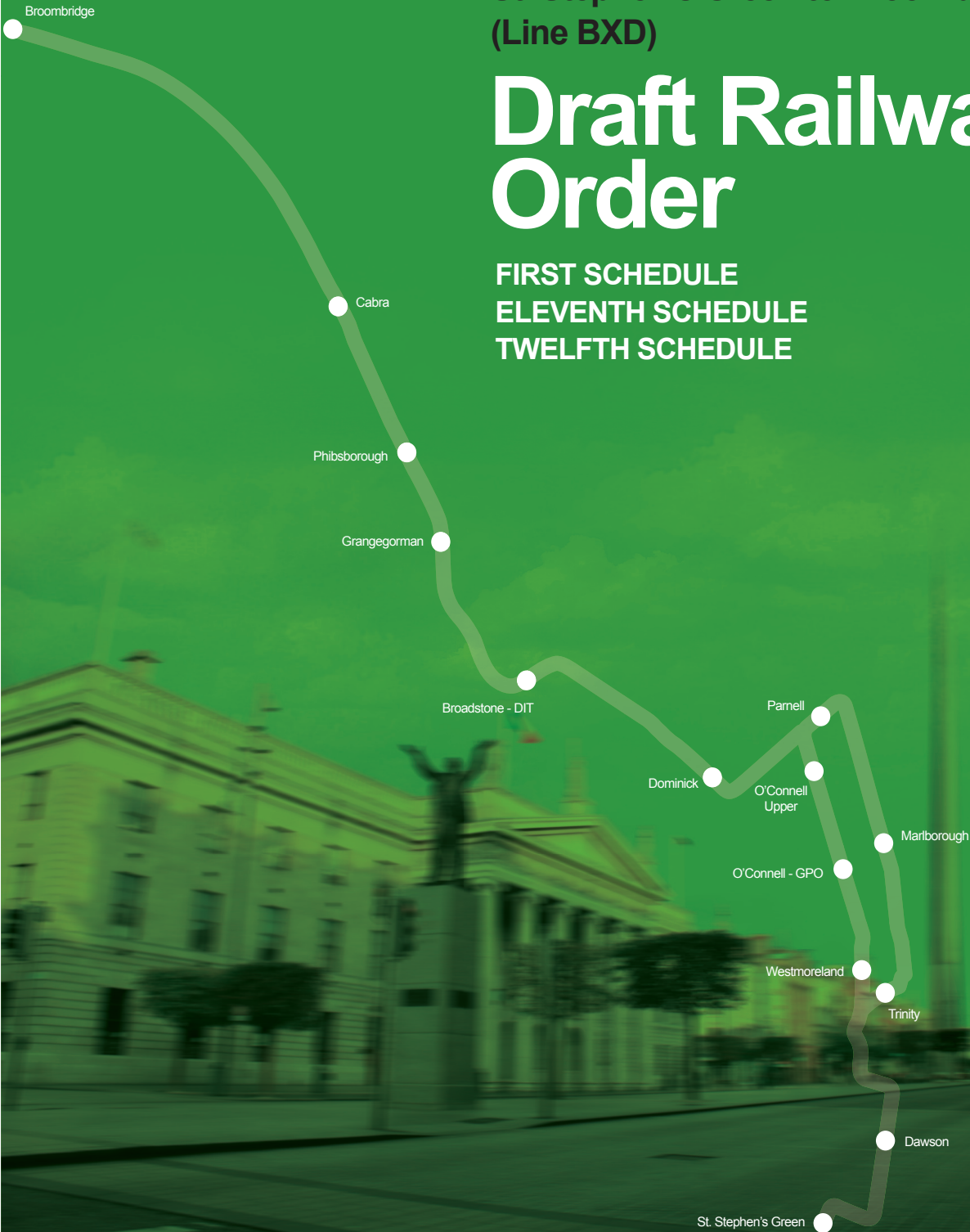


# Luas Broombridge

St. Stephen's Green to Broombridge  
(Line BXD)

# Draft Railway Order

FIRST SCHEDULE  
ELEVENTH SCHEDULE  
TWELFTH SCHEDULE



**LUAS BROOMBRIDGE RAILWAY ORDER**

**Railway (Luas Broombridge – St. Stephen’s Green  
to Broombridge) Order 20[..]**

## ARRANGEMENT OF ARTICLES

### Part 1

Article 1  
Article 2  
Article 3  
Article 4

### PRELIMINARY

Citation  
Interpretation  
Incorporation of Enactments  
Designation of Railway

### Part 2

Article 5  
Article 6  
Article 7  
Article 8  
Article 9  
Article 10  
Article 11  
  
Article 12  
Article 13  
Article 14  
Article 15

### WORKS PROVISIONS

Power to Execute Works  
Deviation  
Power to Alter Layout of Public Roads  
Temporary Closure of Public Roads  
New Roads  
Bridges  
Fixing of Brackets etc. to Buildings  
[and erection of poles]  
Underpinning or Strengthening of Buildings  
Discharge of Water  
Characteristics of the Railway  
Period within which the Agency is Authorised to Carry out the Authorised Works

### Part 3

Article 16  
Article 17  
Article 18  
Article 19  
Article 20  
Article 21  
Article 22

### Acquisition and Possession of Land

Power to acquire land  
Acquisition of Rights  
Extinguishment of and interference with private rights  
Extinguishment of Public Rights of Way  
Use of air Space  
Temporary possession of land  
Period within which the Agency may compulsorily acquire land and interests in land.

### Part 4

Article 23  
Article 24  
Article 25  
Article 26  
Article 27  
Article 28

### Miscellaneous and General

Interference with Apparatus  
Arbitration  
Agreement between the Agency and a road authority  
Interference with Roads  
Rights of third parties to open up roads  
Bye Laws

### Schedules

First Schedule  
Second Schedule  
Third Schedule  
Fourth Schedule  
Fifth Schedule  
  
Sixth Schedule  
  
Seventh Schedule

Works  
Land which may be acquired  
Substratum Land which may be acquired  
Land of which Temporary Possession May be Taken  
Land over which Rights of Way and Other Easements May be Acquired  
Basements (under a footpath/ public road) which may in whole or in part be acquired or affected  
Structures to which brackets, cables, wires or other fixtures may be attached

Eighth Schedule	Land upon which pole(s) may be erected
Ninth Schedule	Public rights of way which may be extinguished
Tenth Schedule	Private rights which may be extinguished
Eleventh Schedule	New roads which may be constructed
Twelfth Schedule	Public roads which may be altered

Whereas an application was made to An Bord Pleanála on **[date]** by the Railway Procurement Agency pursuant to section 37 of the Transport (Railway Infrastructure) Act, 2001 (No. 55 of 2001) (as amended by section 49 of the Planning and Development (Strategic Infrastructure) Act, 2006 (No. 27 of 2006)), for a railway order;

And whereas An Bord Pleanála has considered the application, together with the draft order; the plan of the proposed railway works; the book of reference to the plan (indicating the identity of the owners and occupiers of the lands described in the plan); the statement of the likely effects on the environment of the proposed railway works; the report of the oral hearing held under section 42 of the Act of 2001; the submissions duly made to it and not withdrawn under sections 40(3) and 41(4) of the Act of 2001; the submissions duly made to it by the authorities referred to in section 40(1)(c) and (d) of the Act of 2001; **[the additional information furnished to it under section 41;]** the likely consequences for proper planning and sustainable development in the area in which it is proposed to carry out the railway works and for the environment of such works; and the matters referred to in section 143 of the Planning and Development Act, 2000 (as amended by section 26 of the Act of 2006); the national interest and the effect the performance of the Board's functions may have on issues of strategic economic or social importance to the State; and the National Spatial Strategy and any regional planning guidelines for the time being in force, namely;

- Regional Planning Guidelines for the Greater Dublin Area, 2004–2016;
- Dublin City Development Plan 2005–2011;
- Dublin – A City of Possibilities; Economic, Social and Cultural Strategy 2002–2012;
- Dublin City Biodiversity Action Plan 2008–2012;
- Dublin City Heritage Plan
- Framework Plan for Parnell Square (2005);
- Grangegorman Masterplan (2008);
- Greater Dublin Strategic Drainage Study (2005);
- Eastern River Basin District River Basin Management Plan 2009–2015; and
- Dublin Regional Air Quality Management Plan (2002);

And whereas An Bord Pleanála is of the opinion that the application should be granted on the terms and subject to the conditions, restrictions and requirements specified hereunder;

And whereas An Bord Pleanála is of the opinion that the railway hereby authorised should be designated as a light railway and whereas the Minister for Transport has consented to such designation;

Now An Bord Pleanála, in exercise of the powers conferred on it by section 43 of the Act of 2001 (as amended by section 49 of the Act of 2006), makes the following Order:

**PART 1.  
PRELIMINARY**

**1 Citation**

This Order may be cited as the Railway (Luas Broombridge - St. Stephen's Green to Broombridge) Order, 20[.].]

**2 Interpretation**

(1) In this Order—

“Act of 1919” means the Acquisition of Land (Assessment of Compensation) Act, 1919 (9 & 10 Geo. 5, c. 57)

“Act of 1993” means the Roads Act, 1993 (No. 14 of 1993);

“Agency” means the Railway Procurement Agency and includes:

- (i) any person with whom or with which (as the case may be) the Railway Procurement Agency has made an arrangement pursuant to section 43(5) of the Principal Act; and
- (ii) in respect of the performance of any function of the Railway Procurement Agency, any person duly authorised by the Railway Procurement Agency to perform that function;

“authorised works” means the works specified in the First Schedule to this Order or any part of them and any works required for the purposes of the railway or any part of the railway, including works ancillary to the purposes aforesaid such as parking by buses or by persons using vehicles who intend to complete their journey by railway, and relocation of utilities and any other works authorised by this Order or any part of them;

“Board” means An Bord Pleanála;

“book of reference” means the book of reference to the plan, submitted to the Board pursuant to section 37(3)(d) of the Principal Act and certified by the Board as the book of reference for the purpose of this Order;

“construct” includes build, make and put together;

“execute” includes construct, maintain and improve, and cognate words shall be construed accordingly;

“land” includes tenements, hereditaments, houses and buildings and any other structure, land covered by water and any estate, right or interest in or over land and includes any substratum of land or substrata of land;

“limits of deviation” means the limits of deviation for the authorised works mentioned in Article 6;

“limits of land to be used temporarily” means the limits so shown and described in the plan;

“Minister” means the Minister for Transport;

“occupier” includes a person occupying land under a tenancy for a period of more than one month;

“owner” in relation to land, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, whether in possession or reversion and includes also a person holding or entitled to the rents and profits of the land under a lease or agreement the unexpired term whereof exceeds three years;

“plan” means the plan of the proposed railway works together with a plan of any proposed commercial development of land submitted to the Board pursuant to section 37(3)(b) of the Principal Act and deposited or to be deposited at the head office of the Agency pursuant to section 46(a) of the Principal Act;

“Principal Act” means the Transport (Railway Infrastructure) Act, 2001 (No. 55 of 2001);

“public road” means a public road within the meaning of the Act of 1993 and includes any road which may become a public road during the currency of this Order;

“railway” means the railway authorised by this Order or any part of it;

“rights” includes rights which exist or which the Agency is authorised to create by this Order;

“relevant road authority” in relation to a road or a proposed road, means the road authority in whose functional area the road is located or is proposed to be constructed;

“road authority” has the meaning assigned to it by the Act of 1993;

“road” has the meaning assigned to it by the Act of 1993;

“stop” means a halting place where passengers or intending passengers may alight from or board railway vehicles,

“stratum of land” means any subsoil or anything beneath the surface of land required—

- (i) for the purposes of the authorised works, or
- (ii) for any other purposes connected with this Order;

“works” includes any act or operation of construction, excavation, tunnelling, demolition, extension, alteration, reinstatement, reconstruction, making good, repair or renewal;

(2)References in this Order to rights over land include references to rights to do, or to place and maintain, anything in or on land or in the air-space over its surface.

(3)Any reference in this Order to a work identified by the number of the work shall be construed as a reference to the work of that number authorised by this Order.

(4)References in this Order to points identified by letters, with or without numbers, shall be construed as reference to the points marked on the plan.

(5)All distances, directions and lengths stated in the description of the authorised works or in any description of powers or lands shall be construed as if the words “or thereabouts” were inserted after each such distance, direction and length, and distances between points on a scheduled work shall be taken to be measured along the scheduled work.

### **3 Incorporation of enactments**

The Regulation of Railways Acts, 1840-1893 and any other Act relating to railways shall apply to the railway so far as they are applicable for the purposes of and are not inconsistent with or varied by the provisions of this Order, and the Principal Act together with the Order shall be deemed to be the Special Act for the purposes of those enactments.

### **4 Designation of railway**

The railway is designated as a light railway.

## **PART 2. WORKS PROVISIONS**

### **5 Power to execute works**

(1)Subject to the provisions of this Order, the Agency may, on the lines, in the places and according to the levels shown on the plan, execute the authorised works or any part thereof and all other necessary or ancillary works or things.

(2)Subject to section 11(7) of the Principal Act, the Agency may operate and maintain the railway or any part thereof in the manner and subject to the conditions (including, in particular, the conditions set out in the **[Xth] Schedule [Any Conditions imposed by An Bord Pleanála]**), restrictions and requirements specified in this Order.

(3)In executing the authorised works, the Agency may lay and install such number of railway lines, switches and crossings as it deems necessary or expedient and without prejudice to the generality of the foregoing may lay down either single or interlacing tracks of parallel rails in places where double tracks are shown on the plan.

### **6 Deviation**

In executing any of the authorised works the Agency may —

- (a) where those works are situated in a public road —
  - (i) deviate laterally by any distance not exceeding 2.5 metres from the lines or situations shown on the plan,
  - (ii) deviate vertically by any distance not exceeding 1 metre upwards from the levels shown on the plan,

- (iii) deviate vertically by any distance not exceeding 1 metre downwards from the levels shown on the plan,
  - (iv) deviate longitudinally by any distance not exceeding 20 metres,
- (b) where those works form part of an underpass or are situated otherwise than in a public road —
- (i) deviate laterally by any distance not exceeding 5 metres from the lines or situations shown on the plan,
  - (ii) deviate vertically by any distance not exceeding 2 metres upwards from the levels shown on the plan,
  - (iii) deviate vertically by any distance not exceeding 2 metres downwards from the levels shown on the plan,
  - (iv) deviate longitudinally by any distance not exceeding 20 metres,
- (c) where those works relate to the attachment or fixing of a bracket, cable, wire, fixture or other thing to a protected structure, deviate in any direction by any distance not exceeding 0.75 metres from the situations shown on the plan.

## **7 Power to alter layout of public roads**

(1) In exercise of the powers conferred by section 50 of the Principal Act and subject to that section and to paragraph (2), the Agency may in connection with or for the purpose of the authorised works on, in, over, under or adjacent to any public road and in accordance with the plan do any one or more of the following:

- (a) alter the width of the carriageway of the road by altering the width of any footway, cycle track, verge or other land within the boundary of the road;
- (b) break up, alter or interfere with the level of any carriageway, kerb, footway, cycle track, verge or other land within the boundary of the road;
- (c) realign the road;
- (d) carry out works to the carriageway of the road for the purpose of deterring or inhibiting vehicles other than authorised vehicles from passing along the tracks of the railway or from passing along any particular section or sections of the road.

(2) Before exercising any power under paragraph (1) the Agency shall obtain the consent of the relevant road authority, which consent shall not be unreasonably withheld or delayed.

(3) The authorised works may be executed on, in, over, under or adjacent to the public roads specified in the Twelfth Schedule.

## **8 Temporary closure of public roads**

(1) Subject to paragraph (3), the Agency may, for the purpose of executing the authorised works or for any purpose incidental thereto, request the relevant road authority by order temporarily to close a public road to traffic, and paragraphs (2) to (8) apply in relation to such a request.

(2) The Agency shall give the road authority notice in writing of its requirement to close the road and the notice shall—

- (a) specify the road which is required to be temporarily closed,
- (b) state a period for which, in the reasonable opinion of the Agency, it is necessary temporarily to close the road,
- (c) give particulars of any alternative route or routes (if any) which the Agency believes will be available while the road is temporarily closed, and
- (d) contain a brief description of the works which the Agency proposes to carry out while the road is temporarily closed.

(3) Within 12 days of the receipt by a road authority of a notice referred to in paragraph (2), the road authority shall give at least 14 days' notice of its intention to close the road—

- (a) in at least one newspaper circulating in the area in which the road is situated, and
- (b) in writing to the Superintendent of the Garda Síochána within whose district the road is situated.

(4) The notice required to be given by paragraph (3) shall—

- (a) contain the information set out in the notice given to the road authority by the Agency, and
- (b) state that objections may be made in writing to the road authority in relation to the proposed temporary closure of the road before a specified date (which date shall not be less than 3 days after the publication of the notice).

(5) A road authority shall consider any objections made to it in writing pursuant to paragraph (4) and not withdrawn.

(6) Where a road authority, having complied with paragraphs (3) to (5), decides to close a road temporarily, it shall give at least 7 days' notice of its decision—

- (a) in each newspaper in which the notice of its intention temporarily to close the road was published, and
- (b) in writing to the Superintendent of the Garda Síochána within whose district the road is situated,

and the temporary closure shall not take effect earlier than the date specified in the notice of intention under paragraph (3). The notice of decision required to be given by this paragraph shall contain the information specified in paragraph (2).

(7)The Agency shall provide reasonable access for pedestrians going to or from premises abutting on a road affected by the powers conferred by this Article.

(8)The Agency may provide such access for vehicular traffic along the road closed in consequence of the exercise of the powers conferred by this Article as the Agency from time to time considers reasonable having regard to the nature of the authorised works and the need to preserve the safety of persons and vehicles permitted to use the road, and the Agency may impose such restrictions and conditions upon the passage of vehicles on the road as it considers reasonable in the circumstances.

(9)Paragraphs (1) to (8) are without prejudice to the power of the Agency to execute in an emergency works immediately necessary to eliminate or reduce danger or risk to persons or property.

## **9 New roads**

(1)The Agency may, with the consent of the relevant road authority, construct the new roads specified in the Eleventh Schedule with all necessary works connected therewith either by way of diversion from or in substitution for an existing public road or as an additional road.

(2)Each new road constructed under this Article shall, unless otherwise agreed between the Agency and the relevant road authority, be maintained by and at the expense of the relevant road authority upon the expiry of the period of twelve months after its completion, the commencement of which period shall be certified by notice in writing given by the Agency to the relevant road authority.

## **10 Bridges**

Where a bridge carries a public road over the railway, the Agency and the relevant road authority may enter into agreements upon such terms as may be agreed between them for the maintenance, improvement, or relaying of the road surface.

## **11 Fixing of brackets etc. to buildings and erection of poles**

(1)Without prejudice to the exercise by the Agency of its powers under section 48(1)(a)(iv) of the Principal Act, the Agency may enter on the lands specified in the Seventh Schedule and may attach to any wall, house, building or structure thereon any bracket, cable or wire or other fixture required for or in connection with the construction, operation, maintenance or improvement of the railway and may do on such land all such other things as are, in the opinion of the Agency, ancillary to or reasonably necessary for such purposes.

(2)Without prejudice to the generality of paragraph (1), the fixtures that may be attached pursuant to that paragraph to a wall, house, building or structure include equipment, instruments and gear for monitoring the effect on such wall, house, building or structure of the authorised works and the operation of the railway, and the Agency may from time to time and at such times as the Agency shall determine re-enter the lands in question for the purpose of inspecting such equipment, instruments and gear and for taking readings.

(3)The Agency may enter on the lands specified in the Eighth Schedule and may erect thereon any pole or poles required for or in connection with the construction, operation, maintenance or improvement of the railway.

## **12 Underpinning and strengthening of buildings**

(1)The Agency may, in accordance with section 48 of the Principal Act, enter on any land and underpin or otherwise strengthen any house, building or structure affected or likely to be affected by the authorised works or the railway and may do on such land all such other things as are, in the opinion of the Agency, ancillary to or reasonably necessary for such purposes.

(2)Where any house, building, or other structure has been underpinned or strengthened in accordance with section 48 of the Principal Act and this Article, the Agency may from time to time thereafter, in accordance with that section and this Article, re-enter on the land and do such further underpinning or strengthening or other activity reasonably necessary for the purposes aforesaid as the Agency deems necessary or expedient.

## **13 Discharge of water**

(1) Subject to paragraphs (2) and 13), the Agency may use any public watercourse, sewer or drain for the drainage of water in connection with the execution of the authorised works and the operation or maintenance of the railway, and for that purpose may make any convenient connections with any such watercourse, sewer or drain.

(2) The Agency shall not discharge any water into any public watercourse, sewer or drain except—

- (a) with the consent of the sanitary or other authority responsible for that watercourse, sewer or drain, which consent shall not be unreasonably withheld or delayed, and
- (b) in accordance with such terms and conditions as that authority reasonably imposes.

(3) The Agency shall take such steps as are reasonably practicable to ensure that any water discharged into a public watercourse, sewer or drain under the powers conferred on the Agency by this Article is free from soil or polluting or deleterious material.

## **14 Characteristics of the railway**

(1)The railway shall be operated by electrical or any other mechanical motive power.

(2)So far as is practicable the railway shall be laid, constructed and maintained so as to ensure that the uppermost surface of the rails of the railway is generally level with the adjacent surface of the ground on which it is laid.

(3)The gauge of the railway shall be nominally 1435 millimetres.

## **15 Period within which Agency is authorised to carry out the authorised works**

(1) Subject to paragraph (2) and so far as is reasonably practicable, execution of the authorised works shall be substantially completed by the end of the period of 10 years beginning on the date on which this Order comes into operation pursuant to section 43(4) of the Principal Act.

(2) Execution of Work No. 73 [possible future Grangegorm Stop] shall, so far as is reasonably practicable, be substantially completed by the end of the period of 15 years beginning on the date on which this Order comes into operation pursuant to section 43(4) of the Principal Act.

(3) Paragraphs (1) and (2) do not apply to any works which are required for safety or maintenance purposes in connection with the operation of the railway.

## **PART 3. ACQUISITION AND POSSESSION OF LAND**

### **16 Power to acquire land**

(1) Subject to the Principal Act, the Agency may acquire compulsorily and use all or such part of the lands shown on the plan and specified in the Second Schedule as the Agency may require for the purposes of the execution of the authorised works and the operation of the railway or for purposes incidental or ancillary to those purposes.

(2) Subject to the Principal Act, the Agency may acquire compulsorily and use all or such part of the substrata of lands shown on the plan and specified in the Third Schedule as the Agency may require for the purposes of the execution of the authorised works and the operation of the railway or for purposes incidental or ancillary to those purposes.

(3) Without prejudice to Article 20 and subject to the Principal Act, the Agency may acquire compulsorily and use all of the basements specified in the Sixth Schedule or such parts thereof as the Agency considers necessary to acquire for the purposes of the execution of the authorised works and the operation of the railway.

### **17 Acquisition of rights**

Subject to the Principal Act, the Agency may acquire compulsorily such rights over the lands, water, railways or roads shown on the plan and specified in the Fifth Schedule as may be required for the purposes of the execution of the authorised works and the operation of the railway or for purposes incidental or ancillary to those purposes, together with such rights as are necessary for the full and free exercise at all times of the first-mentioned rights.

### **18 Extinguishment of public rights of way**

The Agency may extinguish the rights shown on the plan and specified in the Ninth Schedule for the purposes of the execution of the authorised works and the operation of the railway or for purposes incidental or ancillary to those purposes.

## **19 Extinguishment of private rights**

The Agency may extinguish the rights of way shown on the plan and specified in the Tenth Schedule for the purposes of the execution of the authorised works and the operation of the railway or for purposes incidental or ancillary to those purposes.

## **20 Use of air space**

(1) Without prejudice to Article 16, the Agency may enter on and use so much of the air-space over a public road as is reasonably required for the purposes of, or in connection with the execution of the authorised works and the operation, maintenance or improvement of the railway or for purposes incidental or ancillary to those purposes.

(2) The power under paragraph (1) may be exercised in relation to a public road without the Agency being required to acquire any part of the road or any easement or other right in relation to the surface of the road.

## **21 Temporary possession of land**

(1) Subject to the Principal Act, the Agency may enter upon, occupy and take temporary possession of the land shown in the plan and specified in the Fourth Schedule or any part of that land, for the purpose of carrying out the authorised works or for purposes incidental or ancillary to that purpose.

(2) In particular, and without prejudice to the generality of paragraph (1)—

(a) the Agency may—

- (i) enter on and take temporary possession of that land for the provision of working sites and access for construction purposes, and
- (ii) for those purposes, remove any structures thereon, construct other structures, cut and remove anything growing on that land or part thereof, and generally do all things to and on that land that are required to adapt it for those working sites or that access,

(b) where, in the exercise of the powers conferred on the Agency by the Principal Act and this Order, a part of a building has been compulsorily acquired or interfered with for the purpose of carrying out the authorised works, the Agency may enter on, and take temporary possession of, another part of that building with a view to minimising the damage or injury done or likely to be done by the acquisition or removal of, or interference with, that part of the building so acquired or interfered with.

(3) Before giving up possession of land specified in the Fourth Schedule, and subject to any agreement to the contrary with the owners and occupiers of the land, the Agency shall remove all temporary works and structures constructed by it on the land and shall restore the land as far as possible to its former state.

(4) The Agency shall not be required to acquire any land of which it takes temporary possession pursuant to this Article.

(5) The Agency shall pay to the owners and occupiers of land of which it takes temporary possession under this Article compensation for any loss, injury or damage thereby suffered or expenditure thereby incurred as if that loss, injury, damage or expenditure were suffered or incurred in consequence of the exercise by the Agency of a power conferred upon it by section 48 of the Principal Act, and the amount of the compensation shall be determined in accordance with that section.

## **22 Period within which the Agency may compulsorily acquire land and interests in land**

(1) The powers conferred on the Agency by this Order compulsorily to acquire land or rights over land, water or a road and the power conferred by Article 21 to enter upon and take temporary possession of land shall cease at the end of the period specified in Article 15(1) and 15(2) beginning on the date on which this Order comes into operation pursuant to section 43(4) of the Principal Act.

(2) The powers of the Agency compulsorily to acquire land or rights over land shall, for the purposes of this Article, be deemed to have been exercised if a notice to treat has been served in respect of the land or rights before the end of the period mentioned in paragraph (1).

(3) Notwithstanding paragraph (1), the Agency shall be entitled to remain in temporary possession of land pursuant to Article 21 after the end of the period mentioned in paragraph (1) where possession of the land was taken before the end of that period.

## **PART 4. MISCELLANEOUS AND GENERAL**

### **23 Interference with apparatus**

(1) This Article applies where it appears to the Agency, in relation to apparatus in the vicinity of a place in which it proposes to execute authorised works, that —

- (a) the functioning of the apparatus will, or is likely to, interfere with the execution of those works or the proper functioning of the railway, or
- (b) the execution of the authorised works or the operation of the railway will or is likely to interfere with the proper functioning of the apparatus.

(2) The relevant undertaker may and, upon reasonable request by the Agency, shall without unreasonable delay do either or both of the following:

- (a) remove the apparatus and/or relocate it or other apparatus in substitution for it in such other position or location as may be agreed with the Agency,
- (b) take such further or other steps or make such further or other provision with the agreement of the Agency as secures the apparatus and the authorised works and the proper functioning of each of them respectively from mutual interference or damage.

(3) Subject to paragraph (4), the Agency shall pay to the undertaker an amount equal to the cost reasonably incurred by the undertaker in the discharge of its obligations under paragraph (2).

(4) Where an undertaker, in the course of the discharge of obligations under paragraph (2), unnecessarily provides, in substitution for existing apparatus, apparatus that, whether because of its type, construction, design, layout, placement or any other feature, is an improved or superior version of the existing apparatus, the sum payable by the Agency under paragraph (3) shall not exceed the cost that would have been reasonably incurred by the undertaker if the substituted apparatus had not been an improved or superior version of the existing apparatus.

(5) An undertaker may permit the Agency to carry out or cause to be carried out such portion of the undertaker's obligations under this Article as the undertaker agrees, in accordance with such conditions as are agreed between the Agency and the undertaker, but the undertaker is not obliged to enter into any such agreement.

(6) In this Article —

“apparatus” means any item of infrastructure (including, in particular, any sub-station, inspection chamber, junction box, booster station, pipe, sewer, drain, duct, tunnel, pylon, conduit, wire, cable, fibre or insulator) used for or in connection with the provision or acceptance of a service to the public;

“undertaker”, in relation to apparatus, means a person or body with power and authority, independently of the operation of this Order, to locate or relocate the apparatus, or cause it to be located or relocated, as provided for in this Article.

## 24 Arbitration

(1) The provisions of this Article shall not apply to any dispute concerning the matters referred to in the [Xth] Schedule [Any Conditions imposed by An Bord Pleanála] which are described in that Schedule as determinable by the Board.

(2) Subject to paragraph (1), paragraphs (3) to (5) apply to any dispute arising between the Agency and any other party in relation to the execution of the authorised works or the exercise by the Agency of the powers granted by this Order.

(3) The Agency and the other party shall use their best endeavours to resolve the dispute on mutually acceptable terms.

(4) If, after such period as the Agency or the other party considers reasonable, the dispute has not been resolved to the satisfaction of both parties, the following shall apply:

- (a) either party may, by 14 days' notice in writing to the other party, require the subject-matter of the dispute to be submitted to a single arbitrator and shall, in that notice, nominate a person to arbitrate upon the subject matter of the dispute;
- (b) the party receiving the notice may, within that period of 14 days, by a counter-notice, either —
  - (i) accept the arbitrator nominated by the party serving the original notice, or

- (ii) nominate at least 2 alternative persons to act as arbitrator;
- (c) if any one of the persons nominated by the parties is acceptable to both parties, the subject-matter of the dispute shall be referred to the arbitrator as soon as may be after that person has indicated his or her willingness to act as arbitrator;
- (d) if —
  - (i) after service of the notice and counter-notice, the parties fail to agree upon an arbitrator, or
  - (ii) the person agreed upon to be the arbitrator has failed to indicate, within 14 days of being so requested, his or her willingness to act,

either party may apply to the Chairman for the time being of the Irish Branch of the Chartered Institute of Arbitrators for the appointment of an arbitrator;
- (e) the arbitrator so appointed by the Chairman of the Irish Branch of the Chartered Institute of Arbitrators shall notify the parties in writing of his or her appointment as soon as may be thereafter and shall conduct the arbitration in accordance with the rules of the Irish Branch of that Institute.

(5) The Arbitration Act 2010 shall apply to the arbitration, and the decision of the arbitrator in relation to the dispute and all matters connected with it shall be binding on the parties.

## **25 Agreement between the Agency and a road authority**

The Agency may, from time to time, enter into and carry into effect and thereafter from time to time alter, renew or vary contracts, agreements or arrangements with a road authority in relation to —

- (a) laying down, making, paving, metalling or keeping in repair any road and the railway thereon, or
- (b) altering the levels of the whole or any part of any road in which the Agency is authorised to lay down the railway,

and the proportion to be paid by them, or either of them, of the expenses of any such works.

## **26 Interference with roads**

If, in the course of constructing or maintaining the railway, the Agency interferes with any public road, it shall make good all damage done by it to the public road.

## **27 Rights of third parties to open up roads etc.**

(1) Subject to paragraphs (2) and (3), nothing in this Order takes away or abridges any power lawfully vested in any person to open or break up any road in which a railway is laid or to lay down, repair, alter or remove any apparatus, as defined in Article 23.

(2) No power referred to in paragraph (1) shall be exercised so as to affect the railway or its operation without the prior consent in writing of the Agency, which consent shall not be unreasonably withheld or delayed.

(3) A person exercising a power to which paragraph (1) relates shall in all respects comply with any reasonable conditions specified by the Agency as necessary for or in connection with the construction, maintenance, operation or protection of the railway.

## **28 Bye laws**

(1) Pursuant to the power conferred by section 66 of the Principal Act, the Agency may make bye-laws for the management, control, operation and the regulation of the railway and in relation to the repair, improvement, extension and development thereof and, without prejudice to the generality of the foregoing, in relation to any one or more of the following matters—

- (a) the regulation of the times of arrival and departure of railway vehicles,
- (b) the prevention of the commission of nuisances in or upon railway vehicles,
- (c) the prevention of trespass upon and/ or damage to railway vehicles,
- (d) the removal from or the prohibition of the use on a railway line of any vehicle or thing which is or may become a danger to life, health, the operation or maintenance of a railway or would otherwise interfere with the proper operation of a railway,
- (e) the fixing, altering, charging and recovery of fares, fees, tolls and charges in respect of the travelling upon or use of railway vehicles,
- (f) the general regulation, subject to any statutory provisions in that behalf, of the travelling upon or use of railway vehicles and the working of railway transport services by a railway undertaking,
- (g) the safe custody and redelivery or disposal of any property found on or in any railway vehicle of a railway undertaking and the fixing of charges in respect thereof.

(2) Bye-laws under paragraph (1) may contain such incidental, subsidiary and ancillary provisions as the Agency considers necessary or expedient for the purposes of the bye-laws.

(3) A person who contravenes a bye-law under paragraph (1) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €600 or such other fine as may be fixed from time to time by law.

**SCHEDULES**

**FIRST SCHEDULE**

WORKS

**SECOND SCHEDULE**

LAND WHICH MAY BE ACQUIRED

**THIRD SCHEDULE**

SUBSTRATUM OF LAND WHICH MAY BE ACQUIRED

**FOURTH SCHEDULE**

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

**FIFTH SCHEDULE**

LAND OVER WHICH RIGHTS OF WAY AND OTHER EASEMENTS MAY BE ACQUIRED

**SIXTH SCHEDULE**

BASEMENTS (UNDER A FOOTPATH/ PUBLIC ROAD) WHICH MAY IN WHOLE OR IN PART BE ACQUIRED OR AFFECTED

**SEVENTH SCHEDULE**

STRUCTURES TO WHICH BRACKETS, CABLES, WIRES AND OTHER FIXTURES MAY BE ATTACHED

**EIGHTH SCHEDULE**

LAND UPON WHICH POLES MAY BE ERECTED

**NINTH SCHEDULE**

PUBLIC RIGHTS OF WAY WHICH MAY BE EXTINGUISHED

**TENTH SCHEDULE**

PRIVATE RIGHTS WHICH MAY BE EXTINGUISHED

**ELEVENTH SCHEDULE**

NEW ROADS WHICH MAY BE CONSTRUCTED

**TWELFTH SCHEDULE**

PUBLIC ROADS WHICH MAY BE ALTERED

## **First Schedule Works**

- Work No. 1                    A light railway line approximately 722 metres in length, comprising double lines of light railway commencing at match line O, approximately 20 metres north of the centre of the St Stephen's Green stop, and running in a northerly direction before turning and continuing east along St Stephen's Green North, turning northwards onto the southernmost end of Dawson Street, continuing in a northerly direction along Dawson Street, turning west at the junction with Nassau Street, then continuing west along Nassau Street, north on to Grafton Street and ending at match line A at Grafton Street north of Nassau Street, as shown on Plan No. BXD-RO 29 O-A.
- Work No.2                    A single line of light railway siding approximately 100 metres in length commencing at St Stephen's Green North approximately 23 metres west of the eastern boundary of No.12 St. Stephen's Green North and continuing eastwards along St Stephen's Green North, adjacent the southernmost footpath past the junction with Dawson Street and ending approximately 33 metres west of match line O1, as shown on Plan No. BXD-RO 29 O-A.
- Work No. 3                    Extend the existing stop at St Stephen's Green West northwards by approximately 19 metres to accommodate the scheme as shown on Plan No. BXD-RO 29 O-A and in more detail on Plan No. BXD-ST 29 O-A1.
- Work No. 4                    Realign kerbs and relocate bollards on St Stephen's Green West and St Stephen's Green North to form and/or redefine footpaths, sections of roadway and hard landscape areas and to reflect revised traffic management arrangements as shown on Plan No. BXD-RO 29 O-A.
- Work No. 5                    Remove the existing taxi ranks located on the north side and south side of St Stephen's Green North west of Dawson Street as shown on Plan No. BXD-RO 29 O-A.
- Work No. 6                    Remove, carefully store and relocate upon completion of the works, the monuments on the existing traffic island on St Stephen's Green North opposite the junction with Dawson Street as shown on Plan No. BXD-RO 29 O-A.
- Work No. 7                    Reconfigure the layout of the junction between St Stephen's Green North and Dawson Street as shown on Plan No. BXD-RO 29 O-A.
- Work No. 8                    Realign kerbs on Dawson Street to form traffic islands, loading bays, bus stops, footpaths, sections of roadway and hard

landscape areas and to reflect the traffic management arrangements, as shown on Plan No. BXD-RO 29 O-A.

- Work No. 9 Remove the existing taxi rank located on the west side of Dawson Street between Anne Street South and Duke Street as shown on Plan No. BXD-RO 29 O-A
- Work No. 10 Construct a technical cubicle and realign the footpath on the south side of Dawson Lane as shown on Plan No. BXD-RO 29 O-A and in more detail on Plan No. BXD-ST 29 O-A2.
- Work No. 11 Construct a stop to be named 'Dawson' on Dawson Street, the western platform to be located adjacent the entrance to Royal Hibernian Way between Anne Street South and Duke Street, and the eastern platform to be located further north between Dawson Lane and Nassau Street, as shown on Plan No. BXD-RO 29 O-A and in more detail on Plan Nos. BXD-ST 29 O-A2 and BXD-ST 29 O-A3.
- Work No. 12 Replace the existing canopy above the pedestrian entrance to Royal Hibernian Way from Dawson Street with a larger canopy over the 'Dawson' stop western platform as shown on Plan No. BXD-RO 29 O-A and in more detail on Plan Nos. BXD-ST 29 O-A2 and BXD-ST 29 O-A3.
- Work No. 13 Erect a guardrail on top of the walls around the existing lightwell and basement access to No. 8 adjoining the stop platform on the eastern side of Dawson Street as shown on Plan No. BXD-RO 29 O-A and in more detail on Plan Nos. BXD-ST 29 O-A2.
- Work No. 14 Reconfigure the layout of the junction of Dawson Street and Nassau Street as shown on Plan No. BXD-RO 29 O-A.
- Work No. 15 Remove and relocate the existing bollards at the northern end of Dawson Street and onto Nassau Street outside the premises known as 'House of Ireland' as shown on Plan No. BXD-RO 29 O-A.
- Work No. 16 Realign kerbs on Nassau Street and Grafton Street to form and or/ redefine loading bays, footpaths, sections of roadway and hard landscape areas and to reflect the traffic management arrangements, as shown on Plan No. BXD-RO 29 O-A.
- Work No. 17 Remove, carefully store and relocate upon completion of the works the statue of Molly Malone, as shown on Plan No. BXD-RO 29 O-A.
- Work no. 18 A light railway line approximately 462 metres in length, comprising a single line of light railway from match line A, and running along Grafton Street in a northerly direction across College Green, crossing College Street, continuing along Westmoreland Street, crossing Fleet Street and Aston Quay

and continuing across O'Connell Bridge and ending at match line B as shown on Plan No. BXD-RO 29 A-B.

- Work No. 19 A light railway approximately 28 metres in length comprising a double line of light railway running in a westerly direction from Grafton Street on to College Green, representing a connection for the future Luas Line to Lucan, and ending approximately 3 metres east of match line A1, as shown on Plan No. BXD-RO 29 A-B.
- Work No. 20 A light railway line approximately 579 metres in length comprising a single line of light railway from match line B and running in a southerly direction from Eden Quay across the proposed Public Transport Priority Bridge (by others), continuing across Burgh Quay and on to Hawkins Street, crossing Townsend Street and Pearse Street and turning west on to College Street, continuing south across College Green on to the lower part of Grafton Street and ending at match line A, as shown on Plan No. BXD-RO 29 A-B.
- Work No. 21 Remove the existing taxi ranks located on the west side of Grafton Street and on the east side of Westmoreland Street between Fleet Street and College Street as shown on Plan No. BXD-RO 29 A-B.
- Work No. 22 Remove the existing bus stops located on the east side of Grafton Street as shown on Plan No. BXD-RO 29 A-B.
- Work No. 23 Realign kerbs on Grafton Street, College Green, Westmoreland Street, D'Olier Street, O'Connell Street Lower, College Street, Fleet Street, Townsend Street, Hawkins Street, Burgh Quay and Pearse Street to form and/or redefine traffic islands, loading bays, footpaths, sections of roadway and hard landscape areas and to reflect the traffic management arrangements, as shown on Plan No. BXD-RO 29 A-B.
- Work No. 24 Reconfigure the island at the junction of Westmoreland Street, College Street and College Green, opposite the eastern entrance to the Bank of Ireland to accommodate the scheme as follows: realign the kerbs and footpaths, demolish the surface elements (ie walls, accesses and railings) of the disused toilet facility as shown on Plan No. BXD-RO 29 A-B and in more detail on Plan No. BXD-ST 29 A-B2.
- Work No. 25 Remove, carefully store and relocate upon completion of the works, the Thomas Moore statue and associated Ulysses plaque inlaid in the adjacent paving as shown on Plan No. BXD-RO 29 A-B and in more detail on Plan Nos. BXD-ST 29 A-B1 and BXD-ST 29 A-B2.
- Work No. 26 Install a technical cubicle in the space available within the disused toilet facility beneath the island at the junction of Westmoreland Street, College Street and College Green, and undertake the requisite works to accommodate the equipment

and allow for future access and maintenance as shown on Plan No. BXD-RO 29 A-B.

- Work No. 27 Remove, carefully store and reinstate upon completion of the works the Ulysses plaque and bronze footprints inlaid in the footpath located on the east side of Westmoreland Street as shown on Plan No. BXD-RO 29 A-B.
- Work No. 28 Construct a stop to be named 'Westmoreland', the single platform for which will be provided on the eastern side of Westmoreland Street between Fleet Street and Burgh Quay, as shown on Plan No. BXD-RO 29 A-B and in more detail on Plan No. BXD-ST 29 A-B1
- Work No. 29 Reconfigure the median on O'Connell Bridge to extend it westwards and to reflect the traffic management arrangements, as shown on Plan No. BXD-RO 29 A-B.
- Work No. 30 Remove bus stops located on the east side of Hawkins Street and on the south side of College Street as shown on Plan No. BXD-RO 29 A-B.
- Work No. 31 Remove, carefully store and relocate upon completion of the works the Long Stone monument and reconfigure the traffic island between Townsend Street and Pearse Street as shown on Plan No. BXD-RO 29 A-B.
- Work No. 32 Construct a stop to be named 'Trinity', the single platform for which will be provided on the southern side of College Street along the footpath adjacent the grounds of Trinity College, between the junctions with College Green and D'Olier Street/Pearse Street as shown on Plan No. BXD-RO 29 A-B and in more detail on Plan No. BXD-ST 29 A-B2.
- Work No. 33 A light railway line approximately 526 metres in length comprising a single line of light railway from match line B running northwards along the western side of O'Connell Street Lower, crossing Middle Abbey Street, Prince's Street North and Henry Street continuing into the median on O'Connell Street Upper, past the junction with Cathal Brugha Street and ending at match line C, as shown on Plan No. BXD-RO 29 B-C.
- Work No. 34 A light railway line comprising a single line of light railway approximately 72 metres in length and following a curve northwest from O'Connell Street Lower into Middle Abbey Street to connect the northbound single line of the proposed railway track with the westbound line of the existing Luas Red Line track along Middle Abbey Street and ending at match line B1 as shown on Plan No. BXD-RO 29 B-C.
- Work No. 35 A light railway line approximately 528 metres in length and comprising a single line of light railway commencing at match line C and continuing in a southerly direction on the east side of Marlborough Street crossing Cathal Brugha Street,

Cathedral Street, Earl Street North / Talbot Street, Marlborough Place, Sackville Place, Abbey Street Lower, and continuing on the west side of Marlborough Street crossing Harbour Court and Abbey Street Old and ending at match line B as shown on Plan No. BXD-RO 29 B-C.

- Work No. 36 A light railway line comprising a single line of light railway approximately 72 metres in length commencing at match line B2 and following a curve in a south-westerly direction to connect the eastbound line of the existing Luas Red Line track on Abbey Street Lower with the proposed southbound track on Marlborough Street as shown on Plan No BXD-RO 29 B-C.
- Work No. 37 Realign kerbs on O'Connell Street Lower and O'Connell Street Upper to form and/ or redefine traffic islands / median, footpaths, sections of roadway and hard landscape areas and to reflect the revised traffic management arrangements, as shown on Plan No. BXD-RO 29 B-C.
- Work No. 38 Construct a stop to be named 'O'Connell - GPO', the single platform for which will be provided on the median in the area of O'Connell Street Lower between Middle Abbey Street and Prince's Street North as shown on Plan No. BXD-RO 29 B-C and in more detail on Plan No. BXD-ST 29 B-C1.
- Work No. 39 Construct a technical cubicle on Prince's Street North as shown on Plan No. BXD-RO 29 B-C.
- Work No. 40 Construct an electricity substation below ground in the median on O'Connell Street Lower between Middle Abbey Street and Prince's Street North as shown on Plan No. BXD-RO 29 B-C.
- Work No. 41 Remove bus stops on the west side of O'Connell Street Lower between Middle Abbey Street and Prince's Street North as shown on Plan NO. BXD-RO 29 B-C.
- Work No. 42 Remove, carefully store and relocate on completion of the works the Fr Mathew statue located in the median on O'Connell Street Upper, north of the 'Spire' monument as shown on Plan No. BXD-RO 29 B-C.
- Work No. 43 Reconfigure the junction of O'Connell Street Upper and Cathal Brugha Street, as shown on Plan No. BXD-RO 29 B-C and in more detail on Plan No. BXD-ST 29 B-C3.
- Work No. 44 Remove taxi ranks located on either side of the median on O'Connell Street Upper at the junction with Cathal Brugha Street as shown on Plan No. BXD-RO 29 B-C.
- Work No. 45 Construct a stop to be named 'O'Connell Upper' on O'Connell Street Upper, the single platform for which will be provided on the median in the area opposite the Gresham Hotel location as shown on Plan No. BXD-RO 29 B-C and in more detail on Plan No. BXD-ST 29 B-C3.

- Work No. 46 Construct a technical cubicle and realign the footpath on the west side of Thomas Lane, as shown on Plan No. BXD-RO 29 B-C.
- Work No. 47 Realign kerbs on Marlborough Street to form and/or redefine footpaths, sections of roadway and hard landscape areas and to reflect the revised traffic management arrangements as shown on Plan No. BXD-RO 29 B-C.
- Work No. 48 Reconfigure the layout of the junctions of Marlborough Street and Cathal Brugha Street; Marlborough Street and Earl Street North/Talbot Street; and Marlborough Street and Marlborough Place; Marlborough Street and Abbey Street Lower; Marlborough Street and Harbour Court; as shown on Plan No. BXD-RO 29 B-C.
- Work No. 49 Construct a stop to be named 'Marlborough', the single platform for which will be provided on the eastern footpath north of Abbey Street Lower in the area of the building known as the Irish Life office building as shown on Plan No. BXD-RO 29 B-C and in more detail on Plan No. BXD-ST 29 B-C2.
- Work No. 50 Construct a technical cubicle on the western side of Marlborough Street opposite the northern end of the proposed stop platform and in the vicinity of the existing office building as shown on Plan No. BXD-RO 29 B-C and in more detail on Plan No. BXD-ST 29 B-C2.
- Work No. 51 Remove bus stops / bus layover on the east side of Marlborough Street between Marlborough Place and Abbey Street Lower as shown on Plan No. BXD-RO 29 B-C.
- Work No. 52 A light railway line approximately 450 metres in length comprising a single line of light railway commencing at match line C on O'Connell Street Upper and continuing northwards to the junction with Parnell Street before turning northwest whereupon it meets with the inbound single line of light railway to form a double line, proceeding in a western direction along Parnell Street, passing through the junction with Parnell Square West and up to the junction with Dominick Street Lower, before turning northwards into the street. The double line of light railway line continues northwards on Dominick Street Lower, the lines diverging slightly to form the proposed central platform stop arrangement, and ending at match line D as shown on Plan No. BXD-RO 29 C-D.
- Work No. 53 A light railway line approximately 271 metres in length comprising a single line of light railway commencing at Parnell Street immediately west of the junction with O'Connell Street Upper and continuing east on Parnell Street, crossing Cavendish Row and Parnell Place and then turning south into Marlborough Street and ending at match line C as shown on Plan No. BXD-RO 29 C-D.

- Work No. 54 A light railway line approximately 68 metres in length comprising a single line of light railway connecting curve commencing at match line C on O'Connell Street Upper continuing in a north-easterly direction on to Parnell Street east of Cavendish Row to connect the northbound single line of proposed railway track with the eastbound single line of proposed railway track as shown on Plan No. BXD-RO 29 C-D.
- Work No. 55 Realign kerbs on O'Connell Street Upper, Parnell Street, Cavendish Row, Marlborough Street, Moore Street, Parnell Square West and Dominick Street Lower to form and/or reconfigure traffic islands, loading bays, footpaths, sections of roadway and hard landscape areas and to reflect the revised traffic management arrangements as shown on Plan No. BXD-RO 29 C-D.
- Work No. 56 Construct a technical cubicle on the footpath on the western side of Marlborough Street in the area between Findlater Place and Parnell Street as shown on Plan No. BXD-RO 29 C-D.
- Work No. 57 Construct a stop to be named 'Parnell', the single platform for which will be provided on the northern footpath of Parnell Street between Parnell Place and Cavendish Row as shown on Plan No. BXD-RO 29 C-D and in more detail on Plan No. BXD-ST 29 C-D1.
- Work No. 58 Remove, carefully store and relocate upon completion of the works the Saint-Gaudens plaque and antique bollards located in the median at the upper end of O'Connell Street Upper, as shown on Plan No. BXD-RO 29 C-D.
- Work No. 59 Remove bus stops located on the north side of Parnell Street between Cavendish Row and Parnell Place, as shown on Plan No. BXD-RO 29 C-D
- Work No. 60 Reconfigure the layout of the junctions of Parnell Street and Parnell Place, and Parnell Street and Marlborough Street as shown on Plan No. BXD-RO 29 C-D.
- Work No. 61 Reconfigure the layout of the junctions of Parnell Street and Parnell Square West as shown on Plan No. BXD-RO 29 C-D.
- Work No. 62 Reconfigure the layout of the junctions of Parnell Street and Moore Street and Parnell Street and Dominick Street Lower, as shown on Plan No. BXD-RO 29 C-D.
- Work No. 63 Realign kerbs on Dominick Street Lower to form and/or reconfigure traffic islands, loading bays, footpaths, sections of roadway and hard landscape areas and to reflect the revised traffic management arrangements, as shown on Plan No. BXD-RO 29 C-D.
- Work No. 64 Construct a stop to be named 'Dominick', the platform for which will be provided north of the junction with Parnell Street

between the proposed tracks as shown on Plan No. BXD-RO 29 C-D and in more detail on Plan No. BXD-ST 29 C-D2.

- Work No. 65 Construct a technical cubicle in an area of the footpath on the eastern side of Dominick Street Lower, north of the proposed stop platform, as shown on Plan No. BXD-RO 29 C-D and in more detail on Plan No. BXD-ST 29 C - D2.
- Work No. 66 A light railway line approximately 549 metres in length comprising a double line of light railway commencing at match line D on Dominick Street Lower and running in a north-westerly direction along the western side of Dominick Street Lower, crossing Dominick Lane and Dorset Street Upper/Bolton Street. The light railway line continues onto Dominick Street Upper crossing Mountjoy Street and Palmerston Place, then turning westwards to follow the alignment of Western Way, the light railway line runs towards the junction with Constitution Hill ending at match line E as shown on Plan No. BXD-RO 29 D-E.
- Work No. 67 Realign kerbs on Dominick Street Lower, Dominick Street Upper and on Western Way to form and/or reconfigure traffic islands, loading bays, footpaths, sections of roadway and hard landscape areas and to reflect the revised traffic management arrangements as shown on Plan No. BXD-RO 29 D-E.
- Work No. 68 Reconfigure the layout of the junction of Dominick Street Lower and Dominick Lane as shown on Plan No. BXD-RO 29 D-E.
- Work No. 69 Reconfigure the layout of the junction of Dominick Street Lower and Dorset Street Upper/Bolton Street as shown on Plan No. BXD-RO 29 D-E.
- Work No. 70 Reconfigure the layout of the junctions of Dominick Street Upper and Mountjoy Street and Dominick Street Upper and Palmerston Place as shown on Plan No. BXD-RO 29 D-E.
- Work No. 71 Reconfigure the layout of the junction of Western Way, Dominick Street Upper and Constitution Hill as shown on Plan No. BXD-RO 29 D-E.
- Work No. 72 Extinguish the existing vehicular access to Temple Cottages from Dominick Street Upper by means of a new kerb and footpath arrangement adjacent the scheme and realign the kerbs along the existing access road adjacent the grassed island to the north as shown on Plan No. BXD-RO 29 D-E.
- Work No. 73 Construct a new junction to provide vehicular access to Temple Cottages from Constitution Hill. Realign kerbs, roadway, footpaths and crossings to accommodate this as shown on Plan No. BXD-RO 29 D-E.

- Work No. 74 Remove bus stop on the east side of Constitution Hill at the location of the proposed new junction access to Temple Cottages as shown on Plan No. BXD-RO 29 D-E.
- Work No. 75 A light railway line approximately 673 metres in length comprising a double line of light railway commencing at match line E on Constitution Hill and running westwards and under the lands of the Phibsborough bus garage, before turning northwards and continuing into the Broadstone bus depot lands and running along the western perimeter ending at match line O as shown on Plan No. BXD-RO 29 E-O.
- Work No. 76 Demolish the existing petrol filling station and associated structures currently opposite Western Way accessed via Constitution Hill, and in the vicinity of the Broadstone building as shown on Plan No. BXD-RO 29 E-O.
- Work No. 77 Demolish existing structures adjacent the access road to the Broadstone depot as shown on Plan No. BXD-RO 29 E-O.
- Work No. 78 Construct a stop to be named 'Broadstone – DIT', the platforms for which will be provided west of the junction with Constitution Hill as shown on Plan No. BXD-RO 29 E-O and in more detail on Plan No. BXD-ST 29 E-O1 and BXD-ST 29 E-O2.
- Work No. 79 Construct a retaining wall with guard rail over, to the northern side of the northernmost platform at the stop.
- Work No. 80 Realign and reconfigure the access road from Constitution Hill to the Broadstone bus depot, including the footpaths and junctions with Prebend Street and the access to the Phibsborough bus garage as shown on Plan No. BXD-RO 29 E-O.
- Work No. 81 Demolish and reconstruct the existing perimeter wall, a portion of which is a Protected Structure, to the west of the access road bounding the Phibsborough bus garage with a new alignment following that of the realigned access road, as shown Plan No. BXD-RO 29 E-O.
- Work No. 82 Construct an underpass structure supporting a roof slab and form a covered section around the track where it leaves the 'Broadstone-DIT' stop and progresses west then north into the Broadstone depot lands. As the track alignment rises to ground level, the covered structure reverts to a retained cut comprising retaining walls either side of the tracks, with support and/or underpinning of a portion of the existing boundary wall, a Protected Structure, as shown Plan No. BXD-RO 29 E-O and in more detail on Plan No. BXD-BR 29 E-O and Plan No. BXD-ST 29 E-O1.
- Work No. 83 Demolish a portion of the existing boundary wall at the northern and western boundary of the Phibsborough bus garage (a Protected Structure at the western boundary) and

replace with new walls, as shown on Plan No. BXD-RO 29 E-O and in more detail on Plan No. BXD-BR 29 E-O.

- Work No. 84 Construct a perimeter fence with appropriate protection against vehicular impact along the eastern edge of the light railway from the southern end of the Broadstone bus depot and continuing until the commencement of the existing railway cutting to the north of the depot lands and continuing to match line O as shown on Plan No. BXD-RO 29 E-O.
- Work No. 85 Construct an electricity substation, finishes and surfacing to the western side of the track, with associated access through the perimeter fence, as shown on Plan No. BXD-RO 29 E-O and in more detail on BXD-SS 29 E-O.
- Work No. 86 Demolish three existing structures within the depot lands, comprising a temporary traffic and maintenance building, a bus chassis wash building and a waste storage building as shown on Plan No. BXD-RO 29 E-O.
- Work No. 87 Construct a stop to be named 'Grangegorman' to the western side of the Broadstone bus depot lands with associated retaining wall as shown on Plan No. BXD-RO 29 E-O and in more detail on Plan No. BXD-ST 29 E-O3.
- Work No. 88 Construct a technical cubicle for the 'Grangegorman' stop as shown on Plan No. BXD-RO 29 E-O.
- Work No. 89 Construct a chassis wash building as shown on Plan No. BXD-RO 29 E-O and in more detail on Plan No. BXD-TT 29 E-O.
- Work No. 90 Relocate external chassis wash as shown on Plan No. BXD-RO 29 E-O
- Work No. 91 Remove existing fence and construct new footpaths from Grangegorman Lower to proposed new 'Grangegorman' stop as shown on Plan No. BXD-RO 29 E-O.
- Work No. 92 Demolish and remove existing stone wall and fencing at the entry to the former Broadstone railway cutting and replace with new fencing as shown on Plan No. BXD-RO 29 E-O.
- Work No. 93 A light railway line approximately 485 metres in length comprising a double line of light railway commencing at match line O in the vicinity of Great Western Square and continuing northwards along the former Broadstone railway cutting, beneath the existing bridges at North Circular Road and Cabra Road and ending at match line A as shown on Plan No. BXD-RO 30 O-A.
- Work No. 94 Undertake remedial, strengthening and stabilisation works to the existing stone retaining walls on both sides of the former Broadstone railway cutting, which works extend up to ten metres to the rear from the exposed face of the walls, and from a point approximately thirty metres south of southern parapet

of the North Circular Road bridge, to a point approximately sixty three metres north of the northern parapet of the Cabra Road bridge.

- Work No. 95 Construct a stop to be named 'Phibsborough' at approximately the level of the existing railway cutting, and between the North Circular Road to the south and the Cabra Road to the north as shown on Plan No. BXD-RO 30 O-A and in more detail on Plan No. BXD-ST 30 O-A.
- Work No. 96 Construct a steel framed structure comprising decked area, access stairs, balustrades, and lift shaft supported by individual columns sited within the railway cutting. This structure is located to the north of the North Circular Road, with the decked area level with the existing footpaths as shown on Plan No. BXD-RO 30 O-A and in more detail on Plan No. BXD-ST 30 O-A.
- Work No. 97 Undertake works to the existing North Circular Road bridge including : forming opes in the northern parapet to facilitate pedestrian movement to and from the footpath onto the decked area; temporary removal then reinstatement of road surfacing and footpaths to install waterproofing where necessary; construction of a structural core within the leafs of the parapet walls to provide for containment of vehicular traffic; installation of a handrail to the top of the southern parapet to provide sufficient height and protection for pedestrians; realignment of kerbs and roadway to suit revised footpath configuration. Details are shown on Plan No. BXD-RO 30 O-A and in more detail on Plan No. BXD-ST 30 O-A.
- Work No. 98 Construct a technical cubicle in the railway cutting, at a level similar to that of the track, and south of the North Circular Road bridge, at the location shown on Plan No. BXD-RO 30 O-A.
- Work No. 99 Remove a section of the existing stone retaining wall immediately north of the North Circular Road bridge on the western side to provide sufficient space for installation of a passenger lift and shaft as shown on Plan No. BXD-RO 30 O-A and in more detail on Plan No BXD-ST 30 O-A.
- Work No. 100 Install a structural wall to replace the section of existing stone retaining wall removed for installation of the lift on the north-western side of the North Circular Road bridge as shown on Plan No. BXD-RO 30 O-A and in more detail on Plan No BXD-ST 30 O-A.
- Work No. 101 Construct a steel framed structure comprising decked area, access stairs, balustrades, and lift shaft supported by individual columns sited within the railway cutting. This structure is located to the south of the Cabra Road, with the decked area level with the existing footpaths as shown Plan No. BXD-RO 30 O-A and in more detail on Plan No. BXD-ST 30 O-A.

- Work No. 102 Undertake works to the existing Cabra Road bridge including: forming opes in the southern parapet to facilitate pedestrian movement to and from the footpath onto the decked area; temporary removal then reinstatement of road surfacing and footpaths to install waterproofing where necessary; construction of a structural core within the leafs of the parapet walls to provide for containment of vehicular traffic; installation of a handrail to the top of the southern parapet to provide sufficient height and protection for pedestrians; realignment of kerbs and roadway to suit revised footpath configuration. Details are shown on Plan No. BXD-RO 30 O-A and in more detail on Plan No. BXD-ST 30 O-A.
- Work No. 103 Remove a section of the existing stone retaining wall south of the Cabra Road bridge on the eastern side to provide sufficient space for installation of a passenger lift and shaft, as shown on Plan No. BXD-RO 30 O-A and in more detail on Plan No BXD-ST 30 O-A.
- Work No. 104 Install a structural wall to replace the section of existing retaining wall removed for installation of the lift on the south-eastern side of the bridge in lands currently used as a vehicular access driveway, as shown on Plan No. BXD-RO 30 O-A and in more detail on Plan No BXD-ST 30 O-A.
- Work No. 105 A light railway line approximately 533 metres in length comprising a double line of light railway commencing at match line A and continuing northwards along the existing railway cutting and under the existing bridge at Fassaugh Road and ending at match line B as shown on Plan No. BXD-RO 30 A-B.
- Work No. 106 Construct a stop to be named 'Cabra' at approximately the level of the existing railway cutting, and north of the existing Fassaugh Road bridge as shown on Plan No. BXD-RO 30 A-B and in more detail on Plan No. BXD-ST 30 A-B.
- Work No. 107 Construct stairs and ramp structure to the south of the 'Cabra' stop and a ramp structure to the north of the stop to provide access to Fassaugh Road and Mount Bernard Park respectively, as shown on Plan No. BXD-RO 30 A-B and in more detail on Plan No. BXD-ST 30 A-B.
- Work No. 108 Remove portion of existing wall at Fassaugh Road bridge and construct entrance to Cabra stop as shown on Plan No. BXD-RO 30 A-B and in more detail on Plan No. BXD-ST 30 A-B.
- Work No. 109 Realign kerbs and roadways of the existing Fassaugh Road to provide realigned footpaths and sections of roadway as shown on Plan No. BXD-RO 30 A-B.
- Work No. 110 Construct a technical cubicle for the 'Cabra' stop at the southern end of the stop platform as shown on Plan No. BXD-RO 30 A-B and in more detail on Plan No. BXD-ST 30 A-B.

- Work No. 111 Demolish portion of existing stone wall and railing and form new access to proposed 'Cabra' stop from Mount Bernard Park as shown on Plan No. BXD-RO 30 A-B and in more detail on Plan No. BXD-ST 30 A-B.
- Work No. 112 Construct discrete length of wall to close existing access from adjacent property directly onto the railway cutting as shown on Plan No. BXD-RO 30 A-B.
- Work No. 113 Install a perimeter barrier fence along the eastern side of the railway cutting to prevent unauthorised access as shown on Plan No. BXD-RO 30 A-B.
- Work No. 114 A light railway line approximately 441 metres in length comprising a double line of light railway commencing at match line B and continuing northwards along the existing railway cutting while turning gradually east on a curve and crossing the existing railway tunnel carrying the Phoenix Park railway line and ending at match line C as shown on Plan No. BXD-RO 30 B-C.
- Work No. 115 A light railway line approximately 80 metres in length comprising a single line of light railway connecting with the proposed light railway line approximately 80 metres south of match line C as shown on Plan No. BXD-RO 30 B-C.
- Work No. 116 Dismantle, remove and relocate a section of existing stone wall to the north of the light railway in the area adjacent the parkland west of Shandon Gardens as shown on Plan No. BXD-RO 30 B-C.
- Work No. 117 Demolish existing temporary structures within the railway cutting in the area to the rear of St Attracta Road as shown on Plan No. BXD-RO 30 B-C.
- Work No. 118 Construct discrete lengths of wall to close existing accesses from adjacent properties directly into the railway cutting as shown on Plan No. BXD-RO 30 B-C.
- Work No. 119 Demolish portion of existing stone wall crossing the proposed single line railway accessing the stabling area as shown on Plan No. BXD-RO 30 B-C.
- Work No. 120 Construct a perimeter barrier fence and gate access to stabling area as shown on Plan No. BXD-RO 30 B-C.
- Work No. 121 Construct a perimeter boundary fence along the north side of the light railway as shown on Plan No. BXD-RO 30 B-C.
- Work No. 122 Construct an underground structure (overbridge) above the level of the Phoenix Park railway line tunnel as shown on Plan No. BXD-RO 30 B-C and in more detail on Plan No. BXD-BR 30 B-C.

- Work No. 123 A light railway line approximately 506 metres in length comprising a double line of light railway commencing at match line C and continuing northwest and ending at match line D as shown on Plan No. BXD-RO 30 C-D.
- Work No. 124 Light railway lines approximately 500 metres in length comprising a depot stabling area commencing at match line C and ending at match line D as shown on Plan No. BXD-RO 30 C-D.
- Work No. 125 Construct a solid boundary wall between the light railway and the existing Irish Rail Maynooth railway line in the area of Liffey Junction and extending towards Broombridge as shown on Plan No. BXD-RO 30 C-D.
- Work No. 126 Construct an electricity substation with perimeter fencing, finishes and surfacing to the southern side of the depot stabling area as shown on Plan No. BXD-RO 30 C-D and in more detail on Plan No. BXD-SS 30 C-D.
- Work No. 127 Construct a light rail vehicle wash plant facility within the depot stabling area as shown on Plan No. BXD-RO 30 C-D and in more detail on Plan No. BXD-SS 30 C-D.
- Work No. 128 Construct a mast for communications antennae in the south-eastern area of the depot lands as shown on Plan No. BXD-RO 30 C-D and in more detail on Plan No. BXD-SS 30 C-D.
- Work No. 129 Construct a light rail vehicle sanding plant building and associated sand silo in the depot stabling area as shown on Plan No. BXD-RO 30 C-D and in more detail on Plan No. BXD-DP 30 C-O8.
- Work No. 130 Dismantle and remove the existing boundary fences and barriers in the area of the proposed depot and stabling yard as shown on Plan No. BXD-RO 30 C-D.
- Work No. 131 Construct a new barrier fence on the northern side of the light railway stabling area as shown on Plan No. BXD-RO 30 C-D.
- Work No. 132 Construct new perimeter barrier fence on the southern side of the light railway stabling area as shown on Plan No. BXD-RO 30 C-D.
- Work No. 133 Undertake remedial works to a portion of the existing wall to the southern side of the depot lands forming the rear (northern) perimeter of the existing properties along Bannow Road in the vicinity of the proposed substation as shown on Plan No. BXD-RO 30 C-D.
- Work No. 134 A light railway line approximately 283 metres in length comprising a double line of light railway commencing at match line D and continuing west and ending at the proposed terminus of the line as shown on Plan No. BXD-RO 30 D-O.

- Work No. 135 A light railway line approximately 112 metres in length comprising single lines of light railway line commencing at match line D in the depot stabling area, one of which connects to the proposed westbound light railway line, as shown on Plan No. BXD-RO 30 D-O.
- Work No. 136 Remove portions of the existing boundary fence along the Irish Rail Maynooth railway line as shown on Plan No. BXD-RO 30 D-O.
- Work No. 137 Construct a solid boundary wall between the light railway and the existing Irish Rail Maynooth railway line as shown on Plan No. BXD-RO 30 D-O.
- Work No. 138 Construct a new barrier fence on the northern side of the light railway stabling area as shown on Plan No. BXD-RO 30 D-O.
- Work No. 139 Construct a depot maintenance building and stabling area as shown on Plan No. BXD-RO 30 D-O and in more detail on Plan Nos. BXD-DP 30 C-O1 to BXD-DP 30 C-O7.
- Work No. 140 Construct a vehicular set down, pickup and parking area with associated landscaping, lighting, services, access controls, surfacing and finishes as shown on Plan No. BXD-RO 30 D-O and in more detail on Plan No. BXD-ST 30 D-O.
- Work No. 141 Construct a stop to be named 'Broombridge' at the area approximately adjacent to the existing Irish Rail railway station at Broombridge as shown on Plan No. BXD-RO 30 D-O and in more detail on Plan No. BXD-ST 30 D-O.
- Work No. 142 Construct a pedestrian bridge over the existing Irish Rail railway line adjacent to the platforms, comprising a main span with stairs and lifts and associated structures and services either side as shown on Plan No. BXD-RO 30 D-O and in more detail on Plan Nos. BXD-ST 30 D-O, BXD-DP 30 C-O5, BXD-DP 30 C-O6, and BXD-DP 30 C-O7.
- Work No. 143 Remove a portion of the existing stone boundary to Broombridge Road and provide a new access to the proposed 'Broombridge' stop, set down area and depot as shown on Plan No. BXD-RO 30 D-O and in more detail on Plan No. BXD-ST 30 D-O.
- Work No. 144 Construct a technical cubicle for the proposed 'Broombridge' stop as shown on Plan No. BXD-RO 30 D-O and in more detail on Plan No. BXD-ST 30 D-O.
- Work No. 145 To facilitate, and in conjunction with, these works there will be associated construction, diversion, protection and decommissioning of utilities apparatus and infrastructure to line and level as agreed with the relevant statutory undertakings and generally as shown on Plan Nos. BXD-UC 29 O-A, BXD-UC 29 A-B, BXD-UC 29 B-C, BXD-UC 29 C-D, BXD-UC 29 D-E, BXD-UC 29 E-O, BXD-UC 30 O-A, BXD-UC

30 A-B, BXD-UC 30 B-C, BXD-UC 30 C-D, and BXD-UC 30 D-O.

**Eleventh Schedule**  
**New Roads which May Be Constructed**

1. Re-construct by realigning and widening the access road from Constitution Hill to the Broadstone depot including the footpaths and junctions with Prebend Street and revised access to the Phibsborough bus garage.

## Twelfth Schedule

### Public Roads Which May Be Altered

#### Area 29

1. St. Stephen's Green West
2. St. Stephen's Green North
3. Dawson Street
4. Joshua Lane
5. Molesworth Street
6. Dawson Lane
7. Anne Street South
8. Duke Street
9. Nassau Street
10. Suffolk Street
11. Grafton Street
12. College Green
13. College Street
14. Westmoreland Street
15. Fleet Street
16. D'Olier Street
17. Aston Quay
18. Burgh Quay
19. O'Connell Bridge
20. Bachelor's Walk
21. Eden Quay
22. Hawkins Street
23. Poolbeg Street
24. Townsend Street
25. Pearse Street
26. O'Connell Street Lower
27. Middle Abbey Street
28. Prince's Street North
29. Henry Street

30. O'Connell Street Upper
31. Thomas Lane
32. Cathal Brugha Street
33. Marlborough Street
34. Cathedral Street
35. Talbot Street
36. Earl Street North
37. Marlborough Place
38. Sackville Place
39. Abbey Street Lower
40. Harbour Court
41. Abbey Street Old
42. Parnell Street
43. Parnell Place
44. Cavendish Row
45. Parnell Square West
46. Moore Lane
47. Moore Street
48. Dominick Street Lower
49. Dominick Lane
50. Dorset Street Upper
51. Bolton Street
52. Dominick Street Upper
53. Mountjoy Street
54. Palmerston Place
55. Western Way
56. Temple Cottages
57. Constitution Hill
58. Phibsborough Road
59. Prebend Street
60. Marne Villas
61. Grangegorman Lower

**Area 30**

1. North Circular Road
2. Cabra Road
3. St. Peter's Avenue

4. Cabra Park
5. Fassaugh Road
6. Connaught Street
7. Laneway to rear of Shandon Gardens
8. Broombridge Road