

**DIRECTION IN THE MATTER OF SECTION 31A
OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)**

**Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy
2019 - 2031**

“Regional Spatial and Economic Strategy” or “RSES” means the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019 - 2031

WHEREAS the Minister for Housing, Planning and Local Government is, for the reasons set out in the Statement of Reasons hereto, of the Opinion that -

(i) The Eastern and Midland Regional Assembly in making the RSES has ignored or has not taken sufficient account of the submissions made by the Minister on 23 January and 12 April 2019,

and

(ii) the RSES is not in compliance with the requirements of sections 23(7)(a) and 23(7)(c) of the Planning and Development Act 2000 (as amended)

and therefore the Minister is of the opinion that section 31A(1)(a), (b), (c) & (d) of the Planning and Development Act 2000 (as amended) apply;

NOW, THEREFORE, in exercise of the powers conferred on him by section 31A of the Planning and Development Act 2000 (as amended), the Minister for Housing, Planning and Local Government hereby directs as follows:

(1) This Direction may be cited as the Planning and Development (Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019 - 2031) Direction 2019.

(2) The Eastern and Midland Regional Assembly is hereby directed to take the following steps with regard to the RSES.

(i) Amend Section 5.6 Integrated Land use and Transportation, page 108, Key transport infrastructure in the metropolitan areas as set out in national policy, by deletion of the text underlined below:

“Rail;

- DART Expansion Programme - new infrastructure and electrification of existing lines, including provision of electrified services to Drogheda and further north on the Northern Line, Celbridge-Hazelhatch or further south on the Kildare Line, Maynooth and M3 Parkway on the Maynooth/Sligo Line, while continuing to provide DART services on the South-Eastern Line as far south as Greystones
- New stations to provide interchanges with bus, LUAS and Metro network including at Kishoge, Heuston West, Cabra, Glasnevin, Pelletstown and Woodbrook
- Implement the extension of the Dunboyne/M3 Parkway line to Navan during the Mid Term Review of the GDA Transport Strategy
- Complete construction of Metrolink from Swords to Sandyford, including underground extensions to UCD and Knocklyon from Charlemont
- LUAS Green Line Capacity Enhancement in advance of Metrolink
- Appraisal, planning and design of LUAS network expansion to Bray, Finglas, Lucan, Poolbeg, Hazelhatch, Booterstown and Blessington
- In principle there is a need to carry out an evaluation of underground metro routes within the M50”

And amend to the text in the box below. For the purposes of clarity, amendments are underlined below.

Rail;

- DART Expansion Programme - new infrastructure and electrification of existing lines, including provision of electrified services to Drogheda or further north on the Northern Line, Celbridge-Hazelhatch or further south on the Kildare Line, Maynooth and M3 Parkway on the Maynooth/Sligo Line, while continuing to provide DART services on the SouthEastern Line as far south as Greystones

- New stations to provide interchanges with bus, LUAS and Metro network including at Kishoge, Heuston West, Cabra, Glasnevin, Pelletstown and Woodbrook
- Reappraisal of the extension of the Dunboyne/M3 Parkway line to Navan during the Mid Term Review of the GDA Transport Strategy, see also Chapter 8 Connectivity
- Complete construction of Metrolink from Swords to Sandyford and consider underground extensions to other locations from Charlemont
- LUAS Green Line Capacity Enhancement in advance of Metrolink
- Appraisal, planning and design of LUAS network expansion to Bray, Finglas, Lucan, and Poolbeg
- Assessment, and, if appropriate, planning and design of LUAS network expansion to Hazelhatch and Booterstown
- In principle there is a need to carry out an evaluation of underground metro routes within the M50”

(ii) Amend Table 8.2 Rail projects for the Region, page 190, by deletion of the text underlined below:

- DART Expansion Programme - new infrastructure and electrification of existing lines, including provision of electrified services to Drogheda and further north on the Northern Line, Celbridge-Hazelhatch or further south on the Kildare Line, Maynooth and M3 Parkway on the Maynooth/Sligo Line, while continuing to provide DART services on the South-Eastern Line as far south as Greystones
- Provide for an appropriate level of commuter rail service in the Midlands and South-East
- Complete the construction of the National Train Control Centre.
- New stations to provide interchange with bus, LUAS and Metro network at including Kishoge, Heuston West, Cabra, Glasnevin, Pelletstown and Woodbrook.
- A feasibility study of high-speed rail between Dublin Belfast, Dublin Limerick Junction/Cork will be carried out.
- Implement the extension of the Dunboyne/M3 Parkway line to Navan during the Mid Term Review of the GDA Transport Strategy.
- Complete construction of Metrolink from Swords to Sandyford, including underground extensions to UCD and Knocklyon from Charlemont.

- LUAS Green Line Capacity Enhancement in advance of Metrolink.
- Undertake appraisal, planning and design of LUAS network expansion to Bray, Finglas, Lucan, Poolbeg, Hazelhatch, Booterstown and Blessington.
- In principle there is a need to carry out an evaluation of underground metro routes within the M50.

And amend to the text in the box below. For the purposes of clarity, amendments are underlined below;

Table 8.2 Rail projects for the Region

- DART Expansion Programme – new infrastructure and electrification of existing lines, including provision of electrified services to Drogheda or further north on the Northern Line, Celbridge-Hazelhatch or further south on the Kildare Line, Maynooth and M3 Parkway on the Maynooth/Sligo Line, while continuing to improve DART services on the South-Eastern Line as far south as Greystones
- Provide for an appropriate level of commuter rail service in the Midlands and South-East
- Complete the construction of the National Train Control Centre.
- New stations to provide interchange with bus, LUAS and Metro network including Kishoge, Heuston West, Cabra, Glasnevin, Pelletstown and Woodbrook.
- A feasibility study of high-speed rail between Dublin Belfast, Dublin Limerick Junction/Cork will be carried out.
- Reappraisal of the extension of the Dunboyne/ M3 Parkway line to Navan during the Mid Term Review of the GDA Transport Strategy.
- Complete construction of Metrolink from Swords to Sandyford and consider underground extensions to other locations from Charlemont.
- LUAS Green Line Capacity Enhancement in advance of Metrolink.
- Undertake appraisal, planning and design of LUAS network expansion to Bray, Finglas, Lucan and Poolbeg.
- Undertake assessment, and, if appropriate, planning and design of LUAS network expansion to Hazelhatch and Booterstown.
- In principle there is a need to carry out an evaluation of underground metro routes within the M50.

STATEMENT OF REASONS

The Department of Housing, Planning and Local Government (DHPLG) made a submission, dated 12 April 2019, to the Regional Assembly outlining concerns relating to a number of proposed material amendments regarding various topics. The Assembly incorporated a number of suggestions made in the Department's submission on the proposed material amendments to the Draft RSES. However, concerns remained in relation to Chapter 5 (Dublin MASP) and Chapter 8 (Connectivity).

The Regional Assembly was specifically requested in the submission made by DHPLG on the 12 April to amend Section 5.6 and Table 8.2 which incorporated additional proposals for rail, metro and LUAS infrastructure projects, to revert to the text included at Draft Plan stage.

Ultimately, the Assembly did not comply with this aspect of the submission and took insufficient account of the submissions made by the Minister on 23 January 2019 and 12 April 2019 respectively.

In making the EMRA RSES, the Regional Assembly adopted two material amendments (MA 69 and MA 113) that incorporated additional proposals for rail, metro and LUAS infrastructure projects. The RSES is required by legislation (Section 23(7)(c)) to be consistent with the National Transport Authority's (NTA) *Transportation Strategy for the Greater Dublin Area 2016-2035* (herein referred to as the GDA Transport Strategy).

These amendments are also not in compliance with section 23(7)(a) of the Planning & Development Act 2000 (as amended), which is designed to ensure that RSESs shall take account of any relevant policies or objectives for the time being of the Government or of any Minister of the Government, including any national plans, policies or strategies. The NPF and NDP, while listing a number of future key transport infrastructure projects, do not mention the additional proposals put forward in MA no. 69 and MA. No.113.

DHPLG received advice from the NTA and DTTAS on this matter via correspondence dated 24 July and 25 July 2019, respectively. The DTTAS and NTA advised that the additional rail, metro

and LUAS projects included in the proposed MAs should be rejected and not included in the RSES. The DTTAS and NTA both refer to the following three areas:

- The incorporation of the objective to *“implement the extension of the Dunboyne/M3 Parkway line to Navan during the Mid Term Review of the GDA Transport Strategy”*;
- The incorporation of the metro *“underground extensions to UCD and Knocklyon from Charlemont”*; and
- The objective for the *“appraisal, planning and design of LUAS network expansion to Hazelhatch, Booterstown and Blessington”*.

Advice received from the Office of the Planning Regulator on 30 July 2019 also concurred with the above.

Following consideration of the Director’s Report on the Draft Direction, submissions made and advices given, an inspector was appointed on the 11th October 2019 to carry out a review of the Draft Direction.

The Inspector recommended two amendments be made to the Draft Direction amending Section 5.6 and Table 8.2 from *“and”* further north to *“or”* further north and allowing for *“or further south”* and amending *“Appraisal, planning and design of LUAS network expansion to Bray, Finglas, Lucan, and Poolbeg”* to include a further separate bullet point *“Assessment, and, if appropriate, planning and design of LUAS network expansion to Hazelhatch and Booterstown”*. One submission was received in relation to the Inspector’s report calling for the Minister to consider the climate impacts of the elements of the Strategy, which are the subject of the Draft Direction.

In consideration of the above, the Minister is of the opinion that the EMRA RSES 2019-2031 as made on the 28 June 2019, is not in compliance with Sections 23(7)(a) and 23 (7)(c) of the Planning and Development Act 2000 (as amended) and insufficient grounds have been stated for such departures as required under Section 25(4)(b) of the Planning & Development Act 2000 (as amended). The strategy is therefore in breach of Section 31A(1)(a), (b), (c) and (d) of the Planning & Development Act 2000 (as amended).

GIVEN under my seal,

Eoghan Murphy

Minister for Housing, Planning and Local Government

This day 14 of January 2020