

Submission No.			121		
Organisation Name or Name of Submitter			Iarnród Éireann		
Item No.	Section Ref.	Page No.	Observation Statement	TII Response	
IÉ Observations (for submission to ABP) relating to MetroLink Railway Order application - 11 th January 2023					
1	Cover letter - IE Observations	1	While land required for the purposes of transport services may be included in a Compulsory Purchase Order application, Section 130 of the Transport Act 1944 precludes the compulsory acquisition of such land without the previous consent of the Minister for Transport.	TII agree with the interpretation of Section 130 of the Transport Act 1944 which as correctly stated precludes the compulsory acquisition of such land without the previous consent of the Minister for Transport. Accordingly, if the Railway Order is confirmed, and the CPO is granted, no Notice to Treat will be served without Ministerial consent. As is normal practice TII will enter into an agreement with CIE / Irish Rail, at the appropriate time, that addresses and deals with any and all land consideration requirements and which allows for any such consents to be made available on receipt of an Enforceable Railway Order.	
2	Cover letter - IE Observations	1	Current indications are that Metrolink will commence construction after DART+ West works are completed, and DART+ Southwest is started and/or completed, and it is on this basis that Iarnród Éireann identified the following issues and observations that will require further resolution and agreement between TII and Iarnród Éireann prior to the commencement of the construction process. Other issues may arise should the sequencing of the projects change.	There is uncertainty around the timing of both projects, and in fact the duration of the planning process for both schemes will have a significant impact on which scheme proceeds to construction first. TII recognise that there is a possibility the Dart + West and Dart+ Southwest may commence in advance of Metrolink. It is working with Iarnród Éireann to seek to present an agreed approach at the oral hearings for each project.	
3	Glasnevin Station 1	1	1. While it is understood that Metrolink construction will be impactful on Iarnród Éireann services and our customers, every effort must be made to minimise those impacts. The prolonged closures of the MGWR and GSWR lines proposed by TII at Glasnevin, of 21 and 5 months respectively, to allow the construction of the Glasnevin Station for Metrolink will cause significant disruption to Iarnród Éireann passenger, freight and maintenance services.	The works at Glasnevin are extremely complicated and will require a coordinated approach to ensure successful delivery, particularly given the physical constraints associated with the railway, the canal and fronting residential properties. TII has developed a plan that incorporates a possession regime based on the preliminary design and programme assumptions which were discussed in detail over a number of years with both Iarnród Éireann and the National Transport Authority. The plan is designed to ensure that the works can be delivered safely and efficiently. TII does acknowledge that the plan will lead to disruption of the existing services and will impact on customers. However, TII believe that the planned closures described in the EIAR Chapter 5, MetroLink Construction Phase, Section 5.10.6 and Appendix 5.5 – Glasnevin Station Construction Report, which are 21 months for the Western Commuter Line (Maynooth to Docklands) Midland Great Western Railway (MGWR), and 5 months for the Southwestern Commuter Line, Great Southern and Western Railway (GSWR), represent a worst case construction and customer service impact. TII have been working closely with Iarnród Éireann and the National Transport Authority with a view to reducing the overall duration and impact of the required mainline rail closures, and confirms that every effort will be made to minimise the impacts on the passengers services, especially connection to Connolly station. It is worth noting that during the works taking place on MGWR all trains can still travel to Connolly Station. In both circumstances there will be a number of temporary closures occurring at night-time and weekends fo facilitate track lowering work. TII welcome further discussions with Iarnród Éireann to coordinate any requirements to be included in the main works procurement process and Contract with a view to minimising impacts.	
4	Glasnevin Station 2	2	2. Iarnród Éireann is firmly of the view that the prolonged closures proposed are excessive and that, coupled with an appropriate short term track possessions regime, significantly shorter closure periods should be feasible. The disruptive impacts to train operations must be minimised and timed for periods of lower passenger and freight usage on Iarnród Éireann services e.g. summer months.	Please refer to Response (3) above.	

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5	Glasnevin Station 3	2	3. It is currently anticipated that Metrolink construction will commence after DART+ works are completed at Glasnevin. As such, the DART+ network will be electrified at Glasnevin and electric and diesel trains will need to be accommodated through Glasnevin, as will access to the Maynooth Depot to stable and maintain trains during the Metrolink construction process.	Please refer to Response (2) above.
6	Glasnevin Station 4	2	4. Station design and access principles will need to be mutually agreed and validated through an appropriate Safety Assurance Process. In addition, Safety Assurance Process requirements must be adhered to and agreed with stakeholders including the Commission for Railway Regulation (CRR).	<p>TII note that this is a matter for the CRR's scrutiny of the detailed design and safety plan, which are living documents subject to ongoing review and auditing by the CRR and outside the scope of the Railway Order process.</p> <p>however, TII confirm that Safety Assurance Processes will be adhered to and, to that end, TII have already commenced engagement with the Independent Safety Assessor (ISA) and CRR through the Preliminary Design process, the output of which has been incorporated into the design presented by the Railway Order application. Furthermore, TII are already in consultations with Irish Rail in relation to the APIS heavy rail CRR application process (in accordance with Irish Rail IM-SMS-014 - Safety Approval of Changes in Plant, Equipment, Infrastructure and Operations), that have been agreed with CRR. Station design and assessment of principles of concern to Iarnród Éireann will be progressed and agreed prior to commencement of construction. This engagement will continue through the next stages of the design. TII welcome further discussions with Iarnród Éireann to ensure the Safety Assurance Process meets the requirements of all parties.</p>
7	Glasnevin Station 5	2	5. Operations and management of interface areas between Iarnród Éireann and Metrolink post-construction of Metrolink will need to be mutually agreed, along with day-to-day Operations and Maintenance issues (including commercial / expenditure related matters), so that Iarnród Éireann and the Metrolink Operator are clear on their respective interfaces, responsibilities, rights and obligations.	ABP is entitled to impose conditions ensuring the proper maintenance and operation of Glasnevin station. However, the division of responsibility is a matter of estate management outside the scope of the Railway Order process. TII and Iarnrod Éireann are in the process of putting in place an agreement which will capture the operational and maintenance responsibilities of the parties for this important interface station. The agreement will also address relevant commercial concerns. Both parties have committed to agreeing these interfaces in advance of the commencement of construction.
8	Glasnevin Station 6	2	6. Property ownership and access will need to be agreed, understanding what current Iarnród Éireann property Metrolink may subsequently be responsible for.	<p>Property drawings showing the proposed temporary and permanent land take are included with the Railway Order application. Outside of that, this is a matter of estate management that is outside the scope of the RO process.</p> <p>As outlined in Response (1) above, the land consideration requirements will form part of an agreement with CIE/Irish Rail and will be entered into at the appropriate time.</p>
9	Glasnevin Station 7	2	7. All the above should be clearly captured, agreed and executed in an appropriate Agreement between TII and Iarnród Éireann as a pre-condition to the commencement of any MetroLink construction works.	See Response (7) and (8) above.

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10	Tara Street Station 1	2	1. Iarnród Éireann requires TII to minimise impacts on Iarnrod Eireann’s existing services and infrastructure in the vicinity of the Metrolink works at Tara Street.	<p>The proposed Tara Station does not directly impact on Iarnrod Eireann’s existing services and infrastructure, indirect environmental impacts have been assessed and are reported in the EIAR, ncluding noise, dust, vibration and ground movement and settlement impacts to ensure impacts are mitigated to acceptable levels.</p> <p>The management and mitigation of construction impacts is set out by the outline Construction Environmental Manager Plan (CEMP) included with the EIAR. TII are also developing an Instrumentation and Monitoring Plan (IMP) which will set out the specific monitoring requirements for works adjacent to Iarnród Éireann Infrastructure. The CEMP and IMP will be further developed by the main works Contractor and upon which Iarnród Éireann will be consulted. TII will continue to work collaboratively with Iarnród Éireann to ensure that the design and construction process is coordinated and controlled such that any residual impacts remain acceptable.</p>	
11	Tara Street Station 2	2	2. Detailed construction proposals that address the impacts of construction on the operational viaduct and other railway support structures, as well as customer access and egress arrangements to Tara Street Station during construction need to be approved by Iarnród Éireann in advance of construction commencement.	<p>The construction proposals developed by the main works Contractor will comply with the granted Railway Order and any constraints placed on the design and construction methodology included in the main works Contract. I TII will engage and consult with Iarnród Éireann to ensure that any specific Iarnród Éireann constraints are embedded in the main works Contract.</p> <p>TII will consult with Iarnród Éireann in relation to any construction proposals for any works that could potentially impact Iarnród Éireann infrastructure, property or operations. TII propose to convene regular coordination meetings with Iarnród Éireann to assist with assuring the design and construction methodology, and closer to construction, present plans for upcoming works.</p>	
12	Tara Street Station 3	2	3. Should any interchange connection be proposed between Metrolink and Iarnród Éireann’s Dart / commuter rail services, the impacts of such design, construction and / or operations on Iarnród Éireann operations at Tara Street Station will require further discussion and agreement with Iarnród Éireann.	Such an interchange does not form part of the MetroLink Railway Order Application. TII are available to discuss a future interchange connection at the appropriate time.	
13	Tara Street Station 4	2	4. Operations and management of interface areas between Iarnród Éireann and Metrolink post-construction of Metrolink will need to be mutually agreed, along with day-to-day Operations and Maintenance issues (including commercial / expenditure related matters), so that Iarnród Éireann and the Metrolink Operator are clear on their respective interfaces, responsibilities, rights and obligations.	Please refer to Response (7) above.	
14	Tara Street Station 5	2	5. Property ownership and access will need to be agreed, understanding what Iarnrod Eireann property Metrolink may subsequently be responsible for.	Please refer to Response (8) above.	
15	Tara Street Station 6	2	6. All the above should be clearly captured, agreed and executed in an appropriate Agreement between Til and Iarnrod Eireann as a pre-condition to the commencement of any Metrolink construction works.	Please refer to Response (7) and (8) above.	