

6th January 2020

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Re: Response - FOI request IE_FOI_323

Dear [REDACTED]

I refer to your request dated 5th November 2019 made under the Freedom of Information Act 2014, which was received by my office on that date, for records held by Iarnród Éireann.

Request:

- I wish to request a copy of any minutes of Iarnród Éireann board meetings from June 1, 2019 to date

Response:

You have sought access to the records outlined above and I consider this an appropriate form of access in this case. Accordingly a copy of the records is now enclosed 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. 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, 7034293.

Yours sincerely,



Hayley Durnin

Freedom of Information Office

Freedom of Information Request:
Schedule of Records for IE_FOI_323 : Summary for Decision Making

Record No.	Date of Record	Brief Description	No. of Pages	Decision: Grant/Part Grant/Refuse	Section of Act if applicable	Record Edited/Identify Deletions
1	06/01/2020	IE board Minutes Jun- Oct 2019_Redacted	40	Part Grant	redaction list on sheet 2	

IE Decision Maker : Bidina Mc Cabe

Hayley Durnin
Freedom of Information Office

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 25TH JUNE 2019
AT 9.30 AM IN HEUSTON STATION**

PRESENT:	Mr. Frank Allen	Chairman
	Ms. Suzy Byrne	Director
	Ms. Carolyn Griffiths	Director
	Ms. Denise Guinan	Director
	Ms. Valerie Little	Director
	Mr. Mal McGreevy	Director
	Dr. Peter Mulholland	Director
	Ms. Sarah Roarty	Director
	Mr. Tommy Wynne	Director
IN ATTENDANCE:	Mr. Aidan Cronin	Chief Financial Officer
	Mr. Gerry Culligan	Commercial Director
	Mr. Don Cunningham	Director Infrastructure Manager
	Ms Kay Doyle	Strategic Safety Manager (part)
	Ms. Geraldine Finucane	Company Secretary
	Mr. Billy Gilpin	Director Railway Undertaking
	Mr. Ronan Glynn	Chief Risk Officer (part)
	Mr. Jim Meade	Chief Executive
	Mr. Peter Muldoon	Manager Operations & New Works (part)
	Mr. Lorcan O'Connor	Chief Executive, CIE
	Mr. Colm Reynolds	Chief Procurement Officer (part)
	Mr. Peter Smyth	Chief Mechanical Engineer (part)
	Mr. Joe Sullivan	Head of Safety, Railway Undertaking (part)
	Mr. Peter Tuohy	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 Ms. Roarty, Ms. Finucane 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 28th 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

In response to Ms. Griffiths, Mr. Meade confirmed that the new Commercial Manager in Rosslare does not have any marine competence. Ms. Griffiths stated that the Board Safety Committee felt

that the [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

4855.3 The Chairman stated that he would have expected more in the board papers [REDACTED]
[REDACTED]
[REDACTED], [REDACTED]
[REDACTED]
[REDACTED]

4855.4 **Outstanding Action Items**
The memorandum previously circulated was taken as read and noted.

4855.5 **Item 566**
In response to Ms. Griffiths, Mr. Meade confirmed that details of the full programme of what will be audited in Rosslare would be provided to her. **Ms. Doyle**

4855.6 **Item 569**
Mr. Meade advised that a comprehensive business case for the Cork Track Relaying Project would be presented at the CIE Board meeting on 3rd 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. Mr. Culligan 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. **Mr. Culligan**

4855.8 **Item 572**
The Chairman stated that the car park strategy should cover the issue of e-charging. **Mr. Muldoon**

4856 **CHIEF EXECUTIVE’S REPORT**

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

4856.2 Mr. Meade presented his report and referred to the following:

- Key performance indicators (KPIs) for Period 5 2019.
Ms. Roarty asked for a specific KPI for the freight business. **Mr. Culligan**
- At a meeting on 21st June 2019 to discuss how outstanding issues could be closed out, the Commissioner for Railway Regulation (CRR) stated that he was happy with progress and impressed with how Iarnród Éireann does its business.
- While the train driver licensing issue and approval of Translink’s safety case are expected to be resolved by October 2019, Translink does not appear to be giving priority to agreeing a backup plan in the event of a hard Brexit and delay to the licensing and safety case approval. The Department of Transport, Tourism and Sport (DTTAS) are pushing for a contract to be completed covering this scenario. A draft contract has been sent to Translink and comments received back. However, a face to face meeting is now required in order to finalise the matter.

4856.3 **Finance**
Mr. Cronin advised 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] [REDACTED]. 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.

4856.4 Railway Undertaking

Mr. Gilpin advised of the following:

- A list of anti-social hotspots has been forwarded to [REDACTED] as requested.
- Procurement of a text alert system is in the final stages.
- The finalisation of an Interface Protocol with the Gardaí for accidents, fatalities and incidents etc. is almost complete.
- A lot of work is being carried out to prepare for the additional capacity expected due to the huge amount of summer events that are planned.

4856.5 Mr. O'Connor advised that the bus companies are noticing a reduction in anti-social behaviour incidents. Mr. Gilpin stated that this may be due to the high level of Garda presence over the past month.

4856.6 Ms. Byrne stated that she was concerned that members of the public believe that security on the railway is Iarnród Éireann's responsibility. They do not appear to be aware that any complaints in this regard need to be made to the Gardaí. Mr. Gilpin stated that the impact of social media is behind this view. Security on the railway is the collective responsibility of the stakeholder and of society itself. Mr. Meade agreed and stated that members of the public are encouraged to report incidents to the Gardaí. However, a more holistic approach at a policy level is required. He noted that when the text alert system is deployed over the summer it is likely that the number of complaints will increase.

4856.7 In response to Ms. Griffiths, Mr. Gilpin provided details of a recent over speeding incident involving a Waterford train.

4856.8 Commercial Department

Mr. Culligan advised of the following:

- The campaign to encourage more customers to travel during the shoulder of the peak will be rolled out in September. The business engagement aspect of the project will involve the creation of a business forum. In response to Ms. Roarty, Mr. Culligan explained that the business forum will cover Dublin only at present because it is the Dublin commuter service that is facing the greatest capacity challenge. Mr. Roarty asked for the business forum to be extended to other cities also in due course.
- [REDACTED]
- [REDACTED]
- A fix for problems arising with the Customer First system relating to device connectivity and credit card processing is being reviewed and tested. Therefore, full deployment is on hold until the issues are resolved. A pilot will be carried out next before full deployment.
- Potential new rail freight traffic has been identified with Iarnród Éireann's customer, IWT, for services from Ballina to Waterford, as a "proof of concept" to promote the use of rail freight as an alternative to road freight. However, the track access charge issue needs to be finalised.

- [REDACTED]
- [REDACTED]
- [REDACTED]
[REDACTED] **Mr. Culligan**

4856.9 In response to Ms. Roarty's suggestion that more lobbying of stakeholders should take place on the rail freight issue, Mr. Culligan stated that it would be inappropriate to do so if the track access charge and "proof of concept" issues have not been resolved. Iarnród Éireann must be in a position to prove that a move from road freight to rail freight is commercially viable.

4856.10 Infrastructure Manager (IM)

Mr. Cunningham advised of the following:

- Favourable BT interim arbitration award due to the excellent work of the Property and Legal Departments. The final binding award in the arbitration process is expected in September 2019.
- The public consultation process has commenced in respect of the development of a Western Rail Corridor business case. Ms. Roarty asked why additional bus capacity would be considered as an option for the Western Rail Corridor unless buses can carry product as well as people. Mr. Cunningham stated that the business case is looking at all alternatives. Bus substitutes have been put in place in the past when previous railway lines were closed.
- A significant disruption took place on 28th May 2019 as a result of the work being carried out on the Mainline Central Traffic Control (CTC) Signalling Upgrade Project when the mainline system failed. While control was returned to CTC, the cause of the failure is still being

addressed. Therefore, the Phase 4 commissioning planned for 22nd 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 Mr. Wynne asked for the list of the eight level crossing locations to be provided to them. **Mr. Cunningham**
- 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. Ms. Roarty asked why Iarnród Éireann would entertain a proposal for a Greenway on the Waterford/Rosslare Line rather than encouraging rail freight given the current climate action agenda. Mr. Cunningham 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 Ms. Griffiths, Mr. Cunningham 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

Ms. Kay Doyle, Strategic Safety Manager, Mr. John Sullivan, Head of Safety, RU and Mr. Peter Tuohy, 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 Ms. Doyle 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. **Ms. Doyle**
- 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. **Ms. Doyle**
- The Board Safety Committee is to engage in a more focused review of the Safety Risk Register as some updates are needed.

Ms. Doyle, Mr. Sullivan and Mr. Tuohy left the meeting and Mr. McGreevy joined the meeting at this time.

4858 STRATEGY

Mr. Peter Muldoon, Manager Operations & New Works and Mr. Peter Smyth, 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 Mr. Muldoon 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] [REDACTED])
- Status of the board decision on 5th February 2019 (Minute No.4818.13) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- 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 28th May 2019).

4858.5 Following further discussion it was agreed that the board's decision of 5th February 2019 (Minute No. 4818.13) [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 Mr. Muldoon 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.
- [REDACTED]
- [REDACTED]
- 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 Mr. Meade 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. Mr. Muldoon 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 Mr. O'Connor 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 Mr. McGreevy 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 Ms. Griffiths 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 [REDACTED] required for these phases of the project. Mr. Muldoon 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 Mr. Muldoon. The Chairman agreed to meet Mr. Muldoon in this regard and also to discuss governance issues with him. **Chairman and Mr. Muldoon**

4858.15 **Fleet Strategy Update**

The memorandum previously circulated was taken as read and noted.

4858.16 Mr. Smyth 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 [REDACTED] 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 Ms. Byrne asked for a briefing on the accessibility aspects of this project including standards, future proofing, toilet facilities etc. **Mr. Smyth**

Ms. Byrne left the meeting at this time.

4858.21 **Definition of DART Expansion**

Mr. McGreevy 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]
[REDACTED]
[REDACTED]
[REDACTED]

It was noted that:

- [REDACTED]
[REDACTED]

- 4859.4** National Carparks 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 carparks 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] 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 [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, Mr. Colm Reynolds, 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** Mr. Reynolds confirmed that the resource issues within the Procurement Department are being addressed. It was noted that procurement was not identified as a cause of the delay with the implementation of the Rosslare Plan.
- 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.
- Mr. Muldoon and Mr. Smyth 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:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

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 [REDACTED] 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 [REDACTED] for the lease, maintenance and management services of up to 72 cars at an estimated cost of [REDACTED]

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:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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 of [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 [REDACTED] 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 [REDACTED] 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.

Mr. Reynolds 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, Dr. Mulholland, 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. **Ms. McCabe**

4861.6 Quarterly Risk Report

Mr. Ronan Glynn, 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 Mr. Glynn to liaise with Mr. Muldoon to consider the many risks associated with this project and how they should be recorded on the Risk Register. **Mr. Glynn and Mr. Muldoon**

4861.9 The Chairman of the Board Safety Committee (BSC), Ms. Griffiths, 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 Mr. Wynne 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. **Mr. Glynn**

Mr. Glynn 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

The board gave its approval for expenditure of [REDACTED] to progress the acquisition and installation of LED advertising signage on four railway bridges at Amiens Street outbound, Pearse Street inbound, North Strand inbound and Drumcondra Road inbound, replacing traditional advertising boards.

It was noted that:

- The estimated payback on the investment is two years.
- The project is to be funded by Iarnród Éireann's own resources, generated by increased advertising revenue from the proposed new signage.
- This project also requires the approval of the CIE Board as it is not included in the 2019 budget.

4861.13 Kiosk 1, Heuston Station

It was noted that the authority of the CIE Board would be sought to grant a five year lease, with a Deed of Renunciation, to [REDACTED], at a rent of [REDACTED]

4861.14 Redevelopment Works at Ceannt Station, Galway

The memorandum previously circulated was taken as read and noted.

4861.15 The board noted that:

- [REDACTED]
- [REDACTED]
- 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 The board gave its approval for the grant of authority to the CIE Group Investigations Department and Counsel for Iarnród Éireann to engage in out of court settlement negotiations with Counsel for the claimant in a case which has the potential for settlement to exceed [REDACTED] plus costs, subject to the Chief Executive ensuring that the final settlement is at an appropriate level.

4862.6 In response to Mr. McGreevy, Mr. Cronin, confirmed that claims are well reserved.

4863 ITEMS FOR NOTING

4863.1 Report to the Minister

The Report to the Minister following the board meeting on 28th 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 27th 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]
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 [REDACTED] 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
25th June 2019

TRANSACTIONS FOR APPROVAL AND SIGNING

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

Company Secretary
Iarnród Éireann
25th 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 27TH AUGUST 2019
AT 9.30 AM IN HEUSTON STATION**

PRESENT:	Mr. Frank Allen	Chairman
	Ms. Suzy Byrne	Director
	Ms. Carolyn Griffiths	Director
	Ms. Denise Guinan	Director
	Ms. Valerie Little	Director
	Mr. Mal McGreevy	Director
	Dr. Peter Mulholland	Director
	Ms. Sarah Roarty	Director
	Mr. Tommy Wynne	Director
IN ATTENDANCE:	Mr. Glenn Carr	General Manager Freight & Rosslare Europort (part)
	Mr. Aidan Cronin	Chief Financial Officer
	Mr. Gerry Culligan	Commercial Director
	Mr. Don Cunningham	Director Infrastructure Manager
	Ms. Geraldine Finucane	Company Secretary
	Mr. Billy Gilpin	Director Railway Undertaking
	Ms. Sinead Leonard	Acting Chief Procurement Officer (part)
	Mr. Jim Meade	Chief Executive
	Mr. Peter Muldoon	Manager, Operations & New Works (part)
	Mr. Lorcan O'Connor	Chief Executive, CIE
	Mr. Colm Reynolds	Chief Procurement Officer (part)
	Mr. Peter Smyth	Chief Mechanical Engineer (part)
	Mr. Mike Sowden	Chairman, Infrastructure Advisory Group
	Mr. Paul Wilcock	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 25th 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

[REDACTED]

[REDACTED]

Mr. Cronin advised of the following:

Matters discussed included the following:

[illegible]

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

4867.5 [REDACTED]
[REDACTED]
[REDACTED]

4867.6 [REDACTED]
[REDACTED]

[REDACTED]

4867.7 DART Expansion Programme Progress Report

Mr. Peter Muldoon, Manager Operations & New Works, Mr. Peter Smyth, Chief Mechanical Engineer and Mr. Paul Wilcock, 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 Mr. Muldoon 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 Mr. Muldoon 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, Mr. McGreevy, advised of the following:

- Site visit to [REDACTED] 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 [REDACTED] Advisory Services. [REDACTED] 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.

Mr. Smyth

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, Mr. Sowden, 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 28th 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, [REDACTED]. While testing is carried out of hardware and software changes during the interim works, not every possible scenario can be simulated. However, [REDACTED]. In the meantime, [REDACTED] 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.

Mr. Muldoon, Mr. Smyth and Mr. Wilcock 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 Mr. Meade 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. **Mr. Gilpin**
- 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. **Mr. Gilpin**
- The challenges facing the company were raised during the meeting with the Minister on 8th 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 NRBU Annual Conference for the first time. Issues raised included accessibility and anti-social behaviour.

4869.3 In response to Ms. Roarty the board was advised of the following:

- Special conditions were imposed by the NTA when the [REDACTED]
[REDACTED]
[REDACTED] Therefore, the NTA has given Iarnród Éireann approval to vary the special conditions imposed and to also secure the Barrow Bridge in the open position to facilitate shipping in and out of [REDACTED].
- While the number of customers travelling under the Free Travel Scheme can be ascertained, the company receives [REDACTED] 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] Period 8 2019 compared to a forecast surplus of [REDACTED] The year to date surplus was €13.1 million compared to a forecast surplus of [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.
- [REDACTED] 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.
- The [REDACTED] arbitration award was finalised. In addition to the favourable award CIE was awarded its costs (excluding those relating to internal witnesses). The Arbitrator commented that [REDACTED]
[REDACTED] CIE's legal fees.

4869.5 **Railway Undertaking**

Mr. Gilpin advised of the following:

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

4869.6 **Commercial Department**

Mr. Culligan 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.
- [REDACTED] 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)

Mr. Cunningham 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

The three memoranda previously circulated were taken as read and it was noted that the following proposals are to be presented to the CIE Board:

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

4871 CAPITAL

Ms. Sinead Leonard, Acting Chief Procurement Officer, Mr. Peter Muldoon, Manager Operations & New Works and Mr. Colm Reynolds, 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]0 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] 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] 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.

Mr. Muldoon 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 [REDACTED] for a value of [REDACTED].

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] funded by the NTA.

- Operational expenditure of [REDACTED] 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]
- 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]
- 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].
- 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].
- 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].
- 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] based on:
 - [REDACTED] the supply, installation, commissioning and maintenance of the new equipment over a period of approximately six years from 2020 to 2026 and
 - [REDACTED] 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.

Ms. Leonard and Mr. Reynolds 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 Ms. Little and seconded by Dr. Mulholland 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 31st December 2019 and
- (b) That the remuneration of the Auditors be fixed at no more than [REDACTED] for the 2019 audit and [REDACTED] 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 25th 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 15th May 2019.
- Trains Advisory Group Minutes 20th May 2019.
- Strategy Advisory Group Minutes 20th May 2019.
- Information Technology Advisory Group Minutes 13th May 2019.
- Human Resources Advisory Group Minutes 21st 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 Practise for the Governance of State Bodies. [REDACTED] 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 29th October 2019 at 9.30am in Heuston Station.

Chairman _____

Date _____

TRANSACTIONS FOR APPROVAL AND SEALING

1. Agreement in duplicate with [REDACTED] 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] 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] and Mr. John Walsh, for a retail unit at Grand Canal Dock Railway Station, for a term of 5 years at a rent of [REDACTED] 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], subject to review in accordance with CPI every 5th 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], whichever is greater.
6. Lease in duplicate with [REDACTED] for a plot of land adjoining their public house [REDACTED] and Mallow Railway Station, Co. Cork, for a term of 20 years, for a rent of [REDACTED] subject to review in accordance with the Consumer Price Index in years 5, 10 and 15.
7. Lease in duplicate with [REDACTED] for a kiosk at Heuston Station, for a term of 5 years at a rent of [REDACTED], whichever is greater.
8. Agreement in duplicate with [REDACTED], 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
27th August 2019

TRANSACTIONS FOR APPROVAL AND SIGNING

1. Licence in duplicate with [REDACTED] 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].
2. Licence in duplicate with [REDACTED] for a mobile kiosk at Newbridge Railway Station, Co. Kildare for a licence period of 2 years, for a licence fee of [REDACTED].
3. Licence in duplicate with [REDACTED] at Tuam Railway Station, Co. Galway, for a licence period of 5 years for a licence fee of [REDACTED].
4. Crane Licence in duplicate with [REDACTED] 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].
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].
7. Access Licence in duplicate with [REDACTED], 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 [REDACTED].
8. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Company Secretary
Iarnród Éireann
27th 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:	Mr. Frank Allen	Chairman
	Ms. Suzy Byrne	Director
	Ms. Carolyn Griffiths	Director
	Ms. Denise Guinan	Director
	Ms. Valerie Little	Director
	Mr. Mal McGreevy	Director
	Dr. Peter Mulholland	Director
	Mr. Tommy Wynne	Director
IN ATTENDANCE:	Mr. Tim Cooper	Consultant, Turas (part)
	Mr. Aidan Cronin	Chief Financial Officer
	Mr. Gerry Culligan	Commercial Director
	Mr. Don Cunningham	Director Infrastructure Manager
	Ms. Emer Daly	Better Boards
	Ms. Geraldine Finucane	Company Secretary
	Mr. Ronan Gill	Chief Financial Officer, CIÉ
	Mr. Billy Gilpin	Director Railway Undertaking
	Mr. Ronan Glynn	Chief Risk Officer (part)
	Mr. Bernie Gray	Better Boards
	Mr. Niall Grogan	Group Property Manager, CIÉ (part)
	Mr. Hugh Hannon	Solicitor, CIÉ (part)
	Mr. Brian Johnson	Head of Public Service Contract Management (part)
	Ms. Sinéad Leonard	Acting Chief Procurement Officer (part)
	Mr. Ciarán Masterson	Manager, Human Resources (part)
	Mr. Jim Meade	Chief Executive
	Mr. Peter Muldoon	Manager Operations & New Works (part)
	Mr. Lorcan O'Connor	Chief Executive, CIÉ
	Mr. Colm Reynolds	Chief Procurement Officer (part)
	Prof. Bill Roche	University College Dublin (part)
	Mr. Peter Smyth	Chief Mechanical Engineer (part)
	Mr. Mike Sowden	Chairman, Infrastructure Advisory Group

ABSENT: Apologies were received from Ms. Sarah Roarty.

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. Mr. Cunningham 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 27th 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 Ms. Griffiths, Mr. Gilpin 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 Mr. Meade presented his report and referred to the following:

- A Government decision on the replacement of 41 Intercity railcars (ICRs) is expected on 30th October 2019.
- An analysis of train failure trends has been completed and will be reported to Ms. Griffiths 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. **Mr. Gilpin**
- 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 Mr. Cronin 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 €1 million is budgeted for 2020 compared with a forecast surplus of €1.8 million 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. **Mr. Culligan**
- Any potential loss in NTA funding due to Brexit or other reasons is unlikely to be impacted by any potential increase in the rail freight revenue budget.

- 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

Mr. Hugh Hannon, CIÉ Group Solicitor's Office, Mr. Ciarán Masterson, Manager Human Resources and Prof. Bill Roche, UCD, joined the meeting at this time.

4882.1 Alternative Dispute Resolution (ADR)

Prof. Roche 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.

Mr. Hannon, Mr. Masterson and Prof. Roche left the meeting at this time.

4882.4 DART Expansion Programme Progress Report

Mr. Peter Muldoon, Manager Operations & New Works and Mr. Peter Smyth, 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]

- 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. Mr. Muldoon was asked to include in his next report how opportunities to reduce PTI risk could be maximised.

Mr. Muldoon

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, Mr. Reynolds, 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 Mr. McGreevy referred to the recommendation that a minimum of 52 battery-electric multiple units (BEMUs) be procured at a cost of up to [REDACTED] and queried whether this was value for money. He noted these would be used on the Northern Line which would allow for electrification of this line to be delayed and becoming less critical to capacity increase.

4882.10

[REDACTED]

4882.11 Mr. Muldoon and Mr. Smyth noted, however, that the purchase of BEMUs would remove many of the risks and uncertainties arising out of the lack of clarity about the scope of the project. These risks relate to cash flow, signalling, train protection system (TPS), control centre and extent of electrification that will ultimately be possible within the funding that will be available. The Chairman agreed stating that current capacity constraints must be recognised and the BEMU option may be required. However, it was also acknowledged that the expenditure profile of the BEMU option is front loaded. All these issues would have to be considered in the options paper that is finally presented to the board following receipt of the tender quotes. The Chairman asked for a paper in this regard by April 2020 and noted that it should also cover the issue of availability of electricity.

Mr. Muldoon and Mr. Smyth

4882.12 Life Extension of the DART 8100 Fleet

The memorandum previously circulated was taken as read and noted.

4882.13 Mr. Smyth 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 Ms. Little, the Chairman of the IAG, Mr. Sowden, 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 Ms. Little's 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

Mr. Tim Cooper, Consultant, Turas, joined the meeting at this time.

4883.4 The memorandum previously circulated was taken as read and noted.

4883.5 Mr. Muldoon advised that the TPS Project would provide a nationwide TPS:

- (a) To replace and enhance the existing automatic train protection (ATP) system and continuous automatic warning CAWS system which are facing obsolescence issues and
- (b) Provide an automatic train protection on the remainder of the network which currently has no automatic protection.

The proposed system is a hybrid system and would be provided by Alstom, based on their Italian SCMT system. He updated the board on the remaining four critical issues and the governing national technical rule (NTR) document. It had been anticipated that all of the outstanding issues would have been resolved by the end of September 2019. Solutions have been identified for all but two of these issues (loss of code in the DART area and signal/noise ratio in the CAWS area). Therefore, as further work is required this project is not likely to be finalised for another six months.

4883.6 Mr. Muldoon acknowledged that at the time of his last report to the board on this issue he did not have any concerns about the delivery of the project based on the information he had at that time. However, the latest information is giving rise to concern about the two major outstanding issues (loss of code and signal/noise ratio). He outlined the potential operational consequences.

4883.7



4883.8 Lifts and Escalators

The memorandum previously circulated was taken as read and noted.

4883.9 Ms. Byrne 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

Mr. Brendan Johnson, 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 Mr. Johnson 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 Ms Griffiths, 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 1st 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.

Mr. Johnson 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

Ms. Sinéad Leonard, 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 27th 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.

- [REDACTED]

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]
- The non-recoverable [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 €10 million 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 €5 million 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:

- [REDACTED]
- The estimated value of the contract is [REDACTED] 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].
- 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]
- [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]
- 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 Mr. Reynolds on the DART Expansion Project.

Ms. Leonard, Mr. Muldoon, Mr. Reynolds and Mr. Smyth left the meeting at this time.

4887 ADVISORY/POLICY (Contd.)

4887.1 Property Items

Mr. Ronan Glynn, Chief Risk Officer and Mr. Niall Grogan, 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) The entry into negotiations with Esprit Investments Ltd. and their advisors in respect of a potential grant of a long lease by CIÉ of ground and air rights adjacent to, beneath and above a portion of the Loop Line railway viaduct (the DART Line) situated between Shaw Street and Townsend Street in Dublin city centre.
- (b) The entry into negotiations with Louth County Council regarding the disposal of 3.6 acres of land in Ardee Co. Louth.
- (c) The entry into negotiations with Fingal County Council regarding:
 - The possible disposal of approximately 9 acres of land at Skerries Station currently held by Fingal County Council under a 250 year Lease from 1952 and
 - Any additional land adjoining the leased area which may be capable of being considered surplus to requirements.

4887.4

Mr. Grogan 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 Mr. Glynn 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. **Mr. Gilpin**
- A deep dive of overspeeds and signals passed at danger (SPADs) is required. **Mr. Gilpin**
- Use of the terminology "Human Factors" needs to be examined as there is an apparent overuse of that term. **Mr. Glynn**
- 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 Ms. Little would liaise with Mr. Glynn after each board meeting to review the risk register from the board's perspective. **Mr. Glynn and Ms. Little**

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)

(b)

and

with effect from 30th 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 27th 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 14th May 2019.
- Board Safety Committee Minutes 13th September 2019.
- Infrastructure Advisory Group Minutes 13th August 2019.
- Strategy Advisory Group Minutes 19th August 2019.
- Information Technology Advisory Group Minutes 16th July 2019.
- Audit and Risk Committee Minutes 21st 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 The Chairman stated that he was pleased with his recent visit to Rosslare Europort where a lot of preparatory work was being done in advance of Brexit.

4891 DATE AND LOCATION OF NEXT MEETING

Tuesday 3rd 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]ort (Limerick) Ltd., 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
29th 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 5th 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 of [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 5th 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 5th 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 5th 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] and [REDACTED], for a licence period of 1 year, for a licence fee of [REDACTED] per annum.
7. Licence in duplicate with [REDACTED], Co. Dublin, for a licence period of 3 years for a licence fee of [REDACTED]
8. Licence in duplicate with [REDACTED], for a [REDACTED] a licence period of 1 year, for a licence fee of [REDACTED] per annum.
9. Licence in duplicate with [REDACTED], for a mobile kiosk at [REDACTED], for a licence period of 1 year, for a licence fee of [REDACTED] per annum.
10. [REDACTED]
11. Licence in triplicate with [REDACTED], 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. [REDACTED]

13.



Company Secretary
Iarnród Éireann
29th October, 2019