



Minutes of Board Meeting

Held in NTA HQ and via video conference on Friday 21st July 2023

Board Members in attendance

Mr Peter Strachan (Chairperson), Ms Anne Graham (CEO), Mr Hugh Creegan (Deputy CEO), Mr Pat Mangan, Mr Brian McCormick, Mr Iain Docherty, Ms Eleanor O’Neill, Mr Owen Keegan (CEO of Dublin City Council), Ms Joyce Loughnan, Mr Frank O’Connor.

Apologies: Mr David Gray, Ms Ann Fitzgerald.

Others in attendance

All Items: Mr Philip L’Estrange, Director, Finance & Corporate Services / Board Secretary; Mr Declan Sheehan, Chief Information Officer; Mr Richard Kelly, HEO (Minutes).

Item 4: Mr Stephen Gallagher, Head of Corporate Strategy.

Item 6: Mr Aidan Gallagher, Head of BusConnects Dublin Infrastructure.

Item 7: Mr Eoin Gillard, Assistant Director - Transport Investment.

Items 8, 9, 10, 11: Mr David O’Flynn, Financial Controller; Mr Noel Beecher, Head of Governance.

Item 8: Mr Russ Stokes, Contract Management Lead.

Item 12: Mr Joe Seymour, Head of Active Travel Investment.

Item 13: Barry Colleary, Head of Transport Modelling.

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1. Declarations of Interest

None

2. Minutes of previous meeting

The draft minutes of the Board meeting held on 16th June 2023 were approved.

3. Matters Arising & Board Schedule

The Chairperson on behalf of the Board expressed thanks to Mr Owen Keegan for his work and contribution to the NTA Board and wished him well in his upcoming retirement.

4. CEO Report & Performance Delivery Agreement 2023

a) CEO Report

The Chief Executive outlined developments since the last meeting and responded to matters raised by Board members including the position in relation to the introduction of the electric buses on the Dublin network. It was noted that Dublin Bus had encountered a planning delay in relation to the electric charging infrastructure installation, and that appropriate steps have been taken to mitigate that delay. Route testing of the new electric buses has commenced along with driver and maintenance personnel training, with operational service to commence later this year.

b) Quarterly report on Annual Corporate Business Plan

Mr Gallagher provided a progress update on the Authority's Annual Corporate Business Plan. Following the update, Mr Gallagher responded to questions from Board members.

5. Capital Programme Committee Report

Mr Docherty provided an update report from the July meeting of the Capital Programme Committee. The following items were considered and approved by the Committee:

- Consolidated Contact Centre Contract – Final Business Case;
- Project Phoenix – Final Business Case
- Woodbrook Station – Final Business Case; and
- Dun Laoghaire Active Travel Connector - Preliminary Business Case.

Mr Docherty noted that there were a number of items considered by the Committee which are recommended for approval by the Board, which were:

- Luas Finglas – Preliminary Business Case; and
- BusConnects Core Bus Corridors (Kimmage to City Centre; Ringsend to City Centre; Bray to City Centre) - Approval to submit planning consent applications.

6. BusConnects Schemes Approval

a) Bray to City Centre

It was 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 Bray to City Centre Core Bus Corridor Scheme (the "**Proposed Scheme**").

It was 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 (then 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 July 2023 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 July 2023 for the Bray to City Centre Core Bus Corridor Scheme which has been prepared by specialist ecologists; and
3. The “Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023”.

It was noted that all of the lands included in the “Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” 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 “Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023”;
- (b) proceed to submit the “Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” 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 “Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023”;
- (b) that the “Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” 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 “Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” 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.

b) Kimmage to City Centre

It was 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 Kimmage to City Centre Core Bus Corridor Scheme (the “**Proposed Scheme**”).

It was 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 (then 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:

- (e) the Authority is progressing the programme known as “BusConnects Dublin”;
- (f) the BusConnects Dublin programme includes twelve Core Bus Corridor Projects, including the Proposed Scheme;
- (g) 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:
 - (iii) the conditions specified in section 44(2)(b) of the 2008 Act were satisfied; and
 - (iv) the functions specified in section 44(1) of the 2008 Act should be performed by the Authority; and
- (h) among other things, in accordance with section 44(6) of the 2008 Act:
 - (iii) 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
 - (iv) 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:

4. The final draft Environmental Impact Assessment Report (EIAR) as at July 2023 which has been prepared by a team of competent experts (as described in Chapter 1 of the EIAR), for the Proposed Scheme;
5. The final draft Natura Impact Statement as at July 2023 for the Kimmage to City Centre Core Bus Corridor Scheme which has been prepared by specialist ecologists; and
6. The “Kimmage to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023”.

It was noted that all of the lands included in the “Kimmage to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” 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:

- (e) authorise the acquisition of the lands the subject matter of the “Kimmage to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023”;
- (f) proceed to submit the “Kimmage to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” to An Bord Pleanála for confirmation in accordance with section 76 of and the Third Schedule to the Housing Act 1966 (as amended);
- (g) 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
- (h) 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:

- (e) to acquire the lands contained in the “Kimmage to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023”;
- (f) that the “Kimmage to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” 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);
- (g) 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
- (h) 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:-

- b. 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 “Kimmage to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” 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
- c. 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.

c) Ringsend to City Centre

It was 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 Ringsend to City Centre Core Bus Corridor Scheme (the “Proposed Scheme”).

It was 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 (then 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:

- (i) the Authority is progressing the programme known as “BusConnects Dublin”;
- (j) the BusConnects Dublin programme includes twelve Core Bus Corridor Projects, including the Proposed Scheme;
- (k) 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:
 - (v) the conditions specified in section 44(2)(b) of the 2008 Act were satisfied; and
 - (vi) the functions specified in section 44(1) of the 2008 Act should be performed by the Authority; and
- (l) among other things, in accordance with section 44(6) of the 2008 Act:
 - (v) 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
 - (vi) 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:

- 7. The final draft Environmental Impact Assessment Report (EIAR) as at July 2023 which has been prepared by a team of competent experts (as described in Chapter 1 of the EIAR), for the Proposed Scheme;
- 8. The final draft Natura Impact Statement as at July 2023 for the Ringsend to City Centre Core Bus Corridor Scheme which has been prepared by specialist ecologists; and
- 9. The “Ringsend to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023”.

It was noted that all of the lands included in the “Ringsend to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” 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:

- (i) authorise the acquisition of the lands the subject matter of the “Ringsend to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023”;
- (j) proceed to submit the “Ringsend to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” to An Bord Pleanála for confirmation in accordance with section 76 of and the Third Schedule to the Housing Act 1966 (as amended);
- (k) 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
- (l) 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:

- (i) to acquire the lands contained in the “Ringsend to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023”;
- (j) that the “Ringsend to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” 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);
- (k) 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
- (l) 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:-

- c. 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 “Ringsend to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023” 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
- d. 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.

7. Luas Finglas Preliminary Business Case (PBC)

Mr Creegan provided an overview of the Luas Finglas Preliminary Business Case. Mr Creegan outlined that Board approval is being sought to approve the Luas Finglas PBC under Decision Gate 1 of the Public Spending Code (PSC), conditional upon receipt of prior Government consent. Mr Creegan outlined that approval of Decision Gate 1 will allow Transport Infrastructure Ireland (TII) to proceed with submitting the Luas Finglas scheme for statutory planning consent.

Following discussion, the Board confirmed, subject to receipt of prior Government authorisation, the issue of approval in respect of Decision Gate 1 for the Luas Finglas Preliminary Business Case.

8. Procurement

a) Finance System

Mr O’Flynn provided an overview of the procurement competition related to the proposed new NTA Finance System.

Following the overview provided, and subsequent questions from the Board members, the Board approved the awarding of the contract for the Provision, Implementation, Maintenance and Support of a Financial Management Solution to Codec-dss Ltd for an initial period of three years with an option of a further three years by way of one year extensions.

b) Active Travel Support Office Services

Mr Creegan provided an overview of the procurement competition related to the Active Travel Support Officer services.

Following the overview provided, and subsequent questions from the Board members, the Board approved the awarding of the contract to Roughan O'Donovan and Clifton Scannell Emerson Associates for a fixed period of two years with the option to extend by a further two years.

9. Finance Report

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

10. Risk and Governance Matters

a) Risk Report – For information

The Board noted the Risk Report provided by Mr Beecher.

b) ARC Terms of Reference – For approval

The Board approved the ARC Terms of Reference following the overview provided by Mr Beecher.

c) Protected Disclosures Policy – For approval

The Board approved the Protected Disclosures Policy following the overview provided by Mr Beecher.

d) Fraud and Corruption Policy – For approval

The Board approved the Fraud and Corruption Policy following the overview provided by Mr Beecher.

e) Internal Policies that apply to Board and Committee Members – For information

The Board noted the overview provided by Mr Beecher in respect of the Internal Policies that apply to Board and Committee Members

11. ARC Report

Mr Beecher provided an overview of the ARC Report and responded to questions from the Board members.

The Board noted the report provided by Mr Beecher.

12. Nation Cycle Design Manual

Mr Seymour provided an overview of the National Cycle Design Manual and outlined that the intention was that the document will be published shortly by the NTA.

Following the overview provided and questions from Board members, the Board wished to express its thanks to the Active Travel team for the work put in to bringing the document to fruition.

13. National Household Travel Survey

Mr Colleary provided an overview and highlighted the key points of the National Travel Household Survey 2022 results. Mr Colleary outlined that the survey will be published in the coming months.

Following the overview provided, Mr Colleary responded to questions from the Board members.

14. AOB

The Board agreed that the October Board meeting will take place in Limerick.

Next Meeting: Friday 15th September 2023 @ 10.30am.

Signed: _____
Chairperson

Dated: _____