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CCE DEPARTMENT

TECHNICAL GUIDANCE DOCUMENT

CCE-TMS-310

Guidance on Third Party Works

Purpose

This standard provides information and guidance for third parties intending to carry out works over, under, adjacent to, or otherwise affecting the railway.

The principles in this Technical Document are approved by the Head of Department and therefore constitute standard practices, which apply throughout the CCE Department.

Signed:  Chief Civil Engineer

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1 POLICY AND PRINCIPLES

1.1 Policy

- 1.1.1 The Railway Safety Act 2005 places an obligation on all persons carrying out any works on or near the railway to ensure that there is no increase in risk to the railway as a consequence of these works.
- 1.1.2 All work carried out adjacent to the railway property boundaries, under or over the railway, or that may have a direct or indirect impact on the railway must be carried out in a safe manner which safeguards the interests of Iarnród Éireann (IÉ). In order to minimise risk and general impact on the railway, all third party works and their agents must comply with IE Safety, Technical & Quality Management Systems and Standards as appropriate.
- 1.1.3 In the interests of national development, IÉ aims to facilitate such work by a Third Party (TP) in a timely manner while safeguarding the railway's interests.

1.2 Principles

- 1.2.1 A Third Party (TP) is defined; as an external party to IÉ who seeks to do work that impacts the railway in any form, works that are adjacent to the railway property boundaries, under, over the railway or have a direct or indirect impact to the infrastructure, operations and safety to the railway. A third party, as set out in this standard, may refer to the third party itself, its agents, consultants, representatives or contractors (including sub-contractors).
- 1.2.2 This standard does not cover works by first or second parties. As defined in this standard, IÉ is the first party and contractors engaged by IÉ are second parties.
- 1.2.3 This standard outlines the main processes for meeting IÉ's requirements. An agreement is necessary in all cases.
- 1.2.4 IÉ may decide to change any of the requirements within this standard at its own discretion at any time.

2 ABBREVIATIONS

2.1.1 The following abbreviations are used in this standard:

- IÉ Iarnród Éireann
- CIÉ Córas Iompair Éireann
(Group holding company for IÉ)
- IM Infrastructure Manager
- OHLE Overhead Line Equipment
(DART overhead power lines)
- PES Principal Engineer Structures
- PSCS Project Supervisor Construction Stage
- PSDP Project Supervisor Design Process
- PTS Personal Track Safety
(Minimum training course required for access to track)
- RM Regional Manager
- CRR Commission for Railway Regulation
- STSE Senior Track & Structures Engineer
- TP Third Party
- TPC Third Party Coordinator

3 BACKGROUND

3.1 Railway Operating Environment

3.1.1 IÉ has a statutory duty to operate a safe railway. It currently operates a railway network of approximately 2400 km of track, carrying passengers and freight. The current timetable operates frequent services at high speeds with varying types of modern rolling stock, which operate more efficiently and at lower noise levels than older stock within the current fleet. Trains can run at speeds up to 100 mph (160 km/h). The network and timetable are continuously under development in order to provide improvements and better services; therefore the railway operating environment is fluid by nature and subject to change. Service improvement and developments are part of a continuing programme towards more frequent, faster and quieter trains.

3.1.2 It is important for third parties to understand that the railway is a very different environment from those such as roads or construction sites. The concept of train operation is that a route is available for a train to run with a dedicated right of way between signals. A train cannot swerve, nor can it stop in the same distance as a road vehicle. For example, a train travelling at 90 mph (145 km/h) requires 2 km to stop. The operating rules required to safely operate a train have been developed over many years. These operating rules are detailed, wide ranging, and applied strictly and consistently. The operating rules are different from those applicable in other sectors, including that of construction.

3.1.3 Thus, third parties engaging with IÉ to plan or carry out work that affects the railway are required:

- To conform to the relevant IÉ rules, Safety, Technical and Quality Management procedures and standards as well as the normal legal conditions such as wayleaves, licences or commercial agreements.
- To conform to all current health, safety & welfare legislation and construction regulations.
- To demonstrate that their proposed works and systems of working will be planned, designed and constructed to minimise impact and risk to the railway.
- To consult and be familiar with the relevant information that is contained within the IE Network Statement (see link below). The IE Network Statement is published in accordance with Statutory Instrument No.55 of 2010 – European Communities (Railway Infrastructure) Regulations 2010 and gives characteristics of the IE infrastructure including (not limited to) general rules, procedures, extents of network, limits, connected railway networks, line speeds, traffic control and communication systems.

http://www.irishrail.ie/media/ie_2016_network_statement_2904.pdf

3.1.4 It is necessary for the third party to engage competent expertise (in all aspects e.g. design, construction and supervision) with regard to the railway interface.

- 3.1.5 This standard provides preliminary outline guidance for third parties on:
- What to expect
 - Who to contact
 - How permission to carry out the works may be granted
 - What activities will be charged for and payment schedule
 - What supplementary information may be required, such as method statements, risk assessments, design approvals and movement monitoring.
- 3.1.6 It is necessary for the third party to conform to IE Infrastructure Standard *I-DEP-0121 Third Party Works: Railway Safety Requirements*.
- Note:** that this standard is a guide only. IE will decide the exact internal process and procedures for dealing with each project on an individual basis.
- 3.1.7 It is necessary for the third party to conform to; *IE Standard CCE-TRK-SPN-0101, Specification for Movement Monitoring of Railway Track*.
- 3.1.8 **WARNING:** The railway is private property. A third party (including personnel or agents acting on its behalf) may only access IE property including track for such purpose as surveys after the necessary arrangements have been made, including insurance, and after having obtained written permission from the relevant IE department.

4 TYPE OF WORK

4.1 Work Covered

4.1.1 This standard covers both temporary and permanent third party works that may impact the railway. The variety of these projects is vast. The following is a non-exhaustive list of such example activities:

- Construction of, or alterations to existing, tunnels and overbridges or underbridges (bridges are named in relation to the railway, so an overbridge is over the railway).
- Insertion of pipes, ducts or services under or over the railway.
- Placing of cables or other services under or over the railway.
- Excavations adjacent to the railway and its property boundaries.
- Any work over railway airspace.
- Cranes that are positioned adjacent to the railway and its property boundaries which might impact the railway while in lifting, slewing, or potential collapse mode. This includes tower cranes, crawler rigs, piling rigs and other large plant.
- Any adjacent piling works.
- Work close to the OHLE (Overhead Line Equipment – DART overhead power lines).
- Work on boundaries, e.g. fencing.
- Temporary use of IÉ land for access or alteration to boundary fences or structures.
- Surveys or site investigations on or near the railway.
- Alterations to any drainage adjacent to the railway requires prior consultation with IE. Alterations may increase the risk of scour and washout of railway infrastructure (including drainage). New developments may increase run-off where previously there was adequate soakage. IÉ does not allow new drainage connections to existing railway culverts and watercourses.
- Increased traffic at level crossings (temporarily arising from construction, or permanently arising from a full development such as a new housing estate).
- Traffic arising from developments (permanent or temporary) that results in increased traffic on railway bridges and increased risks such as heavier loads on bridges, damage to parapets and high loads striking limited headroom bridges.
- Third party developments that require change to IÉ infrastructure (such as level crossings, rail diversions and signalling).

- New stations, such as required by a developer as part of planning requirements and/or enhancement of the development.
 - Construction of buildings or structures (or temporary structures during construction) that are adjacent to the railway and have the potential to impact it, for example; signs that may blow over onto the railway.
 - Resurfacing of roads under railway underbridges or alterations to overbridges.
 - Access for maintenance and inspection of structures or properties owned by third parties, for example; an overbridge (road over rail) or painting or re-roofing of adjacent properties.
- 4.1.2 Activities that may be some distance from the railway but that can have a serious potential impact on it. Examples include work that may change the water table of the railway formation. This could be caused by alterations to drainage, or dewatering, or disruption of groundwater flows.
- 4.1.3 Third parties who intend to carry out work on adjacent (non-railway) property are required to contact the relevant Senior Track & Structures Engineer (STSE) at their local IE Divisional Office at project pre-planning stage in order to determine any potential to impact the railway. Following contact by the third party the STSE will advise the specific process to be followed. STSE regions and divisional office contact details are given in appendix A.
- 4.1.4 Local authority planners are requested to contact the relevant STSE at their local IE Divisional Office in respect of any planned developments in order to determine any potential impact to the railway and its operations.
- 4.1.5 The Railway Safety Act 2005 in Section 37(3) states it “shall be the general duty of every person, in carrying out any activity on or near a railway premises or railway land, to ensure in so far as reasonably practicable that no person who is involved in the operation of a railway or who is being carried on a railway is exposed to danger as a consequence of any act or omission on the part of such person”.
- 4.1.6 In addition, Section 113 of the Act deals with roadworks in the vicinity of railway infrastructure and obligations not to affect the safe working of that infrastructure. It includes a requirement that a road authority, if it intends to commence any works on a public road that may affect the safe working of the infrastructure, must notify the railway of its intentions and must fully consider any objections or representations by the railway.

4.2 Work Not Covered

- 4.2.1 This standard does not cover a situation where there is a major joint venture by IÉ/CIÉ with a developer. An example could be a station/retail/office/apartment development on, over or adjacent to CIÉ land. This type of work is covered under different arrangements, however the initial contact should be made with the regional STSE in order to provide guidance on those arrangements. It should be noted that the core safety requirements of this.

5 CATEGORISATION OF WORK

5.1 General Impact

- 5.1.1 IÉ assesses projects primarily by assessing any potential to impact the railway and its operations. The project itself may have a permanent impact on the railway. Examples include:
- Affecting the viewing distances of approaching trains for IÉ lineside staff.
 - Impeding the future flexibility to realign the track for higher speed or to include additional tracks.
 - Impeding the future flexibility to carry larger loads.
- 5.1.2 In addition, a project may temporarily impact the railway by requiring measures during the works such as:
- Protection for the safety of persons on the railway.
 - In exceptional circumstances, special arrangements to control the movement of trains.
- 5.1.3 The consequences to the railway arising from these projects can be large in relation to safety, resources needed to mitigate the risks and associated costs.
- 5.1.4 Every project is unique but can be broadly divided into three types: (1) Minor Impact, (2) Major Impact and (3) Specialised Projects. It is the impact on the railway that is the key issue – some small construction works may result in a major impact on the railway. For example; a small project might have the potential to affect the overhead power lines (OHLE) to the DART; in this case the consequences of damage or accident would greatly impact IÉ train services.
- 5.1.5 Categorisation helps to identify how a project might be dealt with and the appropriate process to be applied. Some projects may be difficult to categorise or may span the categories. IÉ decides which category a third party project falls within and the particular process to be applied. All third parties planning either minor, major or specialised projects must make contact and initiate the processes with the regional STSE first. Following initial assessment IE will determine who within the organisation will manage the process. For example; minor impact projects are managed by the regional STSE, major impact projects are managed by the internal IE Third Party Coordinator (TPC).
- 5.1.6 The categories are explained below with some examples for illustration.
- Note:** IÉ stakeholders in this instance are those departments or sections potentially affected by the project. They may include, among others, the Train Operations Department, the Infrastructure Manager, Central Traffic Control, the Chief Civils Engineers Department and CIÉ Group Property Management.

5.2 Minor Impact Project

5.2.1 A minor impact project is one that affects fewer IÉ stakeholders and has minor impact on the railway. Examples include:

- A small diameter pipe inserted under the railway.
- A cable erected over the railway.
- New boundary fencing or wall to be constructed.

5.3 Major Impact Project

5.3.1 A major impact project may affect several IÉ stakeholders, and could have significant impact and consequences for the railway. The safety implications of these projects require thorough assessment. Examples of a major impact project include:

- Construction of a new overbridge or underbridge.
- Construction of a new structure, adjacent to the track and its boundaries, with excavation and foundations works that could impact the stability of the railway track.
- Construction of a new station that requires alteration to the OHLE and/or new signalling.

5.4 Specialised Projects

5.4.1 A specialised project may affect several IÉ and external stakeholders and could have significant impact and consequences for the railway. The safety implications of these projects require thorough assessment. Examples of a specialised project include:

- New station development.
- Joint ventures with CIE/IE and others.
- Other specialised projects.

6 OTHER ELEMENTS TO CONSIDER

6.1 Who to Contact

- 6.1.1 The third party must contact the IÉ, STSE within the appropriate IE Divisional Region at the earliest known opportunity i.e. project conceptual stage or pre-planning stage in order to initiate the assessment and design review processes required to obtain IÉ acceptance of the various project phases. Details and timeframes of these processes are outlined later in this standard.
- 6.1.2 IÉ track and structures are managed by the Chief Civil Engineer (CCE). The CCE is based in The Engineering & New Works Building, CIE General Works, Inchicore, and Dublin 8. The three regional line divisions responsible for the maintenance of the rail network report directly to the CCE. There are three principal regional divisional offices: (1) Dublin, (2) Limerick Junction (3) Athlone. Third parties are required to contact the STSE within the appropriate regional office in respect of all planned third part works and projects.
- 6.1.3 IÉ have an internal Third Party Coordinator (TPC) who coordinates the major impact projects following initial assessment by the regional STSE.
- 6.1.4 Specialised projects are handled by specific sections within IÉ, however the initial assessment is carried out by the regional STSE.
- 6.1.5 CIÉ (the group holding company) deals with insurance, legal and commercial aspects on behalf of IÉ. Within CIÉ, commercial aspects of agreements are dealt with by CIÉ Group Property Management. The CIÉ Solicitor prepares the legal agreements. In many instances, these are complex documents and it is advisable for the third party to consult its own legal advisor at an early stage.

6.2 Pre-Project Planning

- 6.2.1 Third parties and developers of projects that affect the railway will be asked to demonstrate that their proposal has been designed to minimise impact and risk to the railway.
- 6.2.2 The principle to be applied in the planning and design of the project by the third party is to design out the risks and disruption to IÉ where possible. As required it is necessary for the third party to conform to; *IE Standard CCE-STR-PSD-005, Technical Approval for Civil Engineering Structures*.
- 6.2.3 When projects are being developed, the third party, its agents, planners and designers should be aware that possessions (special arrangements to control movement of trains) are granted only in exceptional circumstances. Costs are charged to the third party for possessions. Cost for overrunning possessions and delaying trains are additional and also charged to the third party, these additional overrunning charges can be substantial.
- 6.2.4 Disruptive possessions are limited (i.e. those which affect IÉ train services) and may not be considered.

- 6.2.5 Designers of projects are advised to design for minimum site work and to take account of the railway environment. With an overbridge, for example, the usual construction method is to use precast or ready-made units – it is not usually possible to place shuttering underneath for in-situ placing of a concrete bridge deck.
- 6.2.6 Surveys or site investigation work required for design of the works must be arranged well in advance. Insurance and method statements for this work must be submitted at least 12 weeks in advance to IE.
- 6.2.7 Third party personnel who undertake work in the vicinity of the railway line are required to attend a Personal Track Safety (PTS) course delivered by IÉ and to be in possession of the appropriate PTS certificate. The third party is advised to arrange for this with the IE Training Centre well in advance of the time the personnel are due to go on or near the railway line, and to factor this into its project timescale. For further information, see Infrastructure Standard *I-DEP-0121 Third Party Works: Railway Safety Requirements*. Contact details for the IE Training Centre are given in Appendix 3, Section A.3
- 6.2.8 Third party personnel who undertake work in the vicinity of the railway are required to hold a valid Safe Pass Certificate.

6.3 Safety Management

- 6.3.1 Safety is primary for IÉ. This applies to the safe operation of trains, passenger areas and safe systems of work for personnel on or near the railway.
- 6.3.2 In addition to all other construction safety management responsibilities, the third party must work within the constraints of the IÉ Railway Safety Management Systems, arrangements and requirements when working in the vicinity of the railway.
- 6.3.3 The Infrastructure Standard *I-DEP-0121 Third Party Works: Railway Safety Requirements* gives detailed information on the safety arrangements required by IÉ as relevant to third party projects.
- 6.3.4 Railway Safety Act 2005
- 6.3.5 Third parties are advised to consult this Act and ensure that they carry out their responsibilities under the Act in relation to the works.

6.4 Maintenance

- 6.4.1 Completed work, particularly a structure, will require maintenance. This is the responsibility of the third party. Works should be designed to minimise the requirements for maintenance access from the trackside.
- 6.4.2 Maintenance considerations, including access requirements to facilitate regular inspections, need to be addressed during the design phase and also catered for in the legal agreement(s) for the project.
- 6.4.3 A third party requiring access for maintenance purposes or inspections will be subject to IE costs and charges associated with facilitating access.

6.5 Documents

- 6.5.1 At each stage of the process, IÉ may issue documents that may assist the third party to plan and design the relevant works insofar as they impact the railway. These may consist of relevant IÉ standards, engineering requirements and other information appropriate to the work being carried out.
- 6.5.2 The third party is required to provide information to IÉ at the pre-defined various stages of the acceptance process. This standard outlines the general requirements. Specific requirements for each project are given in advance of each stage. Documentation must be submitted in hard & soft copy (3 hard copies & 1 digital copy unless otherwise specified). Drawings should be folded.
- 6.5.3 Third parties are requested to make full and adequate submissions. Inadequate submissions are returned with a request for more information. This may delay the process.

6.6 Insurance

- 6.6.1 Insurance must be put in place by the third party and verified by CIÉ in advance of the work proceeding. It should be noted that past projects have experienced start-up delays due to third parties underestimating this element of the process.
- 6.6.2 The types of insurance required depend on the circumstances and nature of the proposed works. The third party will be notified of the insurance requirements at an early stage of the process. Setting out of the insurance requirements is subject to IÉ having received sufficient information from the third party in order to determine the risk IÉ may be exposed to as a result of the project. Example; forms of insurance include some or all of the following, but not exclusively: public liability, employer's liability, professional indemnity, pollution liability, motor third party property damage, non-negligence and contractors all risks cover.

6.7 Cost and Timescale

- 6.7.1 The third party pays the charges in full relating to the various activities that IÉ/CIÉ has to carry out before, during and after the works as may be necessitated by the project. Payment must be made in advance of the IÉ/CIÉ activities taking place. Details of the principal chargeable activities are given in Appendix B. Information on the actual charges is made available to the third party at an early stage of each phase.
- 6.7.2 Payment of charges is made in full prior to any work or phase commencing. Where applicable, the third party is required to submit a refundable bond in advance of the works. The level of the bond is determined by IÉ. The bond is returned to the third party after satisfactory completion of the works, receipt of outstanding charges and receipt by IÉ of a copy of the safety file.
- 6.7.3 For a small project with minor impact on the operating railway, IÉ chargeable activities are likely to be minor and proportional to the type of work and scale of project.

- 6.7.4 For a project of major impact on the operating railway, the time for the overall process is likely to be extensive. There are significant IÉ chargeable activities involved in this type of project.
- 6.7.5 For any third party project that could impact the railway, the third party should consult with the IÉ regional STSE at the earliest possible stage. This could prevent or reduce the necessity to change plans and in turn reduce the time and costs involved.

7 COMMISSION FOR RAILWAY REGULATION (CRR) ASSESSMENT

7.1 Requirements for Assessment

- 7.1.1 IÉ (and their agents) are obliged to comply with both Irish and European legislation in regard to the implementation of changes to infrastructure, therefore the company is obliged to comply with the requirements of the Railway Safety Act (2005), the Railway Safety Directive (2004/49/EC) and the Interoperability Directive (2008/57/EC) for all new railway infrastructure. In order to satisfy these legislative requirements an application for Authorisation to Place in Service (APIS) shall be made to the Commission For Railway Regulation (CRR) for each stage of the project in accordance with the CRR Guidelines for the approval of new infrastructure works, in particular RSC-G-009-E 'Guidelines for the Process of Authorisation for Placing in Service of Railway Sub Systems'. All third parties should familiarise themselves with the specific requirements for each stage of the APIS process as set out in RSC-G-009-E.
- 7.1.2 IÉ (and their agents) are also obliged to comply with the requirements of Commission Regulation (EC) No. 352/2009, 'Common Safety Method on Risk Evaluation and Assessment' for all new railway infrastructure. In order to satisfy the requirements of the Common Safety Method, Iarnród Éireann developed and adheres to IE standard, IM-SMS-014 Safety Validation of Changes to Plant, Equipment, Infrastructure and Operations (PEIO). An application for safety validation shall be prepared for each stage of the project, to be submitted to the Iarnród Éireann Safety Validation Panel (SVP), SVP approval will be required before an application can be made to the Commission for Railway Regulation.
- 7.1.3 Guidelines in order to meet the requirements of the CRR are published by the CRR which will set out the particulars to be adhered to. The guidelines also state that further clarification can be sought from the CRR. The CRR website is www.crr.ie. All third parties planning work which will have an impact on the railway should familiarise themselves with the requirements of the CRR.
- 7.1.4 IÉ requires the third party to prepare the information that may be required by the CRR and/or IE Safety Validation Panel. This may be needed at different stages of the acceptance process. IÉ will consider the impact of the works on its Safety Case in accordance with the CRR guidelines. Submissions are prepared by the third party and sent on to the CRR by IÉ.
- 7.1.5 CRR acceptance is normally only given for the stage to which the submission applies, i.e. it is a staged acceptance process with preliminary design, detailed design and commissioning being the steps.
- 7.1.6 The CRR may include conditions to any submission. Site inspections of the works may be carried out as deemed necessary by them. All conditions will have to be adhered to by the third party.
- 7.1.7 While IÉ facilitates the third party in the interaction with the CRR it can take no responsibility for errors, omissions, losses or delays arising from this.

8 OVERVIEW OF PROCESS FOR MINOR & MAJOR IMPACT PROJECTS

8.1 General

- 8.1.1 This section gives an overview of the process that is to take place for minor and major impact projects. Note that some of the activities described below are designed to be sequential but may occur in parallel depending on specific project circumstances; however any deviation will be at the discretion of IE.
- 8.1.2 A minor impact project is likely to be simpler with fewer requirements. For a flowchart illustration of this process, see 8.9.
- 8.1.3 A major impact project may consist of the following phases:
- Initial Assessment: initial letter of application and submission for pre-project assessment, payment of IE charges.
 - Preliminary Design Review.
 - Detailed Design Review.
 - Completion of Agreements.
 - Pre-Construction Arrangements.
 - Construction.
 - Post-Construction.

For a flowchart illustration of this process, see 8.10.

8.2 Initial Assessment

- 8.2.1 The third party's initial contact for all proposed works or projects will be with the regional STSE. Third parties are advised to make contact at an early stage of project development. In the case of roads (with associated railway bridges), it is advisable to consult with IÉ during the route selection process.
- 8.2.2 The third party begins the formal process by sending in an Initial Application Form (see Appendix C) to the regional STSE. This form can be printed from the online version.
- 8.2.3 On the basis of the initial written application, the regional STSE will make the initial response.
- 8.2.4 This initial response provides information for the third party. The information varies depending on the project, but is likely to contain details of:
- The requirement for a pre-project assessment of the application for third party work, and the cost of this payable in advance.
 - IÉ's nominated single point of contact for communications and submissions.

- General arrangements and procedures to follow, relevant standards and documents.
 - IE's fees and payment requirements for the initial phase.
- 8.2.5 The initial response also includes a request for further information from the third party. The request is made so that IÉ will have sufficient information to assess the impact on the railway and thus decide whether Initial Acceptance may be granted. This information will also allow IÉ to begin to establish the costs to be charged. The specific information requested depends on the project, an example of what the third party may be asked for:
- A demonstration that the conceptual proposal has been designed to minimise the risk and impact to IE operations.
 - An indicative project timescale that should also take account of the time required by IÉ to review the submitted documentation.
 - Location drawings.
 - Conceptual plans and elevations for the project.
 - An outline of the proposed construction method and materials.
 - Outline future maintenance considerations.
- 8.2.6 In the case where novel technology or systems are proposed, an early submission to the CRR may also be required at this stage.
- 8.2.7 IÉ will require a minimum of 8 weeks to review each formal submission.
- 8.2.8 The regional STSE distributes the information for comment to the relevant IE Infrastructure Manager and other IÉ/CIE stakeholders. The stakeholders review the submission and assess the implications in their respective areas.
- 8.2.9 Depending on the complexity of the project, IE may decide to arrange a meeting between the third party and the stakeholders.
- 8.2.10 The regional STSE decides whether to grant initial acceptance and replies to the third party.
- 8.2.11 If the project receives Initial Acceptance from IE, the third party may proceed to the next phase. Specific conditions and information on fees covering IÉ's activities for the next phase(s) are given at this stage.
- 8.2.12 IE assessments of the next phase cannot commence until the fees are paid by the third party.

8.3 Preliminary Design Review

- 8.3.1 The third party instructs its legal advisors to engage with the CIE Solicitors' office to commence the process of preparing legal agreements.
- 8.3.2 The third party submits the Preliminary Design for the project to the IE.
- 8.3.3 The third party now pays IÉ the relevant project charges for this phase.

- 8.3.4 IÉ will require a minimum of 8 weeks to review each formal submission.
- 8.3.5 Sufficient information on the project must be submitted to allow IÉ to review. The third party will be expected to have fully considered minimising risk and impact to IÉ within the preliminary design information submitted.
- 8.3.6 Six hard copies and one digital copy of the Preliminary Design information and design statement must be provided and include:
- Location maps, preliminary elevations and plans of the project showing all relevant horizontal and vertical clearances to the track (e.g. Clearances to structures, access routes and overhead electrified lines).
 - Surveys of existing installations and station/tracksides services, if applicable, including any necessary diversions.
 - Preliminary site investigation results.
 - Identification of impact on the railway infrastructure and train operations.
 - Identification of the need for temporary enabling works necessary for the safety of the railway infrastructure or train operations.
 - A design statement including a list of the standards to which the works will be designed and constructed to.
 - A risk assessment concerned with the impact of the works on railway operations, personnel and infrastructure, and the impact of the train operations on the works and personnel. Details must also be given of how these risks will be evaluated, mitigated and managed.
 - Measures to prevent unauthorised access (including vehicular containment) to railway property.
 - The overall project timescale, including allocation for the IÉ design review, CCR approval, and completion of legal agreement activities.
 - An outline programme for the construction phase.
- 8.3.7 Depending on the complexity of the works, IÉ may require the third party to submit a separate set of information on the preliminary design to the Commission of Railway Regulation (CRR) at this stage. If required, the third party must forward the required amount of copies of the preliminary design submission to IÉ for forwarding to the CRR and any other information or documentation they require. The CRR may issue acceptance for this stage provided it is satisfied with the information submitted. If the Preliminary Design proposal is acceptable to IÉ, the third party is given Acceptance of Preliminary Design by IÉ together with any relevant conditions. If the proposal is not acceptable, the third party may be requested to submit a revised proposal. The applicant is advised not to commence Detailed Design prior to the Acceptance of the Preliminary Design by IÉ.

8.4 Detailed Design Review

- 8.4.1 The third party submits the completed detailed design for the project, and the associated design and check certification as required to IE for review. Once the detailed design information is submitted IE will confirm their costs and payment requirements for this phase. IE assessments of this phase cannot commence until the fees are paid by the third party.
- 8.4.2 IE will require a minimum of 8 weeks to review each formal submission.
- 8.4.3 Three hard copies and one digital copy of the detailed design information for IE must be provided. The information must consist of drawings and calculations describing in detail the permanent works and outlining the temporary works necessary for the construction works. (Note: only 2 copies of reinforcement drawings and design calculations are required; reinforcement schedules are not required.) The detailed design submission must include:
- Location maps, elevations and plans of the project.
 - Detailed horizontal and vertical clearances to the track (and OHLE if applicable).
 - Geotechnical investigation reports.
 - Calculations, drawings.
 - Original design and check certificates, as required by IE Intended construction methodology.
 - Design specifications for significant components.
 - Declaration of the intended life cycle of the works and identification of requirements to achieve this.
 - Details of the safety management arrangements specific to the railway-related works being undertaken (e.g. details of an entire road project are not required). See *I-DEP-0121 Third Party Works: Safety Requirements* for more details.
 - Updated overall project timescale, including allocation for IE design review, CCR approval, and completion of legal agreement activities.
 - Updated programme for the construction phase.
- 8.4.4 The third party sends the detailed design submission for the CRR to IE for forwarding to the CRR. This submission must be presented as 3 hard copies and 1 digital copy and include:
- The information listed in 8.4.3, if this has not previously been requested.
 - Design specifications. This should be a high-level performance specification for significant components. More detailed specifications may be requested. This must be accompanied by general arrangement drawings and a programme of works.

- A list of the standards to which the new infrastructure works will be designed and constructed. Any non-compliance must also be included with reasons for same.
- Details of the safety management systems governing the design, construction, operation, maintenance and disposal of the proposed infrastructure works – including a risk assessment.
- A declaration of the intended life cycle of the project and identification of safety requirements in order to achieve this (e.g. OHLE replacement).
- Compliance with any relevant principles and guidelines adopted by the CRR and relevant legislation, including a description of the compliance. Specifically highlight any items of non-compliance or partial compliance.
- Compatibility of the new infrastructure works with the existing infrastructure, rolling stock and railway operations.
- Confirmation that the commissioning and bringing into operation of the new infrastructure works is consistent with the operation of the railway and the duty of the railway undertaking under the legislation. This must include details of the testing and commissioning regime and test results where appropriate.

Note: IÉ will consider the impact of the works on its Safety Case in accordance with the CRR guidelines.

- 8.4.5 If the detailed design review submission (as listed in 8.4.3) is acceptable to IÉ, the third party is given Acceptance of Detailed Design by IÉ together with any relevant conditions. If the proposal is not acceptable, the third party may be requested to submit a revised proposal. Note that Acceptance of Detailed Design does not signify that the works may commence on site. Permission to proceed can only be given via the IE Third Party Coordinator after project specific arrangements are put in place including CRR acceptance.

8.5 Completion of Agreements

- 8.5.1 If the project is granted acceptance by the CRR, and Acceptance of Detailed Design by IÉ, the third party may progress to completion of the necessary legal agreements, wayleaves, licences, disposals or other understandings between the third party and IÉ/CIÉ as required.
- 8.5.2 Where a legal agreement has to be executed between IÉ/CIÉ and the third party, it must be submitted for CIÉ Board approval. Works cannot proceed until CIE Board Approval is obtained.
- 8.5.3 The requirements for insurance must be put in place and all insurance must be to the satisfaction of the CIÉ Group Secretarial Services Manager prior to any works commencing.

8.6 Pre-Construction Arrangements

- 8.6.1 The third party must submit to IÉ evidence of the competence of its selected contractor to carry out the works insofar as they impact the railway (this includes the competence of any sub-contractors who may carry out significant parts of the works). This evidence must set out the relevant experience and technical ability of personnel. It must also include evidence of the contractor's safety management system.
- 8.6.2 Once the competence of the third party contractors has been accepted the third party can begin planning the construction arrangements by submitting an early method statement and any associated temporary works designs to IÉ, including design and check certificates. Note: the required method statements only apply to the section of the works which impacts railway operations, infrastructure and property.
- 8.6.3 The third party and its contractors may be required to attend meetings with the relevant IE staff to discuss the IÉ railway safety requirements. The content, type, timing and scope of these railway safety requirements are entirely at the discretion of IÉ.
- 8.6.4 The third party then submits 6 hard copies and 1 digital copy of the detailed method statement for the initial work to IE for review.
- 8.6.5 Permission to Proceed is not a blanket approval to carry out the works. The relevant safety arrangements will need to be agreed, planned and set up in specific agreement with the relevant IE staff.
- 8.6.6 Railway safety arrangements can take a minimum of 11 weeks in the planning schedule. Arrangements may include the provision of protection staff, arrangements for possessions, or other measures as necessary. Refer to *I-DEP-0121 Third Party Works: Railway Safety Requirements*.
- 8.6.7 While every attempt is made to accommodate third party construction schedules, the exigencies of railway maintenance work and other IE projects mean that provision of such railway safety arrangements cannot be guaranteed at the time required.
- 8.6.8 If a track monitoring system has been specified, IE must be satisfied that a suitable system is in place, for guidelines, see: *IE Standard CCE-TRK-SPN-010, Specification for Movement Monitoring of Railway Track*.

8.7 Construction

- 8.7.1 Construction must take place in accordance with the legal agreement(s), the approved designs, method statements, the railway safety requirements, current health safety & welfare legislation and building regulations.
- 8.7.2 In many cases specific method statements must be issued for acceptance by IE staff on a rolling basis for different phases of the works.
- 8.7.3 For minor changes to method statements or designs the third party must inform the nominated IÉ contact person in advance. For major changes the third party must re-submit the affected documents and drawings to IÉ for evaluation and formal acceptance.

- 8.7.4 IÉ may carry out safety and technical audits on the construction process in order to establish that the work is being carried out in accordance with the approved documents. The third party is required to facilitate the auditing process and to abide by the audit report recommendations.
- 8.7.5 Should circumstances arise during the construction works which create a risk to the railway in IÉ's opinion, IÉ will serve notice to the third party and take such steps as are necessary to safeguard the railway operation and its infrastructure.

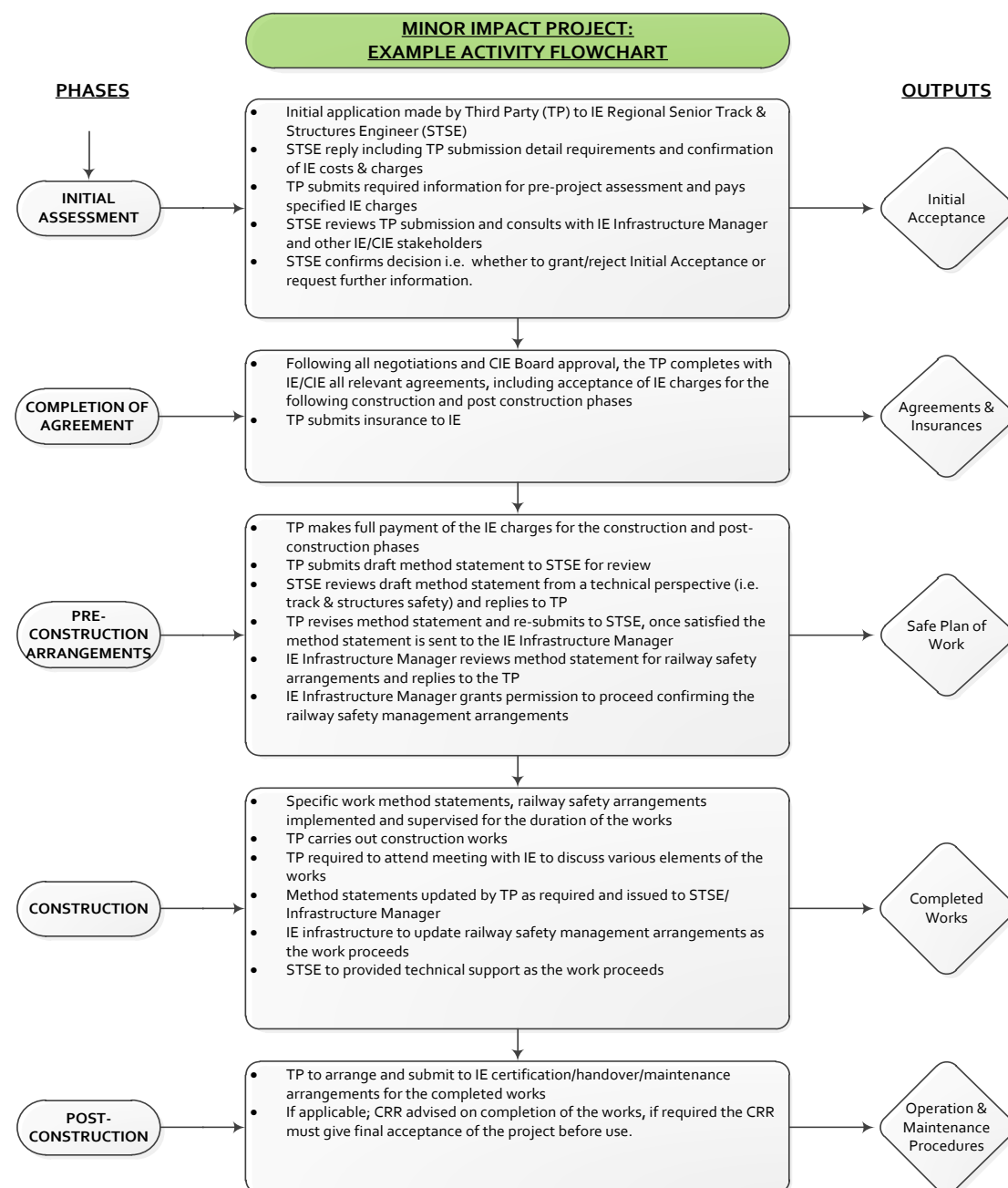
8.8 Post-Construction

- 8.8.1 Upon certification of completion (refer to *I-DEP-0121 Third Party Works: Railway Safety Requirements* for forms), the maintenance arrangements, as set out in the legal agreement(s) will be implemented.
- 8.8.2 At this stage IÉ informs the CRR that the works have been completed. A CRR Inspector may wish to undertake an inspection. If the CRR is satisfied it issues the final acceptance, i.e. commissioning acceptance.
- 8.8.3 Third parties are advised that the CRR must have given its acceptance for the commissioning of the project before it can be opened and/or used.

8.9 Minor Impact Project: Activities Flowchart

8.9.1 This chart is given for guidance only. Some activities such as legal agreements may commence earlier and run in parallel. Actual circumstances may change.

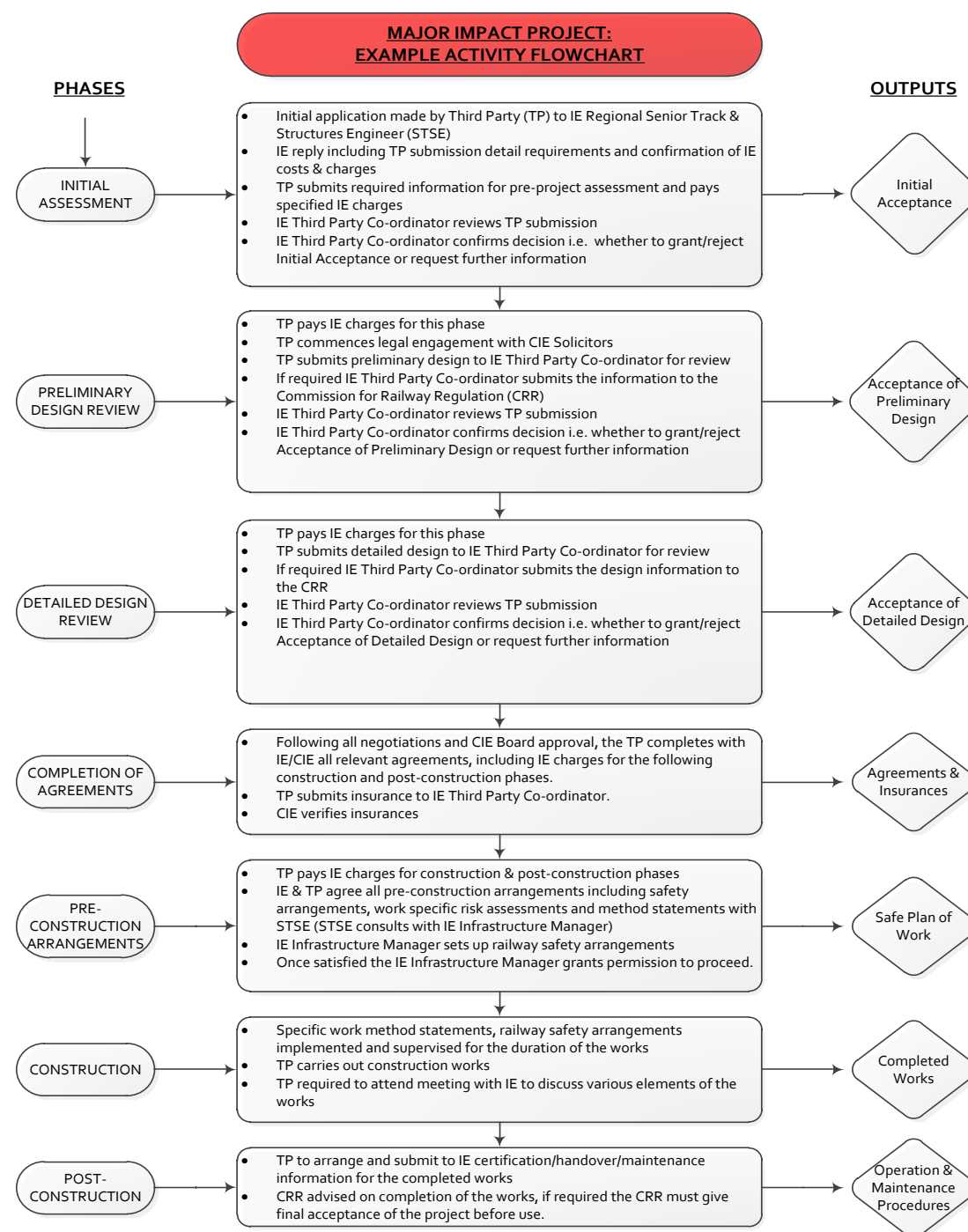
8.9.2 TP refers to the Third Party.



8.10 Major Impact Project: Activities Flowchart

8.10.1 This chart is given for guidance only. Actual circumstances may vary. The chart is presented for a situation where CRR approval is not necessary.

8.10.2 TP refers to the Third Party.



9 REVIEW

9.1 Review Procedure

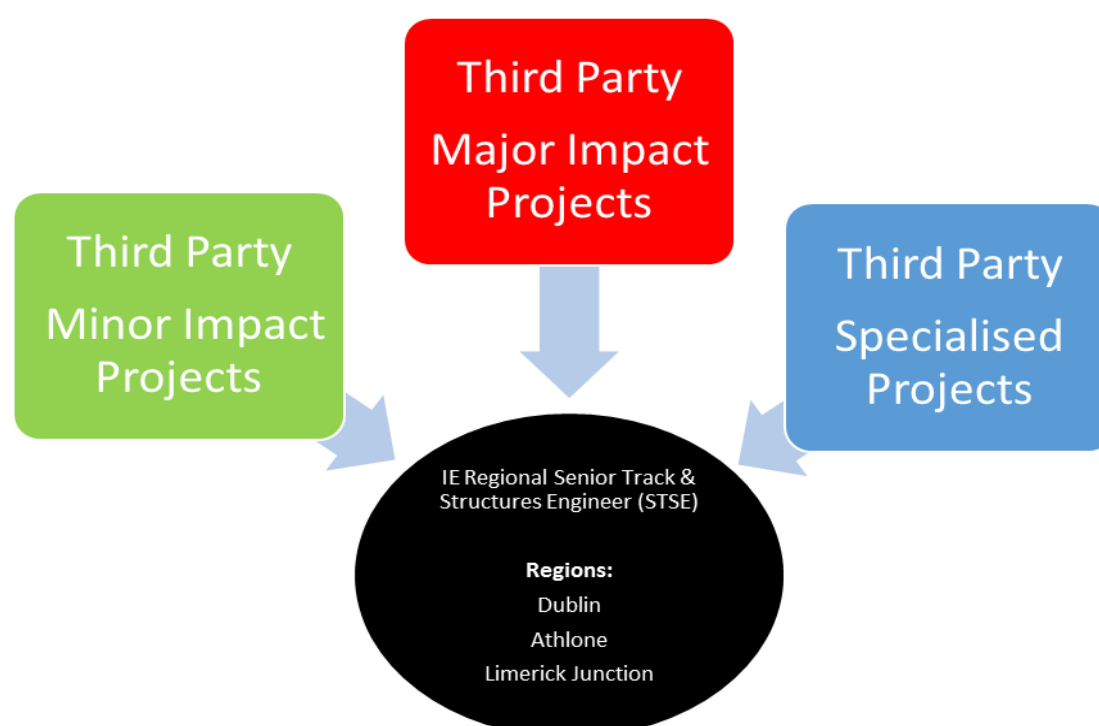
- 9.1.1 This standard will need to be reviewed every five years or as required.
- 9.1.2 If changes arise from the review, this standard will be reissued. If no changes arise from the review, the current version of this standard will remain in force.

APPENDIX A - WHO TO CONTACT IN IARNRÓD ÉIREANN

A.1 Summary

- A.1.1 This is a guide on who to contact in the first instance in relation to third party (TP) works that may impact the railway. It includes details on where to send the initial application form. Note that Iarnród Éireann (IE) decides the classification of work and a third party might subsequently be redirected to another section within IE depending on the specific detail of the project.

Table A.1: Contacts for Project Types



| Minor Impact | Major Impact | Specialised Projects |
|---|---|---|
| <ul style="list-style-type: none"> New boundary wall/fencing Small diameter utility pipe/cable under/over railway Tower crane or structures adjacent to railway Some types of work which will affect the overhead power lines (OHLE) in the DART area Minor works at level crossings Resurfacing or road surfaces on over or underbridges Works some distance from the railway, but with the potential to affect it. E.g. resultant change to ground water levels Inspection of structures by TPs Surveys and site inspection works Other Minor works | <ul style="list-style-type: none"> Construction of a bridge over/under or adjacent to the railway Structures requiring significant foundations/excavation works adjacent to the railway boundary Other major works | <ul style="list-style-type: none"> New station development Joint ventures with CIE/IE Other specialist project |

A.2 Relevant Division

- A.2.1 IÉ Infrastructure is divided into three divisions responsible for maintenance of the rail network. Their main offices are in Dublin, Limerick Junction, and Athlone. See the map in A.4 for the relevant division.

A.3 Contact Addresses

Dublin

Divisional Office
Iarnród Éireann
Pearse Station
Westland Row, Dublin 2
Tel: 01 7033501
Fax: 01 7033591

Limerick Junction

Divisional Office
Iarnród Éireann
Limerick Junction
Co. Tipperary
Tel: 062 51083
Fax: 062 52219

Athlone

Divisional Office
Iarnród Éireann
Old Railway Station
Grace Road, Athlone
Co. Westmeath
Tel: 090 6487711
Fax: 090 6494333
Email: aone.info@irishrail.ie

Third Party Coordinator

Iarnród Éireann Infrastructure
Engineering & New Works Building
CIÉ General Works
Inchicore
Dublin
D08 K6Y3
Tel: 01 7034451

IE Training Centre

Iarnród Éireann
Inchicore,
Dublin 8
Email: contractor.pts@irishrail.ie



APPENDIX B - COSTS

A.4 Chargeable Activities

- A.4.1 All costs incurred by Iarnród Éireann (IÉ) arising from the works are charged to the third party.
- A.4.2 All costs incurred by Iarnród Éireann (IÉ) arising from the works are payable in full to IE by the third party in advance the works and/or each phases.
- A.4.3 Charges by IÉ depend on several factors, including:
- The complexity of the works and the number of interfaces.
 - The quality of submitted information at the various stages of the process.
- A.4.4 The following is a non-exhaustive list of activities, arising from the works, for which the third party is charged by IÉ. The full range of charges depends on the type of project and the resultant activities that need to be carried out by IÉ/CIÉ. Payment must be made in advance of the activities being executed.
- A.4.5 The necessity to carry out any such activities is solely the decision of IÉ.

Table B1: Charges

| PHASE | SAMPLE CHARGEABLE IÉ/CIÉ ACTIVITIES |
|---|---|
| Initial Assessment | Pre-project assessment of the project by IÉ. |
| Design Review | IÉ review of the preliminary and detailed design of the project. Liaison with IÉ stakeholders and other bodies. Cost of providing access for site surveys at all stages (including protection arrangements). |
| Review, Investigation, Design, Validation | As may be deemed necessary by IÉ: any design work carried out by IÉ in connection with the works. IÉ interface with CCR, as required. Engagement by IÉ of external expertise to review, investigate, design or validate in connection with the works. |
| Agreements and Insurance | Legal work to prepare wayleaves, agreements etc. Work in respect of specification and validation of insurance. |
| Pre-Construction Arrangements | Preliminary engineering planning. Assessment of method statements. Planning/set-up of railway safety management arrangements. |
| Construction | Provision of IÉ personnel on protection duties. Arrangements for possessions. |

| PHASE | SAMPLE CHARGEABLE IÉ/CIÉ ACTIVITIES |
|-----------------------------|--|
| Construction (continued) | <p>Provision of alternative services for passengers.</p> <p>Supervision of excavation works in the vicinity of IÉ cables.</p> <p>Slowing of trains (through setting up or cancelling temporary speed restrictions).</p> <p>The carrying out by IÉ of works to facilitate the third party development. This may include physical works by IÉ (e.g. alterations to signals, widening of level crossings, permanent way works).</p> <p>Safety and/or engineering supervision and coordination of the project by IÉ.</p> <p>Engagement of external expertise to provide site presence and/or condition recording and monitoring.</p> <p>Displacement monitoring of railway infrastructure.</p> <p>The taking of all precautionary measures for the prevention of injury, loss or damage to persons or property.</p> <p>Any additional cost or expense incurred by IÉ arising from the third party works.</p> |
| Post-Construction | <p>Post-project handover and certification.</p> <p>Any post-project rectification works.</p> <p>Maintenance.</p> |

A.5 Other Charges

- A.5.1 In the event of possession overrun by the third party with delay to train services, there is a significant charge based on the time involved.
- A.5.2 Where applicable, a refundable bond is submitted in advance of the works. The level of the bond is determined by IÉ. The bond is returned to the third party after satisfactory completion of the works, receipt of all outstanding IÉ charges and receipt by IÉ of a copy of the safety file/all O&M documentation. Satisfactory completion means completion of the works in adherence to the accepted detailed design and method statement(s) and no damage and/or disruption to IÉ property, infrastructure or operations.
- A.5.3 PTS training (necessary for third party personnel on or near the railway) is provided by IÉ on a charge per person-day, as appropriate.


A.6 Basis and Management of Charges

- A.6.1 Information on the charges and schedule of rates is made available to the third party at an early stage of each phase.
- A.6.2 As a general rule, the STSE manages IÉ costs incurred during minor impact projects. For major impact projects, the STSE or Third Party Coordinator may manage IÉ costs incurred during each phase. This will be confirmed to the Third Party at the initial assessment phase.

A.7 Commercial Charges

- A.7.1 A charge is made for wayleaves. There may also be charges for licences or agreements, depending on the type of project. These are determined by CIÉ Group Property Management. The third party is advised on these at the time of negotiating the agreement(s).

APPENDIX C - INITIAL APPLICATION FORM

| | |
|--|---|
|  | THIRD PARTY INITIAL APPLICATION FORM |
| <p>Third parties planning to undertake works that may impact Iarnród Éireann (IÉ) infrastructure must complete this form. For guidance, please refer to <i>I-DEP-0120 Guidance for Third Parties</i>. Completed forms must be submitted to the relevant contact in IÉ (see Appendix A of <i>I-DEP-0120</i>).</p> | |

| | | |
|------------------------|---------------------|--------------------|
| For IÉ use only | Project Name | File Ref No |
|------------------------|---------------------|--------------------|

CONTACT DETAILS

| | | |
|--|---|---------------|
| Third Party | | |
| Agent acting on behalf of the third party (if applicable) | Name: Relationship to third party: | |
| Contact Name | | |
| Contact Address | | |
| Tel | Fax | E-mail |

PROJECT DESCRIPTION

| | |
|--|--|
| General summary (e.g. development, construction) | |
| Details of work that may impact the railway | |
| Work location as it impacts the railway (include sketch map or other details if possible) | |
| Between which IÉ stations: Located in which townland: | |
| Overall project timescale | |
| Intended timescale for works affecting the railway | |

Note: attach any additional information as you may wish.

Signed by: _____ **Date:** _____

Position: _____