The Construction Traffic Management Plan shall include identification of mitigation measures to protect operational Luas infrastructure. The Luas operator/ Transport Infrastructure Ireland will require 24hr access to Luas infrastructure and CIÉ/Iarnród Éireann-Irish Rail will enter into an access and maintenance agreement with TII.
- (5) If necessary, CIÉ/Iarnród Éireann-Irish Rail will apply for a works permit from the Luas Operator by virtue of the Light Railway (Regulation of Works) Bye-laws 2004 (S.I. number 101 of 2004) which regulates works occurring close to the Luas infrastructure in accordance with Transport Infrastructure Ireland's "Code of engineering practice for works on, near, or adjacent the Luas light rail system". CIÉ/Iarnród Éireann-Irish Rail shall be liable for all of Transport Infrastructure Ireland's costs associated with the removal and reinstatement of Luas related building fixings and infrastructure.



SIGNED on behalf of

CIÉ/Iarnród Éireann - Irish

Rail in the presence of:


CIE Solicitors

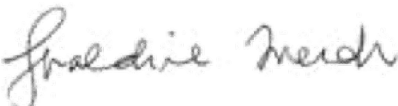
Date: 27/9/23

SIGNED on behalf of



Transport Infrastructure

Ireland in the presence of:



Date: 27 September 2023