



Minutes of Board Meeting

Held in NTA HQ and via video conference on Friday 21st October 2022

Board Members in attendance

Mr Fred Barry (Chairperson), Ms Anne Graham (CEO), Mr Hugh Creegan (Deputy CEO), Mr Pat Mangan, Ms Ann Fitzgerald, Mr Brian McCormick, Mr Iain Docherty, Ms Joyce Loughnan, Ms Eleanor O'Neill, Mr David Gray.

Apologies

Mr Owen Keegan (CEO of Dublin City Council).
Mr Frank O'Connor.

Others in attendance

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

Item 4 & 7: Mr Stephen Gallagher, Head of Strategic and Business Planning.

Items 6, 17 & 19: Mr Noel Beecher, Head of Governance; Mr Gerard McBrien, Risk Manager.

Items 6, 10, 12 & 13: Mr Eoin Gillard, Head of Public Transport Investment.

Item 8: Mr Aidan Gallagher, Head of BusConnects Dublin Infrastructure; Mr Anthony Sheehy, Senior Project Manager; Mr Oliver Wynne, Project Manager.

Items 9, 10 & 11: Mr Joe Seymour, Head of Transport Development; Ms Freda Quinlan, Senior Capital Finance Manager; Mr Juan Martinez-Covarrubias.

Item 14: Mr Paul Duane, Clamping Regulation Manager.

Item 15: Mr Jeremy Ryan, Head of Public Transport Contracts; Mr Tim Hall, Transport Economist.

Item 17: Mr David O'Flynn, Financial Controller.

Item 16: Mr Mark Bradwell, Senior Procurement Manager.

Item 18: Mr David O'Flynn, Financial Controller.

* * * * *

1. Declarations of Interest

None

2. Minutes of previous meeting

The draft minutes of the Board meeting held on 16th September 2022 were approved.

3. Matters Arising & Board Schedule

The Chairperson informed the Board there has no further progress since the September meeting regarding the appointment of the new NTA Chairperson. The process is being led by the Public Appointments Service.

The Chairperson outlined that a draft terms of reference and proposed membership of a new Capital Investment Subcommittee, will come before the Board for consideration at its November meeting. Additionally, the Chairperson proposed that the Board will consider the replacement of Mr Mangan on the ARC given the recent expiration of Mr Mangan's second term on the committee.

The Chairperson noted that the Minister for Transport is planning to attend the December board meeting.

The CEO updated the Board in respect of PSO funding for the remainder of 2022 outlining that the Authority wrote to the Department seeking clarity on the PSO funding position for the remainder of the year. The CEO outlined that the Department responded providing clarity on the funding for the rest of 2022. The Board agreed that the CEO should also write to the Department regarding PSO funding for 2023.

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.

The Board noted the use of the Corporate Seal during Q3 2022.

5. Board Effectiveness Review – Action List

Mr L'Estrange provided an overview of the Board Effectiveness Review – Action List. A discussion amongst Board members took place and the Action List was noted by the Board.

6. Major Projects Update

Mr Gillard provided an overview of the following Major Capital Projects:

- a) MetroLink
- b) DART+
- c) National Train Control Centre (NTCC)

- d) BusConnects Dublin
- e) LUAS Finglas
- f) BusConnects Cork
- g) LUAS Cork
- h) Active Travel and Cycle Connects
- i) Next Generation Ticketing

Following the update, Mr Gillard responded to questions from Board members.

7. Draft Statement of Strategy 2023-2025

Mr Gallagher provided an overview and outlined the main points of the Draft Statement of Strategy 2023-2025. Following the discussion that took place, the Board approved the Draft Statement of Strategy 2023-2025 for onward submission to the Minister for Transport for his consideration.

8. Swords to City Centre Core Bus Corridor

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 Swords 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 under the Public Spending Code. 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 June 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 June 2022 for the Swords to City Centre Core Bus Corridor Scheme which has been prepared by specialist ecologists; and
3. The “Swords to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022”.

It was noted that all of the lands included in the “Swords to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022” are necessary and required for the construction and or 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 “Swords to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022”;
- (b) proceed to submit the “Swords 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 “Swords to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022”;
- (b) that the “Swords 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 Impact 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 “Swords 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
- b. 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

9. Strategic Assessment Report (SAR) for Dublin Road, Galway

Mr Creegan provided an overview of the Strategic Assessment Report for Dublin Road, Galway scheme. Mr Creegan outlined that approval was being sought from the Board in respect of the BusConnects Galway - Dublin Road Project, permitting Galway City Council to proceed to complete a Preliminary Business Case (PBC) for the project.

Following the discussion that took place, the Board authorised the approval of the Strategic Assessment Report for the BusConnects Galway - Dublin Road Project.

10. Business Case Ceannt Station Galway

Mr Creegan provided an overview of the main points of the Business Case for the Ceannt Station upgrade project in Galway. Mr Creegan outlined that approval was being sought from the Board to grant Public Spending Code (PSC) Decision Gate 2 approval which encompasses the Project Brief and Procurement Strategy to Iarnród Éireann in collaboration with Galway City Council (GCC), in respect of the Ceannt Station Upgrade Project, permitting the commencement of the tendering phase of the project.

Following the discussion that took place and questions from Board members, the Board authorised the approval of the Business Case for the Ceannt Station upgrade project in Galway.

11. Preliminary Business Case (PBC) Clonskeagh to City Centre Cycle Scheme for planning stage

Mr Seymour provided an outline of the main points of the PBC for the Clonskeagh to City Centre Cycle Scheme. Mr Seymour outlined that approval was being sought from the Board to grant Public Spending Code (PSC) Decision Gate 1 approval for Preliminary Business Case (approval in principle) to Dublin City Council (DCC) in respect of the Clonskeagh to Charlemont Street: Pedestrian and Cyclist Improvement Scheme permitting DCC to proceed to complete a Project Brief and Procurement Strategy (pre-tender approval) for the project.

Following discussion and questions from Board members, the Board authorised the approval of the PBC for the Clonskeagh to City Centre Cycle Scheme.

12. Cork Area Commuter Rail Programme

Mr Gillard provided an overview of the Cork Area Commuter Rail Programme. Mr Gillard outlined that the current phase of the programme encompasses three main elements.

- a) Through running platform at Kent Station to allow east-west train movements;
- b) Upgrade of signalling system; and
- c) Twin track of the Glouanthane to Midleton section of the rail line.

The Board noted the update provided by Mr Gillard in respect of the Cork Commuter Rail Programme.

13. DART+ Programme - 2nd Fleet Order

Mr Gillard provided an update in respect of the DART+ Programme potential 2nd fleet order outlining that any potential new fleet order will come back before the Board for a formal decision.

The Board noted the update provided by Mr Gillard.

14. Clamping Regulation Code of Practice for Public Consultation

Mr Duane provided an overview of the new and updated Draft Clamping Code of Practice and the Board noted that the Draft Code of Practice was to be issued for public consultation

15. National Bus and Rail Fares Strategy

Mr Ryan provided an overview of the main points of the National Bus and Rail Fares Strategy review undertaken by the Authority. Mr Ryan outlined that approval was being sought from the Board for the National Bus & Rail Fares Strategy.

Following the discussion that took place, the Board approved the National Bus and Rail Fares Strategy presentation provided by Mr Ryan noting that an implementation plan will come back before the Board at a future date. The Board also noted that any changes introduced as part of the National Bus and Rail Fares Strategy should be revenue neutral.

16. Procurement

a) IT Support for ITMS System

Mr Bradwell presented the procurement report on the IT Support for ITMS System. Following discussion and questions from the Board members, the Board approved the awarding of the contract for the Provision of Support and Maintenance of Rural Transport Programme Integrated Transport Management System to OpenSky Data Systems for a fixed period of two years, with options for the Authority to extend the term for up to three additional years.

b) Internal Audit Services

Mr Gray presented the report on the procurement of the Internal Audit Services. Following discussion and questions from the Board members, the Board approved the awarding of the contracts to RSM UK Risk Assurance as first ranked lead contractor, and Deloitte Ireland LLP as second ranked contractor only to be used when the lead contractor is unable to provide certain services. The initial contract duration is 27 months with an option to extend to 51 months (from the contract commencement date).

c) Cloud Services

Mr Bradwell presented the report on the procurement of Cloud Services. Following discussion and questions from the Board members, the Board approved the awarding of the contract to Amazon Web Services EMEA SARL for an initial contract duration of 3 years with options for the Authority to extend by a further two years.

d) Technical Engineering Services

Mr Bradwell presented the report on the procurement of Technical Engineering Services. Following discussion and questions from the Board members, the Board approved the awarding of the contract to Ergo Services Limited for an initial contract duration of 2 years with options for the Authority to extend by a further two years.

17. Risk Matters

a) Public Transport Resilience

Mr Gaston provided a comprehensive overview of Public Transport Resilience and associated risks. The Board discussed this matter in detail with Mr Gaston responding to questions from the Board members on issues raised.

The Board noted the overview provided by Mr Gaston and thanked Mr Gaston and his team for the work done in providing the overview.

b) Risk Report

The Board noted the Risk Report provided by Mr Beecher.

18. Finance Update

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

19. ARC Matters

a) ARC Report

Mr Gray provided an overview of the ARC Report highlighting the key areas of the recent report that was completed.

Mr Gray, on behalf of the ARC Committee, expressed his thanks to Mr Mangan for the significant contribution he has made to the ARC over the past six years.

20. AOB

None

21. Meeting without Executive

None

Next Meeting: Friday 18th November 2022 @ 10.30am.

Signed: _____
Chairperson

Dated: _____