



Dick Brady, Assistant Chief Executive,  
Environment & Transportation Department,  
Dublin City Council - Block 2: Floor 6,  
Civic Offices,  
Wood Quay,  
Dublin 8.

Dún Scéine, Lána Fhearchair  
Baile Átha Cliath 2, D02 WT20

Dún Scéine, Harcourt Lane  
Dublin 2, D02 WT20

t 01 879 8300

info@nationaltransport.ie  
www.nationaltransport.ie

15<sup>th</sup> August 2019

**Re: BusConnects Dublin - Core Bus Corridors Projects**

Dear Mr. Brady,

Under the provisions of the Dublin Transport Authority Act 2008 (as amended) (the “**Act**”), the National Transport Authority (the “**Authority**”) has the function to “*secure the - .... provision of public transport infrastructure*” (section 11(1) of the Act) and is permitted to do “*all such things as arise out of or are consequential on or are necessary or expedient for the performance of its functions or are ancillary thereto*” (section 11(2) of the Act). Public transport infrastructure, for these purposes, is infrastructure constructed or provided or proposed to be constructed or provided in connection with the provision of public passenger transport services (as defined, which includes public bus services), including without limitation “*...bus infrastructure,...buses, busways, bus lanes, bus garages...*”.

As you are aware the National Development Plan 2018-2027 has allocated €2 billion for the development of BusConnects Dublin. BusConnects Dublin is a programme to transform the current bus system in the Dublin region across a number of areas.

The most significant projects under the BusConnects Dublin Programme are the “Core Bus Corridors”, which will involve the delivery of a much higher level of bus priority on some of the busiest bus routes in the Greater Dublin Area, to make bus journeys faster, more predictable and reliable. This programme is a key element of the Transport Strategy for the Greater Dublin Area 2016-2035, which establishes a statutory framework for the development of transport across the Greater Dublin Area.

The Authority has developed initial proposals for sixteen Core Bus Corridors and has sought public feedback on those concept proposals. That phase of the consultation process has recently concluded and it is now intended to review the submissions received, leading to revisions to, and refinements of, the Core Bus Corridor proposals. Following a further round of public consultation, it is intended that development consents (including environmental assessments) and compulsory purchase order approvals for the implementation of the Core Bus Corridors be sought during 2020.

Section 44(2) of the Act states:

“(a) *The Authority shall, as far as possible, arrange that the functions under subsection (1) be performed on its behalf in relation to—*

- (i) *railway infrastructure other than metro or light railway infrastructure, by Irish Rail,*
  - (ii) *metro or light railway infrastructure, by the RPA,*
  - (iii) *interchange facilities, by such public transport authority or other statutory body which in the opinion of the Authority should have responsibility for them, and*
  - (iv) *other public transport infrastructure owned or under the control of a public transport authority, by that public transport authority.*
- (b) *Notwithstanding paragraph (a) but subject to paragraphs (c) and (d), where the Authority considers it more convenient, more expeditious, more effective or more economical that the function concerned should be performed by it, it may decide accordingly.*
- (c) *Before coming to a decision under paragraph (b) the Authority shall consult with and consider the views of the relevant public transport authority or other statutory body.*
- (d) *The Minister may prescribe a class of case in which a decision by the Authority under paragraph (b) does not have effect unless and until it is approved by him or her.*
- (e) *The Authority may secure the provision of public transport infrastructure not referred to in paragraph (a) by such arrangements as it sees fit, including securing such provision itself or providing such public transport infrastructure itself."*

As regards what is currently envisaged by the Core Bus Corridor proposals, the relevant public transport infrastructure would fall within section 44(2)(a) (iv) and/or (iii) with the public transport authority being the road authority, namely, to the extent the Core Bus Corridor proposals relate to its relevant administrative area, Dublin City Council as road authority.

The Authority is considering whether the function to provide the public transport infrastructure in connection with the Core Bus Corridors should be performed itself in accordance with Section 44(2)(b) of the Act. This would include the Authority undertaking the full design and planning process for the relevant public transport infrastructure, including seeking all development consents (and, to the extent necessary, related compulsory purchase order approvals) from An Bord Pleanála, in addition to subsequently procuring the required construction on the individual Core Bus Corridors, if approved. This would involve the Authority undertaking these roles connected with the provision of public transport infrastructure alone, and only to the extent required to provide or secure the provision of public transport infrastructure, and is not intended to have the result of the Authority assuming other roles which would normally be carried out by a local authority (as a "road authority" or otherwise) and which are not connected with the provision of public transport infrastructure.

Considerations which inform the Authority in considering whether to perform the function of providing such public transport infrastructure itself include:

- (i) the geographic spread of the various Core Bus Corridors, which extend across the Greater Dublin Area, and specifically across the administrative areas of five local authorities – Dublin City Council, Fingal County Council, South Dublin County Council, Dún Laoghaire-Rathdown County Council and Wicklow County Council;
- (ii) the need for a consistent and co-ordinated development approach across all of the proposed Core Bus Corridors;

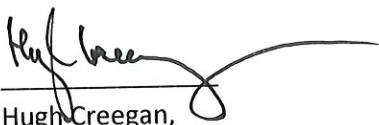


- (iii) the need for proposals to be advanced through the planning process in an aligned and coherent manner across all proposed Core Bus Corridors;
- (iv) the scale of the programme in its entirety and the resources required for delivery of the different Core Bus Corridor proposals;
- (v) the efficiency of delivery of the overall programme and the potential for a more expeditious, more effective and/or more economical delivery approach; and
- (vi) the need to manage expenditure in an optimal manner.

Before making any decision under Section 44(2)(b) of the Act, and in accordance with Section 44(2)(c) of the Act, the Authority now wishes to consult with Dublin City Council and hereby requests the views of Dublin City Council, for its consideration, in relation to whether the function to provide the public transport infrastructure envisaged under the BusConnects Dublin Programme (including, without limitation, in the case of each of the Core Bus Corridors, undertaking the full design and planning process for the relevant public transport infrastructure, seeking (and obtaining) all development consents (and, to the extent necessary, related compulsory acquisition approvals) from An Bord Pleanála, in addition to subsequently procuring the required construction on the individual Core Bus Corridors, if approved) should be performed by the Authority itself.

Please provide your views to the Authority (marked for the attention of the undersigned) on or before Friday 20<sup>th</sup> September 2019.

Yours sincerely,



Hugh Creegan,  
Deputy Chief Executive.