

Dublin Transport Authority Establishment Team

Report to the Minister for Transport

March 2006

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1 Introduction

The appointment of the Dublin Transport Authority Establishment Team was announced by the Minister for Transport, Martin Cullen T.D., on 6 November 2005. The Minister appointed Professor Margaret O'Mahony, Head of the Department of Civil, Structural & Environmental Engineering and Director of the Centre for Transport Research at Trinity College Dublin as Chairperson of the Establishment Team. The other members of the Team were John Lumsden and Pat Mangan, Assistant Secretaries at the Department of Transport and Colin Hunt, Minister Cullen's Special Advisor. The Secretary to the Team was Maeve Nic Lochlainn, Principal Officer at the Department of Transport.

Under the Terms of Reference set out by the Minister in his letter of appointment to Professor Margaret O'Mahony as Chairperson, the Team was asked:-

- to make recommendations on the establishment of a transport authority for the Greater Dublin Area, addressing the remit of the authority, its powers, its structure, organisation and human and other resource requirements and such other matters as the Team considered appropriate;
- to give advice on the content of legislation required to establish the proposed authority on a statutory basis; and
- to make recommendations on what interim arrangements should be put in place pending the enactment of the legislation.

The Terms of Reference are set out in full in Appendix I.

The Team has used the title "Dublin Transport Authority" for the proposed new Authority. Where the terms "the Authority" or the "proposed Authority" have been used in the text, these should also be taken to refer to the new Dublin Transport Authority.

2 **Methodology**

The Team approached the task using a combination of face-to-face meetings, desk research, site visits and written consultation, as described below.

Firstly, the Team invited representatives from certain Government Departments and from key agencies within the Greater Dublin Area (GDA) to meet with them to present their views on the proposed Authority. Members of the Team met with:-

- The Department of an Taoiseach;
- The Department of Finance;
- The Department of Environment, Heritage and Local Government;
- The National Roads Authority;
- Córas Iompair Éireann and its three operating subsidiaries;
- The Railway Procurement Agency;
- The Dublin Transportation Office; and
- Managers¹ from the Local Authorities in the GDA.

Secondly, some stakeholders requested meetings and, insofar as this was practical, were accommodated by the Team. Members of the Team met with:-

- The Lord Mayor of Dublin and the Chairpersons of Strategic Policy Committees in Dublin City Council; and
- Dublin Chamber of Commerce.

Thirdly, desk research was undertaken to review models of transport authorities applied in other cities.

Fourthly, members of the Team travelled to London and New York to familiarise themselves with key sites, transport authority models and approaches to procurement for large capital projects applied in other cities. These trips involved meetings with:-

- The Metropolitan Transit Authority, New York;
- Consultants engaged on major capital projects for the MTA, New York;
- Transport for London;
- The UK Department for Transport;
- Members of the Project Team implementing the Terminal 5 Project for the British Airports Authority (BAA); and
- Consultants engaged on major public transport and airport capital projects in the UK.

Fifthly, a written consultation was undertaken by the Team, which is described in Appendix II.

Finally, the Team conducted its own analysis, took legal advice on certain issues and then compiled its findings in this report.

¹ City Manager or County Manager, or their delegates.

3 **Remit of Dublin Transport Authority**

Geographic Remit

Transport and mobility have become critical issues not only within the boundaries of the four local authority areas in Dublin, but far beyond. Recent years have seen an increasing trend towards long distance commuting, with the travel to work and education areas expanding ever outwards and growing peri-urban residential development at a significant distance from the older built-up area of Dublin. These trends have an increasingly important influence on the Dublin transport system. Consequently, **the Team recommends that the geographical remit of the Dublin Transport Authority should encompass the entire Greater Dublin Area i.e. Dublin City itself and the six Counties of Fingal, Dun Laoghaire-Rathdown, South Dublin, Kildare, Meath and Wicklow.**

The Team also considered whether the geographical remit should be extended even further recognising a trend towards ultra long distance commuting. The Team concluded that this could be perceived to be at variance with the spatial policy articulated in the Regional Planning Guidelines, which seeks to concentrate development as far as possible in the existing Metropolitan Area (as defined in the Guidelines) and in a range of growth centres around the Greater Dublin Area. The Team also concluded that the Authority had to have a role within its overall remit, which recognised the spillover effects of long distance commuting and **it is therefore recommended:**

- **That the Authority be required to take account of these longer distance travel trends in discharging its functions, without being obliged to facilitate them;**
- **That the Authority should have the function of procuring public transport services on the principal longer distance commuting corridors into Dublin.**

Functional Remit - Transport

A key issue for the Greater Dublin Area has been the lack of a cohesive approach in the delivery and management of transport. Many written and oral submissions received highlighted the need for greater integration of the transport system in the GDA and welcomed the proposed establishment of a new transport authority as a key step in the right direction. The Team was conscious also of the Minister's request to give regard to the importance of:-

- timely and effective implementation of the GDA transport investment programme;
- delivering an integrated transport system for the capital city; and
- ensuring effective inter-agency co-ordination and co-operation.

The Team concluded that giving the new authority a remit with overall responsibility for delivery of the integrated transport system in Dublin would address many concerns raised about a somewhat disjointed approach in the past. Consequently, **the Team recommends that the Dublin Transport Authority should have overall responsibility for surface transport in the Greater Dublin Area and, in particular, should have responsibility for a broad range of functions, its principal transport functions being:-**

- **Strategic Transport Planning;**
- **Procurement of Public Transport Infrastructure;**
- **Procurement of Public Transport Services;**
- **Regulation of Public Transport Fares;**

- **Delivery of an Integrated Public Transport System;**
- **Traffic Management;**
- **Management of Transport Demand; and**
- **Data Collection & Research.**

Functional Remit - Land Use and Transport Integration

Many written and oral submissions emphasised the importance of addressing land use and transport planning in an integrated manner. Proposals included suggestions that the remit of the new Authority be extended to include land use, that the model set out in the Blue Book² be applied or that mechanisms be put in place to ensure optimal integration between plans produced by the Transport Authority and those adopted by the regional authorities and planning authorities.

The Team agrees that land use and transport planning should be addressed coherently in order to produce sustainable strategies for the Greater Dublin Area. **The Team recommends that the remit of the new Authority should include some functions in relation to land use.** Key to success in this area will be the effectiveness of any mechanisms devised to ensure integration at the strategic level between the Regional Planning Guidelines adopted at present by the two Regional Authorities and any integrated transport strategy for the GDA developed by the new Transport Authority. Successful follow-through in terms of local authority development plans and decisions taken on planning applications on the ground will also be critical.

Section 5 below gives further detail on the proposed functions of the new Authority.

² “New Institutional Arrangements for Land Use and Transport in the Greater Dublin Area”, Consultation Paper jointly published by the Department of the Environment and Local Government and by the Department of Public Enterprise in 2001.

4 **Institutional Models Considered**

The Team considered what institutional model should be recommended for the proposed Dublin Transport Authority and its relationship with other agencies. Two broad options emerged from our research and consultation, which might be considered as representing opposite ends of the spectrum.

One option is an overarching transport authority, which has overall responsibility for all aspects of surface transport in a city or metropolitan region. It has responsibility for strategic and network functions, integration functions (ticketing, information, interchange, etc.), service delivery and infrastructure. It either carries out these functions directly, procures them from an entity over which it has full control (e.g. a subsidiary) or procures them from the market through tendering. A key characteristic is that there is no other State entity or local authority entity in the city or region, which has responsibilities for transport but which is not under the control of the overarching transport authority.

Another option suggested to us during the consultation is a relatively light touch co-ordinating authority. This body would act as co-ordinator, overseer and monitor. It would deal with interface issues between implementing agencies, but the functions of these agencies would not be changed in any significant way.

Possible Model for Dublin

In considering what model might apply in the GDA, the Team took account of the following:-

- The solution proposed by the Team has to address one core issue – how to ensure that a more integrated approach to transport could be effectively delivered in the Greater Dublin Area.
- The decision to establish a single Transport Authority already partially addressed that issue, in that it ensured that one organisation would be positioned to adopt an integrated perspective to the entire transport system in the city and region.
- The key issue remaining for the Team was how the new Dublin Transport Authority would motivate or, if necessary, oblige the various implementing agencies to execute its integrated vision.
- Amalgamation of existing functions and companies into one entity was an option that could be considered as a means of ensuring compliance. However if this meant the Authority taking over the functions and employees of all existing transport agencies in the GDA, it would represent a mammoth task.
- The institutional arrangements for governance and public transport service delivery in the Greater Dublin Area differ significantly from those in other major cities. Local authorities in the GDA already have a narrower range of functions generally than their counterparts abroad, in that they do not have responsibility for public transport. Public transport services in the GDA are delivered principally by a national rather than a regional or local entity. The fact that the dominant public transport provider (CIÉ) in the GDA also operates public transport services nationally under its statutory remit would add complexity to any institutional change, which might be proposed in respect of it.

- The corporate status of the three CIÉ operating subsidiaries³, the status of their employees and their statutory relationship with CIÉ itself also meant that significant institutional changes in relation to these companies would be legally complex and could have a substantial lead time to implementation.
- An overriding consideration for the Team related to the need to ensure effective and timely implementation of Transport 21 in the GDA.
- Options, stopping short of total absorption by the Authority of all functions and transport entities, would certainly be speedier and would prove effective in delivering an integrated transport network for the GDA.

Considering a Different Approach

The Team concluded that an institutional model, which combined elements of both the options described above, represented the best fit for Dublin, having regard to the existing institutional structures and the importance of making speedy progress on the delivery of Transport 21. An over-riding concern for the Team was that the recommended model be effective in delivering an integrated transport system for the GDA. The following are some of the key attributes of the recommended institutional model:

- The Authority must have sufficient statutory powers to ensure that it can deliver on its strategic objectives, whether directly or through other agencies. It must have the power to set and enforce policy.
- The Authority must have overall strategic responsibility for the various functions set out in Section 3. It must have the powers to decide how each of those functions should be discharged, whether directly by the Authority itself, through an existing implementing agency or through a third party. Except in a few cases, the Team anticipates by and large that the agencies will continue in their existing roles ab initio, with the Authority only stepping in or transferring functions, should there be a clear case that implementation by a different agency would enhance quality or speed delivery.
- The Authority must have control of State capital and current funding for public transport and traffic management in the GDA. The NRA should retain its existing responsibility for national roads funding, subject to strategic oversight by the Authority as addressed in Section 6 below.

The Team believes that these statutory powers would establish clear ground rules, so that all implementing agencies would understand their position in the hierarchy vis-à-vis the new Authority. The Authority will be in charge of surface transport in the GDA and other implementing agencies will act in accordance with the mandate set down by that Authority.

It is self-evident that core integration functions (e.g. strategic and network planning, integrated

³ All three are companies registered under Irish Company Law.

ticketing, integrated information etc.) would best be undertaken centrally and this is likely to involve certain functions moving from existing agencies to the new Transport Authority. The degree to which some or all of the functions of an agency are to be taken over by the new Authority would influence the Team's view as to what position should be accorded that agency in any new institutional framework. While total amalgamation of all agencies under one roof has been ruled out, partial amalgamation or absorption should be considered, if this could improve effectiveness, reduce functional redundancy or bring real economies of scale to bear, particularly if this could be done without causing undue delay.

Section 5 describes the principal functions of the Authority. Section 6 then considers the degree to which the functions of various agencies are to be taken over by the new Authority and further describes the relationship between the Authority and other agencies in the GDA.

5 **Dublin Transport Authority :- Principal Functions**

In Section 3, the Team recommended that the principal functions of the new Authority should be:-

- Strategic Transport Planning;
- Procurement of Public Transport Infrastructure;
- Procurement of Public Transport Services;
- Regulation of Public Transport Fares;
- Delivery of an Integrated Public Transport System;
- Traffic Management;
- Management of Transport Demand;
- Land Use and Transport Integration; and
- Data Collection & Research.

These are expanded upon below.

Strategic Transport Planning

The new Authority should have responsibility for strategic planning for all surface transport modes and should be obliged to prepare an integrated transport strategy for the Greater Dublin Area. The purpose of the integrated transport strategy should be to provide the long term planning framework for the development of an integrated transport system for the Greater Dublin Area, building on the Final Report of the Dublin Transportation Initiative published in 1995 and on *A Platform for Change* published in 2001. The first strategy to be adopted by the new Authority should also be fully informed, of course, by the investment programme already adopted by Government for the GDA in Transport 21. The strategy should cover a period of between 12 and 20 years and should be reviewed every 6 years. Ideally its preparation or review should be co-ordinated with the preparation or review of Regional Planning Guidelines for the Greater Dublin Area. The Dublin Transport Authority should have powers of direction to ensure that all transport agencies in the GDA⁵ comply with the integrated transport strategy when performing their functions. The Authority should also have powers to vary the strategy in minor ways during its period of application.

Procurement of Public Transport Infrastructure

Subject to Government policy, the new Authority should have power to determine the public transport investment programme for the GDA. In the immediate future, it is clear that the Authority will inherit the investment priorities set out by Government in Transport 21. Indeed a key responsibility for the Authority in the near-term should be to manage the effective rollout of Transport 21 on time and within budget. The Minister for Transport should be empowered to pay block grants to the Authority for capital investment purposes. However it should be solely a matter for the Authority to decide on the allocation of those grants to individual projects. The Minister should have no role in this regard. This is similar to the funding arrangements for the NRA which operate very satisfactorily. The Authority should have the power to assess and decide on the most effective means of procuring public transport infrastructure. It should have full flexibility to procure public transport infrastructure itself

⁵ The term “all transport agencies in the GDA” is intended to encompass the National Roads Authority, the Railway Procurement Agency, Córas Iompair Éireann, Bus Átha Cliath, Bus Éireann, Iarnród Éireann, other providers of public transport services and local authorities (in their performance of traffic management functions.)

directly, to delegate procurement to a third party, to decide which form of contract or procurement should be used on a given project, or to impose other conditions in relation to any project procured using capital funds, as it deems fit.

Procurement of Public Transport Services

The new Authority should be obliged to prepare an integrated network plan for all public transport services in the Greater Dublin Area and should procure public transport services under contract, consistent with that plan. It should also have power to procure public transport services on the principal longer distance commuting corridors into Dublin. The integrated network plan should describe the services, which the Authority proposed to procure under public service obligations over the medium term (3 to 5 years).

Performance-based contracts for bus and rail services would be awarded directly by the Authority to Bus Átha Cliath, Bus Éireann and Iarnród Éireann. Subvention would be paid by the Authority in respect of services provided by these three operators in the GDA. The Authority would have powers to renew, amend or modify these performance-based contracts, as it deemed fit. The Authority would organise tender competitions prior to awarding performance-based contracts for LUAS and Metro services and would also make payments (if required) to those operators, in line with contract. Any contracts awarded by the Authority for public transport could specify the routes, services and standards required and could include incentives or penalties where service exceeded or failed to meet the specified requirements. As the Authority would have responsibility for payment in respect of public service obligations, it would also have powers to regulate public transport fares, including powers to introduce integrated fares. As the body with overall responsibility for delivery of an integrated public transport system in the city and region, the Authority would also have powers to provide public transport services, but these would only be used as a last resort, where an operator failed to deliver the required service or was no longer in a position to do so.

It is not deemed to be part of the mandate of the Team to make any recommendations regarding the content of regulatory reform legislation and, for the purposes of this report, the Team has addressed only the status quo in respect of market regulation. However when future legislation to reform the 1932 Road Transport Act is being enacted, the Team recommends that it should provide that the Dublin Transport Authority should undertake all market regulatory functions for the Greater Dublin Area. In the meantime, the Authority should be given responsibilities in relation to procurement of public transport services as set out above and the Minister for Transport should continue to be the bus licensing authority under the 1932 Act.

Delivery of an Integrated Public Transport System

There is consensus about the urgent need to deliver an integrated public transport system for the GDA. As indicated before, the decision to establish a single Transport Authority is critical, in that it ensures that one organisation will be positioned to adopt an integrated perspective on the entire public transport system. Ensuring integration of public transport infrastructure will be critical in the rollout of Transport 21. Developing an integrated network plan and procuring public transport services in line with that plan will also be crucial.

There are other core integration functions which are best undertaken by a central Authority. The new Dublin Transport Authority should be obliged to develop, implement and promote a single brand for the integrated public transport system in the GDA. The Authority should also procure and operate integrated ticketing and integrated information systems for public

transport. To facilitate this, the Authority should have powers to require participation by providers of public transport⁶ in both these systems, including powers to specify technical and service standards, to require the installation of particular equipment and to mandate operators to provide or publish specified information about routes and services. The Authority should also provide customer service or call centre facilities for all users of the integrated public transport network.

The Authority should also ensure that good physical interchange facilities are provided for users of the public transport system. This would include park-and-ride facilities for motorists, motorcyclists and cyclists, feeder bus services, measures to ensure ease of access for pedestrians and powers for the Authority to ensure that taxi ranks are positioned at convenient locations, most particularly at key public transport interchange nodes.

Traffic Management

The Team concluded that there needs to be an integrated policy approach to traffic management across the region, based on international best practice. The new Authority should be obliged, therefore, to prepare a strategic traffic management plan for the GDA. This plan should set down overall traffic management policy for the GDA and specify best practice standards to be applied in the management of traffic flows. The plan should also address policy to promote cycling and walking. Each local authority should be obliged to comply with the Authority's strategic plan. The Authority should also be responsible for co-ordinating the traffic management arrangements during the construction phase of Transport 21 and subsequent major transport investment programmes. In addressing its aim of expeditious delivery of public transport infrastructure and recognising that there have been difficulties on this front in the past, the Authority will endeavour to engage with utility suppliers, at all levels, in developing a framework whereby higher priority is accorded for delivery of such infrastructure.

The Team anticipates that, in the main, traffic management functions will continue to be discharged by local authorities within the strategic framework set down by the Authority. However the Authority should have the power to decide to perform certain functions itself or through a third party, where this would be more effective. The new Authority should have budgetary controls over funding provided for traffic management by the Authority; it should allocate traffic management grants and should be able to direct local authorities in relation to the use and application of revenues received from parking and related fees. It should have scope to issue policy guidelines and mandatory directions to local authorities in respect of their traffic management functions. The Authority should also ensure that an integrated information system for road users in the GDA is procured and operated.

Management of Transport Demand

Demand management comprises a range of measures including:

- Sustainable policies for land use and transport integration, which bring homes, workplaces and services closer together or which better link them by public transport, cycling or walking;

⁶ The term "providers of public transport" is intended to encompass Bus Átha Cliath, Bus Éireann, Iarnród Éireann, Connex, any future Metro or Luas operator and private bus operators.

- Soft measures to encourage reduced car use, including initiatives to encourage car sharing, flexible working and individual or workplace travel plans; and
- Fiscal measures to encourage sustainable travel and to discourage unsustainable travel behaviour (including fees levied for parking and congestion charging measures).

The Team concluded that the legislation establishing the new Authority should include powers for it to prepare an implementation plan for demand management, including the range of other measures described above. The Authority should have powers to implement such a plan either directly or using a third party and to issue guidance to planning authorities and transport agencies on the implementation of such demand management measures.

The Authority should also be assigned responsibility for congestion charging in the GDA under any subsequent legislation enacted to provide statutory powers for congestion charging. The Team is aware that specific Government decisions followed by new legislative measures would be required in the future before the Authority could implement congestion charging. The Authority should be able to apply any revenues raised to fund transport activities in the GDA. Such an approach would assist in developing public acceptability for any new schemes and could also help to provide for speedier investment in public transport facilities, thereby leading to greater choice for the travelling public.

Land Use and Transport Integration

A persistent theme, which emerged from oral and written consultation, was the importance of the interaction between land use and transport. Many highlighted the need for effective mechanisms to ensure coherence between land use policy and practice and the development of an integrated transport system.

While detailed consideration of land use planning was not formally part of the Terms of Reference, the Team was sufficiently influenced by the views expressed to consider the matter further. The Team has concluded that it should make recommendations to address land use and transport integration as a core part of the legislation to establish the new Authority. These provisions would be essential and should not be considered as an optional extra.

To ensure consistency between land use and transport planning at regional level, the Team recommends that:-

- The Regional Planning Guidelines for the GDA should in future be jointly adopted by the Dublin Regional Authority, the Mid East Regional Authority and the Dublin Transport Authority. The Dublin Transport Authority would engage with the two Regional Authorities. The three authorities should be obliged under statute to reach agreement and to jointly adopt the Regional Planning Guidelines for the Greater Dublin Area. The same procedure should apply whenever the Guidelines were reviewed.
- The two Regional Authorities should also have a role in the context of the adoption of the integrated transport strategy by the Dublin Transport Authority. Before the Transport Authority could formally adopt its transport strategy, it would require a certificate stating that that strategy was not materially inconsistent with the Regional Planning Guidelines. That certificate would be issued jointly by the Transport Authority and the two Regional Authorities.

It is also critically important that local authority development plans and local area plans are as far as possible consistent with the integrated transport strategy for the GDA. Furthermore decisions in land use planning must have regard to the transport strategy, as otherwise it would have no real impact on the ground. Therefore the Team recommends that:-

- Each local authority making or varying a development plan or local area plan would first require a certificate from the Dublin Transport Authority, stating that the proposed plan was not materially inconsistent with the integrated transport strategy for the GDA.
- Local authorities and An Bord Pleanála should be obliged to have regard to the integrated transport strategy, when considering planning applications and appeals in respect of developments in the GDA. This should also apply when applications or appeals are being considered in areas affected by the GDA transport strategy, even though these may in fact be outside the geographic boundary of the GDA.

The Team also recommends that planning legislation should be amended to ensure that the new Dublin Transport Authority would have the statutory right:-

- to make submissions in respect of individual planning applications and appeals;
- to make submissions in respect of local authorities' own developments which are the subject of consultation under the Planning and Development Act 2000;
- to make recommendations to the Minister for the Environment, Heritage and Local Government in relation to the exercise in the GDA of that Minister's powers under the Planning and Development Acts (and the Minister would be obliged to consider them).

Planning legislation should also be amended to ensure that the Minister for the Environment, Heritage and Local Government is empowered to:-

- Make orders requiring planning authorities in the GDA to comply with the new Transport Authority's integrated strategy, when adopting a plan; and
- Designate certain classes of development in the GDA, which would require certification by the Dublin Transport Authority to state that they were not inconsistent with its integrated transport strategy. This designation by the Minister could cover developments which would have a major impact on transport in the immediate area of the development and also far beyond it. In such cases, a local authority would only be permitted to grant planning permission, if the Dublin Transport Authority had already issued its certificate.

The legislation to establish the new Dublin Authority should include similar provisions to ensure that the land use planning functions of the Dublin Docklands Development Authority and the Grangegorman Development Agency are also exercised in a manner consistent with the Transport Authority's integrated strategy.

Data Collection and Research

The new Authority should have powers to collect transport data from each of the transport agencies, other bodies and the general public in order to facilitate the Authority in reviewing the effectiveness of the transport system in the GDA and in performing its statutory functions. In particular, it should have the power to require the transport agencies to provide it with any data it requires, subject to a legal obligation on the Authority not to breach confidentiality in respect of commercially sensitive data. The Authority should also be given power to conduct relevant research.

6 **Dublin Transport Authority:- Relationship with Various Agencies**

Having considered the functions to be assigned to the new Authority, the Team then went on to consider the relationship which should obtain between the Authority and the various agencies involved in transport in the GDA.

Córas Iompair Éireann and its Operating Subsidiaries

The relationship between the new Authority and the CIÉ parent company together with its three operating subsidiaries should be governed as follows.

- Legislative changes should ensure that the existing statutory powers, functions and duties of CIÉ and its three operating subsidiaries, insofar as they relate to the GDA, would only be exercised in future subject to the provisions of the new Act establishing the Dublin Transport Authority.
- As already outlined in Section 5, there should be a direct contractual relationship between the Authority and the three CIÉ operating subsidiaries, specifying detailed requirements and standards regarding the services to be provided by them in the GDA and allowing for incentives or penalties where service exceeded or failed to meet the specified standards. There would be no need for a contract with CIÉ itself, as CIÉ could not be regarded as an implementing agency in the same way.
- All public service obligation and capital grant monies in respect of GDA services or works should be paid by the Authority directly to the three operating subsidiaries. This would represent a significant change, in that all funds are channelled through CIÉ at present.
- The Boards of the three subsidiary companies should be appointed in future by the Minister for Transport and not by the Chairperson of the CIÉ Board.
- In the case of non-worker Directors on the Boards of the three operating subsidiaries, the Authority should have powers to nominate persons who should be appointed as Directors by the Minister. The Authority should have powers to nominate for appointment by the Minister 3 out of a total of 6 non-worker Directors on the Board of Bus Átha Cliath, and 2 out of 6 in the cases of Bus Éireann and Iarnród Éireann respectively. The Authority should also have powers to nominate 3 of the 9 non-worker Directors for appointment to the Board of the CIÉ parent company. If the size of any of these Boards were increased, the number of non-worker Directors to be nominated by the Authority should also be increased proportionately. These changes reflect the significance of the public transport services provided in Dublin in the overall activities of CIÉ and its operating subsidiaries. They also underline the importance of ensuring that these companies act in accordance with the wishes of the new Dublin Transport Authority.
- CIÉ and its three operating subsidiaries should not be entitled to dispose of property in the GDA without the consent of the Authority. This is to ensure that the Authority has an opportunity to consider the wider transportation impacts of any proposed disposal.

- As well as having powers to issue advisory guidelines and mandatory directions to the CIÉ parent company, the new Authority should have powers to issue such guidelines and directions directly to the three operating subsidiaries.
- The Authority should have powers, already described in Section 5, to decide the functions to be delivered by CIÉ or by any of its three operating subsidiaries as well as powers to step-in and implement any of their functions directly or assign them to a third party, if the performance by CIÉ or any of its operating subsidiaries proved unsatisfactory.

The Team was keen to aim for maximum stability, once it was satisfied that any change deemed essential to successful delivery of an integrated transport system in the GDA had been implemented. It was also anxious to establish absolute clarity in reporting relationships. While the three operating subsidiaries would remain part of the CIÉ Group and would not be subsumed into the new Authority, the changes proposed above would underline the pre-eminence of the Dublin Transport Authority within the GDA and would ensure:-

- that oversight of public transport operations in the GDA by the three operating subsidiaries of CIÉ would become the primary responsibility of the new Transport Authority rather than that of CIÉ; and
- that the CIÉ oversight role would remain unchanged in respect of operations undertaken by Bus Éireann and Iarnród Éireann elsewhere in Ireland.

The CIÉ parent company would become more focussed on a tighter range of functions, with particular attention being paid to Bus Éireann and Iarnród Éireann operations outside of the GDA.

Railway Procurement Agency

Like CIÉ, the RPA has a national mandate in law. However, unlike CIÉ, the current focus for RPA work is within the boundaries of the Greater Dublin Area. The Railway Procurement Agency is currently responsible for the procurement of:-

- light rail and metro infrastructure;
- light rail and metro services; and
- integrated ticketing for public transport.

The Team's discussions on the future role of the RPA were closely interlinked with deliberations regarding the optimal approach to integrated management of certain key rail infrastructure projects in the GDA.

Critical to the successful delivery of an integrated public transport infrastructure in the GDA within Transport 21 will be the effective completion of three landmark rail projects, namely the Metro North rail line with a north-south alignment across the city-centre, the Interconnector rail line with an east-west alignment across the same area and the construction of a genuinely integrated facility at St. Stephen's Green allowing seamless transfer for passengers between Luas, Metro and suburban rail. Tunnelling adds significant complexity and risk in the context of these projects.

Ensuring that a coherent and integrated approach is applied from the commencement of planning, through detailed design and specification and to final completion of construction of these projects is a hugely important critical success factor in the context of overall delivery of Transport 21. **Therefore the Team recommends that these three landmark projects should be the direct responsibility of the Dublin Transport Authority itself.** Benefits would include increased clarity for all contractors regarding who is the client, reduced risk of conflict arising in the specifications agreed for individual projects and potential for reducing cost, as synergies may arise when all three projects are procured by one agency. The approach would also help to ensure that experience and expertise gained from managing the Metro North project in the early years of Transport 21 is available and transferable to the team charged with delivery of the Interconnector in later years.

The Team has already recommended under Section 5 that the Dublin Transport Authority should have responsibility for integration functions. This would involve the transfer of the RPA's integrated ticketing mandate to the new Authority. The Team has also recommended earlier that the new Authority should also be responsible for contracting with the three CIÉ operating subsidiaries in respect of the public transport services they provide in the GDA. The Team is aware that the RPA has relevant experience in negotiating and overseeing the Luas operating contract with Connex, which will be of value to the new Authority when it takes on its wider service procurement functions. Rather than dispersing the service procurement expertise in Dublin across two agencies (with the RPA procuring Luas/Metro services while the new Authority procures CIÉ services), **the Team recommends that all the service procurement expertise in the GDA should be located in one body, namely in the Dublin Transport Authority itself.**

Having decided that the new Authority should have direct responsibility for delivery of the three landmark rail projects, for integrated ticketing and for procurement of public transport services, the Team went on to consider the future role of the RPA in those changed circumstances. The Team concluded that it would be best to rationalise the existing delivery structures. **Accordingly, the Team recommends that the RPA should be absorbed into the Dublin Transport Authority. It also recommends that this should happen at a time of the new Authority's choosing.**

The Team does not recommend that this absorption happen with immediate effect following statutory establishment of the Dublin Transport Authority. The initial phase in the life of any new Authority is decisive. The inauguration of the new Board, the recruitment by that Board of the right individual for the pivotal position of Chief Executive and the recruitment of the senior management team following open competitive processes are all critical steps, which will shape the culture of the new organisation and prepare it for success. The Team fully expects that the Dublin Transport Authority would have had an opportunity to establish its own ethos, before moving to absorb the RPA. To ensure that the timing of any change is at the behest of the Authority, the Team recommends that the legislation establishing the new Authority should specify that a formal request from the Authority to the Minister would suffice to automatically trigger procedures providing for immediate statutory transfer of functions and absorption of the RPA.

Maintaining Momentum

While recommending that the three landmark rail projects should be directly managed by the new Authority, the Team is determined that this should not in any way delay implementation. The Team is acutely aware that the RPA commenced important preparatory work for Metro North immediately after the launch of Transport 21 on 1 November last and that significant progress has already been made. A public consultation was launched by the RPA in February 2006. The Team is keen to ensure that the critical momentum established by the RPA in respect of this key project should be maintained. Iarnrod Éireann is currently responsible for the Interconnector. Initial planning for the Interconnector is expected to commence in 2006, gaining momentum over subsequent years with the objective of commencing construction in 2010. Under the status quo, the two separate agencies are also currently addressing the interchange facility at St. Stephen's Green in a collaborative manner, both ensuring that designs and specifications for their respective projects will dovetail to produce a genuinely integrated facility at the key interchange point.

In order to ensure that momentum is maintained on these three key projects, the Team recommends for the near-term as follows:

- The RPA should continue to implement all its existing functions and should ensure that momentum is maintained in the delivery of Transport 21. Most critically, the RPA should continue to progress its important work on Metro North.
- Iarnrod Éireann should continue to progress its important preparatory work on the Interconnector.
- The mandate from the Department of Transport should be extended immediately to give the RPA full responsibility for the planning, design and construction of the entire St. Stephen's Green interchange facility. The collaborative approach already adopted by Iarnrod Éireann and the RPA in respect of this project will, of course, continue.

The Team has already recommended in Section 5 that the new Authority, following its statutory establishment, should have full flexibility to procure public transport infrastructure itself directly, to delegate procurement to a third party, or to impose other conditions in relation to any project procured using capital funds, as it deems fit. This means that the new Authority will have flexibility to take direct control of any or all of the three landmark projects immediately following its establishment, should it determine that to be expedient. It will also be open to the Authority to allow the existing agencies to continue their important work in progressing these projects, until such point as the Authority deems itself ready to take direct responsibility.

Important considerations for the Authority in deciding at what point it should take over direct responsibility for the three projects would include:-

- the overriding imperative to ensure effective and timely implementation;
- the need to minimise unnecessary disruption and to maintain credibility with the marketplace;
- the effectiveness of the teams within existing agencies in managing the projects; and
- the availability within the Authority itself of skilled personnel to manage the projects.

The Team anticipates that the new Authority, once statutorily established and appropriately resourced⁷, will be well positioned to make these critical judgement calls. The new Authority should have a similar flexibility in relation to the timing of its taking over responsibility from the RPA for integrated ticketing and public transport service procurement functions.

In conclusion, the Team wishes to stress that a decision by the new Authority to take on any of these functions is not necessarily linked to a decision on the timing of the full absorption of the RPA itself. It is possible to envisage the new Authority taking on a particular function in advance of absorbing the RPA itself. The Authority should have the flexibility to make that judgement itself. In any event, it is clear that the new Authority, from the point of its statutory establishment onwards, will have a full range of powers which it can apply to influence how progress is made on capital projects, including the three landmark rail projects. The Authority will have scope, for instance, to impose conditions on any agency in relation to any public transport or traffic management project procured in the GDA using capital funds. It will also have powers under the legislation to take over direct responsibility for any project, where it deems fit. Any of these powers could potentially be exercised by the new Authority in advance of its fully absorbing the RPA.

Luas Operators (currently Connex) and Future Metro Operators

The primary role for the Authority in terms of public transport services will be as a contracting authority. The Luas and Metro operators will be key service providers, operating important elements of the integrated public transport network. There will be a clear contractual relationship with Luas and Metro operators, selected following open tender. Given that a competitive environment will apply, and that any rights accruing to the respective operators will be for the duration of their contracts only, there will be no need for further controls, such as the powers in relation to Board appointments already stipulated in respect of CIÉ and its operating subsidiaries. The Team is satisfied that the contractual arrangements in respect of the Luas and Metro operators will provide clear assurance for the Authority that its requirements regarding the provision of integrated public transport services will be met.

Private Operators of Public Transport Bus Services

The Team has proposed above that the Minister for Transport should continue to licence private operators of public transport bus services in the GDA under the 1932 Road Transport Act, pending enactment of separate amending legislation. The Team has also recommended that the Dublin Transport Authority should procure and operate integrated ticketing and information systems for public transport and that it should have powers to require participation in both these systems by all providers (including private bus operators). This would include powers for the Authority, inter alia, to require the installation of equipment or the provision by private bus operators of information on routes and services for use in an integrated information system.

Pending new legislation to amend the 1932 Road Transport Act, it is clear that the key relationship for private bus operators will be with the Minister for Transport. The Dublin Transport Authority will also establish a relationship with them, simply to govern their participation in integrated ticketing and information systems. This will ensure that private operators also will form part of the integrated public transport network in the GDA.

⁷ The Team will address the resourcing requirements of the new Authority in later sections of this report.

Dublin Transportation Office

Under the proposals set out in Section 5, all functions currently performed by the Dublin Transportation Office will transfer to the new Dublin Transport Authority. Conscious of the need to avoid duplication and to ensure best value-for-money, the Team recommends that the DTO should be disbanded, at a time of the new Authority's choosing following its statutory establishment. A legislative provision should ensure that a formal request from the Authority to the Minister would automatically trigger this event.

National Roads Authority

The Team believes that the NRA should remain responsible for overall management of the national roads investment programme, including management of such investment in the GDA. Giving the new Dublin Transport Authority powers in this respect would simply represent needless duplication.

While the Dublin Transport Authority will have the same set of general powers vis-à-vis the NRA as it does vis-à-vis the other agencies, the Team expects that the NRA will continue to operate more-or-less as before within the GDA with three key exceptions, namely:-

- The Dublin Transport Authority will maintain a strategic overview of the national roads programme proposed by the NRA for the GDA. The Dublin Transport Authority will have powers to issue advisory guidelines and mandatory directions to the NRA in cases where the proposed national roads programme is materially inconsistent with the integrated transport strategy for the GDA.
- There will be a new requirement for the NRA to engage in on-going liaison with the Dublin Transport Authority in order to ensure optimal management of traffic during the construction of Transport 21 projects in the GDA, as well as during subsequent major transport investment programmes.
- Any NRA proposals for traffic management or demand management, any tolling schemes proposed by the NRA for implementation within the GDA, including any new schemes proposed for the M50, will have to be submitted to the Dublin Transport Authority for its approval before implementation.

The above describes the relationship between the Dublin Transport Authority and the NRA in the Greater Dublin Area. Given the much more extensive nature of its investment programme outside the GDA, it is clear that the key reporting relationship for the NRA will continue to be with the Minister for Transport.

Regional and Local Authorities

Section 5 already described:-

- the interface between the Dublin Transport Authority and the regional and local authorities recommended to ensure a coherent and effective approach for land use and transport integration; and

- the interface between the new Transport Authority and the local authorities recommended to ensure an integrated policy approach to traffic management across the region.

The Team anticipates that, in the main, the construction and maintenance of non-national roads will continue to be discharged by local authorities within the strategic framework set down by the Authority.

7 **Dublin Transport Authority:- Structure and Organisation**

The Team then considered what structure would be optimal to allow the new Authority to implement its mandate efficiently and effectively. Key questions arising for the Team included:-

- Whether an executive or non-executive Board would be most appropriate given the scope and significance of the mandate for the new Authority;
- Whether an executive or non-executive role should be assigned to the Chairperson of the Board (for the same reasons);
- How the question of accountability should be addressed; and
- What top-level internal organisation structure should be applied to allow the Authority to implement its principal functions to best effect.

The Team's deliberations on these points are elaborated upon below.

Chairperson and Board

While acknowledging the scale and significance of the job to be undertaken by the new Authority, the Team is very conscious that best practice in corporate governance consistently favours a non-executive Board. The Team believes critical benefits are to be gained by installing a fully focussed Executive and by balancing this with the more independent perspectives of a non-executive Chairperson and Board. While the Board should be weighted in favour of non-executive Directors, it should in accordance with good corporate governance practice include the Chief Executive and a small number of key executives.

Accountability

A key concern raised both in the written consultation and at face-to-face meetings related to accountability. The effectiveness of the transport system in the Greater Dublin Area has a critical impact on the quality of life of individuals across the region, as well as having significant consequences for business and industry in terms of competitiveness and economic success. The status quo is that the Minister for Transport is politically accountable for the delivery of transport infrastructure and services in the Greater Dublin Area and is answerable to the Oireachtas. Consultations showed that the proposal to transfer responsibility for delivery to an executive agency in Dublin had raised concerns regarding a possible democratic deficit. The Team acknowledged the importance of genuine accountability and concluded that the concerns raised in this regard should be addressed using two mechanisms. The legislation establishing the Dublin Transport Authority should ensure that the standard arrangements for accountability before the Oireachtas⁸ apply to this Authority also. The legislation should also provide for an Advisory Council with a wide representative base to be established. The Advisory Council would advise the new Authority in implementing its functions.

⁸ Legislation should provide that the Chairperson and Chief Executive can be required to appear before an Oireachtas Committee to account for the performance of the Authority.

The Team recommends:-

- **That the Dublin Transport Authority be statutorily established with a focussed Executive reporting to a non-executive Board chaired by a non-executive Chairperson; and**
- **That the non-executive Chairperson of the Board would also chair a statutory Advisory Council with a wide representative base.**

The Board, Executive and Advisory Council are described below. An organogram for the Dublin Transport Authority is provided in Appendix III.

Board

The Board should comprise ten members appointed under statute by the Minister for Transport:-

- A non-executive Chairperson;
- Three executive Directors
(Chief Executive, Infrastructure Director and the Services Director); and
- Six non-executive Directors.

The three executive Directors would be appointed ex-officio. Acknowledging the significance of an effective interface between the seven local authorities in the GDA and the proposed new Transport Authority and recognising in particular the critical interface between the new Authority and Dublin City Council, the Team recommends that the Dublin City Manager should be appointed ex-officio as one of the six non-executive Directors.

Appointment of Non-Executive Directors

The Chairperson and the other non-executive Directors would be appointed by the Minister for Transport from among persons recommended by consensus by a Nominations Panel comprising the following (or their delegates):-

- The President of the High Court
- The Secretary General of the Department of Transport
- The President of the Irish Business and Employers Confederation;
- The President of the Executive Council of the Irish Congress of Trade Unions;
- The Chairperson of the National Consumer Agency;
- The Chairperson of the National Disability Authority;
- The Lord Mayor of Dublin; and
- The President of the Chartered Institute of Logistics and Transport in Ireland.

As a first step, the Nominations Panel should invite applications from persons interested in acting as non-executive Directors on the Board. Following submission of nominations by the Panel, the Minister would be free to appoint persons nominated or to refer the matter back to the Nominations Panel for further consideration. A similar approach is already applied in respect of An Bord Pleanála.

Executive

The Authority should have a tightly resourced, expert and professional Executive headed up by the Chief Executive of the Authority, who would have six direct reports:-

- Infrastructure Director;
- Services Director;
- Integration Director;
- Traffic Director;
- Planning Director; and
- Financial Director.

A proposal for the assignment of functions to the various Directors is attached at Appendix IV.

Advisory Council

The Authority should have a statutory Advisory Council which would be chaired by the Chairperson of the Board and which would meet on a regular basis. The Advisory Council should have the following functions:-

- It should be consulted during the preparation of the integrated transportation strategy for the GDA and the Regional Planning Guidelines.
- It should monitor the implementation of the integrated transportation strategy and make any recommendations it considers appropriate to the Authority and the Authority should be obliged to consider them.
- It should have the power to make recommendations to the Authority in relation to its statutory functions and the Authority should be obliged to consider those recommendations.
- It should be entitled to be informed at each meeting generally about the work of the Authority, but not in relation to commercially sensitive matters or in relation to confidential matters, disclosure of which would impede the Authority in the performance of its functions.

Members should be appointed to the Advisory Council by the Minister and the membership should be along the following lines:-

- The Chairperson of the Authority who would also chair the Advisory Council;
- One elected member from each of the City and County Councils in the Greater Dublin Area (seven in total);
- The Manager of each City and County Council in the GDA (seven in total); and
- Fifteen other members who would be appointed by the Minister from certain panels, in line with the recommendations below.

Panel Approach for Appointment to Advisory Council

The Minister would be empowered under statute to prescribe:-

- organisations which deal with economic, social or other development in the GDA or which represent persons engaged in that way;
- organisations which deal with community development or with the promotion of social, economic, environmental or general interests of communities in the GDA; and
- organisations which are representative of persons whose professions or occupations relate to transport, land use planning, urban design, architecture or civil engineering.

Each of the organisations prescribed would then be invited by the Minister to nominate a suitable individual to one of the three panels. In very broad terms, the respective panels could be described as generally representative of:-

- business and other interests;
- community and other interests; and
- professional organisations.

Once the prescribed organisations had nominated individuals to the appropriate panels, the Minister would review the lists of nominees on each panel and select a number of individuals from each panel for appointment to the Advisory Council.

A similar approach is already applied under Section 16 of the Dublin Docklands Development Authority Act, 1997.

8 **Dublin Transport Authority:- Human Resource Requirements**

The Dublin Transport Authority will have full control of the €12.8 billion ten-year capital envelope provided for public transport and traffic management investment in the Greater Dublin Area and will be responsible for delivery of Transport 21 in the capital and region. The Authority will also control the current budget for public transport subvention in the capital. It will specify and monitor service performance and ensure a seamless travel experience across modes is provided for users of the integrated public transport system, as well as overseeing the management of road traffic.

The challenges facing the new Authority are myriad. The scale of construction to be managed across the GDA as Transport 21 rolls out is unprecedented. Many of the capital projects are complex. Where agencies essentially built stand-alone projects in the past, many more interchange nodes are proposed for the network of the future, leading to a much greater need for integrated design/build and on-going collaboration. Key among critical success factors for the Authority is having someone at its helm with a significant track record in managing large-scale high-risk capital projects, with excellent communication and inter-personal skills and an ability to bring different organisations and personalities together.

As the scale of the Transport 21 programme for the GDA is as yet unprecedented in Ireland, it seems likely that the individual with the experience and expertise required to head up the Authority's Executive may be found on the international market. Identifying and recruiting the right individual for the CEO position is absolutely critical. The global recruitment marketplace will set the going-rate for such high-achievers. Nothing less than a substantial remuneration package will attract the right class of candidate. Similar packages will be required to attract the highly skilled individuals needed to form an effective senior management team. It will also be necessary to pay international market rates for the many professional and technical skills required across the Authority, particularly where they are scarce or in high demand worldwide.

The Team recommends that:-

- **The CEO for the Dublin Transport Authority should be recruited following a global search. The salary and remuneration package for the CEO should not be in any way constrained by the usual controls applied in respect of remuneration for the CEOs of State Bodies.**
- **The freedoms currently enjoyed by commercial State Bodies in the recruitment and remuneration of staff should be afforded the new Authority, notwithstanding its status as a non-commercial State Body.**

Implementation of these recommendations is crucial to the success of the proposed Authority.

It is difficult at this stage to assess the total human resource requirements of the Authority, until it has had an opportunity to assess how its principal functions should best be carried out. If it decides that certain functions should be carried out directly by the Authority, this will have

resource implications. In the Team's view, the new Authority should be given a significant administrative budget initially, reflecting its wide responsibilities. This should be reviewed for adequacy, as the Authority concludes its assessment of functions.

The Team has considered the expertise and qualities required in the Chief Executive of the Dublin Transport Authority. The position will include responsibility for all functions to be delivered by the Authority, as listed above, for all of the projects for Dublin under Transport 21 in the near to medium term, as well as for all Dublin projects in subsequent construction programmes. The recruitment of the Chief Executive will be by competition and a formal job specification will be drawn up at that time. However, the Team consider the criteria mentioned below as a minimum in terms of what that job specification would include.

Candidates for the position will need to demonstrate successful management experience of similar, high-value, major infrastructural projects to those in Transport 21 and, in particular, their delivery on-time and within budget. Expertise in a wide range of contract types, and in particular, the more innovative types, is required as well as highly efficient and effective project management skills. In addition, significant experience of managing urban public transport services would be valued. Strong leadership skills combined with superior technical experience will be required along with demonstrable financial management skills including adherence to project budgets. Experience in dealing with political and inter-agency relationships would be particularly valued, as would a sound knowledge of national and EU procurement policies and regulations.

9 **Dublin Transport Authority:- Other Resource Requirements**

The Team recognises the benefits which will be derived by the Authority and by all project managers in the GDA from the flexibility afforded by the ten-year capital envelope. Given the size of the envelope for the GDA, there should be freedom - within overall budget and time-lines set - to address cases where the need for finance for a given project falls somewhat earlier or later than anticipated. The Team welcomes the new approach, as it believes the flexibility afforded will be critical in allowing the Authority and other implementing agencies to undertake effective procurement. To afford the Authority additional flexibility, the Team recommends that it be given a substantial short-term borrowing authority, perhaps of the order of €1 billion. This would allow it to manage the unevenness of its investment programme while being required to stay within its aggregate capital envelope under Transport 21. The Authority should also be permitted to retain revenues received from development levies and contributions in respect of public transport projects and from any future demand management schemes and to apply those revenues for transport purposes within the GDA.

The Government Decisions underpinning Transport 21 noted the intention of the Minister for Transport to return to Government for specific approval, before entering into final contractual arrangements on the Metro North and Interconnector projects. It was also suggested that, if the Transport 21 Monitoring Group⁹ so decided, specific Government approval would also be sought before entering into final contractual arrangements on any other Transport 21 project estimated to cost in excess of €500 million. The Team is convinced that the need to return to Government before contract sign-off on the Metro North and Interconnector projects in particular would represent a significant impediment in any pre-contract negotiations and would impact adversely on the credibility of the Authority in the marketplace.

The Team understands the paramount need for Government to manage overall public expenditure and acknowledges the financial impact the most substantial Transport 21 projects could have in a single year. In this light, the Team recommends that there be no absolute obligation on any procurement agency to seek Government approval prior to signature by that agency of a final contract for Metro North, the Interconnector or any other designated project over €500 million. Instead, the Team recommends that the Authority should have power to sign-off on these projects, under the condition that the total budgets being agreed under contract would not exceed the estimates for these projects provided in Transport 21. If the figures were to exceed those set out in Transport 21, the requirement to return to Government for approval before contract signature should apply. The Team believes this new approach would meet the paramount requirement for Government to maintain overall control of public expenditure while at the same time enabling the Dublin Transport Authority to retain its credibility in the marketplace. This is a key consideration in terms of attracting the best contracting entities internationally to compete for Transport 21 projects, particularly as the Metro project has already been presented to the market followed by a subsequent withdrawal.

⁹ The Transport 21 Monitoring Group will operate under the chairmanship of the Department of Transport. The Group has representation from the Department of An Taoiseach, the Department of Finance, the Department of the Environment, Heritage and Local Government and the National Development Finance Agency.

10 **Procurement Issues**

The Team wished to highlight some issues pertinent to procurement, which came to its attention during its own deliberations and in meetings with agencies here and abroad. Given the critical need for timely and effective implementation of transport capital projects in the GDA, the Team considers that the following recommendations could help to enhance value-for-money and reduce unnecessary delay.

Flexibility as to Contract Type

The Team is fully cognisant of the need to obtain value-for-money for public expenditure. The Team understands that the Department of Finance is working on a form of fixed price lump sum contract. The intention is that this would apply to works funded by the State and public bodies and would replace other forms of contract currently used for client-designed or contractor-designed works.

Two issues emerged during discussions with the transport agencies. Firstly there was a concern to ensure that the new form of contract provided the flexibility to allocate risk to the contract party which can best manage it, thereby achieving an appropriate balance between cost certainty and best value-for-money. There was particular reference to the management of works on an operational railway or in a complex urban traffic environment, where it is not possible to give a contractor the same freedom to programme work as it would have on a greenfield site. It is important that the new form of contract makes appropriate provision to address this sort of issue in an effective way.

The other issue that arose during discussions was the need for transport agencies to have access to other more innovative forms of contracts such as partnering and target pricing, where they judge these to be the most appropriate for a particular project. On its visit to the UK, the Team was briefed on the partnering approach adopted by British Airports Authority for its Terminal 5 Project at Heathrow Airport. The Team would encourage the new Dublin Transport Authority to look at this and other innovative forms of contract, when considering the best approaches to procurement of transport infrastructure. The Team would also urge the Department of Finance to facilitate such alternative contracting approaches, where they are justified from a value-for-money perspective. In suggesting this, the Team recognises that these alternative contracting methods will only be successful where both the client and the potential contractors have the necessary understanding of these methods and the skills to apply them successfully.

Strategic Infrastructure Bill

The Planning and Development (Strategic Infrastructure) Bill was published recently. It proposes to introduce new streamlined planning procedures for strategic infrastructure projects and to establish a new Strategic Infrastructure Division of An Bord Pleanála to handle such consents. More particularly in a transport context, the Bill proposes to amend provisions for the making of railway orders. The proposed amendments include transferring decision-making powers on railway orders from the Minister for Transport to An Bord Pleanála, providing for discretionary oral hearings rather than mandatory public inquiries and amending the statutory timetables for the various steps in the railway order process. These changes will bring the railway order consent procedures into line with those for motorways. The Team welcomes the provisions of the Bill and recommends its early enactment by the Oireachtas.

Judicial Review

Delays to infrastructure projects due to judicial review proceedings were raised as an issue in the Team's consultations with suggestions that improvements could be made to the existing system. The Team has noted that the Strategic Infrastructure Bill proposes to amend the existing law in relation to judicial review for infrastructure projects. The Team also understands that changes have recently been introduced in the High Court, which will facilitate the more efficient processing of judicial review applications relating to key infrastructure. The Team welcomes these developments and encourages the relevant authorities to continue their efforts to streamline both the initial judicial review and the appeal processes.

Price of Compulsorily Acquired Land

During the consultative process, concern was expressed at what was seen as the very high prices paid for land compulsorily acquired for infrastructural purposes, particularly having regard to its existing use. This has to be of concern given the over-riding importance of obtaining best value-for-money under the Transport 21 investment programme. While the Team appreciates that there are substantial constitutional issues, it recommends that the Department of the Environment, Heritage and Local Government and other relevant authorities continue to look urgently at possible ways to effectively address this issue.

11 **Interim Arrangements**

Pending enactment of legislation which will provide for the establishment of the new Dublin Transport Authority and the commencement of its statutory operations, the Team recommends:-

- That an Interim Chairperson and Board be appointed immediately using the procedures recommended in Section 7;
- That the Interim Board immediately set about recruiting a Chief Executive for the new Authority;
- That the Chief Executive develop the organisational and staffing structure for the new Authority with appropriate input from the Interim Board and commence recruitment to key posts and in respect of administrative support; and
- That practical arrangements for the establishment of the statutory Authority be set in train including securing premises, procuring the necessary office systems, etc.

12 **Conclusions and Recommendations**

The Team's key conclusions and recommendations are set out below.

Geographic Remit of the Dublin Transport Authority

The Team recommends that the geographical remit of the Dublin Transport Authority should encompass the entire Greater Dublin Area i.e. Dublin City itself and the six Counties of Fingal, Dun Laoghaire-Rathdown, South Dublin, Kildare, Meath and Wicklow. The Team also recommends that the Authority be required to take account of longer distance travel trends in discharging its functions and that it should procure public transport services on the principal longer distance commuting corridors into Dublin.

Functional Remit of the Dublin Transport Authority

A key issue for the Greater Dublin Area has been the lack of a cohesive approach in the delivery and management of transport. In order to address concerns raised about a somewhat disjointed approach in the past, the Team recommends:-

- That the Dublin Transport Authority should have overall responsibility for surface transport in the Greater Dublin Area;
- That the new Authority should have responsibility for a broad range of functions, its principal transport functions being:-
 - o Strategic Transport Planning;
 - o Procurement of Public Transport Infrastructure;
 - o Procurement of Public Transport Services;
 - o Regulation of Public Transport Fares;
 - o Delivery of an Integrated Public Transport System;
 - o Traffic Management;
 - o Management of Transport Demand;
 - o Data Collection & Research.

In order to ensure that land use and transport planning are addressed coherently, the Team also recommends that the remit of the new Authority be extended to include some functions in relation to land use also.

Institutional Model

Two over-riding concerns for the Team were that the recommended institutional model be effective in delivering an integrated transport system for the GDA and that any institutional changes proposed would not cause unnecessary delay in the critical task of implementing Transport 21 for the capital. Key characteristics in the institutional model recommended are set out below.

- The Dublin Transport Authority must have sufficient statutory powers to ensure that it can deliver on its strategic objectives, whether directly or through other agencies. It must have the power to set and enforce policy.
- The Authority must have overall strategic responsibility for its principal functions. It must have the power to decide how each of these functions is discharged, whether

directly by the Authority itself, through an existing implementing agency or through a third party. The Team anticipates by and large that the agencies will continue in their existing roles ab initio, with the Authority only stepping in or transferring functions, should there be a clear case that implementation by a different agency would enhance quality or speed delivery.

- The Authority must have control of all State capital and current funding for public transport and traffic management in the GDA. Responsibility for national roads funding in the GDA should be retained by the NRA, subject to strategic oversight by the Authority.

This means that the Authority will be in charge of surface transport in the GDA and other implementing agencies will act in accordance with the mandate set down by that Authority.

Statutory Powers for the Dublin Transport Authority

The Team recommends that the Authority should have statutory powers to implement its key functions as follows.

- *Strategic Transport Planning*
The Authority should have powers to prepare an integrated transport strategy covering a 12 to 20 year period as well as powers to ensure that the transport agencies comply with that strategy.
- *Procurement of Public Transport Infrastructure*
Subject to Government policy, the new Authority should have power to determine the public transport investment programme for the GDA. In the immediate future, the Authority will inherit the investment priorities set out in Transport 21. The Authority should have power to procure infrastructure directly or through a third party. While the Minister will pay block grants to the Authority for capital investment, the Authority should have freedom to decide on the allocation of grants to individual projects. The full range of contractual mechanisms, including partnering, should also be available to the new Authority.
- *Procurement of Public Transport Services*
The Authority should have powers to prepare an integrated network plan describing public transport services to be provided under public service obligations over the medium term (3 to 5 years). Pending any market reform legislation, the Authority should procure public transport services and grant public service obligation contracts by direct award in respect of bus and heavy rail, and by competitive award in respect of Luas and Metro services. The Authority should also specify and enforce performance standards in relation to the provision of public transport services and it should regulate public transport fares. The Authority should also have powers to provide public transport services itself, but only as a last resort if an operator fails to deliver.

For the purposes of this report, the Team has addressed only the status quo in respect of market regulation. However when future legislation to reform the 1932 Road Transport Act is being enacted, the Team recommends that it should provide that the

Dublin Transport Authority should undertake all market regulatory functions for the Greater Dublin Area. In the meantime, the Authority should be given responsibilities in relation to procurement of public transport services as set out above and the Minister for Transport should continue to be the bus licensing authority under the 1932 Act.

- *Integration*

The Authority should be responsible for delivery of an integrated public transport system for the GDA. It should develop and promote a single brand for all public transport services; it should procure and operate integrated ticketing and integrated information systems for public transport and should have powers to require participation by providers of public transport in both these systems. It should also ensure good physical interchange facilities are provided for public transport passengers, including park-and-ride.

- *Traffic Management*

The new Authority should have powers to prepare a strategic traffic management plan for the GDA, setting down overall traffic management policy and specifying best practice standards to be applied. The plan should also address policy to promote cycling and walking. Each local authority should be obliged to comply. The Dublin Transport Authority should also be responsible for co-ordinating traffic management arrangements during the construction phase of Transport 21 and subsequent major transport investment programmes. It should ensure that an integrated information system for road users in the GDA is procured and operated.

- *Management of Transport Demand*

The Authority should have powers to prepare an implementation plan for demand management encompassing non-fiscal measures to encourage reduced car use, such as car sharing. The Authority should be assigned responsibility for congestion charging in the GDA following specific Government decisions and the enactment of legislation to provide the necessary statutory powers and it should then be able to apply revenues raised to fund its transport initiatives. In the interim, any tolling schemes proposed by the NRA for the GDA, including any schemes for the M50, should be submitted to the new Authority for approval.

- *Land Use and Transport Integration*

In order to ensure consistency in land use and transport planning and practice, the Team recommends:-

- That the Regional Planning Guidelines for the GDA should in future be jointly adopted by the Dublin Regional Authority, the Mid East Regional Authority and the new Dublin Transport Authority. The two Regional Authorities should also have a substantive role in the context of the adoption of the integrated transport strategy by the new Transport Authority.
- Each local authority in the GDA making a development plan should require a certificate from the Dublin Transport Authority, stating that the proposed plan is not materially inconsistent with its integrated transport strategy. Local authorities and An Bord Pleanála must also have regard to the GDA integrated transport strategy, when considering planning applications and appeals.

- Other amendments to planning legislation should give the new Transport Authority rights to make submissions and recommendations to relevant authorities on land use planning matters.

Relationship between the Dublin Transport Authority and Various Agencies

- **CIÉ and its Operating Subsidiaries**

The relationship between the new Authority and the CIÉ parent company together with its three operating subsidiaries should be governed as follows.

- Legislative changes should ensure that the existing statutory powers, functions and duties of CIÉ and its three operating subsidiaries, insofar as they relate to the GDA, would only be exercised in future subject to the provisions of the new Act establishing the Dublin Transport Authority.
- There should be a direct contractual relationship between the new Authority and the three CIÉ operating subsidiaries in respect of the provision of public transport services.
- All public service obligation payments and capital grant monies in respect of GDA services or works should be paid by the new Authority directly to the three operating subsidiaries.
- In future, the Boards of the three CIÉ operating subsidiaries should be appointed by the Minister and not by the CIÉ Chairperson.
- A proportion of the membership of the CIÉ Board and of the Boards of its three operating subsidiaries should be appointed on the nomination of the Dublin Transport Authority.
- The new Authority should have powers to issue advisory guidelines and mandatory directions directly to the three operating subsidiaries as well as to the CIÉ parent company itself.
- CIÉ property disposal in the GDA should be subject to the consent of the Dublin Transport Authority.
- The Authority should have powers, already described in Section 5, to decide the functions to be delivered by CIÉ or by any of its three operating subsidiaries as well as powers to step-in and implement any of their functions directly or assign them to a third party, if the performance by CIÉ or any of its operating subsidiaries proved unsatisfactory.

While the three operating subsidiaries would remain part of the CIÉ Group, these changes would ensure that oversight of public transport operations in the GDA by the three operating subsidiaries would become the primary responsibility of the new Transport Authority, rather than that of CIÉ.

- *Railway Procurement Agency*

The Team's discussions on the future role of the RPA were closely interlinked with deliberations regarding the optimal approach to integrated management of certain key rail infrastructure projects. Critical to the successful delivery of an integrated public transport infrastructure in the GDA will be the effective completion of three landmark projects - the Metro North, the Interconnector and the St. Stephen's Green Interchange. Ensuring that a coherent and integrated approach is applied in this suite of projects is a hugely important critical success factor for delivery of Transport 21. Therefore the Team has concluded that these three projects should be the direct responsibility of the Dublin Transport Authority itself.

The Team has already recommended under Section 5 that the Dublin Transport Authority should have responsibility for integration functions, involving the transfer of the RPA's integrated ticketing mandate to the new Authority. The Team has also recommended earlier that the new Authority should also be responsible for contracting with the three CIÉ operating subsidiaries in respect of their public transport services in the GDA. The RPA has relevant experience in negotiating and overseeing the Luas operating contract with Connex. Rather than dispersing the service procurement expertise in Dublin across two agencies (the RPA and the new Authority), the Team recommends that all the service procurement expertise in the GDA should be located in one body, namely in the Dublin Transport Authority itself.

Having decided that the new Authority should have direct responsibility for the three landmark rail projects, for integrated ticketing and for procurement of public transport services, the Team then considered the future role of the RPA. The Team concluded that it would be best to rationalise the existing delivery structures. Accordingly, the Team recommends that the RPA should be absorbed into the Dublin Transport Authority and that this should happen at a time of the new Authority's choosing. The Team fully expects that the new Authority will have recruited its Chief Executive and senior management team following open competitive processes and that it will have had some opportunity to establish its own culture, before moving to absorb the RPA.

In order to ensure that momentum is maintained on the three landmark projects, the Team recommends for the near-term as follows:

- The RPA should continue to implement all its existing functions and should ensure that momentum is maintained in the delivery of Transport 21. Most critically, the RPA should continue to progress its important work on Metro North.
- Iarnród Éireann should continue to progress its important preparatory work on the Interconnector.
- The mandate from the Department of Transport should be extended immediately to give the RPA full responsibility for the planning, design and construction of the entire St. Stephen's Green interchange facility. The collaborative approach already adopted by Iarnród Éireann and the RPA in respect of this project will, of course, continue.

The new Authority will have flexibility to take direct control of any or all of the three landmark projects immediately following its statutory establishment, should it determine that to be expedient. It will also be open to the Authority to allow existing agencies continue their work in progressing these projects, until such point as the Authority deems itself ready to take direct responsibility. The Team anticipates that the new Authority, once statutorily established and appropriately resourced, will be well positioned to make these critical judgement calls. The new Authority should have a similar flexibility in relation to the timing of its taking over responsibility from the RPA for integrated ticketing and public transport service procurement functions. In conclusion, the Team wishes to stress that a decision by the new Authority to take on any of these functions is not necessarily linked to a decision on the timing of the full absorption of the RPA itself.

- *Other Providers of Public Transport Services in the GDA*

The Luas and future Metro operators will be key service providers, operating important elements of the integrated public transport network. There will be a clear contractual relationship between the new Authority and Luas and Metro operators, selected following open tender. This will provide assurance that the Authority's requirements regarding the provision of integrated public transport services will be met.

Pending new legislation to amend the 1932 Road Transport Act, the Team recommends that the Minister for Transport should continue to licence private operators of public transport bus services in the GDA. The new Authority will also establish a relationship with these operators simply to govern their participation in integrated ticketing and information systems, thereby ensuring that they too will form part of the integrated public transport network in the GDA.

- *Dublin Transportation Office*

All functions currently performed by the Dublin Transportation Office should transfer to the new Dublin Transport Authority. The Team recommends that the DTO should be disbanded, at a time of the new Authority's choosing following its statutory establishment.

- *National Roads Authority*

The NRA will operate essentially as before within the GDA with three key exceptions:-

- The Dublin Transport Authority should maintain a strategic overview of the national roads programme proposed for the GDA and should have powers to direct the NRA to comply with its integrated transport strategy.
- The NRA should engage in on-going liaison with the new Dublin Transport Authority to ensure optimal management of traffic during the construction of Transport 21 projects.

- Any tolling schemes proposed by the NRA for the GDA, including any schemes proposed for the M50, will require approval by the new Dublin Transport Authority.
- Local Authorities
The Team anticipates that, in the main, traffic management functions will continue to be discharged by local authorities within the strategic framework set down by the Authority. However the Authority should have the power to decide to perform certain functions itself or through a third party, where this would be more effective. The new Authority should allocate traffic management grants and should be able to direct local authorities in relation to the use and application of revenues received from parking and related fees. It should also have scope to issue advisory guidelines and mandatory directions to local authorities in respect of their traffic management functions. The interface between the Dublin Transport Authority and the local authorities in respect of land use planning functions has already been described above.

Dublin Transport Authority:- Organisation and Structure

The Team recommends:-

- That the Dublin Transport Authority be statutorily established with a focussed Executive reporting to a non-executive Board chaired by a non-executive Chairperson;
- That the non-executive Chairperson of the Board should also chair a statutory Advisory Council with a wide representative base.

Board

The Board should comprise ten members appointed by the Minister for Transport:-

- A non-executive Chairperson;
- Three executive Directors
(Chief Executive, Infrastructure Director and the Services Director); and
- Six non-executive Directors (including Manager of Dublin City Council ex-officio).

The Chairperson and the other non-executive Directors would be appointed by the Minister for Transport from among persons recommended by consensus by a Nominations Panel.

Executive

The Authority should have a tightly resourced, expert and professional Executive headed up by the Chief Executive of the Authority, who would have six direct reports as set out in Appendix III.

Advisory Council

The Authority should have a statutory Advisory Council which would be chaired by the Chairperson of the Board. The Council would be consulted during the preparation of the integrated transportation strategy for the GDA and the Regional Planning Guidelines. The Council could also make recommendations to the Board on the Authority's implementation of its statutory functions. The Minister would appoint members to the Advisory Council.

Membership would include one elected member and the manager from each of the City and County Councils in the GDA (leading to seven Councillors and seven Managers as members from the respective local authorities, fourteen in total). Fifteen other members would be appointed from panels representing community, business, economic, social, environmental, professional or other interests.

Dublin Transport Authority:- Human Resource and Other Requirements

Given the challenges facing the new Authority, identifying and recruiting the right individual for the CEO position is absolutely critical for the successful delivery of Transport 21 in the GDA. The Team expects that the global recruitment market will set the going-rate for such high-achievers and that an international search will be required. Similar circumstances will apply when filling pivotal managerial, professional and technical positions across the organisation. Therefore the Team recommends that:-

- The salary and remuneration package for the CEO of the new Authority should not be in any way constrained by the usual controls applied in respect of remuneration for the CEOs of State Bodies.
- The freedoms currently enjoyed by commercial State Bodies in the recruitment and remuneration of staff should be afforded the new Authority, notwithstanding its status as a non-commercial State Body.

Implementation of these recommendations is crucial to the success of the proposed Authority.


The Team has made a number of further recommendations, which it believes will assist the new Authority in the successful implementation of its mandate. These include recommendations regarding short-term borrowing powers and flexibility as to contract type to be availed of by the Authority for infrastructural projects.

Dublin Transport Authority:- Interim Arrangements

Pending enactment of the necessary legislation, the Team recommends:-

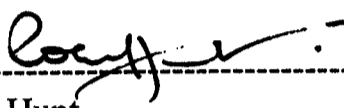
- That an Interim Chairperson and Board be appointed immediately using the procedures recommended in Section 7;
- That the Interim Board immediately set about recruiting a Chief Executive for the new Dublin Transport Authority;
- That the Chief Executive develop the organisational and staffing structure for the new Authority with appropriate input from the Interim Board and that recruitment to key posts and in respect of administrative support be commenced.

SignedDated



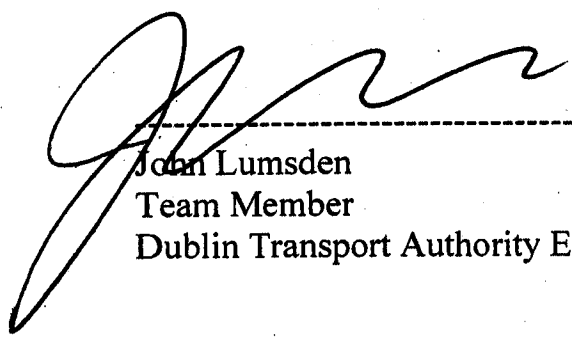
Professor Margaret O'Mahony
Chairperson
Dublin Transport Authority Establishment Team

28 March 2006



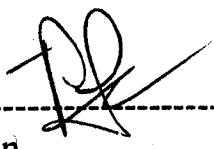
Colin Hunt
Team Member
Dublin Transport Authority Establishment Team

28 March 2006



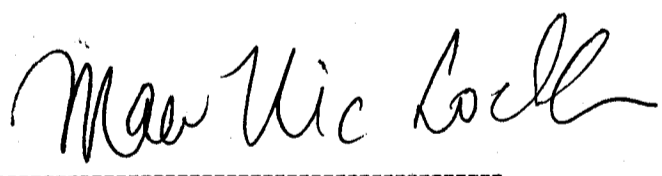
John Lumsden
Team Member
Dublin Transport Authority Establishment Team

28/03/06



Pat Mangan
Team Member
Dublin Transport Authority Establishment Team

28 March 2006



Maeve Nic Lochlainn
Secretary
Dublin Transport Authority Establishment Team

28/3/2006

Dublin Transport Authority Establishment Team

Report to the Minister for Transport

Appendices

Office of the Minister

Transport House, Kildare Street, Dublin 2, Ireland.

Oifig an Aire

Teach Iompair, Sráid Chill Dara, Baile Átha Cliath 2, Éire.



Department of Transport
An Roinn Iompair



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23 November 2005

Professor Margaret O'Mahony
Chairperson
Dublin Transport Authority Establishment Team
c/o Department of Civil, Structural and Environmental Engineering
Trinity College Dublin
College Green
Dublin 2

Dear Margaret

Thank you for agreeing to serve as chairperson of the Dublin Transport Authority Establishment Team. My purpose in writing to you is to formally set out the terms of reference of the Team, as already discussed with you before you accepted the appointment.

The Dublin Transport Authority Establishment Team will make recommendations to me on the establishment of a transport authority for the Greater Dublin Area. The recommendations should cover the remit of the authority, its powers, its structure, organisation and human and other resource requirements and such other matters as the Team considers appropriate. In developing its recommendations, the Team should take into account best practice and experience internationally.

When considering the remit of the proposed authority, the Team should have regard to the importance of timely and effective implementation of the transport investment programme for the Greater Dublin Area, of delivering an integrated transport system for the capital city and of ensuring effective inter-agency co-ordination and co-operation.

Legislation will be required to establish the proposed authority on a statutory basis. I would welcome any advice which the Team wishes to offer on the content of that legislation. The Team should also make recommendations on what interim arrangements should be put in place pending the enactment of the legislation.

I would be grateful if the Team would report back to me as quickly as is compatible with providing a carefully worked out response to its brief.

I wish you and your colleagues well in this critical assignment

Yours sincerely

Martin Cullen T.D.
Minister for Transport

Appendix II

Written Consultation Process

The Dublin Transport Establishment Team formally invited written submissions on the issues raised in its Terms of Reference from a broad range of organisations. Of the 33 organisations contacted, submissions were received from 22. In addition some of the agencies, which held meetings with the Team, also provided written submissions. Several submissions were also received from other organisations. Details of the organisations invited to make written submissions and of those who provided submissions are outlined at the back of this Appendix. The following is intended to give a broad sense of issues raised and suggestions made in the written process.

Geographic Scope

The Team had been asked to make recommendations on the establishment of a transport authority for the Greater Dublin Area (GDA). The standard definition of the GDA comprises the four Dublin local authority areas and the local authority areas of Kildare, Meath and Wicklow. While most submissions made no comment at all regarding geographic scope, the inputs received ranged from confirmation that the seven local authority areas set an appropriate boundary, to suggestions that the boundary should be extended to surrounding counties to encompass the commuting belt and to proposals that a National Transport Authority should be established, either from the outset or within a period of years of establishment of the Dublin Authority.

Strategic Remit for new Authority

It was acknowledged that there was a critical need to ensure effective and timely implementation of capital projects under Transport 21 in the Greater Dublin Area. There was broad support for the concept of one agency with overall responsibility. While it was also suggested that the Authority could have a direct remit to procure and oversee all phases of transport infrastructure projects from start to finish, many favoured a strategic, co-ordinating Authority with a light touch approach, with implementing agencies continuing largely in their existing roles. There was some sense that dramatic change at this time might only serve to delay. There was reference to establishing effective interim arrangements to manage Transport 21 in the GDA, as well as providing clarity on which agency was responsible for which procurement. While operating strategically, it was considered that the new body should have clear authority, budget control and the necessary statutory powers to carry out its remit effectively. Enforcement by the Authority could involve step-in powers if the performance of implementing agencies proved unsatisfactory, or powers for the Authority to direct agencies, in cases where conflicts arose which could not be otherwise resolved.

Land Use and Transport Integration

Many submissions emphasised the importance of addressing land use and transport planning in an integrated manner. Suggestions included the proposal that the remit of the new Transport

Authority be extended to include land use functions. The model set out in the Blue Book¹ was mooted. Others proposed mechanisms to ensure optimal integration between plans produced by the Transport Authority and those adopted by the statutory planning authorities.

Possible Transfer of Functions from Existing Agencies to the new Authority

It was considered that some functions currently undertaken by various agencies in the GDA would best be centralised under the aegis of the new Authority. Complementing this, it was posited that certain agencies in their entirety or specific functional areas within certain agencies could be subsumed into the Authority. Suggestions made included that the Authority should assume responsibility for:-

- the Office of the Director of Traffic currently within the ambit of Dublin City Council;
- planning of QBC infrastructure currently undertaken by the QBN Project Office;
- planning of Luas and Metro up to Railway Order Stage currently undertaken by the RPA;
- planning and land use functions currently undertaken by the DTO;
- land use planning and traffic management functions currently undertaken by local authorities;
- regulation of taxis in the GDA currently undertaken by the Taxi Regulator; and
- transport functions of some or all of the existing transport agencies within the GDA.

It was also proposed that:-

- the Authority should avoid becoming the direct provider of service;
- the Authority should not replace the existing local authorities; and that
- there should be no change to the existing statutory remit of the main public transport providers in the GDA.

In the main, there was no sense of any significant consensus emerging.

Functions of the new Authority

Giving responsibility to the new Authority for integration functions and the delivery of an integrated public transport system struck a chord with many. Another common theme related to the requirement for the Authority to have strong powers to ensure successful and timely implementation of transport projects. In other instances, views varied widely. While some indicated unequivocally that the Authority should have regulatory powers or should move to liberalise the public transport market, others favoured an Authority with no regulatory functions at all.

The suggestions included:-

- prioritisation and budget control of transport capital projects
- procurement of strategic public transport infrastructure
- acquisition of land
- oversight role, where capital projects involve more than one agency
- mandate to address access or development needs of port and airport

¹ "New Institutional Arrangements for Land Use and Transport in the Greater Dublin Area", Consultation Paper jointly published by the Department of the Environment and Local Government and by the Department of Public Enterprise in 2001.

- procurement of public transport services
- setting standards for public transport service delivery
- monitoring performance and imposing sanctions, if necessary
- delivery of an integrated accessible public transport system
- integration of infrastructure
- integration of services across modes
- procurement of public transport interchange/park-and-ride facilities
- branding and promotion of the public transport network
- provision of integrated travel information
- procurement and operation of integrated ticketing system
- strategic planning
- traffic management functions, generally in GDA or limited to strategic roads only
- road-user charging and parking levy schemes
- regulation of public transport market, including regulation of fares
- liberalisation of the bus market
- road safety in GDA
- licensing and regulation of transport services, including taxis
- data collection, statistical and research functions.

On the whole, there was no general sense of a consensus emerging from the broad set of functions proposed.

Structure

Many agreed that the structure of the proposed Authority should be informed by international best practice with particular reference to experience in other major cities. In this regard, the example of London and *Transport for London* was cited. The need for strong leadership at Board and management level, and in particular at Chief Executive level, was highlighted.

Several submissions were concerned to ensure accountability and to provide for adequate representation for varying interests within the formal structures of the Authority. Some considered that the Board should be comprised of individuals representing different stakeholders or interest groups; it was also suggested that appointments to the Board should be made on the basis of merit or expertise. Some felt that a separate Council should be established, possibly along the lines of the proposals outlined in the Blue Book or as applied by the Dublin Docklands Development Authority.

Almost all of the organisations which made submissions requested that they themselves or their sector should be represented within the formal structures of the Authority, as well as some making proposals as to others which should be represented. One suggestion was that representatives should have a Dublin focus rather than stemming from organisations with a national focus or remit. In broad terms, participation or representation was proposed for:

- transport users, including the commuting public
- business
- freight/exporter interests
- unions and workers in the transport sector
- community interests
- disability sector
- existing transport agencies
- private bus operators

- elected members from the seven local authorities
- management of the seven local authorities
- elected members from the two Regional Authorities²
- management of the two Regional Authorities
- Department of Transport
- Department of Environment, Heritage and Local Government
- Department of An Taoiseach
- professional organisations (e.g. transport and logistics professionals).

Conclusion

The Team welcomed the wide range of views received and would like to take this opportunity to thank contributors for the time and thought invested in the submissions. The sense of consensus emerging around the Authority taking responsibility for integration functions was of note. This and many other issues raised in submissions were highly pertinent to the Team's own discussions and analysis.

² Dublin Regional Authority and Mid-East Regional Authority

A. Organisations consulted who provided written submissions

1. An Taisce
2. Chambers of Commerce of Ireland
3. Chartered Institute of Logistics and Transport in Ireland
4. Connex Transport Ireland Limited
5. Construction Industry Federation
6. Dublin Airport Authority
7. Dublin Chamber of Commerce
8. Dublin City Business Association
9. Dublin Regional Authority
10. Engineers Ireland
11. Enterprise Ireland³
12. Forfás³
13. IDA Ireland³
14. Irish Business and Employers Confederation
15. Irish Congress of Trade Unions
16. Irish Exporters Association
17. Mid-East Regional Authority
18. Private Association Motor Bus Owners
19. Public Transport Accessibility Committee
20. Public Transport Partnership Forum
21. South Dublin Chamber of Commerce
22. Swords Fingal Chamber of Commerce

B. Organisations consulted from whom submissions were not received

23. An Garda Síochána
24. Automobile Association
25. Coach Tourism and Transport Council
26. Dublin Docklands Development Authority
27. Dublin Port Company
28. Dublin Tourism
29. Dun Laoghaire-Rathdown Chamber of Commerce
30. Federation of Transport Operators
31. National Institute of Transport and Logistics
32. Office of the Director of Traffic
33. Wicklow Chamber of Commerce

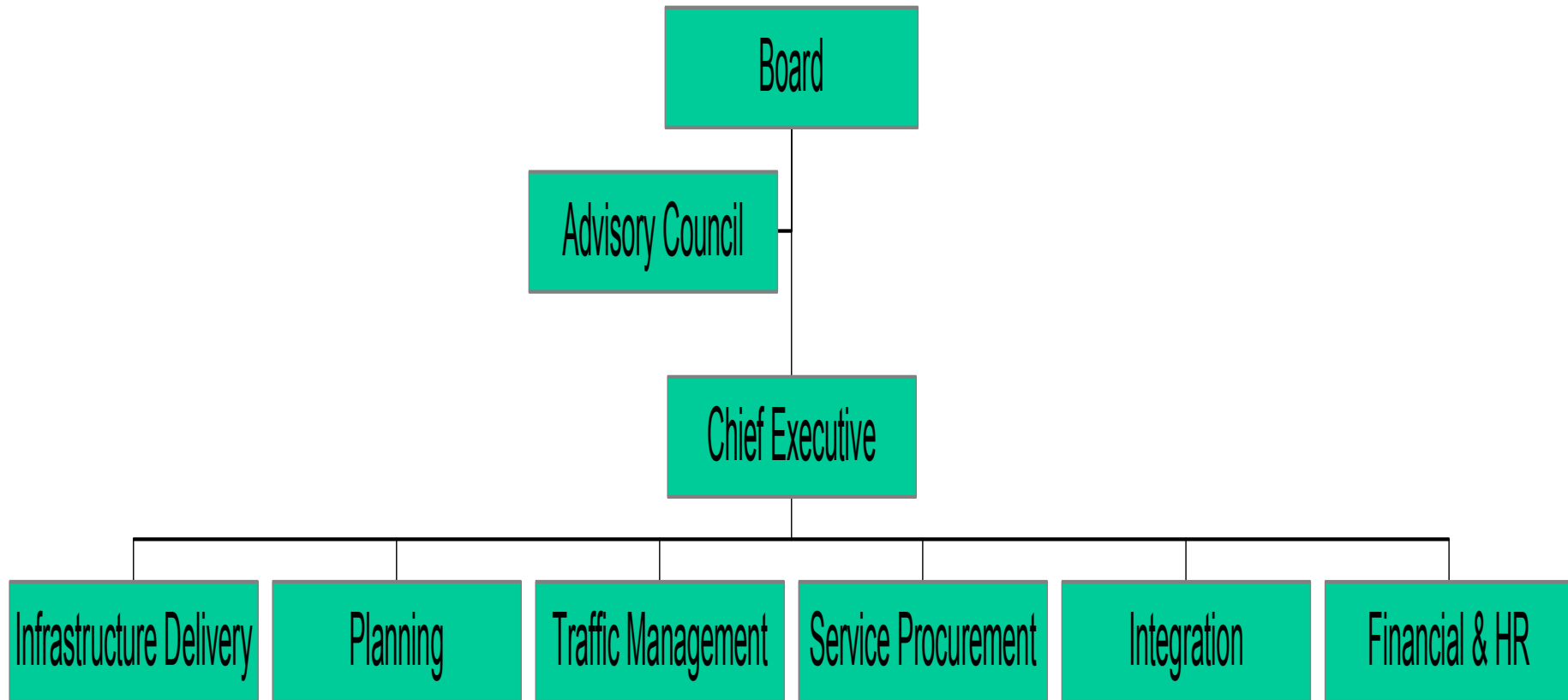
C. Other organisations and individuals who provided written submissions

34. City/County Managers from the seven local authorities in the GDA
35. Drogheda Chamber of Commerce
36. Dublin Transportation Office
37. National Disability Authority
38. Mr. Roy H. W. Johnston, PhD, FInstP, CIEI, of Techne Associates
39. Mr. Sean Giblin, BE, MIEI, CdipAF, of Deliver It Right and DART for Lucan

³ Enterprise Ireland, Forfás and IDA Ireland provided a joint response

Appendix III

Dublin Transport Authority - Organisation Structure



Appendix IV

Principal Functions of the Dublin Transport Authority **Possible Assignment to 6 Directors**

Infrastructure Director

Co-ordination of roll-out of Transport 21 in the GDA

Procurement of Public Transport Infrastructure (either directly or via a third party).

Services Director

Planning of the Integrated Public Transport Network in the GDA

Award of performance-based contracts directly to the three CIÉ subsidiaries

Procurement of Luas and Metro performance-based contracts after tender

Monitoring performance by public transport operators and responding as necessary

Acting as public transport provider of last resort

Regulation of public transport fares (including integrated fares).

Integration Director

Development, implementation and promotion of a single public transport brand

Procurement and operation of an integrated ticketing system for public transport

Procurement and operation of an integrated information system for public transport

Customer Service Centre for users of the integrated public transport network

Sustainable City Initiatives (e.g. Car Free Day)

Other Initiatives to promote cycling and walking

Accessibility for people with disabilities

Traffic Director

Traffic Management

Management of Transport Demand

Planning Director

Integrated Land Use and Transport Planning

Strategic Planning for all transport modes

Strategic Overview of National Roads Investment Programme in GDA

Data Collection and Research

Finance Director

Finance, Human Resource, IT and other Corporate Services