



Ms Niamh Thornton
An Bord Pleanála
61-64 Marlborough Street
Dublin D01 V902

AN BORD PLEANÁLA

LDG- _____
ABP- _____

24 AUG 2023

Fee: € _____ Type: _____
Time: 16:34 By: Cox

METROLINK

Dáta | Date 24 August 2023

Ár dTag | Our Ref. CAP_ML_L0308

Bhur dTag | Your Ref. ABP-314724-22

Re: Railway (MetroLink Estuary to Charlemont via Dublin Airport) Order [2022] Estuary through Swords, Dublin Airport, Ballymun, Glasnevin and City Centre to Charlemont, Co. Dublin (Metrolink)

Dear Ms Thornton

Thank you for your letter dated 27 July 2023. We are pleased that our application in relation to this important project is moving forward within the Board and confirm TII's commitment to cooperating with the Board in all respects to seek to have the application progressed as promptly as is possible.

In relation to the request in your letter for a submission by TII (TII Submission) on the observations received by the Board in relation to the application and which were forwarded to TII (317 observation documents in total), in principle this is something TII is of course happy to do. However, for good order we would be grateful if you could please clarify the statutory basis on which this TII Submission is requested. Our understanding is that the relevant section of the Transport (Railway Infrastructure) Act 2001 is Section 47D(1), which entitles the Board to request further submissions or observations from the applicant. Please confirm.

Subject to prompt receipt of this confirmation from the Board, TII currently expects to be in a position to deliver the TII Submission by 20 September 2023 as requested and has significant resources at work to do so. While not currently envisaged, having regard to the volume of observation documents received, to the extent that this timing changes we will of course notify you accordingly seeking a short extension.

We note that the Board has confirmed, by letter dated 27 July 2023, that an oral hearing will be held. In addition to the submission of our TII Submission document referenced above, it is our understanding, based on the experience of other railway order applications, that we will be entitled to further address the submissions received in the evidence or statements of its personnel, its consultant team and advisers as part of its submission to the oral hearing. We will continue our preparation for the oral hearing on that basis.

In addition, other oral hearings have been informed by section 37 of the 2001 Act which provides that the railway order application include a draft of the proposed order, a draft plan and book of reference. The draft order anticipates scheduled agreements (including agreements with local authorities), scheduled conditions, modifications, restrictions and requirements (which are provided for by 43(2) of the 2001 Act,). Subject to the Board regarding those matters as proper, these may lead to changes to the final order. These matters often arise during an oral hearing before the Board, and they may necessitate consideration of further reports or supplementary reports at that time.

Próiseálann BIÉ sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag www.tii.ie.
TII processes personal data in accordance with its Data Protection Notice available at www.tii.ie.

Accordingly, the TII Submission provided will be furnished subject to the above understandings.

We would also appreciate an indication of when the Board expects to commence the oral hearing. That would be very helpful in our planning and preparation for the oral hearing to allow it run as smoothly as possibly for the benefit of all stakeholders.

Yours sincerely,



Aidan Foley,
Project Director MetroLink