

6<sup>th</sup> March 2020

E-Mail: [REDACTED]

Re: FOI request IE\_FOI\_344

Dear [REDACTED]

I refer to your request dated 13th January 2020 made under the Freedom of Information Act 2014, which was received by my office on that date, for records held by Iarnród Éireann.

Request:

- The minutes of any board/governing authority/management committee meetings that took place in 2019.

I, Bidina McCabe, have now made a final decision to grant your request on 6<sup>th</sup> March 2020.

You have sought access to the records as listed above and I consider this an appropriate form of access in this case. Accordingly, a copy of the records is now attached including a copy of the schedule to these records.

### **Rights of appeal**

In the event that you are not happy with this decision you can make an appeal in relation to this matter, you can do so by writing to the FOI Unit, Corporate Communications, Iarnród Éireann Irish Rail, Connolly Station, Amiens St, Dublin 1 or by e-mail to [foi@irishrail.ie](mailto:foi@irishrail.ie). You should make your appeal within 4 weeks (20 working days) from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays, however, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

Should you have any questions or concerns regarding the above, please contact the FOI Officer on 01, 7032561.

Yours sincerely,

PP 

**Sue Stanley**

**Freedom of Information / Data Protection Officer**

Redactions			
Document 1 - IE Board Minutes 17th January 2019			
Page #	Minute #	Section of Act Applicable	Reason
1	in attendance	Section 37 - Personal Information Section 29 - Deliberations of Public Bodies	Personal Information relating to attendees Deliberations on the working of the Board in Private Sessions
1	4805.1-4	Bodies	Personal Information
2	4805.6	Section 37 - Personal Information Section 36(1)(c) - Commercially	information which could prejudice the conduct of negotiations
2	4807.5	Sensitive Information	Personal Information
2	4808.1	Section 37 - Personal Information	Personal Information
3	4808.3	Section 37 - Personal Information	Personal Information
3	4808.4	Section 37 - Personal Information	Personal Information
3	4810.1	Section 37 - Personal Information	Personal Information
3	4810.2	Section 37 - Personal Information	Personal Information
3	4810.4	Section 37 - Personal Information	Personal Information
3 & 4	4810.6 - 8	Section 29 - Deliberations of Public Bodies	Deliberations on the draft Strategic Plan for Passenger Services
4	4810-10	Section 37 - Personal Information	Personal Information
4	4811.1	Section 37 - Personal Information	Personal Information
4	4811.3	Section 37 - Personal Information	Personal Information
5	4811.4	Section 37 - Personal Information	Personal Information
5	4811.6	Section 37 - Personal Information	Personal Information
6	4812.8	Section 37 - Personal Information	Personal Information
6	4813.1	Section 37 - Personal Information	Personal Information
6	4813.2	Section 37 - Personal Information	Personal Information
Document 2 - IE Board Minutes 5th February 2019			
Page #	Minute #	Section of Act Applicable	Reason
7	in attendance	Section 37 - Personal Information	Personal Information relating to attendees
7	4815.1	Section 37 - Personal Information	Personal Information
7	4816.1	Section 37 - Personal Information	Personal Information
7 & 8	4817.3	Section 37 - Personal Information	Personal Information
8	4818	Section 37 - Personal Information	Personal Information
8	4818.2 - 5	Section 37 - Personal Information	Personal Information
8	4818.6	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
8	4818.8	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
9	4818.9 - 10	Section 37 - Personal Information Section 36(1)(c) - Commercially	Personal Information information which could prejudice the conduct of negotiations
9 & 10	4818.12 - 13	Sensitive Information	Personal Information
10	4819.2 - 3	Section 37 - Personal Information Section 36(1)(c) - Commercially	information which could prejudice the conduct of negotiations
11	4819.4	Sensitive Information	Personal Information
11	4819.6	Section 37 - Personal Information Section 36(1)(c) - Commercially	information which could prejudice the conduct of negotiations
11	4819.7	Sensitive Information	Personal Information
12	4820.2	Section 37 - Personal Information	Personal Information
12	4820.4	Section 37 - Personal Information	Personal Information
12	4820.6 - 7	Section 37 - Personal Information	Personal Information
12 & 13	4820.9 - 10	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iompair Éireann (CIE) Holding Co
13	4821	Section 37 - Personal Information Section 36(1)(c) - Commercially	Personal Information information which could prejudice the conduct of negotiations
13	4821.2	Sensitive Information	larnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
13	4821.3	Schedule 1 Part 1 (p) - Partially Included agencies	information which could prejudice the conduct of negotiations
13 & 14	4821.4 - 7	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
14	4822.3 - 5	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
15	4822.6	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations

15	4822.8	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
15	4822.10	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
15	4822.11 - 12	Section 37 - Personal Information	Personal Information
15	4822.14	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
16	4822.16	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to another party
16	4825.1 - 2	Section 37 - Personal Information	Personal Information
17	App 1(1-6)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
18	App 2(1)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
<b>Document 3 - IE Board Minutes 26th March 2019</b>			
Page #	Minute #	Section of Act Applicable	Reason
19	in attendance	Section 37 - Personal Information	Personal Information relating to attendees
19	4827.1 - 3	Section 37 - Personal Information	Personal Information
19	4828.1	Section 37 - Personal Information	Personal Information
19 & 20	4829.1	Section 37 - Personal Information	Personal Information
20	4829.3	Section 37 - Personal Information	Personal Information
20	4830.1	Section 37 - Personal Information	Personal Information
20	4830.3 - 4	Section 37 - Personal Information	Personal Information
21	4830.5 - 7	Section 37 - Personal Information	Personal Information
21	4830.6 & 7	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
21	4830.8 - 13	Section 37 - Personal Information	Personal Information
22	4830.14 - 16	Section 37 - Personal Information	Personal Information
22	4830.15	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
22	4831.2-4	Section 37 - Personal Information	Personal Information
23	4831.5	Section 37 - Personal Information	Personal Information
23	4831.5	Section 37 - Personal Information	Personal Information
23	4832.2-3	Section 37 - Personal Information	Personal Information
23	4832.5	Section 37 - Personal Information	Personal Information
24	4832.6	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iomapir Eireann (CIE) Holding Co
24	4832.8-10	Section 37 - Personal Information	Personal Information
24	4832.14-20	Section 37 - Personal Information	Personal Information
25	4832.21	Section 37 - Personal Information	Personal Information
25	4833	Section 37 - Personal Information	Personal Information
25	4833.2-5	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
25	4833.6	Section 37 - Personal Information	Personal Information
25	4833.7	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
25	4834	Section 37 - Personal Information	Personal Information
26	4834.2	Section 37 - Personal Information	Personal Information
26	4834.4	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
26	4834.6	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved

27	4834.7	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
27	4834.8	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
27	4834.11	Section 37 - Personal Information	Personal Information
27	4834.12-13	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
27/28	4834.14	Section 37 - Personal Information	Personal Information
28	4834.15-18	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
28	4834.19	Section 37 - Personal Information	Personal Information
28	4834.2	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
29	4834.22-23	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
29	4834.26	Section 37 - Personal Information	Personal Information
29	4835.3	Section 37 - Personal Information	Personal Information
30	4835.6	Section 37 - Personal Information	Personal Information
31	App 1(1-4)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
32	App 2(1-3)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
<b>Document 4 - IE Board Minutes 28th May 2019</b>			
Page #	Minute #	Section of Act Applicable	Reason
33	in attendance	Section 37 - Personal Information	Personal Information relating to attendees
33	4839.1	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
33	4839.1	Section 37 - Personal Information	Personal Information
33	4840.1	Section 37 - Personal Information	Personal Information
33	4841.1	Section 37 - Personal Information	Personal Information
34	4843.5	Section 37 - Personal Information	Personal Information
34	4844.1-5	Section 37 - Personal Information	Personal Information
35	4844.6-13	Section 37 - Personal Information	Personal Information
36	4844.14	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
36	4844.16	Section 37 - Personal Information	Personal Information
36	4844.18-20	Section 37 - Personal Information	Personal Information
37	4844.23	Section 37 - Personal Information	Personal Information
37/38	4844.25-34	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iompair Éireann (CIE) Holding Co
38	4845.2	Section 37 - Personal Information	Personal Information
38	4845.2	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
38	4845.3	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
38	4845.4	Section 37 - Personal Information	Personal Information
39	4845.5-8	Section 37 - Personal Information	Personal Information
40	4845.9	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iompair Éireann (CIE) Holding Co
39	4846.4	Section 37 - Personal Information	Personal Information
40	4846.8	Section 37 - Personal Information	Personal Information



40	4846.8	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
40	4846.12	Section 37 - Personal Information	Personal Information
40	4846.15	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iompair Éireann (CIE) Holding Co
41	4847.2	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
41	4847.2	Section 37 - Personal Information	Personal Information
41	4847.3-4	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
41	4847.5	Section 37 - Personal Information	Personal Information
41	4848	Section 37 - Personal Information	Personal Information
41	4842.2	Section 37 - Personal Information	Personal Information
42	4848.4-7	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
43	4848.9	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
43	4848.1	Section 37 - Personal Information	Personal Information
43	4848.12-16	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
44	4851	Section 37 - Personal Information	Personal Information
45	App 1(1-15)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
47	App 2(1-4)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
<b>Document 5 - IE Board Minutes 25th June 2019</b>			
<b>Page #</b>	<b>Minute #</b>	<b>Section of Act Applicable</b>	<b>Reason</b>
48	in attendance	Section 37 - Personal Information	Personal Information relating to attendees
48	4854.2	Section 37 - Personal Information	Personal Information
48	4855.2-5	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
49	4855.6	Section 37 - Personal Information	Personal Information
49	4855.7-8	Section 37 - Personal Information	Personal Information
49	4856.2	Section 36(1)(b) - Commercially Sensitive Information	information whose disclosure could reasonably be expected to result in a fin loss to those involved
49	4856.3	Section 37 - Personal Information	Personal Information
49	4856.3	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
50	4856.4-8	Section 37 - Personal Information	Personal Information
50	4856.8	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of its Freight business
50	4856.8 & 9	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
50	4856.9	Section 37 - Personal Information	Personal Information
50	4856.1	Section 37 - Personal Information	Personal Information
50	4856.1 -2	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
51	4857	Section 37 - Personal Information	Personal Information
51	4857.2-3	Section 37 - Personal Information	Personal Information
52	4858	Section 37 - Personal Information	Personal Information
52	4858.2	Section 37 - Personal Information	Personal Information

52	4858.4-5	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
52	4858.7	Section 37 - Personal Information	Personal Information
53	4858.9	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
53	4858.1	Section 37 - Personal Information	Personal Information
53	4858.1	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
53	4858.11-16	Section 37 - Personal Information	Personal Information
53	4858.12	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
54	4858.19	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
54	4858.20-21	Section 37 - Personal Information	Personal Information
54/55	4859.2-6	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
55	4860	Section 37 - Personal Information	Personal Information
55	4860.2	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
55	4860.4	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
55	4860.4	Section 37 - Personal Information	Personal Information
56/57	4860.5-11	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
57	4860.12	Section 37 - Personal Information	Personal Information
57	4861.2	Section 37 - Personal Information	Personal Information
57	4861.5-10	Section 37 - Personal Information	Personal Information
58	4861.12	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
58	4861.12	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iompair Éireann (CIE) Holding Co
58	4861.13	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iompair Éireann (CIE) Holding Co
58	4861.15	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
58	4862.5	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iompair Éireann (CIE) Holding Co
58	4862.6	Section 37 - Personal Information	Personal Information
60	App 1(1-3)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
61	App 2(1-3)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
<b>Document 6 - IE Board Minutes 27th July 2019</b>			
Page #	Minute #	Section of Act Applicable	Reason
62	in attendance	Section 37 - Personal Information	Personal Information relating to attendees
63	4867.1-4867.2	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
63	4867.3	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved

63	4867.4	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
64	4867.5	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
64	4867.6	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
64	4867.7-10	Section 37 - Personal Information	Personal Information
65	4867.13	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
65	4868.2	Section 37 - Personal Information	Personal Information
65	4868.4	Section 37 - Personal Information	Personal Information
65	4868.4	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
65	4869.2	Section 37 - Personal Information	Personal Information
66	4869.3	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
66	4869.4	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
66	4864.4	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iomair Éireann (CIE) Holding Co
66	4869.5-6	Section 37 - Personal Information	Personal Information
67	4869.8	Section 37 - Personal Information	Personal Information
67	4869.8	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
67	4870.4	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
67	4871	Section 37 - Personal Information	Personal Information
67/68	4871.2-7	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
68	48714.7	Section 37 - Personal Information	Personal Information
68/69/70	4872.3-17	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
71	4872.18	Section 37 - Personal Information	Personal Information
71	4873.3	Section 37 - Personal Information	Personal Information
71	4878.3	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
73	App 1(2-8)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
74	App 2(1-8)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
<b>Document 7 - IE Board Minutes 29th October 2019</b>			
Page #	Minute #	Section of Act Applicable	Reason
75	in attendance	Section 37 - Personal Information	Personal Information relating to attendees
75	4878.1	Section 37 - Personal Information	Personal Information
76	4879.3	Section 37 - Personal Information	Personal Information
76	4880.2	Section 37 - Personal Information	Personal Information
76	4881.2	Section 37 - Personal Information	Personal Information
76	4881.2	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved

76	4881.3	Section 37 - Personal Information Schedule 1 Part 1 (p) - Partially Included agencies	Personal Information Iarnród Éireann is exempt from FOI in so far as it relates to the operation of its Freight business
77	4881.3		Personal Information
77	4882.0-1	Section 37 - Personal Information	Personal Information
77	4882.3-9	Section 37 - Personal Information	Personal Information financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
78	4882.9	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
78	4482.9 - 11	Section 36(1)(b) - Commercially Sensitive Information	Personal Information
78	4882.11	Section 37 - Personal Information	Personal Information
78	4882.13	Section 37 - Personal Information	Personal Information
78	4883.2-7	Section 37 - Personal Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
79	4883.3-7	Section 36(1)(b) - Commercially Sensitive Information	Personal Information
79	4883.9	Section 37 - Personal Information	Personal Information
79	4884	Section 37 - Personal Information	Personal Information
79/80	4884.2-4	Section 37 - Personal Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
80	4885.2-3	Section 36(1)(b) - Commercially Sensitive Information	Personal Information
80	4886	Section 37 - Personal Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
81/82	4886.7-16	Section 36(1)(b) - Commercially Sensitive Information	Personal Information
82	4886.18	Section 37 - Personal Information	Personal Information
82	4887.1	Section 37 - Personal Information	Information relating to Coras Iomapir Éireann (CIE) Holding Co
83	4887.3	Schedule 1 Part 2 - Exempt Agencies	Personal Information
83	4887.4	Section 37 - Personal Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
83	4887.4	Section 36(1)(b) - Commercially Sensitive Information	Personal Information
83	4887.6	Section 37 - Personal Information	Personal Information
84	4888.5	Section 37 - Personal Information	Personal Information
84	4890.2	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
85	App 1(1-3)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
86	App 2(1-13)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
<b>Document 8 - IE Board Minutes 3rd December 2019</b>			
Page #	Minute #	Section of Act Applicable	Reason
88	in attendance	Section 37 - Personal Information	Personal Information relating to attendees
88	4892.2-4	Section 37 - Personal Information Schedule 1 Part 1 (p) - Partially Included agencies	Personal Information Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
89	4892.5	Section 37 - Personal Information	Personal Information
89	4892.6	Section 37 - Personal Information	Personal Information
89/90	4895.1-5	Section 37 - Personal Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
90	4896.1-7	Section 36(1)(b) - Commercially Sensitive Information	Personal Information
91	4897.1-3	Section 37 - Personal Information	Personal Information
91/92	4897.6-12	Section 37 - Personal Information	Personal Information
92	4897.14-19	Section 37 - Personal Information	Personal Information
93	4898.2	Section 37 - Personal Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
93	4898.3	Section 36(1)(b) - Commercially Sensitive Information	

		Schedule 1 Part 1 (p) - Partially	larnród Éireann is exempt from FOI in so far as it
93	4898.3	Included agencies	relates to the operation of Rosslare Europort
93	4898.4-8	Section 37 - Personal Information	Personal Information
94	4899.2	Section 37 - Personal Information	Personal Information
		Schedule 1 Part 1 (p) - Partially	larnród Éireann is exempt from FOI in so far as it
94	4899.2	Included agencies	relates to the operation of Rosslare Europort
94/95	4899.4-13	Section 37 - Personal Information	Personal Information
		Schedule 1 Part 1 (p) - Partially	larnród Éireann is exempt from FOI in so far as it
95	4899.15	Included agencies	relates to the operation of Rosslare Europort
			financial information whose disclosure could
			reasonably be expected to result in a fin loss to
			those involved
		Section 36(1)(b) - Commercially	
96	4900.2-7	Sensitive Information	Personal Information
96	4900.5-6	Section 37 - Personal Information	Personal Information
97	4901	Section 37 - Personal Information	financial information whose disclosure could
			reasonably be expected to result in a fin loss to
			those involved
		Section 36(1)(b) - Commercially	larnród Éireann is exempt from FOI in so far as it
97	4901.4-5	Sensitive Information	relates to the operation of Rosslare Europort
		Schedule 1 Part 1 (p) - Partially	financial information whose disclosure could
97	4901.4	Included agencies	reasonably be expected to result in a fin loss to
			those involved
		Section 36(1)(b) - Commercially	
98	4901.7-10	Sensitive Information	larnród Éireann is exempt from FOI in so far as it
98	4901.11	Section 37 - Personal Information	relates to the operation of Rosslare Europort
		Schedule 1 Part 1 (p) - Partially	Personal Information
98	4902.5	Included agencies	financial information whose disclosure could
99	4904.2	Section 37 - Personal Information	reasonably be expected to result in a fin loss to
			those involved
		Section 36(1)(b) - Commercially	
100	App 1(1-3)	Sensitive Information	financial information whose disclosure could
			reasonably be expected to result in a fin loss to
			those involved
		Section 36(1)(b) - Commercially	financial information whose disclosure could
101	App 2(1-3)	Sensitive Information	reasonably be expected to result in a fin loss to
			those involved
		Section 36(1)(b) - Commercially	financial information whose disclosure could
102	App 3(2)	Sensitive Information	reasonably be expected to result in a fin loss to
			those involved

3	4379.2	Section 29 - Deliberations of Public Bodies	NTA Deliberations
3	4379.2	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
3	4379.2	Section 40 - Economic & Fin Interests of Public Body	strategy & finances of a public body
3	4380.2	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
4	4381.3	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iompair Éireann (CIE) Holding Co
4	4381.6 & .7	Section 29 - Deliberations of Public Bodies	Pheonix Park Tunnel Deliberations
5	4381.9 & .10	Section 29 - Deliberations of Public Bodies	Capital Expenditure Deliberations
5	4382.1 & .2	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
5	4382.3	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
6	4383.3	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to winning vendor
6	4383.5	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to winning vendor
6	4383.6	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to winning vendor
7	4383.8	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to winning vendor
7	4383.9	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to winning vendor
7	4383.12	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
8	4383.15	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
8	4386.2	Section 35 - Information received in confidence	Investigation into Protected Disclosures Legislation
9	4387.1	Section 29 - Deliberations of Public Bodies	Pheonix Park Tunnel Deliberations
10	App 1(1-2)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
11	App 2(1)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
12	App 3(1)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
<b>IE Board Minutes 31st March 2015</b>			
<b>Page #</b>	<b>Minute #</b>	<b>Section of Act Applicable</b>	<b>Reason</b>
1	4389.1	Section 29 - Deliberations of Public Bodies	Deliberations amendments
2	4390.2	Section 29 - Deliberations of Public Bodies	Deliberations relating to the Chief Executive's Report

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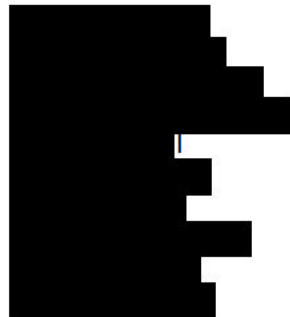
**IN ACCORDANCE WITH THE TERMS OF SECTION 22 OF THE TRANSPORT  
(RE-ORGANISATION OF CÓRAS IOMPAIR ÉIREANN) ACT, 1986**

**IARNRÓD ÉIREANN - IRISH RAIL**

**MINUTES OF THE THREE HUNDRED AND THIRTIETH  
BOARD MEETING HELD ON THURSDAY 17<sup>TH</sup> JANUARY 2019  
AT 8.45 AM IN PORTLAOISE**

**PRESENT:**

Chairman  
Director  
Director  
Director  
Director  
Director  
Director  
Director

**IN ATTENDANCE:**

Chief Financial Officer  
Commercial Director  
Director Infrastructure Manager  
Company Secretary  
Acting Chief Operating Officer, CIE  
Chief Risk Officer (part)  
Chief Executive  
Chairman, Strategy Advisory Group  
Acting Director Railway Undertaking  
Chairman Infrastructure Advisory Group

**MIN NO.**

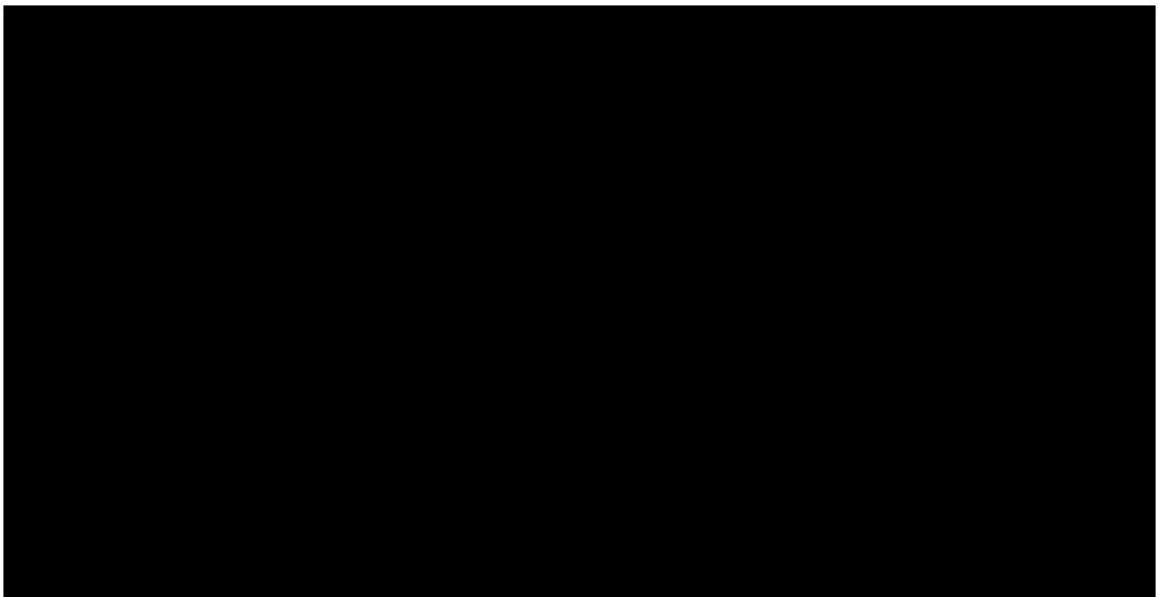
**4805 PRIVATE SESSION**

4805.1

4805.2

4805.3

4805.4



joined the meeting at this time.

4805.5 The board discussed the composition of Committees and Advisory Groups. The proposed membership of each as outlined in the memorandum previously circulated was accepted.

4805.6 The board agreed that the possibility of video and audio conferencing at board meetings should be explored.







understand the reasons why things are or are not happening and to act appropriately.

- 4808.3 The Chairman thanked [REDACTED] for a very interesting presentation and noted how relevant it was for Iarnród Éireann as it mobilises to deliver capital work under the National Development Plan (NDP). He stated that it is necessary to have clarity in the following areas:
- Communication of purpose,
  - Definition of scope (project –v- packages),
  - Gateway stages -v- micro managing and
  - How to find the necessary critical skills in key areas which are in short supply.

- 4808.4 [REDACTED] asked how a board would realise that there is a problem if it is not being told so by management. In response, [REDACTED] stated that a board should seek evidence rather than taking things on trust. [REDACTED] emphasised the importance of a rigid framework of reporting (including recovery plans) in this regard.

## 4809 MINUTES

- 4809.1 The Minutes of the meeting held on 4<sup>th</sup> December 2018 previously circulated were taken as read and noted.

## 4810 STRATEGY

### 4810.1 Presentation on Strategy Delivery in 2018 and Strategy Plan for 2019

[REDACTED] acknowledged the thanks given by the board to management on its success in the delivery of items across a range of areas in 2018. He gave an overview of 2018 and outlined:

- The key items delivered,
- Performance improvements and
- Key numbers and financial figures.

- 4810.2 [REDACTED] then went on to outline plans for 2019. He covered the following matters:

- Planned key financial figures,
- Key deliverables and
- Focus areas.

### 4810.3 Pillars supporting the Strategy Plan (2018-2027)

The presentation previously circulated was taken as read and noted.

- 4810.4 [REDACTED] gave a presentation on the pillars underpinning the strategic plan and covered the following matters:

- Roadmap for the preparation of the plan.
- Strategic pillars:
  - Service profile,
  - Customer service offer,
  - Infrastructure,
  - People,
  - Commercial and
  - Financial.

- 4810.5 The draft document on "Passenger Services Strategic Plan to meet the Requirements of a Growing Economy" previously circulated was also taken as read and noted.

- 4810.6 There was a lengthy discussion about the presentation and the draft Strategic Plan for Passenger Services. Matters referred to included the following:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]





- 4810.7 [REDACTED] stated that much of 2019 was already planned out as part of the budget process. In addition, actual plans are available on a year by year basis up to 2022. Much of this work has been carried out by [REDACTED] (Operations Train Planning Manager) team and has fed into the strategic vision. The Chairman stated that while the board is supportive of the strategic direction of the company and is encouraged that plans are available for 2019, it has not seen these plans yet and needs to from a governance point of view. He added that the NDP does not give project approval. At best it is just a framework for future approvals. Choices will have to be made by the board on what the priorities will be given the constrained resources. Management needs to come back with a document containing more specifics. [REDACTED] acknowledged that more information regarding the reasoning and justification for the plans, especially with respect to the NDP, should have been provided. This will be provided along with information on how management reached its decisions regarding plans for 2020 onwards. They will be presented to the Strategy Advisory Group for discussion and can also be presented to the Infrastructure Advisory Group if necessary. [REDACTED]
- 4810.8 There then followed a discussion on the respective roles of the Strategy Advisory Group and the Infrastructure Advisory Group and the oversight of major capital projects in general. It was noted that any risks to projects should be recorded on the risk register which is reviewed by the Audit and Risk Committee. Also discussed was whether a Director of Capital Investment should be appointed. The importance of bringing bad news to the board without fear of repercussion was emphasised. It was suggested that the current structure of Advisory Groups and Committees should be tested to ensure that it is fit for purpose and that general risks, such as a lack of critical skills, would be reported through that structure to the board. This may also involve a review of the Gateway process to ensure that it is also fit for purpose. The Chairman agreed stating that a robust governance system needs to be in place to avoid future criticism that the board wasn't aware of things going wrong. It was agreed that [REDACTED] and [REDACTED] would consider the matter and come back to the board with a proposition. [REDACTED]
- 4810.9 With respect to the Gateway process, the Chairman stated that relying on the NTA and the NDP for authority dilutes the board's governance responsibility. If there are changes to the NDP the board should consider whether it agrees to those changes. Even though scope changes are currently brought to the board for approval, there are additional Gateway steps that should be introduced at an earlier stage.
- 4810.10 [REDACTED] stated that problems and action plans to resolve them must be brought to the board as early as possible whether through the Advisory Group structure or by Executives. In addition, the procurement strategy can be applied in a manner which ensures going to the market early because this enables the early identification of pinch points. He also emphasised the importance of bringing staff along with you i.e. the People strategic pillar.
- 4811 **RISK MANAGEMENT**  
[REDACTED], Chief Risk Officer, joined the meeting at this time.
- 4811.1 The Chairman advised [REDACTED] of the board's previous discussion on the scale up to implement future capital projects under the NDP. For the board to be comfortable it needs to be made aware of any risks to projects such as cost overruns. It will be relying on the structure of Advisory Groups and Committees and on the risk management system for the reporting of such risks.
- 4811.2 **Quarterly Risk Report**  
The Quarterly Risk Report previously circulated was taken as read and noted.
- 4811.3 [REDACTED] presented his report and referred to the following matters:  
- The company's Risk Appetite has been reviewed by the Executive team. No changes were



- recommended.
- List of Principal Risks.
- Poor performance against the key performance indicator (KPI) relating to signals passed at danger (SPADs).

**4811.4** Matter discussed included the following:

- The process in respect of ALARP (as low as reasonably practicable) is contained in more detail in the Safety Management Systems (SMS). More detail on how to assess ALARP and how it is embedded in the risk management system is to be provided at the next Board Safety Committee meeting.
- A review is being carried out as to why the recent SPADs have occurred given the previous good performance in this regard.
- Information needs to be provided on how we know that the current KPI for overspeeding is suitable for both low speeds and high speeds. Assurance needs to be provided that there is a sufficient safety margin.
- In response to the query raised at the last board meeting regarding over speeding incidents, [REDACTED] confirmed that two separate incidents had occurred. Details will be provided at the next Board Safety Committee meeting.
- The responsibility of reporting risks by staff at levels in the organisation below the Executive team and their direct reports, are set out in detail at a granular level in the two SMS documents and in each department's SMS. These include escalation procedures. Training is provided.
- The need to ensure that risks such as construction inflation and a shortage of critical skills appear on the risk register.
- The board is advised if tender quotes are greater than the original budget.
- Overall trends which might have a delayed but significant impact on Iarnród Éireann are kept under review by the Executive team. This matter could also be included as part of the half day workshops.
- [REDACTED] was asked to ascertain why the rating for the risk associated with the inability to fund the pension liability had reduced. [REDACTED]

**4811.5** **Risk Management Policy incorporating the Risk Management Framework**

The Risk Management Policy incorporating the Risk Management Framework previously circulated was taken as read and noted.

**4811.6** It was agreed that the reference to the escalation process beyond Iarnród Éireann (already contained in the Risk Management Framework) should be included in the Risk Management Policy. Subject to the above amendment, the Risk Management Policy incorporating the Risk Management Framework was approved. [REDACTED]

[REDACTED] left the meeting at this time.

**4812** **ADMINISTRATIVE ITEMS**

**4812.1** **Rolling Agenda**

The Rolling Agenda for 2019 previously circulated was taken as read and noted.

**4812.2** It was noted that this document is a work in progress.

**4812.3** **Internal Review of the Performance of the Board**

The memorandum on the internal evaluation carried out by the Chairman on the functioning and performance of the Iarnród Éireann board previously circulated was taken as read and noted. Also noted was the proposed membership of the board's Committees and Advisory Groups agreed earlier in the meeting.

**4812.4** **Compliance by the Board with its Terms of Reference during 2018**

The memorandum previously circulated was taken as read and noted.

**4812.5** **Review of the Board's Terms of Reference**

The memorandum previously circulated was taken as read and noted.

**4812.6** The board determined that no changes to its Terms of Reference were necessary at this time.

**4812.7      Board Values**

The memorandum previously circulated was taken as read and noted.

**4812.8**      The board felt that this topic merits further attention. [REDACTED] agreed to consider the matter and revert back to the board. [REDACTED]

**4813      ANY OTHER BUSINESS**

**4813.1**      [REDACTED] confirmed that many thousands people had applied under the recent recruitment process for driver positions. [REDACTED] asked what the benefit of this is. [REDACTED] replied that this was good news as it demonstrated the high profile of the company. He assured the board that the initial assessment system is an automated system and is not being paid for on a per applicant basis. There is a sliding scale of cost based on the level of applications with an upper limit. Psychometric testing is included and will differentiate between those applicants who have academic qualifications and those who have practical skills.

**4813.2**      [REDACTED] complimented the hard work of everyone involved in the introduction of the new timetable and services during December 2018. It went very well and helps to address the capacity constraints.

**4814      DATE AND LOCATION OF NEXT MEETING**

Tuesday 5<sup>th</sup> February 2019 at 9.30am in Heuston Station.

**Chairman**      \_\_\_\_\_

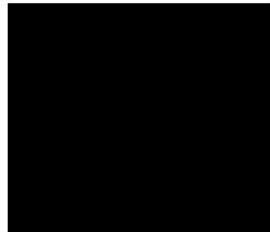
**Date**      \_\_\_\_\_

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**IN ACCORDANCE WITH THE TERMS OF SECTION 22 OF THE TRANSPORT  
(RE-ORGANISATION OF CÓRAS IOMPAIR ÉIREANN) ACT, 1986**

**IARNRÓD ÉIREANN - IRISH RAIL**

**MINUTES OF THE THREE HUNDRED AND THIRTYFIRST  
BOARD MEETING HELD ON TUESDAY 5<sup>TH</sup> FEBRUARY 2019  
AT 9.30 AM IN HEUSTON STATION**

**PRESENT:**

Chairman of the Meeting  
Chairman (by video)  
Director  
Director  
Director  
Director  
Director

**IN ATTENDANCE:**

Chief Financial Officer  
Commercial Director  
Director Infrastructure Manager  
Company Secretary  
Acting Chief Operating Officer, CIE  
Group Property Manager, CIE (part)  
Chief Executive  
Manager, Operations & New Works (part)  
Acting Director Railway Undertaking  
Chief Mechanical Engineer (part)  
Chairman, Infrastructure Advisory Group  
Chief Procurement Officer (part)

**ABSENT:** Apologies were received from [REDACTED]

**MIN NO.****4815 CHAIRMAN FOR THE MEETING**

4815.1 It was agreed that [REDACTED] would chair the meeting.

**4816 CONFLICT OF INTERESTS**

4816.1 [REDACTED]

**4817 MINUTES**

4817.1 The Minutes of the meeting held on 17<sup>th</sup> January 2019 previously circulated were taken as read and noted. They were signed by the Acting Chairman as a true record of the proceedings.

**4817.2 Outstanding Action Items**

The memorandum previously circulated was taken as read and noted.

**4817.3** The following were noted:

Item 541 – [REDACTED] stated that he is due to meet [REDACTED] and [REDACTED] to consider the governance structure for reporting on major capital projects to the board.

Item 545 – [REDACTED] stated that he had met with the Chief Executive of the Institute of Directors who was surprised that there were two different sets of values within Iarnród Éireann: one for the organisation and one for the board itself. She found this to be a unique situation and



felt that there should be absolute congruence and consistency on the matter. She also added that it was good practice to carry out audits on the issue from time to time. Following further discussion it was agreed that [REDACTED] would meet with [REDACTED] to reconfigure and align both sets of values and prepare a document for the board to consider. [REDACTED]

## 4818 STRATEGY

[REDACTED] Manager Operations & New Works, joined the meeting at this time.

### 4818.1 Train Protection System Programme

The memorandum previously circulated was taken as read and noted.

4818.2 [REDACTED] advised that this item had been discussed at the last Infrastructure Advisory Group (IAG) meeting. However, problems with technology hampered [REDACTED] involvement. He stated that he had discussed the item with her subsequent to the IAG meeting and had incorporated her comments into the memorandum that had been circulated to the board.

4818.3 In presenting the memorandum, [REDACTED] referred to the following:

- Three programme phases:
  - Design development phase,
  - On-board roll-out phase and
  - Trackside roll-out phase.
- Two variations of the programme:
  - No allowance for risk and
  - Minimum allowance for known risks.
- Key constraints common to both programmes:
  - Alstom is not agreeable to accepting the risk for the delivery of the Approval to Place In Service process (APIS) as they do not have sufficient resources.
  - Capacity of the depot at Heuston Station where the on-board fitment takes place.

4818.4 For each of the two aforementioned programmes, [REDACTED] gave further details on the following:

- Additional key programme constraints,
- The design development phase,
- The on-board roll-out phase,
- The trackside roll-out phase,
- Key programme risks and
- Overall duration.

4818.5 [REDACTED] recommended Programme 2 and a target date for delivery of fleet, excluding the "end of life" sets, of September 2025.

4818.6 Matters discussed included the following:

- Danger associated with Programme 1 which would create an unrealistic expectation and a greater likelihood of delays.
- [REDACTED] had confirmed to [REDACTED] by email that she was happy with her conversation with [REDACTED]. She had wanted the risks associated with both programmes to be highlighted to the board.
- Concern about the resources of the Commissioner for Railway Regulation (CRR).
- While they are not being unhelpful [REDACTED] are emphasising that they are in a saturated market.
- The award of the trackside contract is awaited.
- It will be in the interests of both [REDACTED] and the trackside contractor to work together to accelerate the project.
- Interdependency between the TPS and the re-signalling projects.
- The position of a Scope and Integration Manager is to be created.
- Reasons why the Class 8100s should be replaced before 2027.
- All new rolling stock should be fitted with TPS.

### 4818.7 DART Expansion Programme Progress Report

The memorandum previously circulated was taken as read and noted.

4818.8 [REDACTED] set out the current status of the [REDACTED] DART Expansion Programme which is part of the Government's National Development Plan (NDP). He referred to the following:

- Funding to commence the recruitment process has been secured.

- Accommodation and seating plans for Inchicore and Heuston are complete.
- Furniture and hardware requirements have been identified and are being procured.
- The National Transport Authority (NTA) has acknowledged that there is a funding shortfall in respect of this programme.
- The NTA has agreed that Iarnród Éireann should proceed with the fleet procurement strategy and the design development up to Railway Order stage and that the implementation strategy be reviewed in the medium term and plans rolled out commensurate with funding availability.
- The NTA has confirmed that fleet is a priority over infrastructure.

**4818.9** [REDACTED] then outlined details of the scope, progress and critical issues for each of the following work packages:

- Work Package 1 – Rolling Stock.
- Work Package 2 – City Centre Capacity Enhancements.
- Work Package 3 – Maynooth Line.
- Work Package 4 – Kildare Line.
- Work Package 5 – Northern Line.
- Work Package 6 – Southeast Line Works.

He also outlined the scope and progress of an electrification study and a depot study.

**4818.10** Matters discussed included the following:

- Alignment of funding availability with actual funding requirements. The recommendation from the NTA is to go ahead as planned and be ready to implement depending on cash flow availability.
- Emerging concern about the NTA's view that fleet is a priority over infrastructure. This may effect Iarnród Éireann's fleet strategy. The view of the Trains Advisory Group (TAG) is that the fleet strategy must be aligned with the electrification plans.
- Having a mix of fleets, including all new DART vehicles, being capable of self-power (battery bi-mode or diesel bi-mode) will be problematic for procurement, cost and energy consumption reasons.
- A detailed design for electrification roll out is required.
- Iarnród Éireann continues to work with the NTA's advisors, Jacobs. Some of Iarnród Éireann's views have already been taken on board.
- For 2019 the status quo should be maintained and Iarnród Éireann should ensure that its strategy is fully aligned with the NTA's strategy. Further work must be done to address the emerging divergence between Iarnród Éireann and the NTA. In this regard, Iarnród Éireann may have to review what it is doing. Every effort must be made to align both approaches over the next few months.
- [REDACTED] stated that he would be available to discuss the issue with the NTA if required.

**4818.11** **DART Expansion – Preliminary Design and Statutory Approval (Phases 2 and 3)**

The memorandum previously circulated was taken as read and noted.

**4808.12** There was a lengthy discussion on whether there was enough information to support a decision to commit to an additional expenditure of [REDACTED] over three years on this project. Also discussed was whether DART Expansion should be treated as a single project with separate work packages managed and integrated centrally or whether the major components of DART Expansion should be recognised as separate projects. Matters referred to included the following:

- Integration between all the work packages and other relevant projects to be managed centrally by an Integration Management Team.
- Risk in the area of the recruitment of resources.
- A single DART Expansion business case is required for the project which would be a single system with the ability to be delivered in stages.
- An indicative amount of money for this project contained in the NDP is not the same as approval for the project.
- Misalignments between the NTA and Iarnród Éireann on passenger growth targets and on funding.
- The estimated cost for DART expansion and heavy rail is in excess of the amount of funding contained in the NDP i.e. it has already been identified that there is a shortfall in the funding that would be available compared with what would be required for the project.
- Whether it is appropriate to proceed as proposed on the basis that the NTA is aware of the funding gap.
- Further information is required on the following:

- How Iarnród Éireann would deal with a shortfall in funding i.e. what would be prioritised bearing in mind that Iarnród Éireann is not just a Dublin railway company.
- Journey time improvements.
- Modal shift.
- What the economic benefits of the project would be.
- How would the project align with Government policy in areas such as climate change, land use, etc.
- What would not get done if funding was to dry up.
- Design details.
- Scheduling details.
- Planning details.

All this information should feed into the aforementioned business case.

- The Systra Report prepared for the NTA does not address the Iarnród Éireann board's governance responsibilities. The board cannot rely on a report it has not seen and into which it has had no input. The Iarnród Éireann board is independent of the NTA and has responsibility for setting priorities and for managing risks in implementing projects. Iarnród Éireann cannot do this without its own business case.
- It is not possible to identify what elements of the project should be prioritised and what should be deferred in the event of a shortfall in funding until initial design work is carried out and interdependencies are identified. It also depends on when funding will be available i.e. cash flow.
- In order to meet the target date of 2027 for the delivery of the project, certain procurement work needs to commence in 2019 particularly as some items will take a number of years to complete.

**4818.13** Following further discussion the board gave its approval for expenditure in 2019 of [REDACTED] only of the [REDACTED] proposed for the preliminary design, statutory approval and tender preparation phases of DART expansion (non tunnel elements) (Phases 2 and 3 of the New Works Project Management Procedures).

It was noted that:

- This approval is subject to not entering into any commitment beyond 2019.
- This approval is subject to NTA approval of funding.
- This expenditure will bring the total board approved expenditure to date up to [REDACTED]
- Iarnród Éireann is to prepare its own business case for the DART Expansion project in its totality.
- In addition, the required expenditure is to be matched with the phased funding that would be available, funding gaps identified and any prioritisation plans in the event of a shortfall are to be prepared.

[REDACTED] left the meeting at this time.

## **4819 CHIEF EXECUTIVE'S REPORT**

**4819.1** The Chief Executive's Report previously circulated was taken as read and noted.

**4819.2** [REDACTED] presented his report and referred to the following:

- Due to the disappointing safety trends (especially for signals passed at danger (SPADs) and over-speeding incidents) in the second half of the year, a deep dive into safety incidents is to be carried out.
- Following the backlog of audits with the CRR due to a lack of resources, a new programme has been agreed for 2019.
- The media and stakeholder focus during 2019 will concentrate on a range of strategic and reputational issues.
- While many of the safety key performance indicators (KPIs) were exceeded during 2018, many were due to better monitoring and checking leading to better reporting. Safety performance is benchmarked with industry standards and compares well.
- The challenge for Iarnród Éireann into the future will be to maintain and improve safety performance as the railway gets busier. It was suggested that the Board Safety Committee should revalidate the 2019/2020 safety targets.

**Board Safety Committee**

## **4819.3 Train Operations**

[REDACTED] outlined the key areas of focus for the Railway Undertaking (RU). He referred to the potential operational impact of Brexit and the forthcoming meeting with Translink to be held on 6<sup>th</sup>



February 2019. He noted that Translink is in discussions with the CRR regarding train driver licence applications.

#### 4819.4 Finance

Mr. Cronin advised of the following:

- The Financial Results for Period 13 2018 indicate a draft net surplus of [REDACTED] for 2018 compared to a budgeted net surplus of [REDACTED], i.e. a positive variance of [REDACTED]. These figures are subject to final confirmation from the NTA of funding.
- The positive variance is made up of strong passenger growth (mainly on Intercity) offset by lower net public service obligation (PSO) funding for operational activities ([REDACTED]) of which [REDACTED] will be carried forward for use against 2019 project expenditures.
- Capacity constraints on the DART is now affecting revenue.
- Infrastructure maintenance and renewals expenditure was higher than budget during 2018. However, net capitalisations were lower than budget.
- Cash generation for the year was [REDACTED] better than budget due mainly to reductions in working capital requirements and lower than planned own funded capital expenditure.
- Given the good result for 2018, particularly in the area of passenger growth, 2019 will have to be reforecast. However, the emerging capacity constraints will have to be taken into account.

#### 4819.5 Commercial Department

[REDACTED] outlined the key areas of focus for the Commercial Department. He referred to the following:

- Key priorities for 2019 including:
  - Marketing, sales and revenue management plans to drive revenue and passenger growth in 2019.
  - Co-ordinated communication with customers so as to overcome negative sentiment arising from the more crowded trains.
  - Completion of the Customer First Programme (CFP).
  - Completion of the deployment of Customer Service Officers on Intercity services.
  - Commencement of the implementation of Rosslare Europort and freight strategy plans.
- Progress with the recruitment process for a Sales and Business Development Manager for Rosslare Europort.
- Phase 2 of the CFP is 18 months behind plan due mainly to the unsatisfactory quality of booking office and portable device equipment. Many meetings have been held with Cubic in this regard. A pilot booking office machine deployment is about to start in Heuston and Connolly Stations. Full rollout is expected to start in March 2019 taking four weeks to complete.

#### 4819.6 Matters discussed included the following:

- No revenue based penalties or liquidated damages have been imposed in respect of the 18 month delay in the CFP because the revenue benefits generated to date have been higher than the benefits lost. In addition, a risk has been eliminated from the risk register.
- Only one person is working part-time on the CFP now.
- No cost overrun on the CFP has been incurred by Iarnród Éireann.
- Even though new projects may seem to take longer to deliver than originally planned, new systems must have the confidence of staff.
- Progress is being made on the industrial relations issues associated with the CFP.
- Any media campaign to address customer sentiment must explain why Iarnród Éireann is having capacity problems and what the plans are to address them. Meetings with key influencers in the political arena are taking place. It needs to be explained why services are likely to be more crowded in the short term before there are any improvements.

[REDACTED] left the meeting at this time.

#### 4819.7 Infrastructure Manager (IM)

[REDACTED] outlined the key areas of focus for the IM. He referred to the following:

- The current IM multi annual contract (IMMAC) for 2018 is being extended by one year. This will affect the next IMMAC because legislation requires that it must be for a minimum of five years.
- Even though the indications are that MAC funding for 2019 to 2020 will be at a steady state level, a backlog of work has built up due to underfunding totalling approximately [REDACTED] over the past seven years.



**4820 ADVISORY/POLICY****4820.1 Trains Advisory Group (TAG)**

The Report from the Chairman of the TAG previously circulated was taken as read and noted.

**4820.2** The Chairman of the TAG, [REDACTED], advised of the following key areas of focus at its last meeting:

- Passenger Service Strategy  
This was considered to be a "planning context" document rather than a plan in its own right.
- Fleet Strategy  
Rather than extending the life of the Class 8100 vehicles the company ought to be aspiring to intercity rail cars and full electrification. Separately, the proposed operating speed for new DART vehicles is too high and should be reviewed.

**4820.3 Infrastructure Advisory Group (IAG)**

The Report from the Chairman of the IAG previously circulated was taken as read and noted.

**4820.4** The Chairman of the IAG, [REDACTED], advised of the following key areas of focus at its last meeting:

- The IM Department needs to address the aforementioned backlog of maintenance work which has built up in recent years due to underfunding. Priorities will have to be identified.
- Signalling, electrical and telecoms (SET) recruitment of personnel with the necessary expertise for the implementation of the SET strategy is unlikely to be quick enough. SET resources are limited. Salary expectations are high. A plan needs to be developed to address the potential obstacle this issue will have for capital expenditure programmes.

**4820.5 Human Resources Advisory Group (HRAG)**

The Report from the Chairman of the HRAG previously circulated was taken as read and noted.

**4820.6** The Chairman of the HRAG, [REDACTED], advised of the following:

- Proposal to organise an internal trade union conference.
- Consideration is being given to implementing an employee benefits package incorporating an assistance programme.
- The communications agenda needs to contain more than pay matters. It should also refer to other employee benefits.
- The pilot Joint Industrial Council (JIC) has been successful in the engineering area. Four binding decisions have been made. Considerations should now be given to expanding the concept.
- The contract has been signed for the new payroll system. It is expected that the first payroll will have transferred to the new system by the year end.
- A specification is being developed for a full Human Capital Management System. This project will have its own steering group.
- Explanations were provided for the change in ratings for a number of HR risks identified at the last meeting.

**4820.7 Property Items**

[REDACTED], Group Property Manager, CIÉ, joined the meeting at this time.

**4820.8** The three memoranda previously circulated were taken as read and noted.

**4820.9** The board noted the following proposals which are to be presented to the CIE Board for approval:

- [REDACTED]
- [REDACTED]
- [REDACTED]

**4820.10** It was proposed by [REDACTED] and seconded by [REDACTED] and resolved:

[REDACTED]

[REDACTED]

[REDACTED] left the meeting at this time.

## 4821 CAPITAL

[REDACTED], Chief Procurement Officer and [REDACTED], Chief Mechanical Engineer, joined the meeting at this time.

### 4821.1 Capital Expenditure Proposals

The six memoranda previously circulated were taken as read and noted.

### 4821.2 Customer First Programme (CFP)

The board gave its approval for expenditure of [REDACTED] inclusive of non-recoverable VAT to complete the CFP.

It was noted that this will align board approvals with the NTA funding of the CFP, thereby bring the total board approved capital expenditure on the CFP to date to [REDACTED] in line with the total NTA multi annual funding since 2013.

### 4821.3 Rosslare Europort Pavement Renewals – 2019 Programme

[REDACTED]

[REDACTED]

### 4821.4 Western Rail Corridor (WRC) between Athenry and Claremorris - Business Case Review

The board gave its approval for expenditure of [REDACTED] to undertake an independent costing and review (Phase 0 of the New Works Project Management Procedures) of the WRC between Athenry and Claremorris for passenger and freight use.

It was noted that this project should be subject to funding from the Department of Transport, Tourism and Sport (DTTAS) as part of the NDP. However, the DTTAS has instructed that it is MAC funded.

### 4821.5 Cyber Security Programme 2018-2019

The board gave its approval for expenditure of an additional [REDACTED] on the Cyber Security Programme.

It was noted that:

- This increase arises in respect of small variations in the programme.
- This increase brings the total cost of the Cyber Security Programme to [REDACTED].
- The additional expenditure, together with the 2018 underspend and the 2019 original projected spend, is funded by the NTA subject to their approval of Iarnród Éireann's implementation plan.

### 4821.6 Additional Funds for the Inchicore Running Shed Roof

The board gave its approval for further funding of [REDACTED] (including non-recoverable VAT) for the complete replacement of the Inchicore Running Shed roof and the replacement of life expired electrical wiring and switchgear.

It was noted that:

- This additional expenditure is supplementary to the [REDACTED] expenditure already approved in 2018.
- The total cost for the roof project and electrical works is, therefore, [REDACTED] with the works to be completed in 2019.
- Funding for this project will be from own resources.

### 4821.7 Fuel Slab Works at Limerick Depot

The board gave its approval for expenditure of [REDACTED] to design and construct an upgraded refuelling and servicing facility at Limerick Depot.

It was noted that:

- The upgrade works will include a new drained concrete slab under the fuelling and servicing tracks, additional fuelling and servicing points, overhead canopy, banded storage areas for servicing products and bunding of the existing fuel storage tanks.
- This expenditure will be funded from own resources.

#### **4821.8 Closeout Report**

The memorandum previously circulated was taken as read and noted.

**4821.9** The board gave its approval for the closeout of the Driver Training Simulator project.

#### **4822 PROCUREMENT**

##### **4822.1 Procurement Report**

The Procurement Report for Period 13 2018 previously circulated was taken as read and noted.

##### **4822.2 Contracts**

The four memoranda previously circulated were taken as read and noted.

##### **4822.3 Transmission Overhauls for the 29000 DMU Fleet**

The board gave its approval for the award of a seven year contract to Voith Turbo (UK) Ltd., without a call for competition, for the overhaul of transmissions systems fitted to the 29000 DMU fleet at an estimated cost of [REDACTED] excluding VAT.

It was noted that:

- The estimated non-recoverable VAT is [REDACTED], giving a total contract value of [REDACTED]
- The basis for proceeding without a call for competition is in line with EU procurement directives. Given that these overhaul services can only be supplied by Voith Turbo (UK) Ltd. in their capacity as the Original Equipment Manufacturer (OEM), they are deemed to fall within Article 50 (c (ii)) of Directive 2014/25/EU.
- The funding source for this contract is the Chief Mechanical Engineering heavy maintenance budget.

##### **4822.4 Derogations for the Supply of Mechanical Engineering Related Material Requirements.**

The board gave its approval for the continued purchase, under derogation, from the following companies for a five year period:

- Faiveley Transport Birkenhead at an estimated value of [REDACTED] the provision of train pneumatic and braking systems materials and support.
- Faiveley Transport Tamworth at an estimated value of [REDACTED] for the provision of train passenger door systems materials and support.
- David Rees at an estimated value of [REDACTED] for the provision of train pneumatic and braking system materials and support.
- Knorr Bremse at an estimated value of [REDACTED] for the provision of train pneumatic and braking system materials and support.
- Timken Rail Services at an estimated value of [REDACTED] for axle bearing requirements for various fleets.
- SKF at an estimated value of [REDACTED] for axle bearing requirements for various fleets.

It was noted that funding will be accommodated within the rolling stock maintenance programme.

##### **4822.5 Design, Supply and Safety Validation of Trackside TPS**

The board gave its approval for the award of a Framework Agreement to Alstom for the design, supply and safety validation of the trackside equipment required for the implementation of the TPS project at an estimated cost of [REDACTED] excluding VAT and indexation over an eight year period.

It was noted that the funding source for this project is the MAC.

##### **4822.6 Railway Fencing and Associated Works**

The board gave its approval for the entry into a four year Framework Agreement with the 15 companies outlined below for the provision of fencing works:

Doyle Agri Services Ltd.  
Morrissey Fencing Ltd.  
Carra Plant Hire Ltd.



FRS Network, Boyle  
 CWS Communications Ltd.  
 FRS Network, Athenry  
 Total Highway Maintenance Ltd.  
 P&D Lydon Plant Hire Ltd.  
 SAF Building & Civil Engineering Ltd.  
 JN Cummins Ltd.  
 Global Rail Services Ltd.  
 Stephen Byrne Plant Hire & Civil Engineering  
 GABE IRE Ltd.  
 Bryan & Eoin Kenny Plant Hire Ltd.  
 Jim Moloney Agri & Tree Care.

It was noted that the estimated value of the Framework Agreement over the four year period is in the order of [REDACTED] excluding VAT.

**4822.7 Selection Criteria**

The memorandum previously circulated was taken as read and noted.

**4822.8 Supply and Installation of Lift and Escalators**

The board gave its approval for the selection criteria as presented to facilitate the establishment of a multi-party Framework Agreement for the supply and installation of lifts and escalators.

It was noted that:

- The estimated value of expenditure under the framework is in the order of [REDACTED] over a five year period.
- The funding source for these tenders is likely to be from capital expenditure.

**4922.9 Selection and Award Criteria**

The memorandum previously circulated was taken as read and noted.

**4822.10 Life and Escalator Maintenance Services**

The board gave its approval for selection and award criteria as presented to facilitate the procurement process for the provision of lift and escalator maintenance services.

It was noted that:

- The estimated value of this contract may exceed [REDACTED] over a five year period.
- Iarnród Éireann is proposing to award a three year contract with an option to extend for up to an additional two years.
- The funding source for this contract is the relevant operational budget.

**4822.11** [REDACTED] referred to emergency callouts when lifts break down and delays in response times due to spare parts being in the UK rather than in Ireland. [REDACTED] confirmed that this issue is covered in the award criteria.

**4822.12** In response to [REDACTED] confirmed that the issue of penalties would be covered in the service level agreement [REDACTED] to ensure that all future contracts include appropriate penalty clauses. [REDACTED]

**4822.13 Award Criteria**

The memorandum previously circulated was taken as read and noted.

**4822.14 Recycling and Waste Disposal Services**

The board gave its approval for the award criteria as presented to facilitate the progression of the procurement process for the recycling and waste disposal services contract.

It was noted that:

- The estimated value of this contract is [REDACTED] over a five year period.
- The funding source for this contract will be the relevant operational budget.

**4822.15 Items for Noting**

The two memoranda previously circulated were taken as read and noted.

- 4822.16** The board noted the following:
- The Framework Agreement contract for Underbridge UBG104(A) on the Galway-Dublin Cycleway has been awarded to Jons Civil Engineering Ltd. at a cost of [REDACTED] excluding VAT [REDACTED].
  - Procurement Schedule for 2019.

**4823 ADMINISTRATIVE ITEMS**

**4823.1 Transactions for Approval, Sealing and Signing**

The transactions (6) for approval and sealing at the meeting were approved and sealed.

**Appendix I**

The transaction for approval and signing at the meeting was approved and signed.

**Appendix II**

**4823.2 CIE Group Procurement Policy and Procedures**

The memorandum previously circulated was taken as read and noted.

- 4823.3** The board noted the amendments to the CIE Group Procurement Policy and Procedures approved by the CIE Board on 12<sup>th</sup> December 2018.

**4824 ITEMS FOR NOTING**

**4824.1 Reports to the Minister**

The Reports to the Minister following the board meetings on 4<sup>th</sup> December 2018 and 17<sup>th</sup> January 2019 previously circulated were taken as read and noted.

**4824.2 Advisory Group Minutes**

The Minutes of the following Advisory Group meetings previously circulated were taken as read and noted:

- Infrastructure Advisory Group Minutes 22<sup>nd</sup> November 2018.
- Trains Advisory Group Minutes 26<sup>th</sup> November 2018.
- Human Resources Advisory Group Minutes 16<sup>th</sup> October 2018.

**4824.3 Rolling Agenda**

The Rolling Agenda for 2019 previously circulated was taken as read and noted.

**4825 ANY OTHER BUSINESS**

- 4825.1** In response to [REDACTED] agreed to provide the cost of the recent train driver recruitment process. [REDACTED]

- 4825.2** In response to [REDACTED] confirmed plans for a Platform 8 in Connolly Station to help address capacity issues.

**4826 DATE AND LOCATION OF NEXT MEETING**

Tuesday 26<sup>th</sup> March 2019 at 9.30am in Heuston Station.

**Chairman** \_\_\_\_\_

**Date** \_\_\_\_\_

**TRANSACTIONS FOR APPROVAL AND SEALING**

1. Licence in duplicate with [REDACTED], for the installation, testing, maintenance and use of 2 No. ducts containing fibre optic cables in the roadway beneath Overbridge UBLL47 at 0 miles 380 yards on the Loop Line, Townsend Street, Dublin 2, for a licence period of 40 years, for a licence fee [REDACTED] per annum, to be reviewed every 5 years in accordance with the CPI.
2. Licence in duplicate with [REDACTED], for the installation, testing, maintenance and use of 2 ducts containing fibre optic cables in the roadway beneath Underbridge UBLL49 at 0 miles 195 yards on the Loop Line, Pearse Street, Dublin 2, for a licence period of 40 years, for a licence fee of [REDACTED] per annum, to be reviewed every 5 years in accordance with the CPI.
3. Lease in duplicate with [REDACTED] for a premises, the Goods Store at Carrick on Suir Railway Station, Co. Tipperary, for the storage and restoration of diesel locomotives, for a term of 8 years, for a rent of [REDACTED].
4. Closure Agreement in duplicate with [REDACTED] in relation to the closure of Level Crossing XL090 at Bansha, Co. Tipperary at 30 miles 846 yards on the Limerick to Waterford Railway Line, for a consideration of [REDACTED]
5. Contract in duplicate with the Minister for Transport, Tourism and Sport in relation to the Infrastructure Manager Multi Annual Contract. The authority of the board is now requested to apply the company seal to the document.
6. Licence in duplicate with [REDACTED], for the installation, testing, maintenance and use of 1 No. foul sewer pipe and 1 No. surface water pipe, in order to serve a new residential development at 18 miles 70 yards on the Dublin to Sligo Railway Line at Branganstown, Co. Kildare, for a licence period of 250 years for a licence fee of [REDACTED]

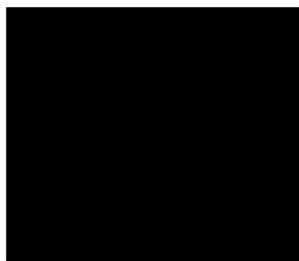
**Company Secretary**  
**Iarnród Éireann**  
**5<sup>th</sup> February 2019**

**TRANSACTION FOR APPROVAL AND SIGNING**

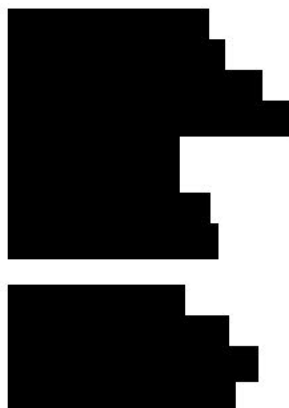
Crane Licence in duplicate with [REDACTED] Ltd., to operate a crane, in relation to their Licence for the development of a site at Kent Station, Cork, for a licence period from 1<sup>st</sup> October, 2018 to 31<sup>st</sup> March, 2020, for a licence fee of [REDACTED]

**Company Secretary**  
**Iarnród Éireann**  
**5<sup>th</sup> February 2019**



**STRICTLY PRIVATE AND CONFIDENTIAL****IN ACCORDANCE WITH THE TERMS OF SECTION 22 OF THE TRANSPORT  
(RE-ORGANISATION OF CÓRAS IOMPAIR ÉIREANN) ACT, 1986****IARNRÓD ÉIREANN - IRISH RAIL****MINUTES OF THE THREE HUNDRED AND THIRTYSECOND  
BOARD MEETING HELD ON TUESDAY 26<sup>TH</sup> MARCH 2019  
AT 9.30 AM IN HEUSTON STATION****PRESENT:**

Chairman  
Director  
Director  
Director  
Director  
Director  
Director  
Director

**IN ATTENDANCE:**

Chief Financial Officer  
Commercial Director  
Director Infrastructure Manager  
Company Secretary  
Acting Chief Operating Officer, CIÉ  
Director Railway Undertaking  
Chief Risk Officer (part)  
Chairman, Information Technology Advisory  
Group (part)  
Chief Executive  
Manager, Operations & New Works (part)  
Chief Executive, CIÉ  
Chief Procurement Officer (part)

**MIN NO.****4827 INTRODUCTION**

**4827.1** The Chairman thanked [REDACTED] for chairing the last meeting and stated that the video link worked well.

**4827.2** The Chairman welcomed [REDACTED] to his first meeting as the Director Railway Undertaking (RU). He stated that the board looked forward to working with him. He also thanked [REDACTED] for acting in the role in the interim.

**4827.3** The Chairman welcomed the new CIÉ Chief Executive, [REDACTED], to his first Iarnród Éireann board meeting. He stated that the board looked forward to working with him also

**4828 CONFLICT OF INTERESTS****4828.1****4829 MINUTES**

**4829.1** The Minutes of the meeting held on 5<sup>th</sup> February 2019 previously circulated were taken as read and noted. They were signed by the Chairman as a true record of the proceedings subject to the following amendment.

Minute 4817.3

Amend:

"Item 545 – [REDACTED] stated that he had met with the Chief Executive of the Institute of

Directors...”

to:

“Item 545 – [REDACTED] stated that he had spoken with the Chief Executive of the Institute of Directors...”

#### **4829.2 Outstanding Action Items**

The memorandum previously circulated was taken as read and noted.

#### **4829.3**

The following were noted:

Item 541 – A date has been set for a meeting between [REDACTED] and [REDACTED] during which they are to consider the governance structure for reporting on major capital projects to the board.

Item 546 – [REDACTED] will be doing some work with [REDACTED], Deloitte, on the issue of board values and company values. The effectiveness of the current values will be examined first.

Item 547 – The issue of a business case for the DART Expansion Programme is covered in [REDACTED] report for consideration later in the meeting.

#### **4830 STRATEGY**

##### **4830.1 Information Technology Advisory Group (ITAG) and IT Plan**

[REDACTED], Chairman, ITAG, joined the meeting at this time.

##### **4830.2**

The Report from the Chairman of the ITAG, previously circulated was taken as read and noted.

##### **4830.3**

[REDACTED] gave a presentation which covered the following matters:

- The Advisory Group membership, meetings and progress to date.
- Key findings relating to the information and communications technology (ICT) function, the ICT strategy, management of ICT staff and areas where potential benefits lie.
- Suggested list of tasks including the appointment of a Chief Information Officer (CIO), the preparation of an ICT strategy for the company and the documentation of IT systems architecture and structures.

##### **4830.4**

Matters discussed included the following:

- The importance of the availability of quality information, such as the number of passengers per direction per hour, for transport planning purposes.
- The potential for development by the use of good quality information.
- Ascertaining what other companies around the world do with good quality passenger information.
- IT personnel need to take the initiative, understand what is available and bring forward suggestions for development without waiting for instruction.
- The development of an ICT strategy is a top priority.
- The need to access current ICT competency levels.
- IT has a critical role to play in knowledge management.
- The need for IT back-up systems to assist in condition monitoring of assets and determining priorities to address the maintenance backlog.
- The need to harness the potential of ICT systems to support people with disabilities.
- The need to take the experience of people with disabilities into account in the initial design of future developments.
- The company website is to be reviewed by the end of the year. The board asked for details of the outcome of this review which should take into account the full range of disabilities (including cognitive issues) and not just people with impaired vision. [REDACTED]
- The need to dovetail ICT work in Iarnród Éireann with what the CIÉ Group is doing. While Iarnród Éireann should be proactive and develop its own strategy, it must be ensured that there is no duplication and there is full clarity over who is responsible for what.
- There are many priority projects competing for CIÉ resources at present. Iarnród Éireann should define its requirements for CIÉ. If CIÉ cannot meet these requirements, Iarnród Éireann can procure the necessary services elsewhere.
- Liaison is required with the National Transport Authority (NTA) to ensure that common ICT issues are resolved in an integrated way across public transport providers.

[REDACTED] left the meeting at this time.



4830.5

**DART Expansion Programme Update**

██████████, Manager, Operations & New Works, joined the meeting at this time

4830.6

██████████ referred to Minute No. 4818.2 and stated that she was concerned that the board would be made aware that the length of the programme would be determined by the amount of time it would take for ██████████ work to be completed and approved. This is still under negotiation with ██████████. The board needs to be aware of this dependency. However, ██████████ stated that the critical path for the programme is the Approval to Place in Service (APIS) process and the necessary Commissioner for Railway Regulation (CRR) approvals. No matter how many resources ██████████ puts into their work, progress still depends on obtaining CRR approvals. The CRR say that they will take on extra resources at the appropriate time. However, the priority is to get through the development phase first and to find technical solutions to the critical issues arising under each work package ██████████. ██████████ have been engaged to assist in resolving these technical issues. Iarnród Éireann will then be able to work with ██████████ and the CRR to accelerate the programme. However, the critical path is still the CRR.

4830.7

██████████ expressed concern that Iarnród Éireann has still not got a defined commitment from ██████████ on the block of work that they are required to carry out. This needs to be firmly nailed down by contract. In response ██████████ stated that Iarnród Éireann had entered into a simple contract with ██████████ a number of years ago. However, more complex issues have arisen now. Iarnród Éireann is in the process of defining those changes. Negotiations are taking place with ██████████ on the commercial and programme delivery issues arising from the changes. ██████████, Iarnród Éireann and ██████████ have engaged in a workshop to resolve these issues. Once finalised Iarnród Éireann will then deal with the CRR to get an accelerated programme. ██████████ has made it clear that while their expertise is in the building, manufacturing and installation areas, they will do all they can to accelerate the programme. There is unlikely to be certainty on a firm programme until September.

4830.8

In response to queries on whether the technical issues are now delaying the DART Expansion Programme ██████████ confirmed that Iarnród Éireann is aligned with the current programme. There is a provision contained in it for dealing with technical issues that might arise. The aforementioned workshop has been set up to address this.

4830.9

The Chairman asked for further details on the appointment of Turas. ██████████

4830.10

**Update Report**

The memorandum previously circulated was taken as read and noted.

4830.11

██████████ referred to Work Package 1 (WP1) (Rolling Stock). He questioned the wisdom of including a battery operated EMU option as one of the options being considered as part of the fleet strategy. ██████████ advised that the NTA has a concern about a delay in funding availability for electrification (overhead line equipment (OHLE) and signalling) and, therefore, wanted another option besides purchasing electric vehicles. They were dissuaded from the diesel option now that manufacturers are moving away from diesel. They agreed to the battery option and the proposal is to go forward with an invitation to tender (ITT) incorporating both options.

4830.12

██████████ strongly argued that the inclusion of a battery option just because of uncertainty about the timing of planning approval and NTA funding for electrification of the Maynooth Line could compromise Iarnród Éireann's future. He felt that there is no benefit to using battery operated EMUs on lines with OHLE installation. In addition, battery operated EMUs require very expensive battery charging facilities. Keeping this option which would involve disposing of the batteries in a number of years' time would be very expensive. Other problems would arise with respect to design, floor heights, platform heights etc. causing significant issues for passengers with accessibility problems. The Chairman wondered whether keeping all options open at this stage of the procurement process would restrict the market and asked for an honest assessment in this regard. The company should avoid becoming a hostage to one or two bidders. He felt that Iarnród Éireann should continue to try and bring the NTA around to its way of thinking and stated that these issues merit further attention from the Trains Advisory Group (TAG).

4830.13

In response to ██████████ stated that the Chief Mechanical Engineer is having weekly meetings with Jacobs who are the NTA's advisors on fleet strategy. ██████████ advised that while the ITT includes the battery option, other decision gates will occur later at which times Iarnród Éireann can decide whether or not to continue to include battery operated EMUs in the

procurement. It will depend on the timing of planning approval and the cash availability of the NTA. The DART Expansion Programme requires visibility on cash flow. If cash is delayed, delivery of electric fleet will be delayed as they cannot be used if electrification has not taken place. Electrification can't take place without OHLE and signalling. All of this may impact on the company's ability to serve passenger numbers which is a fundamental issue for the NTA.

**4830.14** ██████ stated that the NTA is locked into the fact that they have only one cash profile. Therefore, more lobbying for funding for electrification is required. The Chairman suggested that the climate change benefits of electrification should be emphasised. However, the board acknowledged that Brexit may have a negative impact on the NTA's overall funding.

**4830.15** In response to the Chairman, ██████ confirmed that Iarnród Éireann is about to award a contract to ██████ to prepare a preliminary business case for the DART Expansion Programme. This proposal will be ready for the board meeting on 25<sup>th</sup> June 2019. In response to Mr. ██████ advised that Iarnród Éireann wants to submit its comments first before the Systra Electrification study is finalised before its submission to the NTA.

**4830.16** The Chairman concluded the discussion by stating that there needs to be realistic prospects of funding from the NTA becoming available. Only then can there be a realistic capital expenditure strategy. Therefore, the spreadsheet of the profile of capital expenditure funding received from the NTA needs to be thoroughly checked.

██████ left the meeting at this time.

## **4831 CHIEF EXECUTIVE'S REPORT**

**4831.1** The Chief Executive's Report previously circulated was taken as read and noted.

**4831.2** ██████ presented his report and referred to the following:

- Two signals passed at danger (SPADs) occurred in Period 2 2019. Both incidents are still under investigation.
  - Track defects in the form of broken fishplates were identified on the Ballybrophy Line. This highlights the struggle to supply sufficient drivers to the infrastructure maintenance team.
  - The level of infrastructure failures causing delays greater than 200 minutes is worse than target and is to be analysed for the Infrastructure Advisory Group (IAG). ██████
  - The Chief Financial Officer is to review key performance indicators (KPIs) trends with Mr. ██████
- ██████ The Department of Transport Tourism and Sport (DTTAS) is still working towards a Brexit date of 29<sup>th</sup> March 2019. However, the UK still have to pass legislation in this regard.

## **4831.3 Infrastructure Manager (IM)**

In response to the Chairman ██████ confirmed the following:

- An Garda Síochána have clarified the fit out works that they require for the National Train Control Centre (NTCC). These will be incorporated into the tender for the building contract.
- As the Railway Order expires this year, Iarnród Éireann has to act and place a contract for the construction of a 106 space car park and access road at Kishogue Station. Iarnród Éireann has been engaging with the developers whose hands are tied because they are stuck in a Strategic Development Zone (SDZ) and in An Bord Pleanála.
- While Iarnród Éireann is continuing to engage with Waterford City and County Council (WCCC) (and not with the developer) regarding the Waterford North Quays development, no work will be carried out until funding is provided for the associated track and signalling works.

## **4831.4 Commercial Department**

██████ advised of the following:

- All outstanding matters relating to the Customer Front Line Equipment Upgrade Project are to be concluded within the next month. The 15 month delay on this project did not have an impact on the budget. While their equipment is good, the contractor is known for not being able to meet deadlines and always has reasons for any delays. However, Iarnród Éireann is committed to their technology.
- The results of the 2018 Market Research Census are to be provided to the board when available. ██████

## **Finance**

██████████ advised of the following:

- The company generated a surplus of ██████████ during Period 2 2019 which was ██████████ better than budget.
- The positive variance was due to buoyant passenger and ancillary revenue and lower infrastructure capital activity which were partially offset by higher infrastructure maintenance expenditure.
- Cash generated to the end of Period 2 2019 was ██████████ better than forecast due mainly to the positive trading performance and lower working requirements of ██████████.
- The lower working capital requirement was driven mainly by the timing of the trade creditors and accruals and lower fuel stocks.
- The need for better forecasting of cash requirements especially in the RU area.

**4831.6** The Chairman advised of a joint Iarnród Éireann / CIÉ Workshop on Transit Oriented Development which took place in February. It was attended by representatives from the Land Development Agency, the NTA, Ireland Strategic Investment Fund (ISIF) and two local authorities. It considered how transit oriented development should take place in the immediate vicinity of railway stations. There was strong support from the local authorities for liaison with the CIÉ Group. This matter is also being considered by the CIÉ Board Strategy Committee.

## **4832 ADVISORY/POLICY**

### **4832.1 Board Safety Committee (BSC)**

The Report from the Chairman of the BSC previously circulated was taken as read and noted.

**4832.2** The Chairman of the BSC, ██████████, advised of the following key areas of focus at the last BSC meeting on 14<sup>th</sup> March 2019:

- Some matters were deferred until the next meeting to allow staff time to deal with the potential impact of Brexit on the Enterprise service.
- Concrete learnings have been identified following the Safety Culture workshop.
- The Safety Policy was reviewed and no changes are recommended.
- Following the safety governance review, it was been decided to carry out deep dives into primary risk areas. The first topic to be trialled will be Bridge scour. Any learnings will be brought forward to the next BSC meeting.
- There has been a long outstanding problem with respect to the conduct of medical examinations for safety critical staff. As this is an IR issue it is being referred to the HR Advisory Group. The CRR is aware of this issue. However, the IR issue will not be an excuse in the event of a safety incident. It was noted that drivers are fully compliant with respect to medicals.
- It would be useful for the train protection system (TPS) risk profile to be made available to the board so that it will see the consequences of the decisions it signs up to. It should chart how the risk profile falls as TPS is rolled out. ██████████

**4832.3** The Chairman noted that one of the outcomes of the Safety Culture survey was that some frontline employees doubt management's response to anti-social behaviour concerns. Mr. Meade stated that this is because not all staff are aware of what is being done in this regard. It was agreed that this needed to be addressed. Management must communicate back to staff what they are doing and engage more with staff on the front line. ██████████

### **4832.4 Audit and Risk Committee (ARC)**

The Report from the Chairman of the ARC previously circulated was taken as read and noted.

**4832.5** The Chairman of the ARC, ██████████, advised of the following:

- The main item addressed at the ARC meeting held on 11<sup>th</sup> March 2019 was the draft Financial Statements for 2018.
- The Auditors had no (rather than two, as per the report previously circulated) issues they wished to raise with the ARC.
- IT still remains a concern but the Auditors confirmed that progress continues to be made with the upgrading of systems.
- CIÉ has been informed by the DTTAS that a Letter of Support will not be issued to CIÉ this year. The ARC are not in position to recommend the 2018 Financial Statements for the



approval of the board without a Letter of Support from CIÉ because Iarnród Éireann relies on CIÉ for its banking facilities. In addition, Iarnród Éireann directors have no view of the finances of CIÉ or the other operating companies. Therefore, Iarnród Éireann would require similar assurance from CIÉ as received in previous years.

4832.6

[REDACTED]

#### 4832.7 **Draft Financial Statements 2018**

The draft Financial Statements for 2018 previously circulated were taken as read and noted.

4832.8

[REDACTED] advised that there were no changes in the draft Financial Statements since the Period 13 Management Accounts which were presented to the board at the last meeting expect for the following:

- A reduction in public service obligation (PSO) income from the NTA.
- Finalisation of tax figures.

No further changes are expected unless something material arises out of the BT arbitration.

4832.9

The Chairman thanked [REDACTED] and his team for their hard work during the audit and in preparing the draft Financial Statements.

4832.10

It was proposed by [REDACTED] and seconded by [REDACTED] and resolved:

(a) "That the Financial Statements for the year ended 31<sup>st</sup> December 2018 be approved by the board subject to:

- Receipt of a Letter of Support from CIÉ and
- Layout and minor reclassification changes which may be approved by the Chief Financial Officer and

(b) "That the Chairman of the board and the Chairman of the Board Audit and Risk Committee be authorised to sign the Financial Statements on the board's behalf."

4832.11

It was noted that the Annual General Meeting (AGM) of the company is planned to take place on 3<sup>rd</sup> April 2019 after the Financial Statements have been signed.

4832.12

#### **Draft Chief Executive's Comprehensive Report to the Chairman in respect of 2018**

The draft Chief Executive's Comprehensive Report to the Chairman in respect of 2018 previously circulated was taken as read and noted.

4832.13

A number of amendments were suggested and subject to these it was agreed that the Chief Executive should sign and issue the report to the Chairman.

4832.14

The Chairman asked that the ARC review any legal disputes to ensure that the company does not fight cases that it is not likely to win. [REDACTED] was asked to ensure that this matter is included on the ARC's agenda. [REDACTED]

4832.15

#### **Quarterly Risk Report**

[REDACTED], Chief Risk Officer, joined the meeting at this time.

4832.16

The Quarterly Risk Report as at March 2019 previously circulated was taken as read and noted.

4832.17

[REDACTED] advised that since the last report was prepared a number of separate risks have been combined into a new Risk 501 entitled "Safety Incident as a result of Human Factors". This risk has been categorised as moderate principal risk.

4832.18

In response to [REDACTED] advised that any risks that are closed are removed from the register. Therefore, such improvements are not visible. Progress with other risks depends on their review dates.

4832.19

The Chairman noted that [REDACTED] will be reviewing all RU Risks with a fresh pair of eyes. [REDACTED]

4832.20

[REDACTED] confirmed that the Quarterly Risk Report was reviewed by the ARC.

- 4832.21 In response to the Chairman, [REDACTED] confirmed that the interface on risk management issues between Iarnród Éireann and CIE is going well.

[REDACTED] left the meeting at this time.

#### 4833 CAPITAL

[REDACTED] returned to the meeting at this time.

##### 4833.1 Capital Expenditure Proposals

The four memoranda previously circulated were taken as read and noted.

##### 4833.2 Cork Re-Signalling Project

The board gave its approval for expenditure of [REDACTED] to replace the life expired signalling system in Cork Station subject to funding from Revenue refunded VAT monies held by CIÉ. It was noted that:

- This will bring the total board authorised approval for this project to [REDACTED] and
- The total for all the Iarnród Éireann VAT refunded projects remains at the [REDACTED] agreed level.

##### 4833.3 Train Protection System (TPS) - Development and Rollout Phase 2019

The board gave its approval for the 2019 funding allocation for the TPS to the sum of [REDACTED] for the design phase (Project Management Procedure – Phase 4).

It was noted that:

- This brings the total approvals on this project to date to [REDACTED].
- The total budget for the project is currently estimated at [REDACTED].
- Funding is provided for this project under the multi-annual contract (MAC).

- 4833.4 It was confirmed that while Alstom will be involved in the trackside design development, Iarnród Éireann would be supervising the project.

##### 4833.5 Car Park Expansion at Maynooth Station

The board gave its approval for expenditure of [REDACTED] (which is ineligible for NTA Funding) for the construction stage of an extension to the south side car park at Maynooth Station including an accessibility upgrade of the down side pedestrian ramp (Phases 5 and 6 of the New Works Projects Management Procedures).

It was noted that this project is funded by the NTA.

- 4833.6 In discussing this proposal, the board noted that the unit cost of each car parking space would be very high. However, there is a significant demand for car parking spaces. It was felt that the issue highlights the need for a long term strategy with respect to car parking and park and ride facilities. The board asked for a study to be carried out in this regard. [REDACTED]

##### 4833.7 Connolly Vaults Redevelopment – Planning and Design

The board gave its approval for expenditure of [REDACTED] to progress concept design, option selection, site investigation, planning, detailed design and tender action (Phases 1 to 4 of the New Works Project Management Procedures) for the redevelopment of the Vaults premises at Connolly Station to facilitate the relocation of the Chief Medical Officer's Department from their existing premises in Marlborough Street.

It was noted that this project is to be funded from within Iarnród Éireann's own resources.

#### 4834 PROCUREMENT

- 4834 [REDACTED], Chief Procurement Officer, joined the meeting at this time.

##### 4834.1 Procurement Report

The Procurement Report for Period 2 2019 previously circulated, was taken as read and noted.



- 4834.2** The Chairman noted that the recent National Childrens' Hospital controversy has focused attention on contracting strategies. State Bodies are looking at approaches to evaluating quotes such that tenderers are not driven to offering lowest cost quotes which subsequently lead to claims. [REDACTED] stated that a two stage process is adopted by Iarnród Éireann. This includes a prequalification step. It ensures that only those capable of providing the goods/services qualify. They are evaluated based on a qualitative tender submission. Their tender must reach a minimum acceptable score. Therefore, if a tender is at the lowest price but has not reached the minimum acceptable score, it will not be accepted [REDACTED] confirmed that other alternative approaches to procurement are being examined.

**4834.3** Contracts

The four memoranda previously circulated were taken as read and noted.

**4834.4** Labour Hire Services Framework

The board gave its approval for the entry into a four year multi-party Framework Agreement for labour hire services with the companies outlined below:

- CWS Communications Ltd.
- Doyle Agri Service Ltd.
- Global Rail Services Ltd.
- SAF Building & Civil Engineering
- Carra Plant Hire Ltd.
- Seamus Duffy Plant Hire Ltd.
- Construction and Rail Solutions Ltd.
- CNS Ltd./Crowley Engineering Ltd.
- GPX Rail Ltd.
- Lokotraction
- MRSE/TXM Recruit
- David Rees Ltd.
- Conneely Builders
- Breffni Group

It was noted:

- That the estimated spend under this framework over the four year period will be in the order of [REDACTED]
- The funding source for this expenditure will be the MAC and individually approved capital projects.

- 4834.5** It was confirmed that the Drugs and Alcohol regime is followed up with each contractor.

**4834.6** Traction Motor Overhaul

The board gave its approval to award the following contracts to:

- Associated Rewinds (Ireland) Ltd. for Lot 1 – The overhaul of the traction motors for the 201 fleet at an estimated annual cost of [REDACTED]
- Green Net Exports Ltd. for Lot 2 – The overhaul of the traction motors for the 071, 8100 and 8500 fleets at an estimated annual cost of [REDACTED]

It was noted that:

- The proposed duration of the contracts will be for an initial period of five years with an option to extend the term by a further two years giving a maximum contract duration of seven years.
- The total estimated spend over the two contracts for the maximum term is in the order of [REDACTED]
- The funding source for these contracts is the Chief Mechanical Engineering Heavy Maintenance Budget.

**4834.7** Framework Agreement for the Painting of Bridges

The board gave its approval for the entry into a Framework Agreement with the companies listed below for the provision of railway bridge painting works:

- Conneally Painting & Sons Ltd.
- GABE Ireland Ltd.
- HBS Protective Coating Ltd.

It was noted that:

- This Framework Agreement will operate for a period of four years.
- The estimated value of the Framework Agreement over the proposed four year period is in



the order of [REDACTED] excluding VAT.

#### **4834.8** Supply of Siemens PLC Signalling Equipment

The board gave its approval for the award of a contract to Douglas Control & Automation Ltd., without a call for competition, for the continued supply of Siemens PLC signalling equipment.

It was noted that:

- The aggregated cost under derogation since January 2013 has reached [REDACTED] with a further [REDACTED] expected until December 2021.
- The basis of proceeding without a call for competition is in line with EU Procurement Directives, given that the services or supplies can only be supplied by a particular economic operator due to "competition absent for technical reasons" (Article 50(c)(ii) of Directive 2014/25/EU)
- The funding source for the ongoing maintenance and repairs will be the MAC while requirements for resignalling projects will be subject to funding approval.

#### **4834.9** Selection Criteria

The eight memoranda previously circulated were taken as read and noted.

#### **4834.10** Supply of Electrical Multiple Units (EMUs) and / or Bi-Mode EMUs

The board gave its approval for the selection criteria as presented but to adapt them to a two lot basis as follows:

Lot 1 – Provision of EMUs only and

Lot 2 – Provision of EMUs and bi-modal fleet, with the bi-modal to be by either battery or diesel.

It was noted that the PQQ will make it clear that tenders will only issue for one Lot and that this decision would be made at a later stage.

**4834.11** The board asked for assurance that this ITT would not narrow the procurement market. However, [REDACTED] advised that the response to the PQQ will be the only true assessment of market appetite rather than assurance by anyone else.

#### **4834.12** Provision of Project Management and Design Consultancy and Related Professional Services

The board gave its approval for the selection criteria as presented (subject to amending the requirement for applicants to provide two examples of relevant contracts completed over the last seven years to five years) to be used in the establishment of a Framework Agreement for the for the supply of signalling, electrification and telecoms project management and design consultancy and related professional services.

It was noted that:

- This Agreement will operate for the period of five years with an option to extend up to a further three years.
- The estimated spend under this agreement is [REDACTED] excluding VAT.
- The funding source for this contract will be both the MAC and authorised capital projects.
- This will provide additional expert support to the Signalling, Electrical and Telecoms (SET) Department allowing for increased delivery capacity and supply chain partnering as set out in the SET Strategic Business Plan 2018-2023.

#### **4834.13** DART Expansion – Kildare Line Consultancy Services (Work Package 4)

The board gave its approval for the selection criteria as presented for the procurement of consultancy services to:

- Prepare the design,
  - Undertake the environmental impact assessment,
  - Manage the Railway Order process,
  - Tender preparation and evaluation and
  - Option to be included for design support during the construction phase,
- for the Kildare Line, Work Package 4 (WP4), of the DART Expansion Programme.

It was noted that:

- This contract will operate for a period of approximately two years and for an additional three years if the option of extending for the design support is exercised.
- The estimated spend under this contract for the potential full term is [REDACTED] including VAT.
- The funding source for this contract will be the NTA as part of the National Development Plan Programme (NDP).

**4834.14** In response to the Chairman, [REDACTED] stated that the onus and responsibility will be on the

consultant to prepare the Railway Order. However, in reality Iarnród Éireann will oversee this process. Iarnród Éireann will present the proposed Railway Order at the Public Inquiry, supported by the consultants. The consultants will lead the technical reports and supply of information.

■■■■■ left the meeting at this time.

#### 4834.15 Rail Mounted Crane

The board gave its approval for the selection criteria as presented for the proposed prequalification process for the purchase of a rail mounted crane.

It was noted that:

- The estimated value of this contract is ■■■■■ excluding VAT and
- The funding source for this contract is the MAC.

#### 4834.16 On-Track Ballast Regulator

The board gave its approval for the selection criteria as presented for the proposed prequalification process for the purchase of an on-track ballast regulator.

It was noted that:

- The estimated value of this contract is ■■■■■ excluding VAT and
- The funding source for this contract is the MAC.

#### 4834.17 Under Sleeper Pads

The board gave its approval for the selection criteria as presented for the proposed prequalification process for the purchase of under sleeper pads.

It was noted that:

- The term of the contract will be five years,
- The estimated value of this contract is ■■■■■ excluding VAT which would cover approximately 100,000 sleepers (40 track miles).
- The funding source for this contract is the MAC.

#### 4834.18 On Board Catering

The board gave its approval for the selection criteria as presented to shortlist suitable candidates for the provision of on board catering services for Republic of Ireland services.

It was noted that:

- The initial period for this contract will be three years with an option to extend for an additional period of up to two years at Iarnród Éireann's discretion.
- It is anticipated that the total spend for a period of five years will be in the region of ■■■■■

4834.19 In response to the board, ■■■■■ confirmed that this is an opportunity to look at the quality of the on board catering services that are being provided. This will be covered in the specification. Environmental issues will also be covered.

#### 4834.20 Replacement of Transmission Equipment

The board gave its approval for the selection criteria as presented to facilitate the procurement of replacement voice, video and data transmission technology used to support train movements to new Internet Protocol (IP) based technology including associated design and maintenance support services.

It was noted that:

- The total estimated cost is ■■■■■ excluding VAT based on:
  - ■■■■■ for the supply, installation, commissioning and maintenance of the new equipment over a period of approximately six years from 2020 to 2026.
  - ■■■■■ to cover an eight year maintenance support services period commencing 2026-2034.
- The primary funding source for this contract will be the National Train Control Centre (NTCC) Project with further funding from the MAC.

#### 4834.21 Award Criteria

The two memoranda previously circulated were taken as read and noted.

#### 4834.22 National Traffic Control Centre (NTCC) – Building Construction

The board gave its approval for the award criteria as presented to facilitate the procurement of



the contractor for the NTCC Building.

It was noted that:

- The design is currently being updated to incorporate third party requirements previously excluded from the Iarnród Éireann scope as requested by the NTA.
- This design revision has increased the expected spend under this contract from [REDACTED] to [REDACTED] excluding VAT.
- The funding source for this contract will be the NTA.

#### 4834.23 Maynooth Line (WP3) and City Centre Enhancement (WP2) Consultancy Services

The board gave its approval for the award criteria as presented for the procurement of consultancy services to:

- Prepare the design,
  - Undertake the environmental impact assessment,
  - Manage the Railway Order process,
  - Tender preparation and evaluation and
  - Option to be included for design support during the construction stage,
- for the Maynooth Line (WP3) and City Centre Enhancement (WP2) of the DART Expansion Programme.

It was noted that:

- This contract will operate for a period of approximately two years and for an additional three years if the option of extending for the design support is exercised.
- The estimated spend under this contract for the potential full term is [REDACTED] including VAT.
- The funding source for this contract will be the NTA as part of the NDP.

#### 4834.24 List of Derogations during 2018

The memorandum previously circulated was taken as read and noted.

#### 4834.25 Procurement Schedule for 2019

The memorandum previously circulated was taken as read and noted.

#### 4834.26 [REDACTED] confirmed that four people will be joining the Procurement Department over the next four weeks.

[REDACTED] left the meeting at this time.

### 4835 **ADMINISTRATIVE ITEMS**

#### 4835.1 Transactions for Approval, Sealing and Signing

The transactions (5) for approval and sealing at the meeting were approved and sealed.

**Appendix I**

The transactions (3) for approval and signing at the meeting were approved and signed.

**Appendix II**

#### 4835.2 Corporate Governance Updates

The memorandum previously circulated was taken as read and noted.

#### 4835.3 The board:

- (a) Gave its approval for the revised Schedule of Matters Reserved for Iarnród Éireann Board Decision as presented,
- (b) Noted the changes to the Code of Conduct for Board Members and Directors,
- (c) Noted the changes to the Code of Conduct for Employees and
- (d) Gave its approval for the update of the Directors' and Corporate Governance Manuals accordingly.

#### 4835.4 The board asked that the revised Code of Conduct for Board Members and Directors be issued to consultants, particularly those who are members of Board Committees and Advisory Groups.

#### 4835.5 Amendment to the Authorised Signatories for Bank of Ireland

The memorandum previously circulated was taken as read and noted.

#### 4835.6 The board gave its approval for:

- (a) The deletion of the name of [REDACTED] from the list of authorised signatories for Bank of Ireland No. 1 Account (including supplementary accounts).
- (b) The deletion of the name of [REDACTED] from the list of authorised signatories for Wages Drawing No. 1 Account (including supplementary accounts) and
- (c) That this authorisation take effect from 19<sup>th</sup> March 2019.

**4835.7      Health and Safety Policy**

The memorandum previously circulated was taken as read and noted.

**4835.8**      The board agreed that no amendments were required to the Health and Safety Policy at this time.

**4836      ITEMS FOR NOTING**

**4836.1      Report to the Minister**

The Report to the Minister following the board meeting on 5<sup>th</sup> February 2019 previously circulated was taken as read and noted.

**4836.2      Committee/Advisory Group Minutes**

The Minutes of the following Committee and Advisory Group meetings previously circulated were taken as read and noted:

- Audit and Risk Committee Minutes 26<sup>th</sup> November 2018
- Board Safety Committee Minutes 27<sup>th</sup> November 2018.
- Information Technology Advisory Group Minutes 14<sup>th</sup> January 2019.
- Strategy Advisory Group Minutes 4<sup>th</sup> December 2018.

**4836.3      Rolling Agenda**

The up to date Rolling Agenda for 2019 previously circulated was taken as read and noted.

**4837      ANY OTHER BUSINESS**

**4837.1**      The board asked for the board papers to be issued earlier if possible.

**4837.2**      It was suggested that sandwiches be provided at the end of board meetings. This would allow directors to network with management.

**4837.3**      It was suggested that stakeholders should be invited to some board meetings.

**4838      DATE AND LOCATION OF NEXT MEETING**

Tuesday 28<sup>th</sup> May 2019 at 9.30am in Heuston Station.

**Chairman** \_\_\_\_\_

**Date** \_\_\_\_\_

**TRANSACTION FOR APPROVAL AND SEALING**

1. Agreement in duplicate and Closure Agreement in duplicate with [REDACTED] a ward of court acting by [REDACTED] the Committee of his Estate) in relation to the closure of Level Crossing XS034 at 65 miles 1,350 yards on the Mullingar to Sligo Railway Line, for a consideration of [REDACTED]
2. Agreement in duplicate and Closure Agreement in duplicate with [REDACTED] to purchase 2.25 acres of land and her agreement to the closure of Level Crossing XL068 at 22 miles 870 yards on the Limerick to Waterford Railway Line, for a total consideration of [REDACTED]
3. Licence in duplicate with the Health Services and Staff Credit Union Ltd., for part of the Valeting Plant at Connolly Station, Dublin 1, for a licence period from 1<sup>st</sup> October, 2018 until 28<sup>th</sup> February, 2019, for a licence fee of [REDACTED]
4. Licence in duplicate with St. Laurence O'Toole Diocesan Trust, relating to part of the Car Park adjoining Our Lady Mother of Divine Grace Church Car Park, Howth Road, Raheny, Dublin, to be used as a temporary construction compound, for a licence period from 16<sup>th</sup> March, 2018 until 31<sup>st</sup> December, 2020, for a licence fee as follows:  
[REDACTED] from 16<sup>th</sup> March, 2018 – 31<sup>st</sup> December, 2018.  
[REDACTED] per annum for years 2019 and 2020.
5. Deed of Renunciation with St. Laurence O'Toole Diocesan Trust, relating to part of the Car Park adjoining Our Lady Mother of Divine Grace Church Car Park, Howth Road, Raheny, Dublin, whereby Iarnród Éireann and CIÉ renounce any entitlement which may be acquired under the provisions of Landlord and Tenant Acts.

**Company Secretary**  
**Iarnród Éireann**  
**26<sup>th</sup> March 2019**



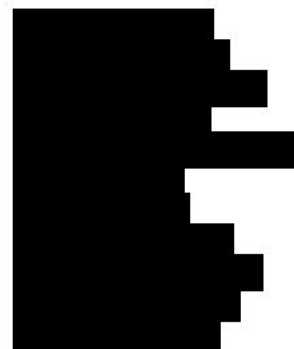
**TRANSACTION FOR APPROVAL AND SIGNING**

1. Licence in duplicate with [REDACTED] for a mobile kiosk at Rush and Lusk Railway Station, Co. Dublin, for a licence period of 2 years, for a licence fee of [REDACTED] per annum.
2. Licence in duplicate with [REDACTED] allowing them erect a crane alongside the railway at 29 miles 970 yards on the Ballybrophy to Killonan Junction Branch, for a term of 12 months for a licence fee of [REDACTED] per annum.
3. Licence in duplicate with [REDACTED] to allow for scaffolding to be placed near Bray Railway Station, for a licence period of 10 weeks, for a licence fee of [REDACTED] per week for first 4 weeks and [REDACTED] per week for the remaining 6 weeks.

**Company Secretary**  
**Iarnród Éireann**  
**26<sup>th</sup> March 2019**

**STRICTLY PRIVATE AND CONFIDENTIAL****IN ACCORDANCE WITH THE TERMS OF SECTION 22 OF THE TRANSPORT  
(RE-ORGANISATION OF CÓRAS IOMPAIR ÉIREANN) ACT, 1986****IARNRÓD ÉIREANN - IRISH RAIL****MINUTES OF THE THREE HUNDRED AND THIRTYTHIRD  
BOARD MEETING HELD ON TUESDAY 28TH MAY 2019  
AT 9.30 AM IN HEUSTON STATION****PRESENT:**

Chairman  
Director  
Director  
Director  
Director  
Director  
Director  
Director  
Director

**IN ATTENDANCE:**

Chief Financial Officer  
Commercial Director  
Director Infrastructure Manager  
An Garda Síochána (part)  
Company Secretary  
Director Railway Undertaking  
Chief Executive  
Manager, Operations & New Works (part)  
Chief Executive, CIE  
Chief Procurement Officer (part)  
Chairman, Infrastructure Advisory Group

**MIN NO.****4839 PRIVATE SESSION**

4839.1


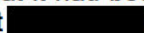


 joined the meeting during the private session.

Management joined the meeting at this time.

**4840 INTRODUCTION**

4840.1

The Chairman welcomed  to her first board meeting and stated that it had been a long time since the board had a full complement of directors. It was noted that  had been appointed to the board on 5th April 2019 for a period of three years.

**4841 CONFLICT OF INTERESTS**

4841.1

**4842 CHAIRMAN'S COMMENTS**

4842.1

The Chairman stated that he had joined the recent Cycle against Suicide event which was

supported by Iarnród Éireann. He stated that it was a great initiative and that he would encourage others to fully support it also.

## **4843 MINUTES**

**4843.1** The Minutes of the meeting held on 26<sup>th</sup> March 2019 previously circulated were taken as read and noted. They were signed by the Chairman as a true record of the proceedings.

### **4843.2 Outstanding Action Items**

The memorandum previously circulated was taken as read and noted.

### **4843.3 Item 547**

The Chairman stated that he had a concern about the company's business case approach. He was concerned that the company is taking a minimalist approach e.g. Preliminary Appraisal Reports should go beyond just being compliance with the Stage 1 requirements of the Common Appraisal Framework for Transport Projects and Programmes. The company is competing for funding under the National Development Plan (NDP) with others who are presenting business cases that make compelling arguments for their investments. Therefore, Iarnród Éireann needs to argue its case more vigorously rather than taking an approach that merely meets governance requirements.

**4843.4** The Chairman then went on to advise management of the issues which had been raised during the private session relating to:

- Procurement delays despite board reports showing good procurement compliance KPIs.
- The need to bring various plans and strands together in a coherent way and tie them into the company's strategy.
- The need to review the adequacy of response times to repairing lifts at train stations and whether their reliability meets customers' expectations.

**4843.5** [REDACTED] advised of the following:

- Measures being taken to address the staff resource issue in the Procurement Department. This should address the turnaround time which has been lengthening. A KPI for this matter will be contained in future board reports.
- Management had deliberately kept the Five Year Plan and the 75X25 Plan separate until clarity on funding is received. The Five Year Plan is based on what the company believes it can deliver based on confirmed funding. The Chairman noted that the level of funding will depend on how well the company argues for it.

## **4844 STRATEGY**

### **4841.1 Anti-Social Behaviour**

[REDACTED] An Garda Síochána, joined the meeting at this time.

**4844.2** The memorandum previously circulated was taken as read and noted.

**4844.3** [REDACTED] referred to the following:

- Statistics on anti-social behaviour incidents across the Iarnród Éireann network.
- Location trends.
- Past and anticipated expenditure to address anti-social behaviour and how this is spent.
- Plans for the future e.g. enhancement of CCTV coverage, alert systems, increased liaison with the Gardaí (protocols for major events and for responding to self harm incidents, emergency incident plans etc.).

**4844.4** The Chairman welcomed [REDACTED] and asked for his views on the following:

- How Iarnród Éireann is doing given the level of its expenditure on addressing anti-social behaviour,
- Transport Police and
- Mobility for major events.

**4844.5** [REDACTED] stated that Iarnród Éireann is doing well. Its plans will improve security. It has a good working relationship with An Garda Síochána and both are working to improve this. He then referred to the following:

- Garda response times.



- Feedback and follow-up after events such as assaults.
- Transport Safety Forum (and the need for confidentiality to be respected).
- Garda district boundaries.
- The need for greater visibility at hotspots and the role of Community Gardaí to target these areas.
- The sharing of intelligence e.g. movement of drugs.
- The availability of crime prevention advice, particularly in the area of environmental design (lights and cameras).
- The availability of Gardaí to meet with Iarnród Éireann staff e.g. at training days.
- The importance of Iarnród Éireann's meetings with Local Authorities on event planning matters e.g. licence conditions for concerts.
- The emphasis on diversity in the new Community Policing Framework which covers such matters as hate crime definition and assault reduction strategy.
- Rail Safety Advisory Council.
- Liaison with other organisations such as retailers and the Public Vintners Association to prepare for such occasions as Leaving Cert results night.
- The need to educate Gardaí on the impact of incidents on Iarnród Éireann's business and staff. An Garda Síochána would welcome short videos from Iarnród Éireann demonstrating this. These could be used during Garda training.
- Emergency incident protocols.
- Possible joint training at the Garda College on such matters as how to preserve evidence etc.
- Ongoing liaison between the Gardaí and Iarnród Éireann personnel.

4844.6 In response to [REDACTED] stated that there were no plans for Transport Police within An Garda Síochána. However, if the Minister chooses to establish same, this would not pose a problem for the Gardaí. He added that even though the Gardaí are unarmed, increased visibility, increased community policing and increased liaison would all have a positive impact.

4844.7 In response to [REDACTED] stated that he did not know how many of the prosecutions for assault had been successful but could find out. He could also find out the status of outstanding cases and ascertain if he could assist in progressing them. However, he added that many victims are not willing to bring cases forward to court even though reassurance is given that victims are rarely intimidated afterwards.

4844.8 In response to [REDACTED] stated that it is the Chief Superintendents of divisions and Superintendents of districts who decide the allocation of resources. This is based on the analysis of data relating to crime levels, hotspots, the number of telephone calls, the outcome of Community Gardaí meetings etc. He emphasised the importance of reporting incidents as this gives the Gardaí a better indication of criminal activity. He also referred to the importance of liaising with other transport providers after incidents such as at the Transport Safety Forum.

4844.9 [REDACTED] welcomed the idea of the Gardaí talking directly to staff at training sessions. He asked for [REDACTED] view on the idea of staff working on their own. However, [REDACTED] stated that he could not comment on company policy. He added that members of An Garda Síochána operate both in pairs and on their own. They too get assaulted. He stressed the importance of good training, getting to know your environment and being alert to risks.

4844.10 [REDACTED] concluded by stating that there is a lot of good day-to-day interaction between the Gardaí and Iarnród Éireann personnel. The aim now is to move to the next level and this will involve better communications and the education of staff. He also added that consideration is being given to recruiting in-house expertise.

[REDACTED] left the meeting at this time.

#### 4844.11 DART Expansion Programme

[REDACTED], Manager, Operations & New Works joined the meeting at this time.

#### 4844.12 DART Expansion Progress Report

The memorandum previously circulated was taken as read and noted.

4844.13 In response to the Chairman, [REDACTED] confirmed that a draft business case would be presented at the next board meeting. The Chairman asked for a copy of it in advance so that he could provide comments. He stated that it should be a comprehensive case which goes further than just meeting minimal requirements. It must be borne in mind that Iarnród Éireann has to



compete with others who are presenting excellent business cases for NDP funding. [REDACTED]

**4844.14** Other matters discussed included the following:

- The recruitment of a Scope and Integration Manager.
- Short term fleet strategy.
- Issues with [REDACTED] the sole supplier of intermediate railcars who are having problems with their sub-contractors.

**4844.15** Electrification Strategy

The memorandum previously circulated was taken as read and noted.

**4844.16** [REDACTED] stated that the findings of the recent Electrification Assessment Report for DART expansion were a logical outcome. The Chairman of the Infrastructure Advisory Group (IAG), [REDACTED] agreed stating that the IAG supported this.

**4844.17** DART Expansion Delivery Roll Out

The memorandum previously circulated was taken as read and noted.

**4844.18** [REDACTED] advised that the National Transport Authority (NTA) gave details of the cash flow that would be available for DART expansion up to 2027. However, this will not result in the delivery of the DART Expansion Programme as envisaged because the total funding available is less than required and that funding is end loaded. Therefore, two options have to be considered:

- Let the fleet delivery dictate the roll out of DART expansion in accordance with the NDP or
- Delay fleet delivery for 12 months.

Within each option two scenarios were also considered as follows:

- Procurement of electrical multiple units (EMUs) only and
- Procurement of bi-mode (battery) EMUs (BEMUs) and EMUs.

The main conclusions are:

- A funding deficit on the DART Expansion Programme should be recognised (known since the NDP was announced),
- DART expansion including electrification of the Maynooth Line will not be completed by 2027 as originally envisaged; and
- The cash flow and funding will be at further risk with the passage of time.

**4844.19** [REDACTED] then went on to explain the procurement options further and recommended that Iarnród Éireann seek the funding profile for delivering EMUs only but that the risk and available funding levels be reassessed prior to ordering fleet.

**4844.20** Matters discussed included the following:

- The implications for the financial sustainability of the project, given that the cost is likely to increase further, the more that funding is delayed.
- The need for additional rolling stock gets more critical every day as passenger demand increases.
- Following an exercise carried out by the Chief Mechanical Engineer (CME), [REDACTED] on the availability of competent suppliers, it was demonstrated that there were sufficient suppliers in the market to supply EMUs and BEMUs. Therefore, Iarnród Éireann put a Notice in the OJEC for EMU/BEMU. [REDACTED] stated that following discussions and correspondence he was now satisfied that by including the hybrid option Iarnród Éireann would not be excluding any potential suppliers.
- For many of the suppliers, BEMUs have only been in service, or trial mode for the last year. The associated technical risk will need to be considered as part of the procurement process.
- Capital cost of hybrids, whose battery capability would become redundant after a relatively short period.
- Whether pursuing a tender for both options would be deferring the argument (for EMUs only) with the NTA or strengthen Iarnród Éireann's argument.
- The fundamental issue is funding availability for the project.
- Whether the "green wave" indicated by the recent Local and European election will result in funding profile changes / increases in the years to come.

- The information that will emerge during the procurement process will allow for a more firm discussion with the NTA.
- Whether additional Intercity rail cars should be ordered now knowing that they can be deployed across the network at a later stage.
- There may be an increasing divergence between announcements about public transport investment and the funding that is realistically available. Investment in public transport in Cork is one example.
- Delaying major funding decisions to solve short term cash flow problems will result in Iarnród Éireann incurring additional maintenance costs in the short term.

**4844.21** The Chairman concluded by stating that the information provided by bidders during the procurement process will inform future decisions. However, there is a high risk that sufficient funding will not be available when it is needed. Therefore, business cases that meet minimum compliance requirements will not be sufficient in this environment. Iarnród Éireann needs to do a lot more to compete for any funding that does become available.

**4844.22** Regional Strategic Rail Developments  
The memorandum previously circulated was taken as read and noted.

**4844.23** Matters discussed included the following:

- Developments in Galway  
Plans drawn up with Galway County Council and the NTA include provision for a transport hub. As the station is being squeezed in between two commercial developments there is scope for better integration.
- Car Park Strategy.  
The car park strategy includes provision for bicycles.
- Cork Metropolitan Area  
A draft transport strategy was published for the Cork metropolitan area recently by the NTA. However, it appears that there is limited funding available in the NDP. The analysis in the draft strategy is based on estimates for capacity of different modes that seriously underestimates the capacity of heavy rail. Similarly, there is opportunity to increase capacity on the Midleton Line, within Iarnród Éireann's footprint and serving areas where population growth is planned. Iarnród Éireann needs to submit a detailed response to the NTA's draft strategy, outlining these issues.
- Accessibility  
Plans in this area require more detail. It must be ensured that in an environment of tight funding, this issue does not fall off the list of priorities.

left the meeting at this time.

**4844.24** Rosslare Europort Strategic Plan  
The memorandum previously circulated was taken as read and noted.

**4844.25**

[REDACTED]

**4844.26**

[REDACTED]

**4844.27**

[REDACTED]

4844.28

[REDACTED]

4844.29

[REDACTED]

4844.30

[REDACTED]

4844.31

[REDACTED]

4844.32

[REDACTED]

4844.33

[REDACTED]

4844.34

## 4845 CHIEF EXECUTIVE'S REPORT

4845.1 The Chief Executive's Report previously circulated was taken as read and noted.

4845.2 [REDACTED] presented his report and referred to the following:

- KPIs for Period 4 2019.

- [REDACTED]

### 4845.3 Finance

[REDACTED] advised of the following:

- The company generated a surplus of [REDACTED] during Period 4 2019 compared to a forecast of [REDACTED]. The year to date surplus was [REDACTED] compared to a forecast of [REDACTED].
- Total passenger revenue was [REDACTED] better than forecast in the period reflecting a continuation of the positive trends.
- There was [REDACTED] less capital expenditure than planned during the period. However, there was [REDACTED] more maintenance expenditure than planned.
- Cash generated was [REDACTED] better than forecast. This is due to lower working capital requirements.
- Both NTA capital and public service obligation (PSO) audits for 2018 are now complete. Both received the highest rating of substantial assurance and no issues were raised.

4845.4 The Chairman asked that the Risks and Opportunities Schedule be amended to include a target for one more freight customer. [REDACTED]



**4845.5 Railway Undertaking**

██████████ advised of the following:

- Anti-social behaviour statistics.
- A wrong side failure occurred on the Belmond Grand Hibernian train on 16<sup>th</sup> April 2019. Iarnród Éireann should be careful as to how involved it becomes in these incidents as responsibility lies with the operator.
- The CME strategy day took place on 2<sup>nd</sup> May 2019.

**4845.6** In response to ██████████ promised to provide her with details of the top three reasons for train delays. ██████████

**4845.7 Commercial Department**

██████████ advised of the following:

- There are only four outstanding matters to be worked through with Cubic regarding the new booking office machines (BOMs). These are expected to be resolved by mid June following which a handover will take place.
- Following the recent survey it was noted that customer satisfaction on InterCity routes has reduced. This is not unexpected given journey comfort issues on busier trains. The Chairman commented that the capacity constraint is now kicking in. It was confirmed that customers are advised on a station by station basis if they are likely to be standing during their journey.

**4845.8 Infrastructure Manager (IM)**

██████████ advised of the following:

- The IM multi annual contract (IMMAC) for 2014 – 2018 has been extended for 2019. The board agreed that this should be signed and sealed.
- The next IMMAC will be for 2019 to 2023 and the Department of Transport, Tourism and Sport (DTTAS) envisage that this will need to be signed and sealed only once rather than each year.
- Two management appointments have been made: Chief Engineer Signalling Electrical and Telecoms (SET) and Assistant Director of Capital Investments, New Works (to support the Chief Engineer SET).
- A significant amount of major engineering works was carried out over the Easter bank holiday weekend.

**4845.9**

**4846 ADVISORY/POLICY****4846.1 Board Safety Committee (BSC)**

The Report from the Chairman of the BSC previously circulated was taken as read and noted.

**4846.2 Trains Advisory Group (TAG)**

The Report from the Chairman of the TAG previously circulated was taken as read and noted.

**4846.3 Infrastructure Advisory Group (IAG)**

The Report from the Chairman of the IAG previously circulated was taken as read and noted.

**4846.4** ██████████ advised that at its recent meeting the IAG had considered the following:

- Recruitment,
- Asset management principles,
- IMMAC 2019- 2023,
- Bridge bash mitigation processes,
- Analysis of IM incidents and
- Electrification Asset Plan.

**4846.5 Audit and Risk Committee (ARC)**

The Report from the Chairman of the ARC previously circulated was taken as read and noted.



- 4846.6** It was confirmed that legal disputes with other third parties (and not just with other State companies) are being monitored and that nothing had been heard from the National Oil Reserves Agency (NORA) lately.
- 4846.7** **Forecast 2019 and Five Year Plan 2020-2024**  
The Forecast for 2019 and the draft Five Year Plan for 2020 – 2024 previously circulated were taken as read and noted.
- 4846.8** [REDACTED] advised of the following:
- Context (new PSO contract and new IMMAC).
  - The Balance Sheet is still weak but improving.
  - NDP funding totalling [REDACTED] covering the period 2018 to 2027 (no funding for projects outside the greater Dublin area).
  - Risk appetite, principal risks to the delivery of the plan and mitigating actions.
  - Key assumptions.
- 4846.9** Matters discussed included the following:
- The draft Five Year Plan was reviewed by the ARC and recommended for the approval of the board.
  - The key input to the plan is the level of funding that has been advised by the NTA.
  - The plan contains conservative passenger growth assumptions. There is a view that the country is approaching the top of the economic cycle.
  - Despite increased volumes included in the plan, it includes less revenue than one would expect due to the NTA fares policy, capping and downward pressure on fares (evidenced by no fares increase in 2019). As a consequence, the company will be carrying more people for the same amount of money.
  - Capacity constraints are manifested not only by space on trains but by frequency of service.
  - The recent customer survey has identified a perceived deterioration in value for money due to a deterioration in quality of service.
  - The Brexit issue still needs to be resolved.
- 4846.10** Following further discussion the Forecast for 2019 and the draft Five Year Plan for 2020 - 2024 was approved.
- 4846.11** **Public Service Contract (PSC) Status Update**  
The memorandum previously circulated was taken as read and noted.
- 4846.12** [REDACTED] advised that the PSC is still being negotiated. There is still a concern that because the NTA is not fully ready, the clock will be run down and then a PSC may be imposed on the company at the last minute.
- 4846.13** **Property Items**  
The two memoranda previously circulated were taken as read and noted.
- 4846.14** **Athy /Wolfhill Line Abandonment Order**  
The board gave its approval to complete the process to abandon the Athy/Wolfhill railway line from 0 miles 277 yards along its spur from Athy Station to 0 miles 1,506 yards at the junction with Fortbarrington Road, Athy, County Kildare, by executing the Abandonment Order as presented.
- 4846.15** Waterford City North Quays Development  
[REDACTED]  
[REDACTED]
- 4846.16** **Information Technology Advisory Group (ITAG)**  
The Report from the Chairman of the ITAG previously circulated was taken as read and noted.

## 4847 CAPITAL

### 4847.1 Capital Expenditure Proposals

The three memoranda previously circulated were taken as read and noted.

### 4847.2 Dublin/Cork Track Relaying Project

The board gave its approval for expenditure of [REDACTED], funded from the current CIE cash surplus for the undertaking of track relaying works on the Dublin/Cork route as part of the overall project for the upgrading of the track infrastructure on this key route subject to:

- (a) Finalisation of the funding methodology in consultation with the DTTAS, the NTA and CIE and
- (b) Submission of a comprehensive business case proposal to CIE.

It was noted that:

- This represents the first phase of a [REDACTED] multi-annual project, running from 2019 to 2025 and will in this phase involve the relaying of 155 miles of track (or 47% of the total route and 70% of the total renewals required).
- The balance of the project work will be funded from the MAC.
- This paper would be forwarded for the information of the CIE Board at its meeting on 5<sup>th</sup> June 2019.

### 4847.3 Ticket Barcode Readers

The board gave its approval for expenditure of [REDACTED] (including VAT) in addition to a previously approved amount of [REDACTED] (including VAT), to upgrade 100 gate lines with barcode readers to optimise the customer experience and maximise the benefits of the Customer First Programme.

It was noted that this additional expenditure of [REDACTED] and the original expenditure of [REDACTED] are both included in the own funded 2019 Forecast and 2020-2024 Capital Expenditure Plan.

### 4847.4 Journey Planner System

The board gave its approval for expenditure of up to [REDACTED] (including VAT) to replace the existing journey planner system (which allows customers to plan their journey when purchasing a ticket on the Iarnród Éireann website) and provide an enhanced level of service in terms of availability.

It was noted that NTA funding of [REDACTED] has been secured for this project in 2019.

4847.5 The Chairman asked [REDACTED] to find out when the Seat Reservation System will be able to show the correct spelling of passengers' names with the Irish language "fada", rather than a string of ASCII code. [REDACTED]

### 4847.6 Closeout Report

The memorandum previously circulated was taken as read and noted.

4847.7 The board gave its approval for the closeout of the 2017 Accessibility Programme.

## 4848 PROCUREMENT

The Chief Procurement Officer, [REDACTED] joined the meeting at this time.

### 4848.1 Procurement Report

The Procurement Report for Period 4 2019 previously circulated was taken as read and noted.

4842.2 The Chairman advised [REDACTED] that the board had not been getting a sense of the delays being encountered in the procurement process. The Procurement Report needs to reflect this. In response, [REDACTED] advised that this matter had been discussed at a recent ARC meeting. At that meeting it was noted that there are also other additional items that are not captured in the Procurement Report. He confirmed that the request for quotes (RFQ) turnaround time has increased from 12 days last year to 16 days this year due to resource issues. The Chairman stated that he would speak to [REDACTED] separately on the matter. Chairman

**4848.3 Contracts**

The four memoranda previously circulated were taken as read and noted.

**4848.4 Overhead Line Equipment (OHLE) Maintenance and Repair Services**

The board gave its approval for the entry into a Framework Agreement with Neopul – Sociedade de Estudos e Construcoes SA (the incumbent) for the provision of maintenance, repair and renewal services for Iarnród Éireann's OHLE.

It was noted that:

- This would be a single party Framework Agreement which will operate for a period of five years.
- The estimated costs to be incurred under this agreement are:  
     [REDACTED] for the maintenance and repair services and  
     [REDACTED] for the renewal activities.
- The estimated non-recoverable VAT is [REDACTED]
- The funding source for this contract will be the MAC.

**4848.5 Intercity Railcar (ICR) Pneumatic Brake Overhauls**

The board gave its approval for the award of a contract to Knorr-Bremse Rail Systems (UK) Ltd. for the overhauls of the brake pneumatic and electro-pneumatic systems on the 22000 fleet at an estimated cost of [REDACTED] over the maximum terms of five years.

It was noted that the funding source for this contract is the Chief Mechanical Engineering heavy maintenance budget.

**4848.6 SPX Clamplock and Barrier Machines**

The board gave its approval to contract with SPX Rail Systems, without a call for competition, for the continued supply of barrier machines, clamplock point machines and associated components.

It was noted that:

- The aggregated cost under derogation since January 2015 has reached [REDACTED] with a further [REDACTED] expected until December 2022.
- Iarnród Éireann falls within Article 50 of the Utilities Directive 2014/25/EU whereby contracting entities may use the negotiated procedure to procure goods or services without a prior call for competition.
- The funding source for ongoing repairs and maintenance will be the MAC while requirements for re-signalling projects will be subject to funding approval.

**4848.7 Provision of Recycling and Waste Management Services**

The board gave its approval to award a contract to Starrus Eco Holdings Ltd. T/A Panda for the provision of recycling and waste management services.

It was noted that:

- The initial term of this contract is three years with an option to extend for up to two additional years.
- The estimated cost, based on increased volume usage over the previous contract, over the five year period is [REDACTED] excluding VAT.
- The funding source for this contract is the operational budget.

**4848.8 Award Criteria**

The five memoranda previously circulated were taken as read and noted.

**4848.9 DART Expansion – Kildare Line (Work Package (WP) 4) Consultancy Services**

The board gave its approval for the award criteria as presented for the procurement of consultancy services to:

- Prepare the design,
  - Undertake the Environmental Impact Assessment ,
  - Manage the Railway Order process,
  - Tender preparation and evaluation and
  - Option to be included for design support during the construction stage,
- for the Kildare Line WP4 of the DART Expansion Programme.



It was noted that:

- This contract will operate for a period of approximately two years and for an additional three years if the option of extending for the design support is exercised.
- The estimated spend under this contract for the potential full term is [REDACTED] including VAT.
- The funding source for this contract will be the NTA as part of the NDP.

**4848.10**     Framework Agreement for the Supply and Installation of Lifts and Escalators

The board gave its approval for the award criteria as presented to facilitate the establishment of a Framework Agreement for the supply, installation and commissioning of lifts and escalators.

It was noted that the funding source for the contracts to be awarded under the Framework Agreement will be a mixture of capital funding and own resources.

**4848.11**     In response to [REDACTED] concern about the servicing of equipment that can no longer be made, [REDACTED] stated that mitigating measures would be taken such as the build up of a better level of stocks.

**4848.12**     On-Track Ballast Regulator

The board gave its approval for the award criteria as presented for the proposed tender process for the purchase of an on-track ballast regulator.

It was noted that:

- The estimated value of this contract is [REDACTED] excluding VAT.
- The funding source for this contract is the MAC.

**4848.13**     Rail Mounted Crane

The board gave its approval for the award criteria as presented to continue the tender process for the purchase of a rail mounted crane.

It was noted that:

- The estimated value of this contract is [REDACTED] excluding VAT.
- The funding source for this contract is the MAC.

**4848.14**     On-Train Catering Services

The board gave its approval for the award criteria as presented to continue the tender process for the contract for the provision of on-train catering services.

It was noted that:

- The initial period of the contract is three years with an option to extend it for up to two years.
- It is anticipated that the total spend for a period of five years will be in the region of [REDACTED] and will be funded from own resources.

**4848.15**     Selection Criteria

The memorandum previously circulated was taken as read and noted.

**4848.16**     Supply of EMUs and BEMUs

The board gave its approval for the selection criteria as presented to shortlist suitable candidates for the establishment of:

- A 10 year single party Framework Agreement for the supply of EMUs and BEMUs and
- A technical services and supply of spare parts agreement covering a maintenance period from the first vehicle to 15 years from the delivery of the final vehicle.

It was noted that

- It is envisaged that 600 vehicles may be procured over the life of the Framework Agreement.
- The external funding source for this Framework Agreement will be through the NDP and
- The estimated maximum expenditure under the Framework Agreement is [REDACTED].

**4848.17**     Procurement Schedule for 2019

The updated Procurement Schedule for 2019 previously circulated was taken as read and noted.



**4849 ADMINISTRATIVE ITEMS****4849.1 Transactions for Approval, Sealing and Signing**

The transactions (16) for approval and sealing at the meeting were approved and sealed.

**Appendix I**

The transactions (4) for approval and signing at the meeting were approved and signed.

**Appendix II**

**4849.2 Protected Disclosures Annual Report 2018**

The memorandum previously circulated was taken as read and noted.

**4849.3** It was noted that no Protective Disclosures were made to Iarnród Éireann during 2108.

**4850 ITEMS FOR NOTING****4850.1 Report to the Minister**

The Report to the Minister following the board meeting on 26<sup>th</sup> March 2019 previously circulated was taken as read and noted.

**4850.2 Committee and Advisory Group Minutes**

The Minutes of following Committee and Advisory Group meetings previously circulated were taken as read and noted:

- Audit and Risk Committee Minutes 11<sup>th</sup> March 2019
- Board Safety Committee Minutes 14<sup>th</sup> March 2019
- Infrastructure Advisory Group Minutes 24<sup>th</sup> January 2019
- Information Technology Advisory Group Minutes 7<sup>th</sup> March 2019
- Human Resources Advisory Group Minutes 22<sup>nd</sup> January 2019
- Trains Advisory Group Minutes 28<sup>th</sup> January 2019
- Strategy Advisory Group Minutes 25<sup>th</sup> March 2019.

**4850.3 Rolling Agenda**

The up to date Rolling Agenda for 2019 previously circulated was taken as read and noted.

**4851 ANY OTHER BUSINESS**

In response to [REDACTED] confirmed that the mechanism for charging people for the use of the facility to charge their electric cars in Iarnród Éireann carparks is to be reviewed. [REDACTED]

**4852 DATE AND LOCATION OF NEXT MEETING**

Tuesday 25<sup>th</sup> June 2019 at 9.30am in Heuston Station.

Chairman \_\_\_\_\_

Date \_\_\_\_\_

## TRANSACTIONS FOR APPROVAL AND SEALING

1. Lease in duplicate with [REDACTED] for a retail unit at Lansdowne Road DART Station, for a term of 5 years, at a rent of [REDACTED] per annum or 10% of gross turnover, whichever is greater.
2. Leases x 2, in triplicate with [REDACTED] for two premises at Portlaoise Sleeper Depot and Kildare Station at nominal rents of [REDACTED] per annum for a term of 5 years to operate and maintain Iarnród Éireann's fleet of On-Track Machines in relation to the On-Track Machines Contract.
3. Lease in duplicate and Agreement for Lease in duplicate with [REDACTED] for Unit 6 at Connolly Station, for a term of 10 years, for a rent of [REDACTED] per annum or 10% gross turnover, whichever is greater.
4. Lease in duplicate with [REDACTED] for unit 1 B, Heuston Station, Dublin 8, for a term of 20 years, for a rent of [REDACTED] per annum or 7.5% gross turnover, whichever is greater, subject to review every 5 years.
5. Sub Lease in duplicate with [REDACTED] to renew a lease for part of an area of ground at the Fuel Storage Depot, Alexandra Road, Dublin 1, for a period of 5 years, for a rent as follows:
 

Year 1	[REDACTED]
Year 2	[REDACTED]
Year 3	[REDACTED]
Year 4	[REDACTED]
Year 5	[REDACTED]
6. Closure Agreement in duplicate with [REDACTED] in relation to the closure of Pedestrian Crossing XC210 at 131 miles 500 yards on the Dublin to Cork Railway Line for a consideration of [REDACTED]. [REDACTED] is the sole user of the crossing and his lands are on both sides of the crossing.
7. Licence in duplicate with [REDACTED] for the installation, testing, maintenance and use of fibre optic telecoms cable in existing ESB ducts at the following locations on the Howth Junction to Howth Railway Line, for a licence period of 40 years, for a licence fee of [REDACTED] per annum per location, subject to review in accordance with CPI every 5th year:
  - Level Crossing XQ001, Baldoyle Road, Dublin, 1 mile 652 yards.
  - UBQ2, Claremont Road, Dublin, 2 miles 1,047 yards.
8. Licence in duplicate with [REDACTED] the installation, testing, maintenance and use of fibre optic telecoms cable in existing ESB ducts at the following five locations on the Ballybrophy to Killonan Junction Railway Line, for a licence period of 40 years, for a licence fee of [REDACTED] per annum per location, subject to review in accordance with CPI every 5th year:
  - 47 miles 10 yards – Townland of Castleconnell, Stradbally, Co. Limerick.
  - OBN55 at 29 miles 800 yards – Townland of Nenagh, Co. Tipperary.
  - 29 miles 180 yards – Townland of Nenagh, Co. Tipperary.
  - OBN13 at 10 miles 162 yards – Townland of Roscrea, Co. Tipperary.
  - OBN15 at 10 miles 660 yards – Townland of Roscrea, Co. Tipperary.
9. Licence in duplicate with [REDACTED] for the installation, testing, maintenance and use of 1 cluster cable to existing ESB poles at 12 miles 1,050 yards on the Limerick to Athenry Railway Line in the Townland of Sixmilebridge, Kinfinaghta, Co. Clare, for a licence period of 40 years, for a licence fee of [REDACTED] per annum, subject to review in accordance with CPI every 5th year.
10. Licence in duplicate with [REDACTED] for the installation, testing, maintenance and use of fibre optic telecoms cables at the following four locations on the Limerick Junction to Waterford Railway Line, for a licence period of 40 years, for a licence fee of [REDACTED] per annum per location, subject to review in accordance with CPI every 5th year:
  - 49 miles 490 yards – Townland of Burgagery, Lands West, St. Mary's, Clonmel, Co. Tipperary.
  - XL122 at 48 miles 1,447 yards – Townland of Burgagery, Lands West, St. Mary's, Clonmel, Co. Tipperary.
  - 47 miles 540 yards – Townland of Ballingarrane, Kiltegan, Co. Tipperary.
  - 49 miles 1,055 yards - Townland of Burgagery, Lands East, St. Mary's, Clonmel, Co. Tipperary.

11. Licence in duplicate with [REDACTED] for the installation, testing, maintenance and use of fibre optic cable under railway bridge UBL3 at 1 mile 152 yards on the Limerick to Waterford Railway Line, Townland of Crossagalla, St. Nicholas, Co. Limerick, for a licence period of 40 years, for a licence fee [REDACTED] per annum, subject to review in accordance with CPI every 5<sup>th</sup> Year.
  12. Closure Agreement with [REDACTED] relation to the closure of Level Crossing XE048 at 19 miles 1,580 yards on the Limerick to Ennis Railway Line, for a consideration of [REDACTED]
  13. Lease in duplicate with [REDACTED] for unit 1A Heuston Station, Dublin 8, for a term of 10 years, at a rent of [REDACTED] per annum, or 12.5% Gross Turnover, whichever is greater, subject to review every 5 years.
  14. Closure Agreement in duplicate with [REDACTED] for a consideration of [REDACTED] to be paid as compensation to him in order to close Level Crossing XT064 at 29 miles 1,495 yards on the Mallow to Tralee Railway Line
  15. Agreement in duplicate and Closure Agreement in duplicate with [REDACTED] in relation to the closure of Level Crossing XG131 at 97 miles 132 yards on the Athlone to Galway Railway Line in consideration of the transfer of property to him, his agreement to the closure of the crossing and transfer of property to the Board.
- NON-PROPERTY ITEM**
16. Contract in duplicate with the Minister for Transport, Tourism and Sport in relation to the Infrastructure Manager Multi Annual Contract. The authority of the board is now requested to apply the company seal to the document.

Company Secretary  
Iarnród Éireann  
28<sup>th</sup> May 2019

**TRANSACTION FOR APPROVAL AND SIGNING**

1. Licence in duplicate with [REDACTED] for a mobile Kiosk at Malahide Railway Station, Co. Dublin, for a licence period of 2 years, for a licence fee of [REDACTED] per annum.
2. Licence in duplicate with [REDACTED] to allow them to operate a crane adjacent to CIÉ property at Sheriff Street Freight Yard, Dublin 1, for a term of 7 months from 1<sup>st</sup> December, 2018, for a consideration of [REDACTED]
3. Greenway Licence in triplicate with Dublin City Council to operate and carry out works on a pedestrian and cycle track on IÉ/CIÉ property adjoining the Royal Canal between Newcomen Bridge and Sheriff Street, Dublin 1, for a licence period of 40 years, for a licence fee of [REDACTED] per annum.
4. Licence in duplicate with [REDACTED] to retain a water pipe and electrical cable which traverse beneath the railway line and service his agricultural lands adjacent to Pedestrian Crossing XC210 at 131 miles 540 yards on the Dublin to Cork Railway Line, for the period of his ownership of his property, for a licence fee of [REDACTED] already agreed to the closure of the crossing.

**Company Secretary**  
**Iarnród Éireann**  
**28<sup>th</sup> May 2019**



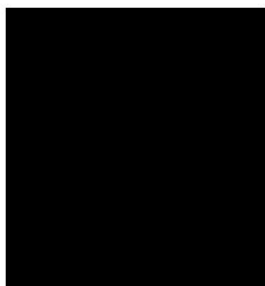
## STRICTLY PRIVATE AND CONFIDENTIAL

IN ACCORDANCE WITH THE TERMS OF SECTION 22 OF THE TRANSPORT  
(RE-ORGANISATION OF CÓRAS IOMPAIR ÉIREANN) ACT, 1986

## IARNRÓD ÉIREANN - IRISH RAIL

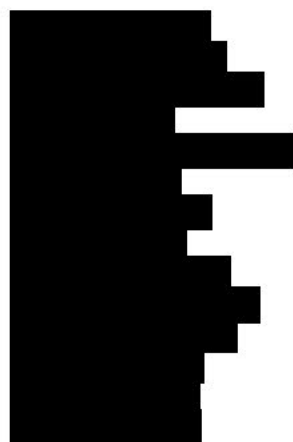
MINUTES OF THE THREE HUNDRED AND THIRTYFOURTH  
BOARD MEETING HELD ON TUESDAY 25<sup>TH</sup> JUNE 2019  
AT 9.30 AM IN HEUSTON STATION

## PRESENT:



Chairman  
Director  
Director  
Director  
Director  
Director  
Director  
Director  
Director

## IN ATTENDANCE:



Chief Financial Officer  
Commercial Director  
Director Infrastructure Manager  
Strategic Safety Manager (part)  
Company Secretary  
Director Railway Undertaking  
Chief Risk Officer (part)  
Chief Executive  
Manager Operations & New Works (part)  
Chief Executive, CIE  
Chief Procurement Officer (part)  
Chief Mechanical Engineer (part)  
Head of Safety, Railway Undertaking (part)  
Head of Safety, Infrastructure (part)

## MIN NO.

## 4853 CONFLICTS OF INTERESTS

No conflicts of interests were declared.

## 4854 CHAIRMAN'S COMMENTS

4854.1 The Chairman advised that an external review of board performance is required once every three years under the Code of Practice for the Governance of State Bodies. This will be commissioned shortly. He asked Directors to forward any suggestions they may have regarding areas of focus or approach that should be taken by the independent reviewer.

4854.2 In response to [REDACTED] stated that any third party queries received by Directors should be referred to the Corporate Communications Manager, [REDACTED], as per the Guidelines on the Release of Information contained in the Directors' Governance Manual.

## 4855 MINUTES

4855.1 The Minutes of the meeting held on 28<sup>th</sup> May 2019 previously circulated were taken as read noted. They were signed by the Chairman as a true record of the proceedings.

4855.2 Matters Arising

Minute No. 4844.34



[REDACTED]

4855.3

[REDACTED]

**4855.4 Outstanding Action Items**

The memorandum previously circulated was taken as read and noted.

4855.5 Item 566

[REDACTED]

4855.6 Item 569

[REDACTED] advised that a comprehensive business case for the Cork Track Relaying Project would be presented at the CIE Board meeting on 3<sup>rd</sup> July 2019.

4855.7 Item 570

The Chairman stated that passengers who use an Irish language “fada” have their names printed as a string of ASCII code on printed tickets as well as over their seats and that this needs to be resolved. [REDACTED] stated that he would follow up on this issue and on how the Customer First system would be integrated with the on-board system. The Chairman asked for this to be completed by September. [REDACTED]

4855.8 Item 572

The Chairman stated that the car park strategy should cover the issue of e-charging. [REDACTED]

**4856 CHIEF EXECUTIVE’S REPORT**

4856.1 The Chief Executive’s Report previously circulated was taken as read and noted.

4856.2

[REDACTED]

4856.3 **Finance**

[REDACTED] of the following:

- The company generated a surplus of [REDACTED] during Period 5 2019 compared to a forecast surplus of [REDACTED]. The year to date surplus was [REDACTED] compared to a forecast surplus of [REDACTED].
- The positive variance of [REDACTED] during Period 5 resulted from less infrastructure third party expenditure and less infrastructure maintenance expenditure than planned. In addition, there was less multi-annual contract (MAC) capital expenditure than forecast which resulted in a favourable MAC income effect in the Profit and Loss Account during the period. However, these are all timing issues which are expected to come back in line over time.
- The National Transport Authority (NTA) adjusted the public service obligation (PSO) funding downwards during the period due to the strong passenger revenue performance to date in 2019 compared with 2018.
- The Risk and Opportunities Schedule now includes an opportunity in respect of the BT arbitration for an amount of [REDACTED]. However, this is subject to a decision of the arbitrator on legal costs.







addressed. Therefore, the Phase 4 commissioning planned for 22<sup>nd</sup> June 2019 was deferred until the issue is resolved.

- Progress on the project for low cost level crossing technical solutions is going well with the installation of new equipment being rolled out to eight locations by October 2019 (subject to CRR approval). The Chairman and [REDACTED] asked for the list of the eight level crossing locations to be provided to them.
- Fingal County Council have advised that they intend applying for planning permission for a Greenway between the Malahide and Newbridge Demesnes to be known as the Broadmeadow Way. Iarnród Éireann is supportive of this proposal. [REDACTED] asked why Iarnród Éireann would entertain a proposal for a Greenway on the [REDACTED] rather than encouraging rail freight given the current climate action agenda. [REDACTED] explained that if they are of community benefit, the policy is to be supportive of Greenways on closed lines. However, Iarnród Éireann retains the right to take the line back provided there is a business case supporting the reopening of the line.
- In response to [REDACTED] confirmed that all outstanding technical issues which have already been identified with respect to the Train Protection System (TPS) Project are being addressed and will be on the agenda for the next Infrastructure Advisory Group (IAG) meeting in August.

#### 4857 SAFETY

[REDACTED] Strategic Safety Manager, [REDACTED] Head of Safety, RU and [REDACTED] Head of Safety, IM, joined the meeting at this time.

#### 4857.1 Safety Report

The Safety Report previously circulated was taken as read and noted.

#### 4857.2 [REDACTED] presented her report and referred to the following:

- Development of a Human Factors Strategy which will cover the following:
  - Support for investigations.
  - Support for human factors training.
  - Support for operations.
  - Integration of human factors in the design and delivery of major projects.
  - Promotion of the safety culture.
  - The integration of human factors in the current Safety Management System (SMS) and in the development of new SMS standards.
- The development of a comprehensive strategy that provides progressive support to all employees in managing their health and wellbeing. The key project steps include:
  - Developing an understanding of the current state.
  - Engagement with employees.
  - Research of other organisations.
  - The drafting of a strategy.

#### 4857.3 Matters discussed including the following:

- The need for a programme identifying where and when platform train interface (PTI) changes are to be made. This will be an agenda item for the September meeting of the Board Safety Committee. [REDACTED]
- Increase in slips, trips and falls due to the increase in passenger numbers.
- The identification of vulnerable groups as part of the process to reduce the incidents of slips, trips and falls.
- Lone working App.
- The on-line facilities to obtain Irish and British accident investigation reports.
- Track worker safety initiative statistics are to be provided at the next Board Safety Committee meeting. [REDACTED]
- The Board Safety Committee is to engage in a more focused review of the Safety Risk Register as some updates are needed.

[REDACTED] left the meeting and [REDACTED] joined the meeting at this time.

## STRATEGY

[REDACTED], Manager Operations & New Works and [REDACTED] Chief Mechanical Engineer, joined the meeting at this time.

### 4858.1 DART Expansion Progress Report

The memorandum previously circulated was taken as read and noted.

### 4858.2 [REDACTED] presented his report and referred to the following:

- Mobilisation of staff resources.
- Discussions with the NTA on:
  - The findings of the Jacob's Report on the Connolly Capacity Enhancement Study.
  - The Docklands Station and Environs Study (AECOM Report).
  - Rolling stock funding.

### 4858.3 The Chairman stated that there was a gap between the NTA's ambition to have the best possible proposals with the best technical solutions and the actual funding that may be available. Mr. Muldoon stated that the discussions with the NTA have included:

- The widening funding gap,
- Problems with the proposed cash flow profile,
- Delays in NTA decision making and
- Options relating to the deferral of the electrification of the Kildare and Northern Lines etc.

### 4858.4 Matters discussed included the following:

- While cash flow problems can be managed (even by borrowings if necessary) the total forecast for the cost of the project [REDACTED] exceeds the total amount available for the project [REDACTED]
- Status of the board decision on 5<sup>th</sup> February 2019 (Minute No.4818.13) to approve expenditure in 2019 of [REDACTED] proposed for Phases 2 and 3 of the project, now that it appears that the required scope and expenditure profile of [REDACTED] will not be achieved as planned. This is due to delays on the finalisation of options studies, mobilisation of the required staff resources and review of the proposed programme in line with the advised funding profile from the NTA.
- Whether a revised scope of work for the project as a whole should be considered to fit in with the amount of funding that is likely to be available.
- Interdependency between the scope/design decisions by Iarnród Éireann and NTA decisions and the lack of clarity between the role of the NTA and the role of Iarnród Éireann on such matters.
- The impact on project costs of delays in decision making.
- The need for a quality business case to include a clear definition of scope, cost breakdown, risk assessment, governance arrangements, etc.
- The need to avoid delaying projects which would address capacity issues.
- Mr. Smyth confirmed that there was no impact on the procurement process for rolling stock of the delay in the board's decision on that matter (Minute No. 4848.16 on 28<sup>th</sup> May 2019).

### 4858.5 Following further discussion it was agreed that the board's decision of 5<sup>th</sup> February 2019 (Minute No. 4818.13) for expenditure of [REDACTED] for a certain scope of work was now superseded because that scope of work would not be delivered and because of the findings of the AECOM Report which has now been received.

### 4858.6 Appraisal of the DART Expansion Network Arrangement as contained in the National Development Plan 2018 – 2027 (AECOM Report)

The memorandum previously circulated was taken as read and noted.

### 4858.7 [REDACTED] advised of the following:

- Iarnród Éireann's appointment of AECOM to:
  - Conduct a review of the transportation study prepared by Systra for the NTA and
  - Prepare an economic appraisal of the DART Expansion network arrangement.
- Consideration of six options leading to two short listed options:
  - Full DART Expansion with DART Underground and
  - DART Expansion with maximised use of existing infrastructure (i.e. without the tunnel).
- DART Expansion without the tunnel is proposed.

### 4858.8 The Chairman stated that DART Expansion will be the most important decision the board is going to take for many years. Therefore, a business case of the highest quality is required. He felt that while the AECOM Report met the minimum requirements of the Department of Public Expenditure



and Reform (DPER) for an economic appraisal of a project at this stage of its development, it did not deal with critical project issues such as:

- What options are available if the full project is not deliverable within the funding envelope that is likely to be available for it?
- What are the consequences for the project if there is a funding shortfall i.e. will it take longer and will the scope change, both of which will lead to an increase in costs?
- Provision for contingencies and cost escalation.
- Details of risk assessment and risk mitigation measures and how any cost escalation would be funded.
- How transformative the project could be.
- What should be the project management and governance arrangements of the project? The Chairman queried whether the board should take such an important decision in the absence of a proper analysis of these funding issues and governance arrangements.

**4858.9** Other matters discussed included the following:

- Risk levels in a project of this scale and the board's responsibility to ensure that any such risk is managed and mitigated.
- The need to identify what is achievable (i.e. a revised scope of work) if funding is restricted to the [REDACTED] allocated in the National Development Plan (NDP).
- The board is not being asked yet to make a decision on whether to approve a [REDACTED] or a [REDACTED] project. Current proposals only progress the project to preliminary design, pre-tender and Railway order stage.
- Whether the reference design for a Railway Order may have to be redrafted if the scope for the project changes. This could lead to a duplication of costs.
- Whether there is a need to spend as much as [REDACTED] in order to ascertain what the scope of the project would be if only [REDACTED] was available i.e. could this be ascertained at an earlier interim point.
- Whatever is determined to be deliverable will influence the board's decision regarding the EMU/BEMU options in the procurement of rolling stock.
- Onus on Iarnród Éireann to address capacity constraints as early as possible.

**4858.10** [REDACTED] stated that Iarnród Éireann has been asked by the NTA to carry out this work. The NTA has been advised by Iarnród Éireann and are aware of the funding gap. [REDACTED] confirmed this stating that he had always highlighted the funding gap issue to the board and to the NTA (in writing). Discussions are continuing with the NTA in order to define what can be delivered for the [REDACTED] that is available and to agree a final scope.

**4858.11** [REDACTED] stated that given the overall size of the project the funding gap is still sufficiently small to enable the current phase of the project to proceed so that scope changes and risks can be identified. However, if the funding gap widens then the board will reach the point where a decision will have to be made regarding the project as a whole.

**4858.12** [REDACTED] stated that in his view the confidence which the board requires regarding costs and what can be delivered for only [REDACTED] cannot be provided without further significant planning and optioneering work and further discussions with the NTA.

**4852.13** [REDACTED] asked for the consultancy contract for Phases 2 and 3 to be constructed in such a way that critical interim points could be identified at which more mature scoping of costs could be carried out to enable the board to make option decisions before committing fully to the €62 million required for these phases of the project. [REDACTED] stated that quarterly reports can be prepared providing up to date information on costs, engineering options and scope deliverables.

**4858.14** The board agreed to proceed on this basis but suggested that there should be close liaison between the Chairman and [REDACTED]. The Chairman agreed to meet [REDACTED] in this regard and also to discuss governance issues with him. **Chairman and [REDACTED]**

**4858.15** **Fleet Strategy Update**

The memorandum previously circulated was taken as read and noted.

**4858.16** [REDACTED] gave an update on fleet strategy and capacity enhancement in the short to medium term. He advised that there were two separate work streams in progress as follows:

- The purchase of 41 additional intermediate Intercity railcar (ICR) vehicles to lengthen existing trains and
- The purchase of new DART trains as part of DART Expansion.



- 4858.17** Matters discussed included the following:
- Feedback from the first tender quotes in respect of the supply of EMUs and BEMUs would be available for the next board meeting in August.
  - Expected life of batteries.
  - The design of the ICR fleet does not allow for unpowered ICRs or the sharing of auxiliary power.

**4858.18 Capital Expenditure - 41 Intercity Rail Cars (ICRs)**

The memorandum previously circulated was taken as read and noted.

- 4858.19** The board gave its approval for expenditure of €165,860,872 for the purchase of 41 intermediate class 22000 ICRs from Mitsui and the associated project costs (Stages 1 to 6 of the New Works Project Management Procedures).

It was noted that:

- This project is being funded by the NTA.
- The signing of a contract for this project is subject to the agreement of a business case with the NTA.
- The cost of this project comes out of the [REDACTED] budgeted for rolling stock contained in the [REDACTED] of funding available for the DART Expansion Project.

- 4858.20** [REDACTED] asked for a briefing on the accessibility aspects of this project including standards, future proofing, toilet facilities etc. [REDACTED]

[REDACTED] left the meeting at this time.

**4858.21 Definition of DART Expansion**

[REDACTED] emphasised the importance of the definition of DART Expansion. The relevant documentation should be date stamped and used as one of the key reference points in the project. It can be changed subsequently following any optioneering. It was agreed that the definition should also refer to passenger carrying capacity and fleet.

**4859 CAPITAL**

**4859.1 Capital Expenditure Proposals**

The five memoranda previously circulated were taken as read and noted.

**4859.2 DART Expansion – Preliminary Design and Statutory Approval (Phases 2 and 3)**

The board gave its approval for expenditure of up to [REDACTED] for the preliminary design, statutory approval and tender preparation phases of DART Expansion (non-tunnel elements) (Phases 2 and 3 of the New Works Project Management Procedures).

It was noted that:

- This sum will bring the total board approved expenditure on this proposal to [REDACTED] to date.
- Funding will be provided by the NTA.
- Regular updates will be provided to the board so that account can be taken of changes to scope due to cost issues.
- Management is to submit a high-quality business case to the board.
- This expenditure covers the preliminary design, statutory planning and tender preparation phase of all the elements of the DART Expansion, which will be designed and submitted for statutory approvals as a series of integrated work packages undertaken at overlapping times with staggered start dates.

**4859.3 New Station at Pelletstown – Construction Stage**

The board gave its approval for expenditure of [REDACTED] (which is ineligible for NTA funding) for the construction stage of a new station at Pelletstown situated midway between Broombridge and Ashtown Stations on the Connolly/Maynooth Line (Phases 5 and 6 of the New Works Project Management Procedures).

It was noted that:

- This will bring the total approved expenditure for the project to [REDACTED]
- The project is being jointly funded by Dublin City Council and the NTA.

**4859.4** National Carpark Strategy – Phase 1 Project Concept and Feasibility Stage

The board gave its approval for expenditure of [REDACTED] for the project and feasibility stage (Phase 1 of the Project Management Procedures) of a national carpark strategy for Iarnród Éireann, subject to funding from the NTA.

**4859.5** Customer Information Systems Strategy

The Board gave its approval for expenditure of [REDACTED] (of which [REDACTED] is ineligible for NTA funding) for the preparation of a Customer Information Systems Strategy (Phase 1 of the Project Management Procedures).

It was noted that funding for this project will be provided by the NTA.

**4859.6** Scope Change for the Third Party Fit Out of the National Train Control Centre (NTCC)

The board gave its approval to increase the scope of the NTCC Project to include the third party fit out of the NTCC building which comprises the fit out for both An Garda Síochána and Dublin City Council.

It was noted that:

- This will increase the NTCC approved expenditure by [REDACTED] to [REDACTED]
- This project is funded by the NTA.

**4859.7** Closeout Report

The memorandum previously circulated was taken as read and noted.

**4859.8** The board gave its approval for the closeout of project works at UBR139 at the Dargle River in Bray carried out on behalf of Wicklow County Council.**4860** **PROCUREMENT**

The Chief Procurement Officer, [REDACTED] joined the meeting at this time.

**4860.1** Procurement Report

The Procurement Report for Period 5 2019 previously circulated was taken as read and noted.

**4860.2**

[REDACTED]

**4860.3** Contracts

The five memoranda previously circulated were taken as read and noted.

**4860.4** Purchase of 41 Intermediate Intercity Railcars (ICRs)

The board gave its approval for the following:

- (a) The award of a framework agreement to Mitsui, without a call for competition, for the supply of 41 intermediate ICRs at an estimated cost of [REDACTED] (excluding VAT), including a [REDACTED] provision for capital spare parts subject to:
  - Final production of the technical specification by Iarnród Éireann and
  - Final agreement on contractual conditions and commercial negotiations.
- (b) The award by way of a supplemental agreement to the framework agreement to Mitsui, without a call for competition, for the undertaking of necessary related compatibility modifications to the current ICRs at an estimated cost of [REDACTED] excluding VAT, subject to:
  - Final production of the technical specifications by Iarnród Éireann and
  - Final agreement on contractual conditions and commercial negotiations.

It was noted that:

- The basis for proceeding without a call for competition is in line with EU Procurement Directives set out in Article 50(1)(c)(ii) of the Utilities Directive 2014 /25.
- The funding source for this contract will be the NTA and is subject to finalisation and approval of the business case.

[REDACTED] left the meeting at this time.

**4860.5** Framework Agreement for Roofing Renewals

The board gave its approval for the entry into a four year multi-party framework agreement for roofing renewals with the following six companies:

Total Highway Maintenance Ltd.  
 Vision Contracting Ltd.  
 Gravity Construction / Westside Civil Engineering  
 HBS Construction  
 Conneally Maintenance  
 Global Rail Services Ltd.

It was noted that the estimated spend under the framework agreement over the four year period is in the order of [REDACTED] excluding VAT.

**4860.6** Framework Agreement for Road Fleet Hire

The board gave its approval for the following:

- (a) The establishment of a multi-party framework agreement with the following five companies to facilitate the annual call off of road fleet requirements to the CIE Group of companies over the next three years:

GPT Ltd. (vans only)  
 Kitale Ltd. t/a Ashley Ford  
 Holden Plant  
 Leaseplan (cars only)  
 Walker (vans only)

It was noted that each annual call off may be for a period of up to four years.

- (b) The award of the 2019 call off under the framework agreement to GPT Ltd. for the lease, maintenance and management services of up to 362 commercial vehicles at an estimated cost of [REDACTED] excluding VAT, subject to the outcome of a cost efficiency review.

It was noted that the non-recoverable VAT arising is estimated at €1.6 million giving a total contract award figure of [REDACTED] over the lease period of four years.

- (c) The award of the 2019 call off under the framework agreement to Kitale Ltd. t/a Ashley Ford for the lease, maintenance and management services of up to 72 cars at an estimated cost of [REDACTED] excluding VAT.

It was noted that the non-recoverable VAT arising is estimated at [REDACTED] giving a total contract award figure of [REDACTED] over the lease period of four years.

**4860.7** Framework Agreement for the Supply of Signalling, Electrical and Telecoms (SET) Cable

The board gave its approval for the entry into a four year multi-party framework agreement with the following companies for the supply of SET cable:

British Cables Ltd.  
 Cleveland Cable Company  
 Tratos (UK) Ltd.  
 LGCE BV

It was noted that:

- This framework agreement will operate for a period of four years with an option to extend for a further year at an estimated total spend [REDACTED] excluding VAT over this term.
- The funding source for the framework call-offs will be either the MAC or approved projects.

**4860.8** Lift and Escalator Maintenance

The board gave its approval for the award of a contract to Orona Midwestern Lifts Ltd. for the provision of lift and escalator maintenance services.

It was noted that:

- The initial award period is three years with an option to extend for up to two additional years.
- The estimated spend during the maximum full term is in the order of [REDACTED] subject to volume of activity.
- The non-recoverable VAT arising against this spend is estimated at [REDACTED] providing a total estimated spend value of €6.7 million over the five year period.
- The funding source for this contract is the MAC.



**4860.9 Selection Criteria**

The two memoranda previously circulated were taken as read and noted.

**4860.10 Establishment of a Single Party Framework Agreement for the Implementation of SET Works**

The board gave its approval for the selection criteria as presented for the proposed pre-qualification of applicants for the establishment of a single party framework to support the delivery of SET projects.

It was noted that:

- The agreement will operate for a period of five years with an option to extend for a further three years.
- The estimated spend under this agreement is [REDACTED] excluding VAT.
- The funding source for this contract will be both the MAC and authorised capital projects.

**4860.11 Two Track Inspection Cars**

The board gave its approval for the selection criteria as presented for the proposed pre-qualification process for the purchase of two on-track inspection cars.

It was noted that:

- The estimated value of this contract is [REDACTED] excluding VAT.
- The funding source for this contract is the MAC.

**4860.12 Procurement Schedule for 2019**

The updated Procurement Schedule for 2019 previously circulated was taken as read and noted.

[REDACTED] left the meeting at his time.

**4861 ADVISORY/POLICY****4861.1 Human Resources Advisory Group (HRAG)**

The Report from the Chairman of the HRAG previously circulated was taken as read and noted.

**4861.2** The Chairman of the HRAG, [REDACTED] advised that at its recent meeting the HRAG had considered the following:

- Progress on the Core HR and Human Capital Management projects.
- Ongoing talks with the Trade Unions on the issue of mandatory medicals.
- Leadership management and talent management.

**4861.3 Board and Organisational Values**

The memorandum previously circulated was taken as read and noted.

**4861.4** Following discussion the board agreed to leave the list of organisational values and the list of board values as they currently stand but to change the terminology of "Board Values" to "Board Culture".

**4861.5** It was suggested that this document, when finalised, should be given to whoever is selected to carry out the external review of board performance. [REDACTED]

**4861.6 Quarterly Risk Report**

[REDACTED] Chief Risk Officer, joined the meeting at this time.

**4861.7** The Quarterly Risk Report as at June 2019 previously circulated was taken as read and noted.

**4861.8** The Chairman asked for the risks associated with the DART Expansion Project be reviewed given that it is the biggest project for the company. He asked [REDACTED] to liaise with [REDACTED] to consider the many risks associated with this project and how they should be recorded on the Risk Register. [REDACTED]

**4861.9** The Chairman of the Board Safety Committee (BSC), [REDACTED], stated that the BSC needs to review the list of principal risks (which includes the risk of a terrorist attack on Iarnród Éireann premises) at its next meeting.

**4861.10** [REDACTED] asked for further information to be provided in the quarterly reports about risks that are re-categorised from principal risks to non-principal risks so that improvements in the risk universe can be shown more clearly. [REDACTED]

██████████ left the meeting at this time.

## 4861.11 Property Matters

The two memoranda previously circulated were taken as read and noted.

## 4861.12 LED Bridge Development

[illegible]

**4861.13** Kiosk 1, Heuston Station

\_\_\_\_\_

**4861.14 Redevelopment Works at Ceannt Station, Galway**

The memorandum previously circulated was taken as read and noted.

4861.15 The board noted that:

- An application is being made to Galway City Council to extend an existing planning permission for works at Ceannt Station, Galway, due to expire in July 2019 and
- An application will be made to the Department of Housing, Planning and Local Government under the Urban Regeneration Development Fund for 50% funding for the remaining redevelopment works at the station, having an estimated cost of [REDACTED]. It was noted that the NTA has agreed in principle to fund the balancing 50%.

## 4862 ADMINISTRATIVE ITEMS

### 4862.1 Transactions for Approval, Sealing and Signing

The transactions (3) for approval and sealing at the meeting were approved and sealed.

## Appendix I

The transactions (3) for approval and signing at the meeting were approved and signed.

## Appendix II

## 4862.2 Revised Terms of Reference for the Human Resource Advisory Group (HRAG)

The memorandum previously circulated was taken as read and noted.

**4862.3** The board gave its approval for the revised Terms of Reference for the HRAG as presented and for the update of the Directors' Manual accordingly.

#### 4862.4 Authority to Settle a Claim

The memorandum previously circulated was taken as read and noted.

4862.5

\_\_\_\_\_

**4862.6** In response to [REDACTED], confirmed that claims are well reserved.

## 4863 ITEMS FOR NOTING

### 4863.1 Report to the Minister

**Report to the Minister** following the board meeting on 28<sup>th</sup> May 2019 previously circulated was taken as read and noted.

**4863.2****Rolling Agenda**

The up to date Rolling Agenda for 2019 previously circulated was taken as read and noted.

**4864****DATE AND LOCATION OF NEXT MEETING**

Tuesday 27<sup>th</sup> August 2019 at 9.30am in Heuston Station.

Chairman \_\_\_\_\_

Date \_\_\_\_\_



**TRANSACTION FOR APPROVAL AND SEALING**

1. Lease in duplicate with [REDACTED] for Unit 2, Heuston Station, Dublin 8, for a term of 10 years, for a rent of [REDACTED] annum or 23.1% of Gross Turnover, whichever is greater.
2. Agreement in duplicate and Closure Agreement in duplicate with [REDACTED], for the purchase of 14.92 acres of land and agreement to close of Level Crossing XS039 at 68 miles 1,740 yards on the Mullingar to Sligo Railway Line, for a consideration of [REDACTED]
3. Bridge Agreement in triplicate with Dublin City Council allowing them to construct a pedestrian and cycle track on IÉ/CIÉ property adjoining the Royal Canal, between Newcomen Bridge and Sheriff Street Lift Bridge in consideration of a once-off fee of [REDACTED]

**Company Secretary**  
**Iarnród Éireann**  
**25<sup>th</sup> June 2019**

**TRANSACTIONS FOR APPROVAL AND SIGNING**

1. Licence in duplicate with [REDACTED] and [REDACTED], for a mobile kiosk at Drogheda Railway Station, for a licence period of 3 years, at a licence fee of [REDACTED] per annum.
2. Licence in duplicate with [REDACTED] for a mobile kiosk at Portmarnock Railway Station, for a licence period of 2 years at a licence fee of [REDACTED] per annum.
3. Licence in duplicate with [REDACTED] and [REDACTED], for a mobile kiosk at Portarlinton Railway Station, for a term of 2 years, at a licence fee of [REDACTED] per annum.

**Company Secretary**  
**Iarnród Éireann**  
**25<sup>th</sup> June 2019**

## STRICTLY PRIVATE AND CONFIDENTIAL

IN ACCORDANCE WITH THE TERMS OF SECTION 22 OF THE TRANSPORT  
(RE-ORGANISATION OF CÓRAS IOMPAIR ÉIREANN) ACT, 1986

## IARNRÓD ÉIREANN - IRISH RAIL

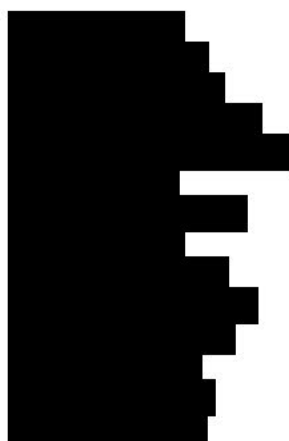
MINUTES OF THE THREE HUNDRED AND THIRTYFIFTH  
BOARD MEETING HELD ON TUESDAY 27<sup>TH</sup> AUGUST 2019  
AT 9.30 AM IN HEUSTON STATION

## PRESENT:



Chairman  
Director  
Director  
Director  
Director  
Director  
Director  
Director  
Director

## IN ATTENDANCE:



General Manager Freight & Rosslare Europort (part)  
Chief Financial Officer  
Commercial Director  
Director Infrastructure Manager  
Company Secretary  
Director Railway Undertaking  
Acting Chief Procurement Officer (part)  
Chief Executive  
Manager, Operations & New Works (part)  
Chief Executive, CIE  
Chief Procurement Officer (part)  
Chief Mechanical Engineer (part)  
Chairman, Infrastructure Advisory Group  
Programme Manager, Railway Systems, New Works (part)

## MIN NO.

## 4865 CONFLICTS OF INTERESTS

No conflicts of interests were declared.

## 4866 MINUTES

4866.1 The Minutes of the meeting held on 25<sup>th</sup> June 2019 previously circulated were taken as read noted. They were signed by the Chairman as a true record of the proceedings.

4866.2 Outstanding Action Items

The memorandum previously circulated was taken as read and noted.

4866.3 Item 573

It was agreed that the issue regarding the printing of Irish language "fadas" on tickets and displays for seat reservations should remain on the Actions List until it has been resolved.

4866.4 Item 575

It was agreed that Iarnród Éireann should be as supportive as possible to Shannon Foynes Port in their development plans due to the potential for increased rail freight.





4867

STRATEGY

4867.1

Rosslare Europort Business Plan

[Redacted text]

4867.2

[Redacted text]

4867.3

[Redacted text]

4867.4

[Redacted text]

4867.5

4867.6

4867.7

**DART Expansion Programme Progress Report**

[REDACTED], Manager Operations & New Works, [REDACTED], Chief Mechanical Engineer and [REDACTED], Programme Manager, Railway Systems, New Works, joined the meeting at this time.

4867.8

The memorandum previously circulated was taken as read and noted.

4867.9

The Chairman stated the he had discussions with [REDACTED] on the requirement for a quality business case. A lot of strands need to be brought together and a final business case will be brought to the board in due course as a decision making tool.

4867.10

[REDACTED] presented his report and matters discussed included the following:

- Recruitment of resources.  
Interviews have been taking place over the past few weeks. While a good team will emerge, it will not be ideal due to the unavailability of sufficient expertise particularly in the Signalling Electrical and Telecoms (SET) area. The use of Framework Agreements will help to address this issue. However, internal staff will need to be trained up so that standards can be maintained.
- The passenger capacity that could be provided following fleet growth and enhanced infrastructure would be transformative for the country.

4867.11

**Framework Agreement for the Purchase of Rolling Stock – Award Criteria**

The memorandum previously circulated was taken as read and noted.

4867.12

In reviewing this proposal, matters discussed included the following:

- The procurement process involves:
  - An option and not a commitment to purchase bi-mode (battery) electrical multiple units (BEMUs) and
  - A maintenance element.
- Whether a separate business case / economic justification for BEMUs should be carried out before a decision is taken to buy any.
- Recyclability of the battery element and the vehicle element of BEMUs.
- BEMUs are basically EMUs with a battery.
- Absence of some leading rolling stock suppliers from the tendering process reflecting their full order books.
- Risk of quotes exceeding budget if we require too much customisation balanced against the need for a quality product for a fleet that is likely to be in service for the next 50 years.
- Gap between the allocation of funds and the estimated cost of the DART Expansion Project.
- Weightings for each criterion, particularly that relating to life cycle costing.

4867.13

The board gave its approval for award criteria, reallocated to ensure a 50% weighting for lifecycle costing (of which 50%, i.e. 25% of the total, is to be attributable to the capital cost of vehicles and 50%, i.e. 25% of the total, is to be attributable to maintenance spare parts, labour costs and operational costs of the vehicle over a 35 year life), to be used in the tender process leading to the award of:

- A ten year single party Framework Agreement for the supply of EMUs and BEMUs.
- A technical services and supply of spare parts agreement covering a maintenance period from the first vehicle to 15 years from delivery of the final vehicle.

It was noted that:

- It is envisaged that 600 vehicles may be procured over the life of the Framework Agreement.
- The external funding source for this Framework Agreement will be through the National Development Plan (NDP) and successor capital funding programmes.
- The estimated maximum expenditure under the Framework Agreement is [REDACTED]

## **4868 ADVISORY/POLICY**

### **4868.1 Trains Advisory Group (TAG)**

The Report from the Chairman of the TAG previously circulated was taken as read and noted.

### **4868.2** The Chairman of the TAG, [REDACTED], advised of the following:

- Site visit to Bombardier Transportation in Germany to view their latest BEMU.  
He stated that he was now satisfied that an appropriately specified BEMU can offer a technically viable alternative to diesel multiple unit (DMU) or DMU/EMU bi-mode operations in Ireland. He is also satisfied that BEMUs will not limit the availability of EMUs.
- Review of reports from Jacobs Rail Fleet Advisory Services.  
Jacobs recommend that some of the new fleet should consist of four car formation even though the vast majority of DART services operate in eight car formation, which is projected to be required into the future. The National Transport Authority (NTA) need to be advised of the necessity of eight car formation in the future.
- The cost effectiveness of vehicle cascading and proposed retention of Class 8100 vehicles needs to be determined. [REDACTED]

### **4868.3 Infrastructure Advisory Group (IAG)**

The Report from the Chairman of the IAG previously circulated was taken as read and noted.

### **4868.4** The Chairman of the IAG, [REDACTED], presented his report and matters discussed included the following:

- The five remaining issues (out of the original 150 issues) that need to be addressed with respect to the implementation of the Train Protection System (TPS). If appropriately resourced and prioritised, the issue of the loss of code in the DART area can be resolved without impacting on the TPS implementation schedule. However, this will involve the diversion of resources from other areas e.g. the DART Expansion Programme. This is a maintenance issue which has to be resolved irrespective of the TPS Project.
- A presentation on coastal erosion along the east coast is scheduled for the December board meeting.
- Shutdown of the mainline control system on 28<sup>th</sup> May 2019 following preparatory work for Phase 4 (of nine phases) of centralised train control (CTC) interim works. Given that [REDACTED] had advised that in view of system obsolescence they would not be able to provide technical support beyond 2018 and that they have been persuaded to assist us until the early 2020s when the new CTC system is developed, it is felt that it would not be commercially sensible to pursue a claim against them as a result of the outage. While testing is carried out of hardware and software changes during the interim works, not every possible scenario can be simulated. However, [REDACTED] validation protocols are being checked out. In the meantime, Iarnród Éireann is dependent on Alstom until the new CTC system is developed.
- The necessary Approval to Place in Service (APIS) approvals were received from the Commissioner for Railway Regulation (CRR) at the end of July in connection with the TPS programme. This reflects the improved relationship with the CRR.

[REDACTED] left the meeting at this time.

## **4869 CHIEF EXECUTIVE'S REPORT**

### **4869.1** The Chief Executive's Report previously circulated was taken as read and noted.

### **4869.2** [REDACTED] presented his report and referred to the following:

- Key performance indicators (KPIs) for Period 8 2019.  
It was noted that the claims rate is falling for customer and movement of passenger (MoP) accidents even though the number of reported incidents and passenger numbers are increasing. An analysis of MoP trends was requested. [REDACTED]
- Biannual customer survey, the latest of which indicated a 90%+ satisfaction level. Media attention tends to be given to one off incidents.



- An analysis of train failure trends was requested.
- The challenges facing the company were raised during the meeting with the Minister on 8<sup>th</sup> August 2019.
- The order for an additional 41 Intercity railcar (ICR) "B" cars will be placed as soon as Cabinet approval is received.
- A Cross Border Services Agreement has been finalised with Northern Ireland Railways (NIR). This is available for signature should it be required in a no deal Brexit.
- Politicians will be briefed on the capacity issues that are likely to increase in the autumn. Capacity issues are likely to become more frequent until new fleet is delivered.
- The Chief Executives were invited to attend the NRB Annual Conference for the first time. Issues raised included accessibility and anti-social behaviour.

4869.3 In response to [REDACTED] the board was advised of the following:

- [REDACTED]
- While the number of customers travelling under the Free Travel Scheme can be ascertained, the company receives [REDACTED].a. from the Department of Social Protection irrespective of how many travel under this scheme.

#### 4869.4 Finance

Mr. Cronin advised of the following:

- The company generated a surplus of [REDACTED] during Period 8 2019 compared to a forecast surplus of [REDACTED]. The year to date surplus was [REDACTED] compared to a forecast surplus [REDACTED].
- Passenger revenue was 2.8% better during the period compared to the same period in 2018. Year to date passenger revenue is 6.8% better than for the same period in 2018.
- Lower capital and maintenance activity than forecast also contributed to the positive variance for the period.
- No comments have been received yet from the Department of Transport, Tourism and Sport (DTTAS) on the Five Year Plan.
- Deloitte Ireland LLP have indicated that CIE funding for the Cork Line Relaying Project may be treated as a capital grant in Iarnród Éireann's books. This allows a deferred credit to be set against the capital depreciation over the life of the asset.
- [REDACTED]

#### 4869.5 Railway Undertaking

[REDACTED] advised of the following:

- An investigation into the ICR engine fire on 8<sup>th</sup> July 2019 is underway.
- The text alert system for DART passengers has been formally launched.

#### 4869.6 Commercial Department

[REDACTED] advised of the following:

- The Group Solicitor's response is awaited on the latest marked up version of the proposed public service contract. Once this has been submitted to the NTA a meeting will take place with them to discuss it.
- Time is running out for the NTA's proposal for a restated contract for a three month period to the end of November 2019.
- CUBIC's software fix for the issues encountered with credit/debit card processing by booking office machines has been rolled out on trial.
- Contracts are being finalised to define accessibility improvements on the website and journey planner.

4869.7 Matters discussed included the following:

- Campaign to encourage passengers to use DART during the shoulder of peak time travel.
- Devices which could be retro-fitted onto trains identifying the more crowded and the less crowded carriages.
- More focus will be required from the autumn onwards on how to optimise vehicle supply and manage passenger demand in the future.
- The move by the NTA towards limiting "reasonable profit" and increasing contract penalties could result in zero profit outcomes. This is more acute for the bus companies.



- The companies should not sign up to KPIs suggested by the NTA if they do not think they can achieve them. However, it was noted that the NTA has the power to set such KPIs.

## 4869.8 Infrastructure Manager (IM)

advised of the following:

- The outcome of the BT arbitration award plus all outstanding funding amounts, results in an additional [REDACTED] available to spend in 2019. Planning is underway to ensure this will be spent in the best way possible.
- It appears that the multi annual contract (MAC) for 2019 may not now be signed until after the Exchequer Budget has been announced. However, this has not delayed any of the monthly payments to the IM from the DTTAS.
- Track possessions will be required this coming weekend to facilitate the installation of technological enhancements for Field Crossing XE020 on the Limerick/Galway Line.

## 4870 ADVISORY/POLICY contd.

## 4870.1 Human Resources Advisory Group (HRAG)

The Report from the Chairman of the HRAG previously circulated was taken as read and noted.

**4870.2** The Chairman of the HRAG, Dr. Mulholland, advised of the following:

- Progress is being made in the establishment of a companywide Joint Industrial Council following a pilot project in the Engineering area. Meaningful talks are taking place in this regard.
- The Payroll Project is progressing well and is on schedule for parallel running in February 2010.
- A review of the management grading structure is being progressed and discussions are taking place with Procurement in this regard.
- A Leadership Development Programme is scheduled with the aim of achieving corporate and strategic objectives.

### 4870.3 Information Technology Advisory Group (ITAG)

The Report from the Chairman of the ITAG previously circulated was taken as read and noted.

## 4870.4 Property Items

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## 4871 CAPITAL

██████████, Acting Chief Procurement Officer, ██████████, Manager Operations & New Works and ██████████, Chief Procurement Officer, joined the meeting at this time.

### 4871.1 Capital Expenditure Proposals

The six memoranda previously circulated were taken as read and noted.

## 4871.2 Bray Staff Accommodation – Planning and Design

The board gave its approval for expenditure of [REDACTED] to progress concept design, option selection, site survey/investigation, planning, detailed design and tender action (Phases 1 to 4 of the New Works Project Management Procedures) for the redevelopment of the station buildings in Bray to facilitate improved accommodation for drivers and other operational staff.

It was noted that this project is to be funded from Iarnród Éireann's own resources.

### 4871.3 Elimination / De-staffing of Level Crossings

The board gave its approval for expenditure of [REDACTED] for the preparation of an application for a Railway Order (Phase 3 of the New Works Project Management Procedures) to eliminate / de-staff the remaining seven staffed level crossings on the Dublin/Cork Line.

It was noted that:

- This sum will bring the total board approved expenditure for this project up to [REDACTED]
- The estimated cost of the project is [REDACTED] subject to the completion of the design and statutory approval processes.
- This project is being funded from the VAT refund received by CIE in 2016.

#### **4871.4** Maynooth Station – North Side Carpark Extension

The board gave its approval for expenditure of [REDACTED] is ineligible for NTA funding) for the construction stage of an extension to the north side carpark at Maynooth Station (Phase 5 of the New Works Project Management Procedures).

It was noted that this project is funded by the NTA.

#### **4871.5** Woodbrook DART Station – Preliminary Design and Planning

The board gave its approval for expenditure of a further [REDACTED] to progress preliminary design and statutory process (Phases 2 and 3 of the New Works Project Management Procedures) for a new DART station at Woodbrook, Dublin, between Shankill and Bray.

It was noted that:

- This will bring the total budget to [REDACTED]
- The project is being funded by the NTA.

#### **4871.6** Closure of Level Crossing XX033 on the Manulla/Ballina Line

The board gave its approval for expenditure of [REDACTED] plus reasonable legal costs so as to allow the purchase of land and construction of a roadway to give alternative access to the users of Level Crossing XX033.

It was noted that:

- Mayo County Council has agreed to commence the process of extinguishing the public rights over the crossing once construction is initiated.
- Funding for the project is provided under the MAC.

#### **4871.7** Financial Planning and Analysis System

The board gave its approval for expenditure of [REDACTED] including VAT for the implementation Phase of the project to develop and install a new Financial Planning and Analysis (FP&A) System for Iarnród Éireann.

It was noted that:

- This will bring the total approved expenditure for the project up to [REDACTED]
- The funding for the project has been agreed by the NTA.
- It is planned that the project will be completed by the end of Quarter 2 2021.

[REDACTED] left the meeting at this time.

### **4872** **PROCUREMENT**

#### **4872.1** Procurement Report

The Procurement Report for Period 7 2019 previously circulated was taken as read and noted.

#### **4872.2** Contracts

The five memoranda previously circulated were taken as read and noted.

#### **4872.3** National Train Control Centre (NTCC) – Traffic Management System (TMS) and Control Equipment

The board gave its approval for the award of a contract for the design, supply, installation, commissioning and maintenance of a TMS and control equipment to Indra Sistemas SA for a value of [REDACTED] excluding VAT.

It was noted that:

- The duration of the contract will be up to five years for the design, supply, installation and commissioning of both the new system and the backup facility.
- It is proposed to establish a separate 15 year maintenance support services contract with an option to extend it for a further five years.
- The contract award value is comprised of:
  - Capital expenditure of [REDACTED] excluding VAT funded by the NTA.



- Operational expenditure of [REDACTED] excluding VAT funded by the MAC over a 20 year period (15+5).
- The non-recoverable VAT will be [REDACTED]

#### **4872.4** NTCC TMS – Project Management Support Services

The board gave its approval for the award of a contract for the provision of project management support services for the implementation of the NTCC TMS to Turas (CPC Project Services LLP, DB Engineering & Consulting and Egis Consortium) at an estimated cost of [REDACTED] excluding VAT over a six year period with an option to extend for a further one year.

It was noted that:

- The total value of non-recoverable VAT is [REDACTED]
- The funding source for this contract is the NTA.

#### **4872.5** Construction of a New Station at Pelletstown on the Connolly/Maynooth Line

The board gave its approval for the award of a contract to John Sisk & Son (Holdings) Ltd. for the construction of a new station at Pelletstown on the Connolly / Maynooth Line.

It was noted that:

- The estimated cost of the contract is [REDACTED] excluding VAT.
- The non-recoverable VAT is estimated at [REDACTED] providing a total estimated contract value of [REDACTED].
- The works are funded by the NTA with a contribution of approximately [REDACTED] from Dublin City Council.

#### **4872.6** On Board Catering Services

The board gave its approval for the award of a contract to Select Service Partner Ireland Ltd. (Rail Gourmet) for the provision of on board catering services for the Republic of Ireland at an estimated cost of [REDACTED] over a five year period.

It was noted that:

- The contract term is three years with an option to extend for an additional period of up to two years.
- The funding source for this project is Iarnród Éireann's operational budget.

#### **4872.7** On Track Ballast Regulator and Rail Mounted Crane

The board gave its approval to grant delegated authority to the Chief Executive to approve the award of the following contracts:

- A contract for the purchase of an on track ballast regulator at an estimated cost of [REDACTED] subject to option selection and
  - A contract for the purchase of a rail mounted crane at an estimated cost of [REDACTED] subject to option selection,
- subject to the conclusion of the evaluation process and agreement of contractual terms.

It was noted that the funding cost for these contracts will be the MAC.

#### **4872.8** Selection Criteria

The two memoranda previously circulated were taken as read and noted.

#### **4872.9** Maintenance and Overhaul of MTU 6H1800 Powerpack Units for the Class 22000 Railcars

The board gave its approval for the selection criteria as presented for the proposed pre-qualification process for the maintenance and overhaul of MTU 6H1800 powerpack units fitted to the Class 22000 railcars.

It was noted that:

- The proposed duration of the contract is five years with an option to extend by a further year during which time Iarnród Éireann intends to migrate to a hybrid powerpack. This contract will phase out as the new hybrid powerpacks come on stream.
- The estimated value of this contract including the optional year is [REDACTED] excluding VAT.
- The funding source for this contract is the Chief Mechanical Engineer's maintenance budget.

**4872.10** Signalling Location Cases for the Train Protection System (TPS)

The board gave its approval for the selection criteria as presented to establish a single supplier Framework Agreement for the manufacture, supply, testing and delivery of fully fitted signalling location cases.

It was noted that:

- The term of the agreement will be five years with an option to extend annually up to a maximum term of eight years.
- The estimated value of this Framework Agreement is [REDACTED] excluding VAT.
- Call off contracts awarded under this Framework Agreement will be funded from the MAC.

**4872.11** Selection and Award Criteria

The memorandum previously circulated was taken as read and noted.

**4872.12** On Board Toilets and HVAC Systems

The board gave its approval for the selection and award criteria as presented to facilitate the running of a tender process leading to the award of the following contracts:

- Lot 1: On board toilet systems maintenance and
- Lot 2: Heating, ventilation and air conditioning (HVAC) systems maintenance.

It was noted that:

- The proposed duration of the contract(s) will be for five years with an option to extend by a further two years on an annual basis.
- The funding sources for these will be the Chief Mechanical Engineers annual maintenance budget.
- The annual cumulative value of both lots is approximately [REDACTED].

**4872.13** Award Criteria

The four memoranda previously circulated were taken as read and noted.

**4872.14** Framework Agreement for the Purchase of New Rolling Stock

The decision in this regard was taken earlier in the meeting (see Minute No. 4867.11).

**4872.15** Track Inspection Cars.

The board gave its approval for the award criteria as presented for the proposed tender process for the purchase of two on track inspection cars.

It was noted that:

- The estimated value of this contract is [REDACTED] excluding VAT.
- The funding source for this contract is the MAC.

**4872.16** Ballast Plough Wagons

The board gave its approval for the award criteria as presented for the tender process for the purchase of six ballast plough rail wagons.

It was noted that:

- The estimated value of this contract is [REDACTED] excluding VAT.
- The funding source for this contract is the MAC.

**4872.17** Replacement of Transmission Technology

The board gave its approval for the award criteria as presented to facilitate the procurement of replacement voice, video and data transmission technology used to support train movements to new Internet Protocol (IP) based technology including associated design and maintenance support services.

It was noted that:

- The total estimated cost is [REDACTED] excluding VAT based on:
  - [REDACTED] for the supply, installation, commissioning and maintenance of the new equipment over a period of approximately six years from 2020 to 2026 and
  - [REDACTED] to cover an eight year maintenance support services period commencing 2026 – 2034.
- The primary funding source for this contract will be the NTCC Project with future funding from the MAC.

**4872.18 Procurement Schedule for 2019**

The updated Procurement Schedule for 2019 previously circulated was taken as read and noted.

██████████ left the meeting at this time.

**4873 ADMINISTRATIVE ITEMS****4873.1 Transactions for Approval, Sealing and Signing**

The transactions (8) for approval and sealing at the meeting were approved and sealed.

**Appendix I**

The transactions (8) for approval and signing at the meeting were approved and signed.

**Appendix II**

**4873.2 Appointment of Auditors**

The memorandum previously circulated was taken as read and noted.

**4873.3** It was proposed by ██████████ and seconded by ██████████ and resolved:

- “(a) That subject to the consent of the Minister for Transport, Tourism and Sport, Deloitte Ireland LLP, Chartered Accountants and Registered Auditors, be and are hereby appointed Auditors for the year ended 31<sup>st</sup> December 2019 and
- (b) That the remuneration of the Auditors be fixed at no more than ██████████ plus VAT for the 2019 audit and ██████████ plus VAT for the tax compliance services).”

**4873.4 Corporate Governance Document**

The memorandum previously circulated was taken as read and noted.

**4873.5** The board noted the updated CIE Group Protected Disclosure Policy and Procedures and the update of the Corporate Governance Manual accordingly.

**4873.6 Register of Ultimate Beneficial Ownership**

The memorandum previously circulated was taken as read and noted.

**4873.7** The board noted the following:

- The requirement, under new anti-laundering money legislation, to register the “beneficial owners” of the company.
- Where a beneficial ownership cannot be identified, as in Iarnród Éireann’s case, the details of the “Senior Managing Officials” must be registered instead.
- In this context, the Directors and the Chief Executive will be registered as the beneficial owners of Iarnród Éireann.

**4874 ITEMS FOR NOTING****4874.1 Report to the Minister**

The Report to the Minister following the board meeting on 25<sup>th</sup> June 2019 previously circulated was taken as read and noted.

**4874.2 Minutes of Advisory Group Meetings**

The Minutes of the following Advisory Group meetings previously circulated were taken as read and noted:

- Infrastructure Advisory Group Minutes 15<sup>th</sup> May 2019.
- Trains Advisory Group Minutes 20<sup>th</sup> May 2019.
- Strategy Advisory Group Minutes 20<sup>th</sup> May 2019.
- Information Technology Advisory Group Minutes 13<sup>th</sup> May 2019.
- Human Resources Advisory Group Minutes 21<sup>st</sup> May 2019.

**4874.3 Rolling Agenda**

The up to date Rolling Agenda previously circulated was taken as read and noted.



**4875 ANY OTHER BUSINESS****4875.1 Board Effectiveness Review**

The Chairman advised that an external review of Iarnród Éireann board performance is due to be carried out under the Code of Practice for the Governance of State Bodies. Better Boards have been retained to carry out this work and will be in contact soon.

**4875.2 2020 Timetable**

The Timetable of meetings for 2020 is being finalised.

**4875.3 Board Safety Committee**

The board appointed Ms. Roarty as a member of the Board Safety Committee.

**4876 DATE AND LOCATION OF NEXT MEETING**

Tuesday 29<sup>th</sup> October 2019 at 9.30am in Heuston Station.

Chairman \_\_\_\_\_

Date \_\_\_\_\_

## TRANSACTIONS FOR APPROVAL AND SEALING

1. Agreement in duplicate with Westmeath County Council for the construction of a new underbridge UBG104A by Iarnród Éireann at the cost to the Council, in relation to the Dublin to Galway National Cycle Route on the Mullingar to Athlone Greenway.
2. Closure Agreement in duplicate with [REDACTED] and [REDACTED] in relation to the closure of Pedestrian Crossing XC070 at 60 miles 1,660 yards on the Dublin to Cork Railway Line for a consideration of [REDACTED]
3. Lease in duplicate with [REDACTED], for a retail unit at Grand Canal Dock Railway Station, for a term of 5 years at a rent of [REDACTED] per annum or 10% Gross Turnover whichever is greater.
4. Licence in duplicate with [REDACTED] for the installation, testing, maintenance and use of fibre optic telecoms cable in existing ESB lines at the following three locations on the Dublin to Belfast Railway Line, for a licence period of 40 years, for a licence fee of [REDACTED] per annum per location, subject to review in accordance with CPI every 5<sup>th</sup> year:
  - OBB14, Cill Eanna, Raheny at 3 miles 587 yards
  - OBB16 Raheny Railway Station at 3 miles 1,276 yards
  - Myrtle Close, Baldoyle at 5 miles 760 yards
5. Lease in duplicate with [REDACTED], for a unit at Colbert Railway Station, Limerick, for a term of 5 years, for a rent of [REDACTED] annum or 13% Gross Turnover, whichever is greater.
6. Lease in duplicate with [REDACTED] and [REDACTED] for a plot of land adjoining their public house [REDACTED] for a term of 20 years, for a rent of [REDACTED] per annum subject to review in accordance with the Consumer Price Index in years 5, 10 and 15.
7. Lease in duplicate with [REDACTED] ULC, for a kiosk at Heuston Station, for a term of 5 years at a rent of [REDACTED] per annum or 18% of Gross Turnover, whichever is greater.
8. Agreement in duplicate with Dublin City Council, to formalise the maintenance, title and operation of Overbridge OBG5D (public road bridge which replaced Level Crossing XG002, Reilly's Bridge on the Dublin to Sligo Railway Line).

**Company Secretary**  
**Iarnród Éireann**  
**27<sup>th</sup> August 2019**

## TRANSACTIONS FOR APPROVAL AND SIGNING

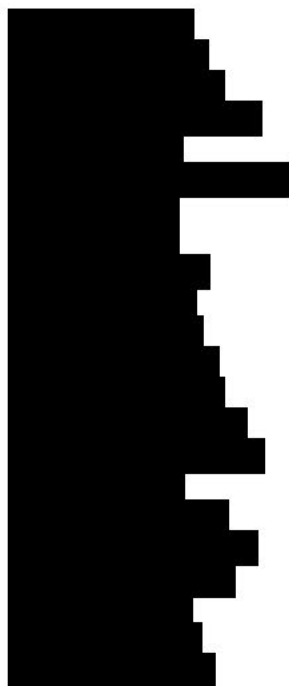
1. Licence in duplicate with Westmeath County Council to build and operate an extension to the current walking/cycling Greenway for a term of 20 years on the Mullingar to Athlone Greenway, for a licence fee of [REDACTED] per annum.
2. Licence in duplicate with [REDACTED] T/A Mini Mocha for a mobile kiosk at Newbridge Railway Station, Co. Kildare for a licence period of 2 years, for a licence fee of [REDACTED] per annum.
3. Licence in duplicate with [REDACTED] T/A Tuam Farm Supply Stores and [REDACTED] for the Goods Store and Yard at Tuam Railway Station, Co. Galway, for a licence period of 5 years for a licence fee [REDACTED] per annum.
4. Crane Licence in duplicate with John Sisk & Son (Holdings) Ltd., granting them permission to erect and operate a tower crane on lands adjacent to the Loop Line, Mark Street, Dublin 2, for a licence period of 14 months, for a licence fee of [REDACTED]
5. Licence in duplicate with [REDACTED] for 1,400 square metres of land at Gormanston Viaduct, Co. Meath, for a licence period of 1 year, for a licence fee of [REDACTED] per annum.
6. Licence in duplicate with [REDACTED] for a plot of land at Cherryville Junction, Kildare, on the Dublin to Cork Railway Line for a licence period of 3 years, for a licence fee of [REDACTED] per annum.
7. Access Licence in duplicate with [REDACTED] Unlimited, to an area of land for car parking at Limerick Freight Yard, Roxborough Road, Limerick, for a licence period of 2 years, for a licence fee of [REDACTED]
8. Access Licence in duplicate with Wexford County Council, to part of the New Ross closed branch line from Ferrybank, Waterford City to the Mount Elliot Tunnel, New Ross, Co. Wexford, for vegetation clearance works and engineering surveys, for a licence period from 2<sup>nd</sup> September, 2019 to 11<sup>th</sup> October, 2019, for a licence fee of [REDACTED] per annum.

**Company Secretary**  
**Iarnród Éireann**  
**27<sup>th</sup> August 2019**



**STRICTLY PRIVATE AND CONFIDENTIAL****IN ACCORDANCE WITH THE TERMS OF SECTION 22 OF THE TRANSPORT  
(RE-ORGANISATION OF CÓRAS IOMPAIR ÉIREANN) ACT, 1986****IARNRÓD ÉIREANN - IRISH RAIL****MINUTES OF THE THREE HUNDRED AND THIRTYSIXTH  
BOARD MEETING HELD ON TUESDAY 29TH OCTOBER 2019  
AT 9.30 AM IN HEUSTON STATION****PRESENT:**

Chairman  
Director  
Director  
Director  
Director  
Director  
Director  
Director

**IN ATTENDANCE:**

Consultant, Turas (part)  
Chief Financial Officer  
Commercial Director  
Director Infrastructure Manager  
Better Boards  
Company Secretary  
Chief Financial Officer, CIÉ  
Director Railway Undertaking  
Chief Risk Officer (part)  
Better Boards  
Group Property Manager, CIÉ (part)  
Solicitor, CIÉ (part)  
Head of Public Service Contract Management (part)  
Acting Chief Procurement Officer (part)  
Manager, Human Resources (part)  
Chief Executive  
Manager Operations & New Works (part)  
Chief Executive, CIÉ  
Chief Procurement Officer (part)  
University College Dublin (part)  
Chief Mechanical Engineer (part)  
Chairman, Infrastructure Advisory Group

**ABSENT:**

Apologies were received from

**MIN NO.****4877 CONFLICTS OF INTERESTS**

No conflicts of interests were declared.

**4878 CHAIRMAN'S COMMENTS**

**4878.1** The Chairman acknowledged the work of staff carried out throughout the network over the bank holiday weekend. This related to coastal protection work, track work, etc. confirmed that all objectives had been achieved and that the good weather had helped.

**4879 MINUTES**

**4879.1** The Minutes of the meeting held on 27<sup>th</sup> August 2019 previously circulated were taken as read noted. They were signed by the Chairman as a true record of the proceedings.

**4879.2 Outstanding Action Items**

The memorandum previously circulated was taken as read and noted.

**4879.3 Item 584**

In response to [REDACTED] confirmed that the preparation of the comparison of platform train interface (PTI) risks with UK data is in progress.

**4880 CHIEF EXECUTIVE'S REPORT**

**4880.1** The Chief Executive's Report previously circulated was taken as read and noted.

**4880.2** [REDACTED] presented his report and referred to the following:

- A Government decision on the replacement of 41 Intercity railcars (ICRs) is expected on 30<sup>th</sup> October 2019.
- An analysis of train failure trends has been completed and will be reported to [REDACTED] separately. While there has been a worsening trend in performance statistics, especially on the Cork Line, no trend is emerging with respect to the cause of train failures.
- The operating cost per passenger train kilometre is marginally behind target. This reflects the number of kilometres travelled and the calculation does not benefit from the increased number of passengers carried. Operating costs are higher because the company is busier and because of an increase in indirect costs (labour costs + material costs).
- While improvements have been made, the recruitment of staff with certain required skill sets is challenging. This relates to the project management, signalling, electrical and telecoms (SET) and procurement areas. The market is buoyant in these areas. Searches are taking place in the UK and a graduate scheme is being established. However, this takes time. It was agreed that the associated risk will be high in the intervening period.
- The development project in Waterford has been delayed. The Department of Transport, Tourism and Sport (DTTAS) have queried the proposed funding and repositioning of the railway station. Waterford City and County Council (WCCC) is aware of its responsibility to resolve outstanding matters.

**4881 BUDGET 2020**

**4881.1** The draft Budget for 2020 previously circulated was taken as read and noted.

**4881.2** [REDACTED] present the draft Budget and referred to the following:

- Assumptions underlying the budget relating to funding levels, economic indicators, revenue (volume and fares + elasticity), payroll, own funded projects, service enhancements, sensitivity and fuel.
- Key highlights of the draft budget including passenger numbers, passenger revenue, Exchequer funding (multi annual contract (MAC) + public service obligation (PSO) + enhancement funding and National Development Plan (NDP)).
- A surplus of [REDACTED] is budgeted for 2020 compared with a forecast surplus of [REDACTED] for 2019. The company does not have the capacity in the Balance Sheet to suffer a loss.
- Capital expenditure will not take place unless there is funding for it (Exchequer and/or own funding).

**4881.3** Matters discussed included the following:

- The Chairman of the Audit and Risk Committee (ARC) confirmed that the Committee was satisfied with the assumptions underlying the budget.
- "Surplus" Exchequer funds are spent in the year they arise and are not carried forward to subsequent years.
- Carbon tax charges are included in the budget. Fuel is fully hedged for 2020.
- Intercity services will be able to absorb the budgeted increase in passenger numbers for 2020. However, capacity is constrained on commuter and DART services. The budgeted increase in passenger numbers on those services is restricted to the shoulder of the peak.
- According to more recent indications from the National Transport Authority (NTA) the proposed fares increase in 2020 of 1.1% in line with the Consumer Price Index may not now be granted. However, this could change again.
- The proposed increase in freight revenue for 2020 is to be reviewed again as the Chairman felt that it was not ambitious enough, particularly now that a new Commercial Officer has been appointed.
- [REDACTED]

- Due to capacity constraints, other than constant communications, there is little the company will be able to do in the short term to enhance the passenger experience during the peak travel times. Passengers will continue to be encouraged to move their travel times to the shoulder of the peak. Marketing campaigns and the pricing of fares will also be adjusted to encourage this. However, the company is at least two years away from receiving new fleet.
- Concern was expressed about the potential consequence (i.e. a reduction in passenger numbers) of a constant narrative about capacity constraints.
- The rollout of Customer Service Officers on InterCity services will be completed by the year end.
- There are no immediate plans to advertise additional services to Grand Canal Dock Station as previous experience demonstrates that the level of passenger growth to that destination is likely to increase very quickly.

**4881.4** Following further discussion the board gave its approval for the Budget for 2020.

**4882 STRATEGY**

[REDACTED], CIÉ Group Solicitor's Office, [REDACTED] Manager Human Resources and Prof [REDACTED] UCD, joined the meeting at this time.

**4882.1 Alternative Dispute Resolution (ADR)**

[REDACTED] gave a presentation on ADR for resolving individual grievances and collective disputes. He explained the emergence of internal dispute resolution bodies (IDRBs) in Ireland. Other matters covered in his presentation included the following:

- Features of IDRBs,
- Types of conditions driving the establishment of IDRBs,
- The objectives of management and trade unions in creating IDRBs and
- The effectiveness and durability to date of IDRBs.

**4882.2** Matters discussed included the following:

- The draft strategy for the next five years includes the intention to try and resolve disputes from within rather than a rapid referral to third parties.
- The Executive Leadership Development Programme is an opportunity to educate ourselves on possible alternative models to dispute resolution.
- There are a variety of ADR models and the establishment of IDRBs is a complex issue.
- Success would be if both management and the trade unions feel that the IDRB is delivering solutions without resort to industrial disputes.
- Success would drive better security of industrial peace, training, pay, conditions and commercial results all of which would be better for customers.
- The circumstances which usually prompt the establishment of IDRBs are as follows:
  - An urgent reason/crisis (e.g. a major external change),
  - Pre-existing arrangements and procedures have been exhausted,
  - Enough trust and willingness among key people on both the management and trade union sides to take risk.
- Steady progress has been made during the past 18 months to set up an ADR process. A Joint Industrial Council (JIC) was piloted in the Permanent Way Division.
- After five years of major conflict, a new environment now prevails. This is aided by the period of growth that the company is experiencing. The trade unions are supportive of the company's role and strategy to deliver the NDP investment in the railway. Progress is being made towards a companywide JIC. Big issues such as pensions, a Group issue, remain outstanding.
- While IDRB agreements can be either binding or non-binding, it focuses the mind in negotiations if it can be agreed at the outset that decisions are binding. This helps the effort to move away from a previous difficult legacy.
- While legislative intervention is unlikely, the Workplace Relations Commission (WRC) is supportive of disputes being resolved locally. However, if IDRBs are set up without WRC involvement and they subsequently fail, it makes it more difficult for the WRC to resolve issues.

**4882.3** While acknowledging the complexities of adopting the IDRB approach, the Chairman stated that efforts must be made to ensure that every single dispute does not end up in the WRC. Mr. Meade agreed stating that disputes do not serve anyone. Progress must be made in using the forthcoming investments efficiently and wisely so that the future can be bright for the company.

[REDACTED] left the meeting at this time.

**4882.4 DART Expansion Programme Progress Report**

[REDACTED], Manager Operations & New Works and [REDACTED], Chief Mechanical Engineer, joined the meeting at this time.

4882.5 The memorandum previously circulated was taken as read and noted.

4882.6 Matters discussed included the following:

- [REDACTED] of the National Development Finance Agency (NDFA) has been engaged to assist in developing a business case for the DART Expansion Project. Good progress is being made in this regard.
- The NTA has still not finalised its input to the scope of the project. This is expected to be finalised with Iarnród Éireann before Christmas.
- Difficulties in recruiting people for the project with the necessary skills.
- Sufficiency of support from the Group Solicitor's Office. A high workload is expected in the short term.
- Level of PTI risks, especially those which arise away from the door area of trains. Any work that may be required to straighten out platforms at Connolly Station would be a separate project and would require separate funding. Such a project should be aligned and co-terminus with the DART Expansion Project in order to minimise costs and avoid scope creep. [REDACTED] was asked to include in his next report how opportunities to reduce PTI risk could be maximised. [REDACTED]

4882.7 The Chairman stated that once the business case has been completed, any progress reports thereafter should be measured against it. He added that the Chief Procurement Officer, [REDACTED] is carrying out top class work with respect to governance for the project.

**4882.8 DART Expansion Fleet**

The memorandum previously circulated was taken as read and noted.

4882.9

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**4882.12 Life Extension of the DART 8100 Fleet**

The memorandum previously circulated was taken as read and noted.

4882.13 [REDACTED] presented his report and the following matters were discussed:

- Whether the cost of extending the life of this fleet would impact on the availability of funding for replacement fleet.
- Whether spare parts should be purchased now in anticipation of such items becoming obsolete in the near future.

**4883 ADVISORY/POLICY****4883.1 Infrastructure Advisory Group (IAG)**

The Report from the Chairman of the IAG previously circulated was taken as read and noted.

4883.2 In response to [REDACTED] the Chairman of the IAG, [REDACTED] stated that Bray Head tunnel is at more risk now than originally thought. Its expected life is now only 15 years. A paper on the issue will be brought to the board in December. In response to [REDACTED] query on whether



immediate board intervention was required, the Chairman stated that he had already spoken to the Minister, to the Office of Public Works and to the Wexford County Manager on the matter.

#### 4883.3 **Train Protection System (TPS) Project Status**

[REDACTED]

4883.4

[REDACTED]

4883.5

[REDACTED]

4883.6

[REDACTED]

4883.7

[REDACTED]

#### 4883.8 **Lifts and Escalators**

The memorandum previously circulated was taken as read and noted.

4883.9

[REDACTED] stated that the memorandum contained useful information which should be communicated to the public. The need for funding to replace risks associated with faulty escalators and lifts deserves more attention.

4883.10 Other matters discussed included the following:

- The need for more information on the frequency and duration of outages and on target response times.
- The importance of not underestimating how the availability of properly functioning lifts and escalators is critical for some users who totally depend on them.
- How proper communications should address the perception that some of the lifts are out of order for longer than they actually are.
- Improved maintenance and response regimes.
- Outdoor lifts in unsupervised locations –v- vandalism.
- The risk of sea damage to lifts in certain locations.

#### 4884 **PUBLIC SERVICE OBLIGATION (PSO) CONTRACT**

[REDACTED], Head of Public Service Contract Management, joined the meeting at this time.

4884.1

The memorandum previously circulated was taken as read and noted.

4884.2

[REDACTED] gave a presentation on the proposed public service contract (PSC) and covered the following matters:

- Clause inserted by the NTA that the contract can move to a gross cost model at any time without negotiations with Iarnród Éireann.
- Withdrawal of the force majeure clause entirely and its replacement with “relief events” clauses. These have to be applied for.
- Introduction of penalty clauses.
- Annual review of key performance indicators (KPIs).
- Contract prices and indexation.
- Variation process.
- Quality incentives have not been provided for. This drives a different approach to asset management. However, the generation of bad behaviours must be avoided.
- The success of the PSC is contingent on getting sufficient funding. However, it will become an enormous challenge if the economy deteriorates and there is a prolonged period of reduction in Exchequer funding.

4884.3 In response to [REDACTED], it was clarified that the NTA would not provide funding for any extra work that needs to be done arising out of inspection programmes. Any exceptional work that is required in this regard would have to be funded by the MAC. This is provided by the DTTAS. They have already acknowledged the need for steady state funding.

4884.4 Following further discussion the board gave its approval for the execution of a ten year direct award PSC with the NTA effective from 1<sup>st</sup> December 2019, subject to receipt of outstanding schedules from the NTA and agreement of the terms and conditions of the contract and all supporting schedules.

[REDACTED] left the meeting at this time.

## 4885 CAPITAL

### 4885.1 Capital Expenditure Proposals

The two memoranda previously circulated were taken as read and noted.

### 4885.2 Chief Mechanical Engineering (CME) Heavy Maintenance (HM) 2020

The board gave its approval for expenditure of [REDACTED] for planned heavy maintenance on the Iarnród Éireann fleet during 2020, subject to NTA funding approval.

### 4885.3 Closure of Level Crossings XM150 and XM151 and Purchase of Land on the Athlone/Westport Line

The board gave its approval for expenditure of [REDACTED] including reasonable legal and advisors' costs, so as to allow the purchase of land to enable the closures of Level Crossings XM150 and XM151 on the Athlone/Westport Line.

It was noted that funding for this project is provided under the MAC.

## 4886 PROCUREMENT

[REDACTED] Acting Chief Procurement Officer and Mr. Colm Reynolds, Chief Procurement Officer, joined the meeting at this time.

### 4886.1 Procurement Report

The Procurement Report for Period 10 2019 previously circulated was taken as read and noted.

4886.2 The board gave its approval to extend the delegated authority it had granted on 27<sup>th</sup> August 2019 to the Chief Executive to approve the award of the following two contracts:

- On track ballast regulator and
- Rail mounted crane.

### 4886.3 Contracts

The three memoranda previously circulated were taken as read and noted.

4886.4 The Chairman stated that contracts should contain clauses to allow Iarnród Éireann to vary downwards the work required of contractors in circumstances where the funding for a project has been reduced.

**4886.5** DART Expansion Project – Maynooth Line (WP3) and City Centre Enhancement (WP2) Consultancy Services Contract

The board gave its approval for the award of a contract for consultancy services for the Maynooth Line (WP3) and City Centre Enhancement (WP2) of the DART Expansion Project to IDOM Consulting, Engineering, Architecture with Roughan O'Donovan (ROD) to prepare the design, undertake the environmental impact assessment and manage the Railway Order process at a fixed price of €7.7 million excluding VAT.

It was noted that:

- There are optional services available including:
  - Construction tender preparation and evaluation at a fixed price of €3.2 million excluding VAT,
  - Design support during construction at a fixed price of €6.1 million excluding VAT and
  - There are notional time charges based on fixed day rates at an estimated value of €2.8 million excluding VAT.
- The funding source for this contract will be the NTA as part of the NDP.

**4886.6** Supply of Rolling Stock Bearings - Derogation

The board gave its approval to award a five year contract to Reliance Bearing and Gear Company Ltd., without a call for competition, for the supply of safety critical rolling stock bearings.

It was noted that:

- In accordance with Article 50 of the Utilities Directives 2014/25/EU, contracting entities may use the negotiated procedure to procure goods or services without a prior call for competition in certain circumstances.
- The value of requirements based on estimated quantities is in the order of €4.3 million over five years.
- Funding for this contract will be accommodated within the rolling stock maintenance programmes.

**4886.7** Supply and Delivery of Two On Track Inspection Cars

The board gave its approval for the award of a contract to Geismar SAS for the purchase of two On Track Inspection Cars.

It was noted that:

- The estimated cost of the contract is [REDACTED] excluding VAT.
- The non-recoverable VAT is estimated at [REDACTED]
- The funding source for this contract is the MAC.

**4886.8** Selection and Award Criteria

The four memoranda previously circulated were taken as read and noted.

**4886.9** Security Services

The board gave its approval for the selection and award criteria as presented to facilitate the commencement of the procurement process for the security services contract.

It was noted that:

- The estimated value of the contract is anticipated to be in the region of [REDACTED] over a five year period.
- It is proposed to award a three year contract with an option to extend for up to two years at Iarnród Éireann's discretion.
- The scope of this contract will also include the security requirements of the CIÉ Holding Company.

**4886.10** Fuel Card Services

The board gave its approval for the selection and award criteria as presented for the provision of fuel purchase card services.

It was noted that:

- The proposed contract will operate for three years with an option to extend for up to a further two years.
- The estimated spend under the contract over five years is [REDACTED] excluding VAT.

**4886.11** Supply and Delivery of Threaded Cold Drawn High Tensile Steel Wire

The board gave its approval for the selection and award criteria as presented for a contract for the supply and delivery of high tensile steel wire to be used in the manufacture of sleepers.

It was noted that:

- It is proposed to award a one year fixed price contract with the option to extend annually up to a maximum of three years with prices in Years 2 and 3 being subject to indexation.
- The estimated value of this contract is [REDACTED] excluding VAT over three years.
- The funding source for this contract is the MAC.

#### **4886.12 Supply of a Sleeper Fastening System**

The board gave its approval for the selection and award criteria as presented for a contract for the supply and delivery of Sleeper Fastening System (W14).

It was noted that:

- It is proposed to award a one year fixed price contract with the option to extend annually up to a maximum of three years.
- The estimated value of the contract is [REDACTED] excluding VAT over three years.
- The funding source for this contract is the MAC.

#### **4886.13 Award Criteria**

The three memoranda previously circulated were taken as read and noted.

#### **4886.14 Provision of Rail Flaw Detection Services**

The board gave its approval for the award criteria as presented for a contract for the provision of rail flaw detection services.

It was noted that:

- This contract will operate for a period of three years with an option to extend annually for a further two years.
- The estimated value of the contract over the five year period is [REDACTED] excluding VAT.
- The funding source for this contract is the MAC.

#### **4886.15 Single Supplier Framework Agreement – Supply of CCTV Cameras and Associated Hardware and Software**

The board gave its approval for the award criteria as presented for a single supplier framework agreement for a period of up to five years for each of the following two lots:

- Lot 1: IP High Definition Cameras
- Lot 2: Pan-Tilt-Zoom Camera

It was noted that:

- The estimated value over the term of the framework agreement is [REDACTED] excluding VAT (Lot 1 = [REDACTED] + Lot 2 = [REDACTED])
- The funding source for this contract is the MAC.

#### **4886.16 Maintenance and Overhaul of MTU 6H1800 Powerpack Units (22000 Railcars)**

The board gave its approval for the award criteria as presented for the proposed tender process for the maintenance and overhaul of MTU 6H1800 Powerpack units fitted to the Class 22000 railcars.

It was noted that:

- The proposed duration of the contract is five years with an option to extend by a further year during which time Iarnród Éireann intends to migrate to a hybrid powerpack.
- This contract will phase out as the new hybrid power packs come on stream.
- The estimated value of this contract including the optional year is [REDACTED] excluding VAT.
- The funding source for this contract is the CME Maintenance Budget.

#### **4886.17 Procurement Schedule for 2019**

The updated Procurement Schedule for 2019 previously circulated was taken as read and noted.

#### **4886.18** The board acknowledged the good governance work being carried out by [REDACTED] on the DART Expansion Project.

[REDACTED] left the meeting at this time.

#### **4887 ADVISORY/POLICY (Contd.)**

##### **4887.1 Property Items**

[REDACTED] Chief Risk Officer and [REDACTED], CIÉ Group Property Manager, joined the meeting at this time.



4887.2 The four memoranda previously circulated were taken as read and noted.

4887.3 The board noted the following property proposals to be presented to the CIÉ Board for approval:  
(a)



4887.4 The board gave its approval for the purchase of the former Station Master's house and garden at Portlaoise Station from the current owner, [REDACTED] for a sum of [REDACTED] plus stamp duty of 1% giving a total outlay of [REDACTED] subject to the approval of the CIÉ Board.

[REDACTED] left the meeting at this time.

4887.5 **Quarterly Risk Report**

The Quarterly Risk Report previously circulated was taken as read and noted.

4887.6 [REDACTED] presented his report and the following matters were discussed:

- Given that the proposed new TPS was recorded as a mitigation for a number of risk items, these now need to be reviewed due to the delay with the TPS Project. [REDACTED]
- A deep dive of overspeeds and signals passed at danger (SPADs) is required. [REDACTED]
- Use of the terminology "Human Factors" needs to be examined as there is an apparent overuse of that term. [REDACTED]
- Important items of concern which are the subject of significant board discussion (such as the DART Expansion Project, the TPS Project, coastal erosion and the pension deficits issues) do not appear to have sufficient prominence on the risk register. This needs to be examined. It was agreed that [REDACTED] would liaise with [REDACTED] after each board meeting to review the risk register from the board's perspective. [REDACTED]

4887.7 **2019 Review of Risk Management**

The memorandum previously circulated was taken as read and noted.

4887.8 The board noted the good outcome of the review carried out by BDO of risk management in Iarnród Éireann.

4887.9 **Board Safety Committee (BSC)**

The Report from the Chairman of the BSC previously circulated was taken as read and noted.

4887.10 **Information Technology Advisory Group (ITAG)**

The Report from the Chairman of the ITAG previously circulated was taken as read and noted.

4887.11 **Audit and Risk Committee (ARC)**

The Report from the Chairman of the ARC previously circulated was taken as read and noted.

4887.12 **Proposed ARC Annual Report to the CIÉ Board Audit and Risk Committee**

The proposed Annual Report from the Iarnród Éireann ARC to the CIÉ Board ARC previously circulated was taken as read and noted.

4888 **ADMINISTRATIVE ITEMS**

4888.1 **Transactions for Approval, Sealing and Signing**

The transactions (3) for approval and sealing at the meeting were approved and sealed.

**Appendix I**

The transactions (13) for approval and signing at the meeting were approved and signed.

**Appendix II**

**4888.2 Corporate Governance Document**

The memorandum previously circulated was taken as read and noted.

**4888.3** The board gave its approval for revised Terms of Reference for the IAG and the update of the Corporate Governance Manual accordingly.

**4888.4 Bank of Ireland Mandate**

The memorandum previously circulated was taken as read and noted.

**4888.5** The board gave its approval for the following:

- (a) The deletion of the name of [REDACTED] from the list of authorised signatories for the Bank of Ireland No. 1 Account (including supplementary accounts) and
- (b) The deletion of the name of [REDACTED] from the list of authorised signatories for the Wages Drawing No. 1 Account (including supplementary accounts), with effect from 30<sup>th</sup> October 2019.

**4888.6 Schedule of Meetings for 2020**

The Schedule of Meetings for 2020 previously circulated was taken as read and noted.

**4889 ITEMS FOR NOTING****4889.1 Report to the Minister**

The Report to the Minister following the board meeting on 27<sup>th</sup> August 2019 previously circulated was taken as read and noted.

**4889.2 Minutes of Advisory Group Meetings**

The Minutes of the following Advisory Group meetings previously circulated were taken as read and noted:

- Board Safety Committee Minutes 14<sup>th</sup> May 2019.
- Board Safety Committee Minutes 13<sup>th</sup> September 2019.
- Infrastructure Advisory Group Minutes 13<sup>th</sup> August 2019.
- Strategy Advisory Group Minutes 19<sup>th</sup> August 2019.
- Information Technology Advisory Group Minutes 16<sup>th</sup> July 2019.
- Audit and Risk Committee Minutes 21<sup>st</sup> May 2019.

**4889.3 Rolling Agenda**

The up to date Rolling Agenda previously circulated was taken as read and noted.

**4890 ANY OTHER BUSINESS**

**4890.1** The Chairman stated that there would be a closed session at the start of the next board meeting.

**4890.2** [REDACTED]

**4891 DATE AND LOCATION OF NEXT MEETING**

Tuesday 3<sup>rd</sup> December 2019 at 9.30am at a location yet to be finalised.

Chairman \_\_\_\_\_

Date \_\_\_\_\_

**TRANSACTIONS FOR APPROVAL AND SEALING**

1. Bridge Agreement in duplicate with Mayo County Council, granting them permission to construct a new road bridge over the Athlone to Westport Railway Line at 152 miles 1,120 yards at Derrycoosh (OBM782M) for a consideration of [REDACTED].
2. Bridge Agreement in duplicate with Mayo County Council, granting them permission to construct a new road bridge over the Athlone to Westport Railway Line at 149 miles 80 yards at Shanvally (OBM779D), for a consideration of [REDACTED].
3. Lease in duplicate with [REDACTED] in respect of approximately 4 acres of land, part of the former Freight Yard, North Esk, Cork, for a term of 3 years, for a rent of [REDACTED] per annum.

**Company Secretary**  
**Iarnród Éireann**  
**29<sup>th</sup> October 2019**

### TRANSACTIONS FOR APPROVAL AND SIGNING

1. Licence in duplicate with [REDACTED], for the installation, testing, maintenance and use of fibre optic cable attached to overhead ESB lines for one railway crossing at Abbey Road, Waterford, for a licence period of 40 years, for a licence fee of [REDACTED] per annum, subject to review in accordance with the CPI every 5<sup>th</sup> year.
2. Licence in duplicate with [REDACTED] for the installation, testing, maintenance and use of 2 x 300mm watermain and 1 x 225mm sewer in the bridge deck of Overbridge OBB32A at Distributor Road, Donabate, Co. Dublin, at 10 miles 1,742 yards on the Dublin to Belfast Railway Line, for a licence period of 250 years for a one off licence fee [REDACTED]
3. Licence in duplicate with [REDACTED] for the installation, testing, maintenance and use of a fibre optic cable in existing EBS ducting at 121 miles 1,320 yards on the Athlone to Galway Railway Line at Oranmore, Co. Galway, for a licence period of 40 years, for a licence fee of [REDACTED] per annum, subject to review in accordance with CPI every 5<sup>th</sup> year.
4. Licence in duplicate with [REDACTED] for the installation, testing, maintenance and use of fibre optic telecoms cable at the following three locations at Kildare and Athy on the Dublin to Cork Railway Line, for a licence period of 40 years, for a licence fee of [REDACTED] per annum per location, subject to review in accordance with CPI every 5<sup>th</sup> year:
  - OBC82 at 30 miles 775 yards, Kildare.
  - OBW38 at 44 miles 1,355 yards, Athy
  - Tegral Sidings Railway Line, 0 miles 1,195 yards, Athy
5. Licence in duplicate with [REDACTED] for the installation, testing, maintenance and use of fibre optic telecoms cable at the following three locations on the Glounthaune to Midleton Railway Line, Co. Cork, for a licence period of 40 years, for a licence fee of [REDACTED] per annum per location, subject to review in accordance with CPI every 5<sup>th</sup> year:
  - OBC418 at 170 miles 1,022 yards on the Cork to Cobh Railway Line.
  - 1 mile 1,700 yards on the Glounthaune to Midleton Railway Line.
  - XY012 at 6 miles 0,450 yards on the Glounthaune to Midleton Railway Line.
6. Licence in duplicate with [REDACTED], T/A SaRu Coffee Box, for a mobile kiosk at Kildare Railway Station, Kildare, for a licence period of 1 year, for a licence fee of [REDACTED] per annum.
7. Licence in duplicate with [REDACTED] for a mobile kiosk at Balbriggan Railway Station, Co. Dublin, for a licence period of 3 years for a licence fee of [REDACTED] per annum.
8. Licence in duplicate with [REDACTED], for a mobile kiosk at Mullingar Railway Station, Co. Westmeath, for a licence period of 1 year, for a licence fee of [REDACTED] per annum.
9. Licence in duplicate with [REDACTED] T/A Cuppacabana, for a mobile kiosk at Donabate Railway Station, Co. Dublin, for a licence period of 1 year, for a licence fee of [REDACTED] per annum.
10. Licence in duplicate with [REDACTED] for one car parking space at Carrigaloe Railway Station, Co. Cork, for a licence period of 6 months or when the Licensee has constructed an alternative car space, for a licence fee of [REDACTED]
11. Licence in triplicate with [REDACTED] Ltd., in respect of 2,500 square metres of land at Ceannt Railway Station, Galway, for a licence period of 12 months, for a licence fee of [REDACTED] for the period of the licence.
12. Crane Licence in duplicate with [REDACTED] Ltd., allowing them erect and operate a tower crane on lands adjacent to the Loop Line, Amiens Street, Dublin 1, for a licence period of 8 months, for a licence fee of [REDACTED]



<sup>87</sup>  
13.

Licence in duplicate with Westmeath County Council for the installation of flood defences at UBG106, at 77 miles 1,590 yards on the Mullingar to Galway Railway Line at Marine View, Athlone, for a licence period of 99 years, for a licence fee of [REDACTED]

**Company Secretary**  
**Iarnród Éireann**  
**29<sup>th</sup> October, 2019**

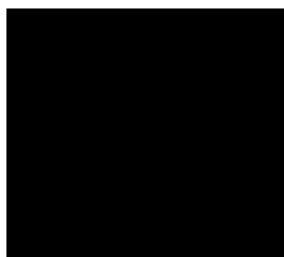
## STRICTLY PRIVATE AND CONFIDENTIAL

IN ACCORDANCE WITH THE TERMS OF SECTION 22 OF THE TRANSPORT  
(RE-ORGANISATION OF CÓRAS IOMPAIR ÉIREANN) ACT, 1986

## IARNRÓD ÉIREANN - IRISH RAIL

MINUTES OF THE THREE HUNDRED AND THIRTYSEVENTH  
BOARD MEETING HELD ON TUESDAY 3RD DECEMBER 2019  
AT 9.30 AM IN HEUSTON STATION

## PRESENT:



Chairman  
Director  
Director  
Director  
Director  
Director  
Director  
Director

## IN ATTENDANCE:



Chief Civil Engineer (part)  
Chartered Engineer (part)  
RU Safety Planning Manager (part)  
Safety Case and Standards Manager, IM (part)  
Chief Financial Officer  
Commercial Director  
Director Infrastructure Manager  
Strategic Safety Manager (part)  
Company Secretary  
Director Railway Undertaking  
Acting Chief Procurement Officer (part)  
Chief Executive  
Director Capital Investments (part)  
Chief Executive, CIÉ  
Head of Transformation (part)

## ABSENT:

Apologies were received from [REDACTED].

## MIN NO.

## 4892 PRIVATE SESSION

4892.1 External Review of Board Performance

The Chairman advised that he had met with Better Boards who had carried out the external review of the effectiveness of the performance of the board. They will present their findings at the next board meeting on 21<sup>st</sup> January 2020. While there are a number of recommendations, he emphasised that it is the board rather than Better Boards who will decide if any changes are required.

4892.2 Iarnród Éireann Strategy

[REDACTED] asked whether there was any merit in stepping back and taking a helicopter first principles overview of the strategic plan to ensure that there are no other areas of the business that have been missed. The Chairman stated that this could be carried out at the next board meeting in January.

4892.3 In response to [REDACTED] who queried whether Iarnród Éireann should wait for details of the CIE Board strategy first, the Chairman stated that it is the National Transport Authority (NTA) which takes the strategic decisions nowadays rather than the CIE Board. While each body has its own statutory responsibilities and there is an overlap, it is the NTA who controls the purse strings.

[REDACTED] joined the meeting at this time.

4892.4 In response to [REDACTED] who queried what happens if there is a conflict between Iarnród Éireann's strategy and the CIE strategy, the Chairman stated that he would make this known at CIE Board meetings.

4892.5

[REDACTED]

4892.6 The Chairman emphasised that Iarnród Éireann's strategy should be a leading document and used to influence future NTA decisions.

[REDACTED] joined the meeting at this time.

#### 4893 **CONFLICTS OF INTERESTS**

No conflicts of interests were declared.

#### 4894 **CHAIRMAN'S COMMENTS**

4894.1 The Chairman advised management that Better Boards have come up with a number of recommendations for changes. These will be discussed at the board meeting in January. However, the final decision in this regard rests with the board. In the meantime, he asked management to consider two recommendations relating to the number of advisory group meetings and whether it would be sufficient for just the Chief Executive to attend full board meetings with other members of management only attending as required.

#### 4895 **MINUTES**

4895.1 The Minutes of the meeting held on 29<sup>th</sup> October 2019 previously circulated were taken as read and noted. They were signed by the Chairman as a true record of the proceedings subject to the following amendments:

1. The deletion of [REDACTED] from the list of those who attended the meeting. He did not attend the meeting on that occasion.
2. Minute 4887.6  
Amend:  
"It was agreed that [REDACTED] would liaise with [REDACTED] after each board meeting to review the risk register from the board's perspective."  
to:  
"It was agreed that [REDACTED] would liaise with [REDACTED] before each board meeting to review the risk register from the board's perspective."
3. Minute 4882.6  
Amend:  
"Level of PTI risks, especially those which arise away from the door area of trains. Any work that may be required to straighten out platforms at Connolly Station would be a separate project and would require separate funding."  
to:  
"Level of PTI risks, especially those which arise away from the door area of trains. Every opportunity should be taken to carry out necessary platform works such as at Connolly Station. However, it was noted that any work required to straighten out platforms at Connolly Station would be a separate project and would require separate funding."

#### 4895.2 **Matters Arising**

##### Minute 4882.6

The Chairman stated that he had been made aware of the fall of an elderly person into the gap between the platform and the train while alighting from a train at Kent Station in Cork. The procedures worked as well as possible on that occasion. However, the gap is big and management should consider whether there is anything else that can be done to alleviate this situation. [REDACTED] suggested that management should keep a close watching brief on the Platform Train



Interface (PTI) working group of the Rail Safety and Standards Board (RSSB) in the UK. It was agreed that someone from this working group should be brought in to talk to Iarnród Éireann. In the meantime, every opportunity should be availed of to carry out physical works on platforms while other works are being carried out.

### 4895.3 Outstanding Action Items

The memorandum previously circulated was taken as read and noted.

## 4895.4 Item 593

██████████ stated that she had met with ██████████ and ██████████ and identified a number of items for the Executive team to consider for inclusion in the risk register.

4895.5

In the context of risk, [REDACTED] raised the issue of the regular correspondence being received from [REDACTED]. Although much of the complaints are vexatious they may contain some kernels of truth. There was a lengthy discussion on the matter and it was agreed that the board should not engage directly with [REDACTED]. [REDACTED] reassured the board that the matters raised by [REDACTED] are considered and dealt with by the appropriate managers where necessary.

## 4896 PUBLIC SERVICE OBLIGATION (PSO) CONTRACT

## 4896.1

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## 4896.2

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## 4896.3

\_\_\_\_\_

## 4896.4

\_\_\_\_\_

## 4896.5

[illegible]



4896.6

4896.7

## 4897 STRATEGY

### 4897.1 Strategic Plan 2020-2027

[REDACTED], Head of Transformation, joined the meeting at this time.

4897.2 The memorandum previously circulated was taken as read and noted.

4897.3 [REDACTED] briefly outlined the following:

- The background to the preparation of the Strategic Plan with the assistance of Systra Consultants.
- Project process.
- Stakeholder engagement
- Core components of the plan.
- Strategy expansion.

4897.4 The Chairman stated that it was good to have a corporate strategy now and that it was a solid piece of work.

4897.5 Matters referred to included:

- The need for a specific reference to anti-social behaviour.
- The need to align the title on some pages to the content of those pages.
- DART expansion –v- Services in other parts of the country.
- Budgetary constraints –v- Ambitions.
- The need to capture the contribution of the board.
- The need for an earlier specific reference to MetroLink.
- The need to link different aspects of the strategy to corresponding sustainable development goals (SDGs).
- The need to identify what is required of others.
- The need to state that Iarnród Éireann would like to do a lot more if sufficient funding was available.
- The need to separate out more clearly the freight business strategy from the Rosslare Europort strategy.
- The need to be more specific about commitments in respect of accessibility.

4897.6 The board agreed that substantial progress had been made with respect to the company's Strategic Plan and approved it subject to amendments for the aforementioned comments.

[REDACTED] left the meeting at this time.

### 4897.7 DART Expansion Programme Progress Report

[REDACTED] Director Capital Investments, joined the meeting at this time.

4897.8 The memorandum previously circulated was taken as read and noted.

4897.9 [REDACTED] updated the board on the following:

- Recruitment.
- Little progress on discussions on funding with the NTA.
- Updated capacity tables.
- Tender for the business case.
- Progress with the various work packages.
- The NTA has advised that they will undertake a study in 2020 to determine an alignment for a potential future underground.
- Engagement of risk management consultants.

- 4897.10 [REDACTED] asked for as much platform works as possible to be carried out so as to reduce PTI risk, whether it be in Connolly Station (as part of the DART Expansion Programme) or in any other location where this can be facilitated as part of other project works.
- 4897.11 The Chairman stated that [REDACTED] of the National Development Finance Agency had been engaged to assist in developing the business case for the DART Expansion Project. A draft of the business case is expected to be available in December. However, [REDACTED] pointed out that there is difficulty in getting a defined scope for the project from the NTA. The Chairman stated that once it has been received, any updates to the board should be reported against the business case.
- 4897.12 [REDACTED] noted the inter-dependency of the time, scope, and cost of the DART Expansion Project with the Train Protection System (TPS) Project. [REDACTED] agreed stating that TPS activities would be taken into account in a review of the DART Expansion Project planned for April. [REDACTED] reminded the board that this would impact on the procurement of fleet and signalling. [REDACTED] agreed stating that the TPS issue presents a risk to everything that Iarnród Éireann does.
- 4897.13 It was noted that the long term development of DART underground, while excluded from the current National Development Plan (NDP), must be referred to in the DART Expansion Project before any planning permissions are sought. Without this it is likely that any planning applications submitted by Iarnród Éireann would be turned down.
- 4897.14 **Coastal Defence**  
[REDACTED] Chartered Engineer and [REDACTED] Chief Civil Engineer (CCE), joined the meeting at this time.
- 4897.15 The memorandum previously circulated was taken as read and noted.
- 4897.16 [REDACTED] advised that the east coast is effectively a soft coast and is eroding. Tactical interventions have already been made and a strategy for future action has been developed.
- 4897.17 [REDACTED] outlined the following:  
[REDACTED] does nothing.  
- Reactive works carried out to date.  
- Reasons for the acceleration in coastal erosion.  
- Actions that are taking place at present.  
- Next steps.  
[REDACTED] concluded by stating that immediate multi-agency group collaboration is essential and must be maintained. Government department level oversight is necessary to oversee this multi-agency group. A prioritised action plan is required and a funding source needs to be identified as capital expenditure in excess of [REDACTED] is likely to be required.
- 4897.18 Matters discussed included the following:  
- Whether the urgency of the issue is being recognised by other stakeholders.  
- Oversight at a high (department/Minister) level over the multi-agency group is required.  
- Finding an optimal solution within the available funding has always been an issue.  
- Planning permission for works will have to be obtained by 2021. However, not all environmental groups are supportive of the work that is required to construct coastal erosion defences.  
- The need to alert the public to the gravity of the situation and raise the profile of this critical issue.  
- The priority area to be addressed is between Greystones and Wicklow i.e. Murrough area.  
- The need to identify a funding source.  
- The possibility of linking this issue with an opportunity to alleviate traffic congestion in the area around the Glen of the Downs.
- 4897.19 The Chairman stated that the results of various studies are expected in January. Once he receives them he will raise the profile of the issue as Iarnród Éireann cannot seek any planning permissions unless there is prospect of funding for the capital works that will be required.
- [REDACTED] left the meeting at this time.



**4898 CHIEF EXECUTIVE'S REPORT**

**4898.1** The Chief Executive's Report previously circulated was taken as read and noted.

**4898.2** [REDACTED] presented his report and referred to the following:

- Drugs and alcohol test results.
- External agency recommendations that remain to be implemented.
- Punctuality performance.
- Ticket vending machine (TVM) availability.
- Government approval for funding of €150 million for the purchase of 41 Intercity railcar (ICR) intermediate "B" cars.
- Enterprise door incident on 22<sup>nd</sup> October 2019.
- Favourable Supreme Court decision in the [REDACTED] case.

**4898.3 Finance**

[REDACTED] advised of the following:

- The company incurred a net deficit of [REDACTED] during Period 11 2019 compared to forecast deficit of [REDACTED]. The year to date surplus is [REDACTED] compared to a forecast surplus of [REDACTED].
- The favourable variance in the period is due to lower than forecast infrastructure maintenance expenditure.
- Materials and overhead expenditure was less than forecast during the period due to reduced maintenance works and increased capital works.
- Revenue continues to be buoyant.
- A PAYE self-review is ongoing.

**4898.4** In response to [REDACTED] it was confirmed that the funding and accounting mechanism for the Dublin/Cork Line Track Relaying Project has been discussed with the NTA, the DTTAS and New Era. This project has been built into the Infrastructure Manager (IM) plan for 2020.

**4898.5 Railway Undertaking**

[REDACTED] advised of the following:

- Trial of transport operations at the Aviva Stadium for the Ireland -v- Denmark soccer game on 18<sup>th</sup> November 2019 as part of the preparations for Euro 2020.
- Opening of the Driver Training Centre in Mallow.
- Timetable for the Christmas holiday period.

**4898.6 Commercial Department**

[REDACTED] advised of the following:

- The NTA issued their 2020 Taxsaver fares determination. This will result in a revenue gap of [REDACTED] compared with the budget approved for 2020.
- Once accounting reconciliation issues have been resolved in respect of Heuston and Connolly Stations, Cubic will roll out booking office machines (BOMs) in four more stations. If no further issues arise there should be a clear line of sight by the end of January 2020.
- While the Customer First Programme (CFP) started off very well in Phase 1 (90% of the project) delays were experienced on the remainder of the project. This is because the software wasn't off the shelf and the provision of enhancements became problematic. However, final payments under the contract will not be made until there has been a satisfactory device (BOM) handover.

**4898.7** In response to [REDACTED] agreed to forward the results of the research on customers' feelings of safety and wellbeing, both on-board trains and at stations. [REDACTED]

**4898.8 Infrastructure Manager (IM)**

[REDACTED] advised of the following:

- A slight delay has occurred with the installation works for Phase 1 of the Level Crossing Technical Solutions Project. However, this is not a cause for concern.
- It is proposed to submit a planning application to An Bord Pleanála for a Railway Order for the Cork Line Level Crossing Closures Project in March/April 2020.
- The indicative conclusion of an independent review is that the re-opening of Phases 2 (Tuam) and 3 (Claremorris) of the Western Rail Corridor cannot be justified on a financial or wider socio economic basis. The review, which was carried out by EY Mott McDonald independently



of Iarnród Éireann, has been submitted to the DTTAS. It will now be subject to a peer review to be organised by the DTTAS. The Chairman is speaking to the DTTAS to ensure that any decision is made on the basis of a comprehensive study of the project.

- The final text of the IM multi annual contract (IMMAC) 2020-2024 has been agreed. The contract will require only one signing rather than annual signings. It provides for a steady state level of funding for five years subject to an annual review.
- There are a number of outstanding hardware and software issues to be addressed by Alstom in connection with the Central Traffic Control (CTC) Upgrade Project as further testing is required. It has been decided to postpone final commissioning until Quarter 1 2020 so as not to interfere with planned late night DART services over the Christmas period.

#### 4899 **ADVISORY/POLICY**

##### 4899.1 **Audit and Risk Committee (ARC)**

The Report from the Chairman of the ARC previously taken as read and noted.

##### 4899.2 The Chairman of the ARC, [REDACTED], advised of the following:

- Deloitte plan for the 2019 audit.
- Group Internal Audit plan for 2020.
- Group Internal Audit had reported that the audit to support the Director's Compliance Statement (DCS) for 2019 found that Iarnród Éireann is in compliance with the requirements of the Companies Act 2014.
- A recent information systems (IS) audit report carried out by EY on behalf of Group Internal Audit, contained 11 recommendations, six of which are high priority and five are of medium priority. The issues raised demonstrated weak cyber security which has been ongoing for a while and that insufficient action appears to have been taken in this regard. The ARC expressed its concern about this exposure risk. The report has been issued to the bus companies as it may also be relevant to them. It was noted that this matter had also been raised at a recent CIE Board Audit and Risk Committee meeting. Responsibilities for actions to be taken have been assigned and if no progress has been made by January/February 2020 the matter will be escalated to the board again. It was agreed that the Head of Group IT&T, Mr. Gary Connolly, would give a presentation at the next ARC meeting.
- Negotiations continue in the Workplace Relations Commission (WRC) regarding the pensions issue. [REDACTED] stated that she had met an Actuary. In addition, she is due to meet the pension schemes' Actuary. She noted that there has been movement on the part of CIE and stated that she believed that the issue is solvable. Mr. O'Connor noted that there is only one Actuary to the pension schemes. Dr. Mullholland stated that frustration has been expressed by the Human Resources Advisory Group (HRAG) due to the lack of information about the basis of the pension proposals. However, it is good that there has been movement. The Chairman stated that progress at the WRC would help.

- [REDACTED] of [REDACTED]

##### 4899.3 **Human Resources Advisory Group (HRAG)**

The Report from the Chairman of the HRAG previously circulated was taken as read and noted.

##### 4899.4 The Chairman of the HRAG, [REDACTED] advised of the following:

- Further meetings are due to be held with the objective of introducing a companywide Joint Industrial Council (JIC) in Quarter 1 2020.
- Progress on the Payroll System Project.
- It is intended to seek quotes from three established companies for a critique of proposals for a new management grading structure and the introduction of a management job evaluation system.
- Leadership development workshops.
- Recruitment of specialist staff for capital projects.

##### 4899.5 **Trains Advisory Group (TAG)**

The Report from the Chairman of the TAG previously circulated was taken as read and noted.

##### 4899.6 The Chairman of the TAG, [REDACTED] advised of the following:

- Exceptional performance improvements were noted following a trial of a three car ICR set fitted with ZF transmissions in place of original Voith transmissions. While this provides opportunities for journey time reductions, the potential for fuel consumption reductions is significant.



- The benefits from the funding approval granted in respect of the supply of 41 intermediate ICRs will be felt during 2022 onwards when these new vehicles are scheduled to enter into service.

**4899.7 Safety Plan 2020**

██████████ Safety Case and Standards Manager, IM, ██████████, RU Safety Planning Manager and ██████████ Strategic Safety Manager, joined the meeting at this time.

**4899.8** The Safety Plan for 2020 previously circulated was taken as read and noted.

**4899.9** ██████████ advised that in the development of the Safety Plan for 2020, safety priorities were identified from:

- Findings from the Network Wide Risk Model,
- Findings from internal and external investigations,
- Findings from internal and external audits,
- Staff suggestions,
- Review of key performance indicators,
- Outputs from the Accident Incident Management System and
- Review of best practice in other countries.

She added that human factors strategy and health and wellbeing initiatives have also been integrated into the Safety Plan.

**4899.10** ██████████ advised that the IM Safety Plan for 2020 contains approximately 50 objectives which were put together by Heads of Departments, Technical Managers, Safety Managers and the Safety Department including the following:

- Structural safety - A new over height detection system will be trialled at Amiens Street and coastal defence strategy will be introduced.
- Track safety - The new track recording vehicle will be delivered.
- Anti-social behaviour - A lift and escalator strategy will be introduced.
- Employee safety - The review of risk assessments will include health and wellbeing and a new communications strategy will be aimed at reducing lost time accidents. Ms. Bradley also provided details of a platform gap filler which the CCE will be trialing at Sandymount and Killester Stations.

**4899.11** ██████████ advised that the RU Safety Plan covers nine key areas with 47 supporting actions. He referred specifically to the following:

- Risk assessment training.
- Review of the RU's central and local risk registers.
- Implementation of actions arising from the Safety Management System (SMS) review of newly qualified drivers.
- The commencement of a research project on fatigue in train drivers in collaboration with Technical University Dublin.
- Incorporation of a health and wellness strategy into the SMS by developing and publishing a mandatory safety standard.

**4899.12** Matters discussed included the following:

- Relationship with the Commissioner for Railway Regulation (CRR).
- Work with the Data Protection Commissioner (DPC) on the use of body cameras.

**4899.13** ██████████ advised that the Board Safety Committee was recommending the Safety Plan for 2020 for approval of the board subject to:

- A modification that would give more visibility to the issue of wellbeing and
- An amendment to reflect how the value added contributed by the Committee could be improved. (However, this could form part of a revision to the plan in Quarter 1 2020).

**4899.14** The board gave its approval for the Safety Plan 2020 subject to the modifications outlined above.

**4899.15**

██████████ left the meeting at this time.



## 4900 CAPITAL

### 4900.1 Capital Expenditure Proposals

The six memoranda previously circulated were taken as read and noted.

### 4900.2 Infrastructure On Track Machines

The board gave its approval for expenditure of [REDACTED] (including non-recoverable VAT) for the purchase of the following:

- One high output ballast regulating machine,
- Two track inspection cars,
- One on track rail crane and
- Six ballast plough wagons.

It was noted that the funding source for the purchase of these machines is the IMMAC.

### 4900.3 Small Plant and Equipment Requirements for the Cork Line Project

The board gave its approval for expenditure of [REDACTED] purchase small plant and equipment during 2020 for the Cork Line Rehabilitation Project 2020-2025.

It was noted that funding for this project is provided as part of the [REDACTED] approved for the Cork Line relaying works.

### 4900.4 Accessibility Programme 2019 – Scope Change

The board gave its approval for an increase in the scope of the Accessibility Programme for 2019 to include a roof on the stairs and bridge deck of the proposed footbridge at Carlow Station.

It was noted that:

- This project will align with the CCE's requirements to improve weather protection for footbridges with lifts.
- This will increase the approved expenditure for this project by [REDACTED]
- This project is funded by the NTA.

### 4900.5 Closure of Level Crossings XL028 and XL030 on the Limerick/Limerick Junction Line

The board gave its approval to pay a total cost of [REDACTED] including reasonable legal and agricultural advisors' costs to extinguish rights and transfer 8.8 acres of land so as to allow the closure of Level Crossings XL028 and XL030 on the Limerick/Limerick Junction Line as follows:

- The payment of [REDACTED] compensation to [REDACTED] to extinguish rights to use the Level Crossing XL028.
- The transfer of 8.8 acres to [REDACTED].
- The payment of [REDACTED] compensation to [REDACTED] to extinguish rights to use Level Crossing XL030.

It was noted that funding for this project is provided under the MAC.

### 4900.6 Closure of Level Crossing XG116 on the Athlone/Galway Line

The board gave its approval to pay a total net cost of [REDACTED] including reasonable legal and advisors' costs to [REDACTED] so as to allow the purchase of 26 acres of land to enable the closure of Level Crossing XG116 on the Athlone/Galway Line.

It was noted that funding for this project is provided under the MAC.

### 4900.7 Cyber Security Programme 2020

The board gave its approval for expenditure of [REDACTED] on a Cyber Security Programme in 2020.

It was noted that:

- This expenditure is budgeted for in 2020 and is subject to NTA approval.
- If there is any doubt about the availability of funding from the NTA, the project will be brought back to the board.

### 4900.8 Closeout Report

The memorandum previously circulated was taken as read and noted.

### 4900.9 The board gave its approval for the closeout of the Glounthaune/Midleton Line Project



**4901 PROCUREMENT**

[REDACTED] Acting Chief Procurement Officer, joined the meeting at this time.

**4901.1 Procurement Report**

The Procurement Report for Period 11 2019 previously circulated was taken as read and noted.

**4901.2** The following were noted:

- The change to the liquidated damages clause in the framework agreement awarded to Mitsui for the supply of the 41 intermediate ICRs.
- The award of the forklift leasing contract which had been subject to High Court proceedings from one of the losing bidders. The complaint has since been withdrawn.
- Iarnród Éireann has sought a review by Counsel before issuing a response to a second letter seeking additional information from one of the two unsuccessful applicants shortlisted for the new fleet tender.

**4901.3 Selection and Award Criteria**

The two memoranda previously circulated were taken as read and noted.

**4901.4 Human Capital Management (HCM)/Integrated Workforce Solution**

The board gave its approval for the selection criteria as presented for the provision of a HCM/Integrated Workforce Solution to Iarnród Éireann.

It was noted that:

- The scope of the contract will include the implementation of a cloud based HCM solution and the provision of ongoing technical support over an initial period of five years with an options to extend by up to a further three years.
- The total estimated contract value including the additional three years is [REDACTED] excluding VAT.
- [REDACTED]

**4901.5 Metal Fabrication Services**

The board gave its approval for the selection criteria as presented to pre-qualify suitable candidates to participate in a tender process for the establishment of a multi-party metal fabrication services framework agreement.

It was noted that:

- The proposed term of the framework agreement is three years with an option to extend the term by up to a further two years (1+1).
- The estimated value over the term of the agreement including the extension options is [REDACTED] excluding VAT.
- The funding source for this contract will be the IM and Chief Mechanical Engineering maintenance budgets.

**4901.6 Award Criteria**

The two memoranda previously circulated were taken as read and noted.

**4901.7 Fuel Management and Fuel Distribution Services**

The board gave its approval for the award criteria as presented for the provision of fuel management and fuel distribution services for Iarnród Éireann, Bus Atha Cliath and Bus Éireann subject to the inclusion of the requirement for compliance with environmental standards if this has not already been covered in an earlier stage of the procurement process.

It was noted that:

- The proposed duration of the contract is three years with an option to extend by a further year.
- The estimated value of this contract including the optional year is [REDACTED] excluding VAT.
- The funding source for this contract will from the operational budgets of Iarnród Éireann, Bus Atha Cliath and Bus Éireann.

**4901.8 Supply of Oils, Lubricants, Greases and Coolants**

The board gave its approval for the award criteria as presented for the proposed tender to establish a multi-lot contract covering the supply of various oils, greases, coolants and lubricants, commonly used as part of the preventative maintenance cycle for rolling stock.



It was noted that:

- It is proposed to establish a three year agreement with an option to extend the term annually up to a maximum of five years.
- The estimated value of this contract including the extension is [REDACTED] excluding VAT.
- The funding source for this contract will be the operational budgets relating to vehicle running maintenance.

#### 4901.9 Information Items

The three memoranda previously circulated were taken as read and noted.

#### 4901.10 On Track Ballast Regulator and Rail Mounted Crane Contract Award

The board noted that the Chief Executive had given his approval for the following:

- The award of a contract to System 7 Rail Technology GmbH for the purchase of an on track ballast regulator at a cost of [REDACTED] excluding VAT with non-recoverable VAT estimated at [REDACTED] and
- The award of a contract to Kirow Ardelt GmbH for the purchase of a rail mounted crane at a cost of [REDACTED] excluding VAT with non-recoverable VAT estimated at €1 million.

It was noted that the funding source for these contracts is the MAC.

#### 4901.11 Procurement Schedule for 2019

The updated Procurement Schedule for 2019.

[REDACTED] left the meeting at this time.

### 4902 ADMINISTRATIVE ITEMS

#### 4902.1 Transaction for Approval, Sealing and Signing

The transactions (3) for approval and sealing at the meeting were approved and sealed.

**Appendix I**

The transactions (3) for approval and signing at the meeting were approved and signed.

**Appendix II**

The correction to the third party advised in Item 2 of the List of Transactions for Approval and Signing (Appendix II) at the board meeting dated 29<sup>th</sup> October 2019.

**Appendix III**

#### 4902.2 Corporate Governance Document

The memorandum previously circulated was taken as read and noted.

4902.3 The board noted the updated CIE Group Code of Conduct for Employees and the update of the Corporate Governance Manual accordingly.

#### 4902.4 Fishguard and Rosslare Railways and Harbours Company

4902.5

[REDACTED]

[REDACTED]

#### 4902.6 Re-engagement of a Retired CIE Staff Member for the Payroll/HR System Implementation Project

The memorandum previously circulated was taken as read and noted.

4902.7 The board gave its approval for the short term hire as required (less than one year in total) of a retired CIE employee to support the data migration/verification from the current legacy payroll to the new Zellis Payroll System.

It was noted that as of now the person is unidentified but may have retired on voluntary severance.

**4903 ITEMS FOR NOTING****4903.1 Report to the Minister**

The Report to the Minister following the board meeting on 29<sup>th</sup> October 2019 previously circulated was taken as read and noted.

**4903.2 Minutes of Advisory Group Meetings**

The Minutes of the following Advisory Group meetings previously circulated were taken as read and noted:

- Trains Advisory Group Minutes 19<sup>th</sup> August 2019
- Human Resources Advisory Group Minutes 20<sup>th</sup> August 2019
- Information Technology Advisory Group Minutes 9<sup>th</sup> October 2019.
- Audit and Risk Committee Minutes 22<sup>nd</sup> October 2019.

**4903.3 Rolling Agenda**

The up to date Rolling Agenda previously circulated was taken as read and noted.

**4904 ANY OTHER BUSINESS****4904.1 Schedule of Meetings for 2020**

The Schedule of Meetings for 2020 previously circulated was taken as read and noted.

**4904.2** [REDACTED] undertook to provide a paper on the development plan for Galway at the next meeting. [REDACTED]

**4905 DATE AND LOCATION OF NEXT MEETING**

Tuesday 21<sup>st</sup> January 2020 in Galway.

Chairman \_\_\_\_\_

Date \_\_\_\_\_

**TRANSACTIONS FOR APPROVAL AND SEALING**

1. Lease and Purchase Agreement in duplicate with [REDACTED] in relation to Fota Halt Residence, Fota Island, Co. Cork on the Cork to Cobh Railway Line for a lease period of 15 years, for a rent of [REDACTED] annum and after resolution of title issues, to sell the property to Ms. Catherine Murphy for a consideration of [REDACTED] minus the sum of all rental payments made under the lease.
2. Closure Agreement in duplicate with [REDACTED] in relation to the closure of Level Crossing XR096 at 64 miles 250 yards on the Dublin to Wexford Railway Line, for a consideration [REDACTED]
3. Bridge Agreement in triplicate with Limerick City and County Council granting them permission to construct a new road bridge over the Ennis Junction to Athenry Railway Line (5 miles 32 yards, Ballygrennan, Co. Limerick. In addition, the existing stone arch bridge OBE18 (4 miles 165 yards, Ballynanty, Co. Limerick), shall be removed and replaced with a new widened structure. Commencement of licence shall be when executed by the Council, for a consideration of [REDACTED]

**Company Secretary**  
**Iarnród Éireann**  
**3<sup>rd</sup> December 2019**



**TRANSACTIONS FOR APPROVAL AND SIGNING**

1. Licence in duplicate with [REDACTED], for a mobile kiosk at Dundalk Railway Station, for a licence period of 2 years, for a licence fee of [REDACTED] per annum.
2. Licence in duplicate with [REDACTED] T/A Rural Vagabonds, for a mobile kiosk at Hazelhatch and Celbridge Railway Station, for a licence period of 1 year, for a licence fee of [REDACTED] per annum.
3. Licence in duplicate with [REDACTED] ULC, for a site at Spence Dock, Dublin, for a licence period of 1 year, for a licence fee of [REDACTED] per annum.

Company Secretary  
Iarnród Éireann  
3<sup>rd</sup> December 2019

**CORRECTION TO THE TRANSACTIONS FOR APPROVAL AND SIGNING LIST (APPENDIX II) DATED  
29<sup>TH</sup> OCTOBER 2019**

**Item 2 – Should read Irish Water and not Siro Ltd.**

2. Licence in duplicate with Irish Water., for the installation, testing, maintenance and use of 2 x 300mm watermains and 1 x 225mm sewer in the bridge deck of Overbridge OBB32A at Distributor Road, Donabate, Co. Dublin, at 10 miles 1,742 yards on the Dublin to Belfast Railway Line, for a licence period of 250 years for a one off licence fee of [REDACTED]

**Company Secretary  
Iarnród Éireann  
3<sup>rd</sup> December 2019**

2	4391.2	Section 29 - Deliberations of Public Bodies	Deliberations relating to the Audit Review Group Information relating to Coras Iompair Éireann (CIE) Holding Co
3	4391.6	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iompair Éireann (CIE) Holding Co
3	4391.7	Schedule 1 Part 2 - Exempt Agencies	
4	4393.2	Section 29 - Deliberations of Public Bodies	Deliberations relating to the Pheonix Park Tunnel
5	4393.3	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
5	4394.2	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
5	4397.2	Section 35 - Information received in confidence	
7	App 1(1-8)	Section 36(1)(b) - Commercially Sensitive Information	Protected Disclosures Act 2014 financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
8	App 2(1-4)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved

#### IE Board Minutes 28th April 015

Minute #		Section of Act Applicable	Reason
3	4401.2	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
3	4401.2	Section 40 - Economic & Fin Interests of Public Body	strategy & finances of a public body
4	4403.6	Section 29 - Deliberations of Public Bodies	Deliberations on organisation design
5	4403.20	Section 29 - Deliberations of Public Bodies	
6	4404.1	Section 36(1)(c) - Commercially Sensitive Information	Deliberations on DART expansion business case information which could prejudice the conduct of negotiations
6	4404.3	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
6	4404.4	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
7	4404.8	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
7	4405.4	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
7	4405.5	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
7	4405.7	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
8	4405.9	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
8	4405.11	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
8	4405.13	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
8	4405.14	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
9	4405.16	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
10	4408.4	Section 29 - Deliberations of Public Bodies	Deliberations surrounding organisation layout



10	4408.5	Section 35 - Information received in confidence	private sessions of the board - disclosure would constitute a breach of directors duties - S22 of 1986 Railway Act
11	App 1(1-14)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a financial loss to those involved
12	App 1(15-16)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a financial loss to those involved
13	App 2(1-2)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a financial loss to those involved
<b>IE Board Minutes 26th May 2015</b>			
Minute #	Section of Act Applicable	Reason	
2	4412.6	Section 40 - Economic & Financial Interests of Public Body	strategy & finances of a public body
3	4412.7	Section 40 - Economic & Financial Interests of Public Body	strategy & finances of a public body
5	4413.17	Section 37 - Personal Information	Personal Information relating to employee
5	4413.20 & .21	Section 29 - Deliberations of Public Bodies	Deliberations on Forecast & Draft Five Year Plan 2016-2020
6	4414.1	Section 29 - Deliberations of Public Bodies	Deliberations on Phoenix Park Tunnel Design and Construction
6	4416.4	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
7	4418.1 & .2	Schedule 1 Part 2 - Exempt Agencies	Information relating to Coras Iompair Éireann (CIE) Holding Co
7	4419.1	Section 35 - Information received in confidence	private sessions of the board - disclosure would constitute a breach of directors duties - S22 of 1986 Railway Act
7	4419.2	Section 29 - Deliberations of Public Bodies	DART Expansions Deliberations
7	4419.3	Section 37 - Personal Information	Personal Information relating to employee
9	App 1(1-5)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a financial loss to those involved
10	App 2	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a financial loss to those involved
<b>IE Board Minutes 24th June 2015</b>			
Minute #	Section of Act Applicable	Reason	
1	4421.1	Section 37 - Personal Information	Personal Information relating to employee
2	4424.4	Section 40 - Economic & Financial Interests of Public Body	strategy & finances of a public body
2	4424.4	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort
3	4425.4 & .5	Section 29 - Deliberations of Public Bodies	Deliberations in relation to DART Expansion
4	4426.1	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
4	4426.2	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a financial loss to those involved
4	4427.3	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
5	4427.5	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
7	App 1(1-7)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a financial loss to those involved
8	App 2(1-2)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a financial loss to those involved

**IE Board Minutes 25th August 2015**

<b>Minute #</b>		<b>Section of Act Applicable</b>	<b>Reason</b>
2	4433.2	Section 40 - Economic & Fin Interests of Public Body	strategy & finances of a public body
2	4433.8	Section 40 - Economic & Fin Interests of Public Body	strategy & finances of a public body
6	4435.2	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
6	4435.4	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
6	4435.5	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
7	4435.5	Section 36(1)(c) - Commercially Sensitive Information	information which could prejudice the conduct of negotiations
7	4436.8	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
9	4440.2	Schedule 1 Part 1 (p) - Partially Included agencies	Iarnród Éireann is exempt from FOI in so far as it relates to the operation of Rosslare Europort private sessions of the board - disclosure would constitute a breach of directors duties - S22 of 1986 Railway Act
9	4440.3	Section 35 - Information received in confidence	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
10	App 1(1-5)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
11	App 2(1-2)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved
12	App 3(1)	Section 36(1)(b) - Commercially Sensitive Information	financial information whose disclosure could reasonably be expected to result in a fin loss to those involved