



Minutes of Board Meeting

Held in NTA HQ and via video conference on Friday 25th March 2022

Board Members in attendance

Mr Fred Barry (Chairperson), Ms Anne Graham (CEO), Mr Hugh Creegan (Deputy CEO), Mr Pat Mangan, Mr Owen Keegan (CEO, Dublin City Council), Ms Ann Fitzgerald, Mr Frank O'Connor, Mr Brian McCormick, Mr David Gray, Mr Iain Docherty, Ms Joyce Loughnan.

Apologies from Board Members

Ms Eleanor O'Neil

Others in attendance

All Items: Mr Philip L'Estrange, Director, Finance & Corporate Services / Board Secretary; Mr Tim Gaston, Director, Public Transport Services; Ms Wendy Thompson, Director, Public Transport Regulation; Mr Bernard Higgins, Director of Transport Technology; Ms Margaret Malone, Head of Corporate Services; Mr Richard Kelly (Minutes).

Item 4: Mr Stephen Gallagher, Head of Strategic and Business Planning.

Item 7: Ms Freda Quinlan, Senior Capital Finance Manager; Mr Barry Dorgan, Head of Transport Technology Systems.

Item 9: Mr Aidan Gallagher, Head of BusConnects Dublin Infrastructure; Mr John Fleming, BusConnects Infrastructure Director; Mr Colm Griffin, Senior Project Manager; Mr Anthony Sheehy, Senior Project Manager - BusConnects

Item 10: Mr Declan Ridge, Programme Manager.

Item 11: Mr David O'Flynn, Financial Controller.

Item 12: Mr Noel Beecher, Head of Governance; Mr Gerard McBrien, Risk Manager.

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1. Declarations of Interest

None

2. Minutes of previous meeting

The draft minutes of the Board meeting held on 25 Feb 2022 were approved subject to the replacement of the second sentence of the first paragraph of Item 7 (Audit & Risk Committee ARC Update) with the following sentence:-

In particular he drew attention to the decision of the ARC Committee to recommend that the Board approve the forwarding of the draft unaudited 2021 Financial Statements to the NTA's Auditors.

3. Matters Arising & Board Schedule

The Board discussed the position on matters arising from previous Board meetings and the proposed schedule of Board meetings for 2022

4. CEO Report

The Chief Executive outlined developments since the last meeting and responded to matters raised by Board members.

Mr Gallagher updated the Board with a progress report on the implementation of the Authority's Business Plan for 2022 and responded to questions from Board members.

Mr Creegan provided an update on the status of major capital projects noting that a detailed report on the matter is provided to the Board after the end of each quarter.

5. BusConnects Dublin Network Implementation Update

Mr Gaston provided the Board with an update on the BusConnects Dublin Network Implementation plans noting that the Authority is planning to launch three further phases this year and three more in 2023. Following queries from the Board, Mr Gaston confirmed that communication programmes will be put in place for prior to the launch of each phase outlining that lessons have been learned from each phase launched to date.

6. Procurement – Transport Projects Advisory Service Contract

Mr Creegan provided an update and sought approval from the Board in respect of the procurement of Transport Projects – Technical Advisory Services.

Following a discussion, the Board approved the award of the contract to AECOM for a fixed period of three years with the option for the Authority to extend the contract by a further year.

7. Next Generation Ticketing (NGT) project Public Spending Code Decision gate 2 approval

Ms Quinlan provided an overview of the current status of the Next Generation Ticketing project. Ms Quinlan outlined that approval was being sought from the Board to proceed with Decision Gate 2 consent to allow for the tender phase of the procurement process to commence.

The Board approved the granting of Decision Gate 2 consent for the NGT project, permitting the commencement of the tender phase of the NGT procurement process.

8. Tax saver project cessation approval

Following introductory remarks by Mr Higgins, the Board approved the termination of the Tax saver project agreement with DXC Global Entserv Solutions Ireland (DXC).

9. BusConnects Dublin CBC Planning Application approval – Belfield/ Blackrock to City Centre

Mr Creegan explained that in accordance with the Authority’s corporate governance arrangements, Board approval is required for the submission to An Bord Pleanála of the Environmental Impact Assessment Report (EIAR), Nature Impact Statement and Compulsory Purchase Order in relation to the BusConnects Dublin Belfield/Blackrock to City Centre Core Bus Corridor Scheme (the “Proposed Scheme”).

Mr Creegan recalled that the BusConnects Dublin Preliminary Business Case (PBC) was approved by the Board for submission to the Department of Transport (DoT) and was provided to the DoT on 4 March 2021 to facilitate Government authorisation (required in the case of projects exceeding €100 million) in respect of Decision Gate 1. Government authorisation in respect of Decision Gate 1 was provided on 8 March 2022.

As that earlier Board approval was solely for the submission of the PBC to the DoT, a further Board decision is required to approve the submission of the relevant applications for approval of the Proposed Scheme under the Roads Act 1993 (as amended) and confirmation of the associated compulsory land acquisition to An Bord Pleanála.

The Chairperson noted that:

- (a) the Authority is progressing the programme known as “BusConnects Dublin”;
- (b) the BusConnects Dublin programme includes twelve Core Bus Corridor Projects, including the Proposed Scheme;
- (c) in that regard, at its meeting of 18 October 2019, the Authority had resolved in accordance with section 44(2)(b) of the Dublin Transport Authority Act 2008 (as amended) (“**2008 Act**”) in connection with the twelve Core Bus Corridor Projects including the Proposed Scheme that:
 - (i) the conditions specified in section 44(2)(b) of the 2008 Act were satisfied; and
 - (ii) the functions specified in section 44(1) of the 2008 Act should be performed by the Authority; and
- (d) among other things, in accordance with section 44(6) of the 2008 Act:
 - (i) the Authority was empowered to perform the function of securing such public transport infrastructure as a public transport authority, namely, in the case of the Proposed Scheme, a road authority; and
 - (ii) land may be acquired by agreement or by means of a compulsory purchase order made by the Authority in accordance with Part XIV of the Planning and Development Act 2000 where the Authority has made a decision under section 44(2)(b) or where the Authority is performing its function of securing the provision of public transport infrastructure in accordance with section 44(2)(e).

The Chairperson further noted that the following documents were before the Authority:

1. The final draft Environmental Impact Assessment Report (EIAR) as at March 2022 which has been prepared by a team of competent experts (as described in Chapter 1 of the EIAR), for the Proposed Scheme;

2. The final draft Natura Impact Statement as at March 2022 for the Belfield / Blackrock to City Centre Core Bus Corridor Scheme which has been prepared by specialist ecologists; and
3. The “Belfield / Blackrock to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022”.

It was noted that all of the lands included in the “Belfield / Blackrock to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022” are necessary and required for the construction and operation of the Proposed Scheme.

The Chairperson outlined to the Authority that it had to consider whether to:

- (a) authorise the acquisition of the lands the subject matter of the “Belfield / Blackrock to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022”;
- (b) proceed to submit the “Belfield / Blackrock to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022” to An Bord Pleanála for confirmation in accordance with section 76 of and the Third Schedule to the Housing Act 1966 (as amended);
- (c) proceed to submit the Environmental Impact Assessment Report and the Natura Impact Statement and any other necessary and/or supporting application documentation to An Bord Pleanála in accordance with section 51 of the Roads Act 1993 (as amended) for approval of the Proposed Scheme; and
- (d) proceed to publish and serve all necessary statutory notices in accordance with the provisions of section 76 of and the Third Schedule to the Housing Act 1966 (as amended) and section 51 of the Roads Act 1993 (as amended).

Having considered the matters, the Authority resolved:

- (a) to acquire the lands contained in the “Belfield / Blackrock to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022”;
- (b) that the “Belfield / Blackrock to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022” be submitted to An Bord Pleanála for confirmation in accordance with section 76 of and the Third Schedule to the Housing Act 1966 (as amended);
- (c) that the Environmental Impact Assessment Report and the Natura Impacts Statement and any other necessary and/or supporting application documentation be submitted to An Bord Pleanála in accordance with section 51 of the Roads Act 1993 (as amended) for approval of the Proposed Scheme; and
- (d) that all necessary publications and statutory notices as required pursuant to the provisions of section 76 of and the Third Schedule to the Housing Act 1966 (as amended) and section 51 of the Roads Act 1993 (as amended) be published and served.

In addition the Board also resolved as follows:-

- a. to authorise the Chief Executive, in her discretion, to take all measures as she determines to be appropriate in connection with the seeking of all statutory consents for the Proposed Scheme, including, without limitation, in each case, on such terms and conditions as may be determined by her:
 - (i) to settle and approve the final form of the documents referenced above for submission to An Bord Pleanála and any other documents to be submitted to An Bord Pleanála;
 - (ii) to execute the “Belfield / Blackrock to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022” including the Deposit Maps on behalf of the Authority and to have the seal of the Authority affixed, having been authenticated by her;

(iii) to authorise such person or persons as she deems appropriate to sign all of the various publications and/or statutory notices that are required to be published and/or served pursuant to the provisions of section 76 of and the Third Schedule to the Housing Act 1966 (as amended) and section 51 of the Roads Act 1993 (as amended); and

to the extent applicable, the matters contemplated by this resolution shall be regarded as an additional function of the Chief Executive in accordance with section 19(2) of the 2008 Act.

10. Centralised Contact Centre Main Contract Terms approval

Mr Ridge provided an overview of the Centralised Contact Centre Main Contract terms stating that the contract will be for a term of five years with an option to extend for a further five years.

The Board noted that the project is a significant undertaking by the Authority and questions were raised about the transition process from current operators. In responding to queries about existing operators, Mr Gaston stated that the transport operators themselves may still have some element of in house customer contact services for queries that may need to be escalated for an appropriate response.

Following the discussion that took place, the Board approved the Centralised Contact Centre Main Contract terms.

11. Finance Update

Mr O'Flynn outlined the Authority's current financial position and responded to questions from Board members.

The Board questioned the impact of the reduction in fares that were recently announced and noted that this shortfall will need to be met by an increase in the Public Service Obligation (PSO) grant. The Board agreed the Authority should continue to monitor this.

12. Risk Update

Mr Beecher summarised the up-to-date position on risk management issues and responded to questions from Board members.

Following the risk update, the Board held a discussion in respect of the Strategy and Risk workshops that took place on the 24th March 2022 as part of the development of the new NTA Statement of Strategy. In respect of the discussion on risk, the Board suggested that the ARC would come up with proposals that relate to risk and risk management and present to the Board at a future date.

Regarding the discussion on strategy, the Board sought clarity on the length of the proposed new Statement of Strategy. The Chief Executive responded stating that the proposed new Statement of Strategy will be for a period of three years. The Board agreed that further workshops would be required to advance the strategy formulation process.

13. AOB

A query was raised regarding recent social media posts alleging some taxi drivers were not taking payment of fares by card. The Chief Executive confirmed that the public consultation on the Maximum

Fares Order due to commence in April, will be accompanied by consultation on a new regulation to mandate cashless payment facilities in taxis with an associated fine for breach.

14. Meeting without Executive

None

Next Meeting: Friday 22nd April 2022 @ 10.30am.

Signed: _____
Chairperson

Dated: _____