

# Bachelor Thesis

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**“How does citizen involvement in the Irish planning system impact mega-infrastructure projects such as the Dublin MetroLink project?”**



(Source: TheSun.ie, 2021)

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## **Abstract:**

The Dublin MetroLink is a mega-infrastructure project that aims to provide the city of Dublin in the Republic of Ireland with a modern underground rail network. As part of this plan, decision-makers intend to use a joint-investment opportunity in order to fast track implementation and to make it as cost-effective as possible for the Irish State. At this moment in time, the project is currently in the “pre-application” stage within the planning process despite the project having been first suggested in the early 2000’s. The plan is estimated to be completed by 2027 and will offer a long awaited public transportation connection from Dublin city to the airport.

The paper aimed to discover how citizen involvement in major strategic infrastructure projects, like MetroLink, can impact the project itself in terms of progressing plans to the stage of implementation. From the use of media documents, academic literature and interviews with leading planning and transport experts, this research learned the importance of citizen participation. Despite the delays incurred due to continuous public submissions it was widely acknowledged that extensive communication with citizens is necessary to be successful in implementing mega-infrastructure projects in the long term. The research also discovered how private individuals make use of the judicial system in order to participate in the planning process. This aspect was looked upon less favourably by interviewees who felt that this route was over-used and burdensome to a swift planning process when abused.

# **1: Introduction**

## **1.1: Background to the Research:**

The Republic of Ireland is, relatively, a young European nation. Since its foundation out of British imperialism in the 1920's, the State has undergone a rapid transformation both socially and economically. Even until the 1970's and beyond, Ireland remained economically isolated with a strong focus on unambitious primary sector industries such as beef and dairy farming, with staunch Catholic values at its centre (Ross, 2019).

In the late 1960's, the Fianna Fáil government led by then Taoiseach (Prime Minister) Seán Lemass, Ireland began to open its doors to Foreign Direct Investment (F.D.I.) and since then it has grown to be a powerhouse in global trade with a strong focus on the pharmaceutical and ICT sectors (Ferriter, 2010). While multinational corporations continue to flock to the island nation due to its competitive tax rates, educated workforce and access to the European market, Ireland continues to struggle to build a functional society for its citizens and its native and foreign enterprises.

Like many budding states following independence, Ireland has failed to implement effective infrastructure in order to keep up with fellow European competitors (Beeckmans, 2009). This is problematic for both economic and social issues. Despite an enormous surge of prosperity over the last 30 years, Ireland failed to capitalise on its success by reinvesting in its transport and telecommunications (Moloney M. et al., 2017). Even when finance and political will are in place, Ireland has continuously struggled to implement effective infrastructure, especially at the grander scale.

This paper aims to examine what effect citizen participation has on the process of implementing large scale strategic infrastructures. The paper shall

focus on the highly anticipated *Dublin MetroLink* project to understand the critical impact the public have on the public planning sector.

## **1.2 Societal Relevance**

The importance of effective public transit to a metropolitan area's economic and social viability is well documented throughout academic literature. The mobility of a city's citizens is absolutely vital in order to stimulate economic development (Berg, 2019). Numerous scholars also note the role that federal and municipal governments have to play in safeguarding public transport as a service to its inhabitants (Koppenjan et al., 2008). This is widely considered a key duty of any municipality. Not only to provide functional transport but also ensure that it is inclusive to all of its users interests and their requirements (e.g. accessibility to the physically disabled) (Martens, 2017).

While the necessity and advantages of public transport to society are clearly identifiable, it is sometimes highly dependent on the planning process to become effective, such as is the case for the Dublin MetroLink. The function of the planning process overall exists to ensure that the development of our urban (and rural) areas have positive impacts on the living environment while protecting historic / special structures (Renfrewshire, 2021). The planning process in Ireland is presided over by local councils and an independent body named Bord Pleanála. The latter's function is to provide an appeals process for all approved planning applications. This organisation serves Irish citizens by ensuring they can voice opinions on the development of their environs (McCrorry, 2012).

While the right to participation is widely viewed as a positive and even a necessity in a democracy, it is also important to ensure that submissions will have a positive impact on the planning process and will not hinder the efficiency of swift development of housing and infrastructure. It is therefore crucial to explore the trade-offs between open participation and prompt

decision making and how a better balance would benefit society (Van Assche, et al., 2013).

### **1.3 Scientific Relevance and Research Gap**

The Irish planning sector is, mostly due to its small scale, very much under researched. Numerous papers tend to focus on the viability of mega-infrastructure projects by utilising a cost-benefit analysis framework (Ustaoglu & Williams, 2010). However, little to no Irish based research focuses on how involving citizens in the decision-making process can hinder or enable the delivery of mega-projects such as the Dublin MetroLink.

Most scholars working on this topic also choose to focus on the private wing of planning, often prompted by lobbyist groups in the construction industry (Lennon & Waldron, 2019). In (Lennon & Waldron, 2019), the authors explore the idea of private individuals and third parties to projects being given too big of a platform to voice their views on projects and in turn hinder the implementation of such plans. Participants of the paper argue that by allowing any private citizen with little or no proximity to the project, to assume the right to block, prolong or even cancel plans, then the planning process is strongly weighted in the favour of the most boisterous and “noisiest” in the room over the overall interests of society. This thesis aims to build upon this issue in the private sector and apply it to the public sector. The paper shall look to ascertain the level of power citizens yield to postpone and alter plans and how this may or not be counter-productive to the development of the Greater Dublin Area’s transportation system.

## **1.4 Objectives and Research Question:**

**“How does citizen involvement in the Irish planning system impact mega-infrastructure projects such as the Dublin MetroLink project?”**

This paper aims to examine the root of Ireland’s infrastructure woes and identify how involving citizens in the planning process can enable and/or hinder the deliverance of major infrastructure projects. It will look at the key players of the decision making arena, including joint-investors, and what role they assume in the process. The paper will focus on the Dublin MetroLink project to analyse how the process operates at this current moment in time.

## **2 Theoretical Framework:**

### **2.1 Defining Mega-Infrastructure Projects:**

Mega-infrastructure projects are widely scrutinised in academia and as such the term bears multiple definitions from multiple scholars. In one of his papers, Bent Flyvbjerg discusses these various definitions. For example, the Federal Highway Administration defines MIP’s as “major infrastructure projects that cost more than US \$1 billion or projects of a significant cost that attract a high level of public attention or political interests because of substantial direct and indirect impacts on the community, environment, and state budgets.” (Flyvbjerg et al., 2003). (Merrow, 2011) defines it similarly but in more basic terms as being, [an infrastructure] “project with total capital cost of more than \$1 billion”. Whereas Bent Flyvberg takes a different approach in defining it as an investment that signifies a qualitatively different stage of social and economic development(s) (Flyvbjerg et al., 2003).

Mega-infrastructure projects are becoming more and more integral to the global government’s plans to connect our economies and communities. Investment in

infrastructure projects, including mega-infrastructures, is continuously mounting throughout the world but especially in emerging markets. From 2009-2012, over \$2.25 trillion was spent on such projects (Business Week, 2008). Given the significance of mega-infrastructure projects, the costs of failure or success have a huge bearing on the investors behind a project (Flyvbjerg et al., 2003).

## **2.2 Citizen Involvement / Participation:**

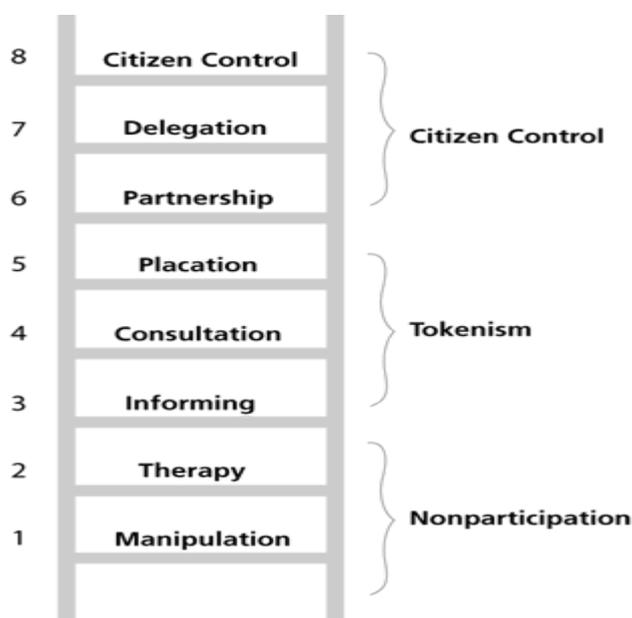
In the modern era of urban planning, citizen involvement is seen as a key attribute to any infrastructure plans, especially at the grander end of the scale (Glass, 1979). Citizen involvement is the principle of including local civilians in the decision-making process in order to create a more transparent and effective planning system. By including citizens, although perhaps not qualified in the area, it is thought that they can add invaluable knowledge and insights into projects and ensure the project works best for those that it serves (Parker, 2003).

Citizen involvement dates back to the ancient Greeks, however, its modern meaning has only taken hold in western societies since the 1960's such as in America when President Lyndon Johnson institutionalised the principle (Cogan & Sharpe, 1986 p. 283). Over the past 30 years planners have used various different techniques to include private citizens in the planning process but for the most part the outcome has been disappointing for all parties. The citizens did not get to sufficiently voice their opinions and the planners did not noticeably benefit from the input of locals (Khisty, 2000).

There are several degrees/levels of citizen participation. Probably the most famous model of scoring these levels was created by social scientist Sherry Arnstein in her iconic book, "A Ladder of Citizen Participation". Arnstein ranks these levels in terms of how inclusive they are for citizens and the benefits and challenges that arise from these particular methods (Arnstein, 1969). The ladder consists of 8 "rungs" that lie in chronological order in terms of citizen power. These 8 rungs can then be further dissected into 3 sections of "non-participation", "tokenism" and "citizen power" (Arnstein, 1969) (See Fig 2.2).

Nowadays planners are increasingly seeing the benefits associated with using techniques within the higher, “citizen power” which further includes locals in decision-making. (Lang, 1986) differentiates clearly between conventional planning and planning with public participation. He notes that the latter will involve the public from the outset and right through the planning process whereas the former might only look for public input towards the end. This is seen as “tokenist”. The key difference between the two, however, is how each’s success is measured. Conventional planning looks at the success of the plan’s objectives while success with public participation is where solid agreement on plans is made between the relevant parties (Parker, 2003).

While most scholars in this area seem to be supportive of the principle of citizen participation in the planning process, some see it as a barrier to progression and make the planning process a ‘a brake or obstacle to growth, productivity and competitiveness’ (Parker & Doak, 2012). Larger projects such as strategic infrastructure ones inevitably attract the most public attention and concern. In order to ensure progression one might realise a trade-off must be made, sacrificing public input for fast-track implementation (Lennon & Waldron, 2019).



**Arnstein's Ladder (1969)**  
Degrees of Citizen Participation

Fig 2.2 Arnstein's Ladder of Citizen Participation (1969)

## **2.3 Defining Joint Investment Opportunities:**

A joint investment opportunity (J.I.O) is a concept where 2 or more individuals or groups come together in a business setting to accomplish a specific goal. All respective parties will come together and pool their resources, usually a mixture of human, capital and intelligence in order to complete the task at hand. Parties will create a synergetic relationship, utilising the strongpoints of each respective party (Hargrave, 2021).

The venture is independent from each party's other business undertakings, however, each investor will be jointly responsible for the project's success and/or failures as well as the ensuing financial profits or losses. Usually an agreement will be made beforehand to set out how these responsibilities will be distributed amongst them. They will usually correlate with the financial input of each party (Choi & Beamish, 2004.).

Advantages of utilising J.I.O. 's as an investment technique include acquiring the ability to access new markets, access new knowledge and the comfort of sharing costs and risks with a partner (NI Business Info, 2021).

## **2.4 Key Players in the Planning Process**

### **2.4.1 Joint Investors of the Dublin MetroLink:**

The *Dublin MetroLink* project was first launched by the Irish government in 2005 as part of their ambitious *Transport 21* initiative which formed a vital component of the State's *National Development Plan*. However, plans to fulfill the agenda, including the metro, were abandoned in 2011 due to the global financial crisis (Rau, Hynes; 2015)

The Irish government has played a pivotal role in the project's progression especially given their proximity to the financial element. The Irish State, and by default the government, remain the primary stakeholder in *MetroLink*. However, the plan is deemed a *Public Private Partnership (P.P.P.)*. This refers to governments and private sector enterprises collaborating in order to provide public infrastructure, in this case

the *Dublin MetroLink* as a public transportation system (Grimsey & Lewis, 2004; Weihe, 2008a).

The current C.E.O. of the *MetroLink*, Mr. Jed Van der Poll, has consistently promoted the idea of the project being funded with 100% private finance. Mr. Van der Poll has built this belief upon the past experiences of other similar public transport infrastructure ventures, including the almost recently built metro line in Madrid, Spain. A key aspect of this endeavour would be the role of the *European Investment Bank*, who would be able to fund around 50% of the sizable bill (Byrne, 2018).

Along with the private investors and central government, key partners also include the *National Transport Authority* and *An Bord Pleanála*, the independent planning authority in Ireland (Byrne, 2018).

#### **2.4.2 Strategic Infrastructure Development (SID) (An Bord Pleanala)**

The Strategic Infrastructure Development division of An Bord Pleanala was set up under the *Planning and Development (Strategic Infrastructure) Act 2006* in order to specifically deal with the planning of large-scale public projects such as the Dublin MetroLink (Independent Review of An Bord Pleanala, 2016). The developments are usually carried out by local authorities. Other examples include roadways, pipelines and hospitals (Infrastructure (SID), 2021).

This special division is required to make decisions on applications 18 weeks after the last day for the receipt of public submissions on the application (a minimum of 6 weeks from the initial lodgement of the application) (Independent Review of An Bord Pleanala, 2016). The SID division is dedicated to ensuring that firstly, pre-existing guidelines are being adhered to by the instigating parties and secondly, that the public are given ample access to information surrounding the project as well as being allowed to voice their opinions and shape the implementation of the project (Independent Review of An Bord Pleanala, 2016). At the moment the SID is in the “*pre-application*” stage of their decision-making with regards to the Dublin MetroLink.

### 2.4.3 National Transport Authority

The National Transport Authority (NTA) was established in 2009 upon receiving statutory powers under the *Public Transport Regulation Act (2009)* and *Dublin Transport Authority Act (2008)* respectively (see Fig. 2.4.3 - agency structure). It is a governmental organisation within the remit of the Department for Transport (O'Connor, 2011). The aim of the organisation is to “*develop and implement a transport strategy for the Greater Dublin Area*” and other regional cities across the Republic. They ensure that “*vital bus and rail services are available to communities in all parts of the country under the Transport for Ireland brand*” (NTA.ie, 2021).

The NTA, therefore, have played a central role in working to deliver the MetroLink project. The Dublin Metro is widely regarded as the most prominent project in the NTA's *Transport Strategy for the Greater Dublin Area 2016-2035*. In relation to the MetroLink's planning process, the NTA are the primary applicants. They are involved in researching and defining a route that will be most effective at providing transport to the Greater Dublin Area (GDA). They formulate a fully fledged plan to deliver the metro and then must offer these plans to the planning authorities to be ridiculed by them and the public. The NTA will also be responsible for the overall day to day running of the metro as well as resulting costs (shared with joint-investors). From 2016-2018, the NTA incurred expenses over € 3.3 million in design costs alone (Hutton, 2018).

## Agency Structure – PTR Act \*

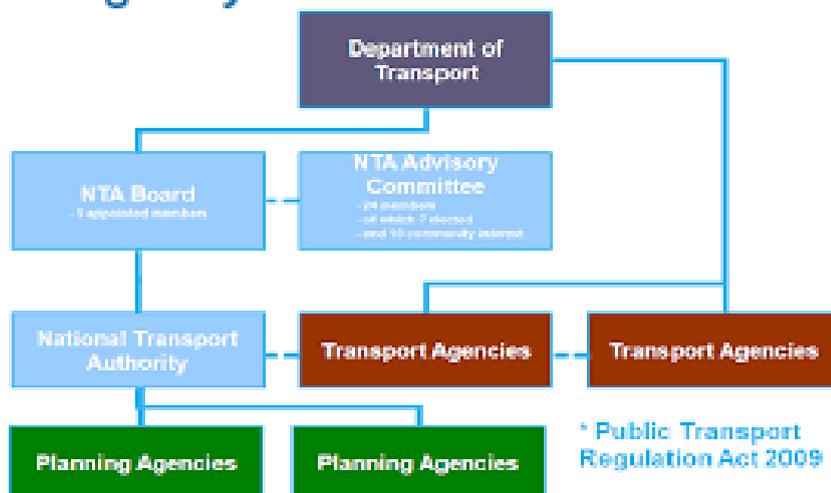


Fig 2.4.3 Agency Structure under the *Public Transport Regulation Act 2009*

### 2.4.4 Role of Government

At the scale of infrastructure projects such as the Dublin MetroLink, it is absolutely critical to have the support of local and national governments. Successive national governments (led by either Fine Gael or Fianna Fáil) since the early 2000's have all been supportive of the plan (excluding a hiatus circa 2011 due to the financial crisis) (Railway Gazette International, 2015). Due to the numerous cost-benefit analyses conducted by in-house and independent researchers, the issue of securing government finance has rarely been an issue. The political will and financial backing has long been available to the Metro (*MetroLink Scheme - Cost Benefit Analysis*, 2018). Now the local and national politicians are entrusting the development of the metro with the planning authorities (*MetroLink Scheme - Cost Benefit Analysis*, 2018).

### 2.4.5 Public Consultation

The Irish planning system has, for a long time, prided itself on its openness and democratic structure. However, this is often criticised for slowing progression of much needed public projects (Lennon & Waldron, 2019). In relation to SIDs, the public is given ample opportunities to voice their opinion in the planning process. The process consists of four main stages:

pre-application consultations, scoping, applications and oral hearings and meetings. Pre-application aims to ensure “an application for permission or approval is of a high standard”. Pre-application technically excludes members of the public from participating (SID: Pre-application consultations, 2021). However, it is morosos because their input is not required at this stage. The public will be informed of all updates concerning the project. Scoping has a similar status, with the same aim of ensuring that the future application will be adequate in the eyes of the board.

The latter two stages then involve the public. The public will be free to make “observations” within a 6 week period of lodging the application. All relative material can be inspected free of charge at all relevant local planning offices. To file an observation one must pay a €50 fee (SID: Applications, 2021). Following this stage, the board can hold a hearing with or without a request from stakeholders. This is a key element of opening up dialogue on any issues with the project (SID: Oral hearings and meetings, 2021).

## 2.5 Conceptual model:

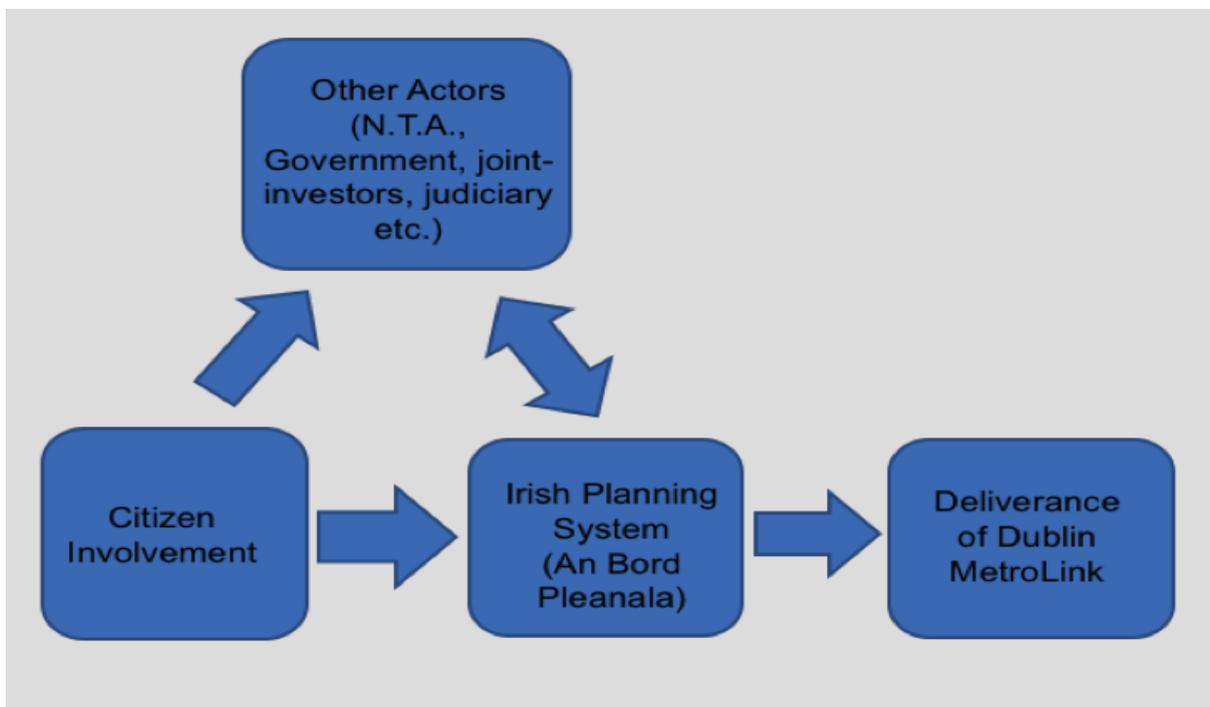


Fig 2.5 Conceptual Model

This model illustrates the relationships that allow strategic infrastructure projects to be delivered. Citizens mostly participate directly through A.B.P., however they often voice their views to the government and fellow investors as well as the N.T.A. and now increasingly through judicial procedures.

### **3 Methodology:**

#### **3.1 Case Study Method:**

This research shall employ a qualitative research method to address the research question. This methodology was chosen as it shall allow an in-depth analysis of the political processes of joint-investment opportunities and will also enable further discussion on public support. These shall both be measured with results obtained from one-to-one interviews with key stakeholders of the proposed *Dublin MetroLink* project, including its supporters and its critics. Opinions of experts across multiple fields shall also be compiled. This will include political, economical, infrastructure and environmental experts.

##### **3.1.1 Case Description**

The Dublin MetroLink project is a proposed metropolitan railway line designed to serve the commuter and tourist populations of Dublin, the capital and largest city of the Republic of Ireland. Upon completion, the line will run along a 26km route from Swords in the north, to Ranelagh in the south. The line will provide Dublin Airport with its first direct public transport system to Dublin city centre (MetroLink.ie, 2021). Planners behind the project predict that the system will carry in excess of 50 million people per annum from 2027 (Burroughs, 2020).

### **3.1.2 Case Selection**

The Dublin MetroLink was chosen for this research paper as it is widely seen as one of the largest ever mega-infrastructure projects undertaken by the State since her formation. Ireland as a general location to base this study was chosen due to her long-standing struggles with implementing infrastructure projects due to a flawed planning process, as well as her troubles with over-spending on infrastructure (McGee, 2019).

As previously mentioned, the MetroLink plans have struggled to take flight due to both financial and planning issues. The paper aims to investigate how the Irish planning process conducts their citizen participation and detect how this may be enabling or hindering the metro plans.

## **3.2 Data Collection**

This research paper will use semi-structured interviews and analysis of media documents as it's prime data collection methods. Interviews will be conducted fully in line with ethical considerations as well as Dutch COVID-19 guidelines. Due to a combination of the global COVID-19 pandemic and the physically impracticalities, interviews shall be conducted digitally through a mix of phone and video calls (depending on the preference of the interviewee).

### **3.2.1 Literature Review**

A literature review was conducted in order to further the researcher's understanding of the overall topic but most importantly to finely define the direction of the research and to focus on specific concepts. Search engines

such as “Google Scholar” and “SmartCat” were utilised in order to locate relevant literature. Literature based on Irish examples as well as international ones were used in the literature review.

### **3.2.2 Semi-Structured Interviews**

Semi-structured interviews were organised and conducted with experts of the Irish planning sector and those specifically closely linked to the proposed Dublin MetroLink. Great care was taken in the development of the interview guide in order to ensure that participants were not subject to any unconscious bias and also to ensure that participants would always have the opportunity to steer the interview in the direction where they feel most knowledgeable on the topic and therefore provide the most useful input to the research. The semi-structured style allows welcomed deviation to the discussion while ensuring that the research question is thoroughly explored. Candidates were chosen to represent a broad cross-section of opinions in order to explore the issues at different points of view. The interviews were conducted in English. All interview questions can be located in appendix 1.

### **3.2.3 Media Documents**

The Dublin MetroLink has, for many years, been closely followed by national and local (Dublin based) media. Several new outlets have published an array of articles that have documented the numerous adaptations to the metro proposal as well as the opinions voiced by politicians and civilians alike. The news stories are a useful source of following the public submissions made

regarding the MetroLink and how much influence they have in inhibiting the implementation process. Nexis Uni was used to search for relevant articles. References such as: “MetroLink”, “Dublin” and “metro” were used to produce relevant material.

### **3.3 Data Analysis**

Due to a combination of the coronavirus pandemic and convenience, all interviews were conducted either through phone or video calls through platforms like ‘WhatsApp’, ‘Microsoft Teams’ and ‘Google Meets’. Audio recordings were made through the ‘Recorder’ app available on Android devices. The recordings were subsequently transcribed using ‘Otter.ai’. Media documents/articles and the transcripts were coded manually due to the small sample size (See Appendix 3).

### **3.4 Ethical Considerations**

This research paper will be held to the highest of ethical standards, taking into account the interests of all relevant parties. All candidates shall only be contacted with their prior consent. Interviewers will also ask in advance if they consent to the interview being recorded. All data compiled shall be kept strictly confidential and no information will be shared with third parties without the relevant candidates permission. Candidates will have the right to remain anonymous throughout the research. Interview questions have been designed to ensure that candidates are comfortable in the interview and not deceived by any unfair questioning. All selected candidates shall maintain their right to withdraw from the research process at any time.

The paper will be fully respectful of all ethical considerations of this research method (qualitative). The privacy of interviewees will be completely protected and any data they divulge shall only be used in the research with their prior consent. Due to the coronavirus pandemic all research shall be made in strict adherence with government restrictions, including social distancing.

## 4 Results

The following chapter aims to deliver a summary of the findings made from the semi-structured interviews with leading planning experts and key decision-makers in relation to the Dublin MetroLink. Due to the nature of the research and these interviews it was not possible to back up all findings with academic literature. Uses of P1, P2, P3 are references to the three participants of the interview process (See Appendix 2).

### 4.1 Dublin MetroLink as a Mega-Infrastructure Project:

The Dublin Metro idea was first conceptualised in 2000 (O'Brien, 2000). Since then it has evolved and been adapted through multiple design cycles. Under current plans, the metro line is estimated to cost between €3 and 4 billion Euros. One more precise estimate is €3.6 billion euros. According to a cost-benefit analysis conducted by the Dublin MetroLink company, total transport-user benefits are estimated at just under €6.8 billion (Taylor, 2018).

Currently, the Irish government has earmarked the year 2021 as the beginning of the construction period. The entire system is set to be complete and fully operational by the year 2027 (Taylor, 2018) (P2). However, due to multiple reasons including the troubled planning process as well as financial and public health aspects (CoronaVirus pandemic), it is unclear if this timeline will prove to be realistic in practice (P2).

The line shall run from the north of county Dublin, through Dublin's historic centre and continue south through affluent southside suburbs (see Fig. 4.1). The line will terminate at the Swords Estuary in the north and Charlemont, Ranelagh in the south. (MetroLink.ie, 2021). A key attribute of the project is the fact that it will finally provide a long awaited public transport link between Dublin International Airport, in the north, and Dublin city centre, as well as her respective suburbs (Ustaoglu et al, 2016) (P1). In total the line will run along a 26km route and shall include a combination of subsurface and above ground rails. Above ground rail will be implemented where feasible as it dramatically decreases the cost of construction (Taylor, 2018).

At multiple points the metro line will connect to other municipal transport systems, such as Dublin Bus, the Luas (light-rail tram) and the DART (coastal commuter rail). In its current projected state, the line is expected to carry in excess of 50 million passengers per annum (Burroughs, 2020).



(Fig. 4.1) Map of the projected Dublin MetroLink line.

## 4.2 Rating the Irish Planning System

The questioning of the planning system's capabilities unsurprisingly spurred some apprehension amongst respondents, especially those who are in direct employment with An Bord Pleanála, the leading planning authority in Ireland (P1, P3). Much like previous questions surrounding the viability of Dublin's public transport, each respondent seemed to immediately acknowledge fundamental flaws with the system. After weighing up the discussion to himself for a few moments, (P2) (not an employee in An Bord Pleanála (ABP) ), did describe the planning system as "*fit for purpose*". The N.T.A. employee did however go on to cite the barriers the Bord faced in achieving better efficiency and a better public image. He explained that ABP has a sufficient process in place to deal with the challenges of applications etc.. However

the complexity surrounding who had jurisdiction over final decisions was significantly hindering progression and efficiency.

*“I think the framework for planning is probably overly complex in that, you know, who does what part and who owns what part?” (P2)*

(P2) believes that a more transparent structure for declaring which body should take responsibility for each type of development is essential to improving the planning system.

### **4.3 Citizen Involvement versus Expert Advice**

The Irish planning system is widely considered a very open and democratic process which is open to all citizens, regardless of age, gender or social demographic. This was evident across the inputs of each participant of the interviews (P1, P2, P3). The process does not block any individual's right to make a submission. This is commonplace for other western jurisdictions except that in the Irish system one's proximity to the plan will not prevent them from lodging a submission. This means that someone in one part of the country can appeal a plan in a totally different part of the country, even somewhere they have never even been to (Lennon & Waldron, 2019).

A key aspect of this paper was examining what level of importance planning experts place on involving the public in their plans and also to what stage public submissions should be entertained before one sides with the expert advice. From every interview with the selected candidates, each respective candidate spoke about the importance of citizen involvement in the planning process. While responses did vary in the direction they took, this general consensus still held across all interviews (P1, P2, P3). P1 and P2, however, did speak of the positives of “fast-tracking” certain projects or at least elements of them. P1 is currently working in fast-tracking large-scale residential projects in order to address the crippling housing crisis ensuing in Ireland. She compared her work with strategic infrastructure projects such as MetroLink and how fast-tracking affects stakeholders. As previously mentioned, the government of Ireland is in a huge panic to meet the growing demand for housing. It is in the public's interest to build residential properties “at all costs” (P1), whereas there is less urgency for a metro and as such fast-tracking should not be utilised.

While fast-tracking appears to be a quick-fix solution to ensure a swift implementation of plans, all participants agreed that it undermines the point of the planning process (P1, P2, P3). The planning process plays a critical role in modern society. It exists to ensure that any changes or adaptations to our urban (or rural) surroundings will be positive and serve the indigenous populations of humans and wildlife. It also aims to protect historic structures and places that are central to the cultural heritage of the area (Renfrewshire, 2021).

P2 spoke about the extensive time period required to implement a metro project such as the MetroLink. In total he said that from start to finish the timeline would be around 15 years. This includes the design stage, public consultation, receiving planning permission and construction. For a project of this scale, this is the realistic amount of time required to complete a metro of this scale, (P2) said that anyone promising to deliver the project in a shorter time frame, such as 3-5 years, was “lying”. Mr. Gillard acknowledges the frustrations around planning being slow but reaffirms his commitment to ensuring the correct decisions are made and an extensive and transparent citizen participation process is key in delivering this.

P2 later spoke about making decisions based on “information available”. He explained that he would always be happy with his decision if he was, at the time, fully informed with all of the information available to him. Even in later years, he would still remain content with his past decisions even if hindsight dictated that it was not the ideal decision. For this reason Mr. Gillard places a great deal of importance in hearing from the public, especially on major projects, ensuring that all information is available to decision-makers who are rarely as knowledgeable about an area as the locals are. This sentiment was also replicated by the other respondents who also put their faith in the strenuous and “rocky” path of involving citizens in planning (P1, P2).

#### **4.4 Litigious Planning System**

The litigious nature of Ireland is an aspect of the planning system that this paper had not initially aimed to tackle in particular but it soon became a central point of discussion throughout the interview process. Ireland, in recent years, has grown to be an extremely litigious State with a new American style “*compensation culture*” that

has devastated the service industry in particular (O'Dwyer, 2019). This new fad has also made its way into the planning sector where people are often encouraged by legal professionals to take cases against proposals made in their area. Solicitors and barristers are happy to facilitate such cases as it provides them with a reliable source of income (Hancock, 2020).

The legal aspect of planning has become such a major component that planning experts are now including the likelihood of legal action being taken into their timeline for fully green lighting projects (P3). The anonymous S.I.D. worker explained that there has been a "huge rise" in cases brought for judicial review.

*"It's almost a given that there will be a judicial review following if the board decides to grant permission for the project, there usually will be the expectation then that the judicial review will follow and judicial reviews have risen in the last couple years ..."* (P3)

P3 was not alone with this statement. Both P1 and P2 also stated that the judicial system plays a large role in the progression of major projects such as the MetroLink. P2 previously explored the issue of lack of clarity regarding which body controlled what within the process. This was reemphasised by P1 who showed concern as to what authority the courts have within planning. According to her, ABP ensures that each application is legally sound and in line with legislative guidelines. The courts can only check that the rule of law has been adhered to. She believes that *"judges and solicitors should be sticking to whether the democratic process has been fuddled."* In her view the public are being granted their right to access the judicial system however they are seeking outcomes that are technically outside the court's remit to grant. However, due to the claim culture that has developed in Ireland, the courts are enabling citizens to make use of the courts in order to push their views and to obtain a desired outcome (P1).

When asked whether they felt if private citizens used their right to object to a moderate/fair level, participants were split. P2 and P3, after deliberating the question, said that citizens are entitled by law to object as they please (within some boundaries) and as long as they act within said boundaries then they believe that they cannot abuse their right. P1 had a significantly different view, immediately responding, "It's abused!". P1 believes that citizens are "very aware of their rights"

and as such will use the full wrath of their rights as citizens to address concerns they have with projects of any scale. She believes that Irish people are rather heavily emotionally invested in their area and take any proposed alterations “to heart”. P1 believes that by involving the public to such a high level, especially when the courts are involved, that it can be “*very difficult to get anything through*”.

## **5 Conclusion**

This thesis aimed to answer the following research question: “**How does citizen involvement in the Irish planning system impact mega-infrastructure projects such as the Dublin MetroLink project?**”

As was found in both media documents, interviews and academic literature, Irish citizens generally maintain a very close relationship with the planning system and enjoy their right to interact with it as they please. This mentality puts the opinions of the public at the centre of plans especially for those that aim to alter and improve a community such as strategic infrastructure E.g. MetroLink.

As seen in the results, citizens impact strategic infrastructure plans in multiple ways. The traditional route consists of the public submitting to An Bord Pleanála when they are invited to. Interviewees acknowledged the fact that for major infrastructure projects the public are very vocal in voicing their opinions at this stage in the process. One interviewee (P1) believed it was due to people being sensitive or protective about their area/neighbourhood. People get very frazzled by the idea of major change within their community and begin to question every aspect of the plans. While P1 believed the public’s right to do so was often “abused”, she, along with her fellow interviewees believed that the pros of keeping an open dialogue outweigh the cons of delays. While the Irish planning system for strategic infrastructure was noted as not being perfect, it is evident that a long winding path of collecting information from all angles, including locals, is necessary in order to ensure robust decision-making. As was previously mentioned, the planning system exists to protect environments and serve the people that live there (Renfrewshire, 2021). While involving citizens can be a frustrating process, the system exists for this

reason. By locking citizens out of the decision-making in any way the system would become null and void in its current capacity.

The other key finding from this research is how Irish citizens utilise the judicial system in order to interact and impact the planning system. This route for citizen involvement was less so endorsed by the interview participants. Irish people's tendency to make use of the courts is part of a wider societal shift that is causing issues in multiple areas (O'Dwyer, 2019). The fact that it has now slipped into the planning sector and integrated itself into timelines for implementing infrastructure just goes to show that this issue needs to be addressed. By continuing to facilitate this practice, the judicial system is undermining the capabilities of the planning system to fairly and equitably deliver mega-infrastructures. Dublin MetroLink remains in the "pre-application" phase of proceedings, however according to the professionals a judicial review on the matter is inevitable, regardless of what An Bord Pleanala decides on and regardless of whether their ruling adequately followed the rule of law.

This paper therefore concludes that in order to best serve the Irish people and effectively deliver strategic infrastructure such as the Dublin MetroLink, the planning system must continue to involve citizens throughout the process. While the road to implementing the Dublin MetroLink will be long and arduous it is imperative that it is endured to ensure a successful delivery. The paper also concludes that An Bord Pleanala should be delegated more formal power to conclude on applications. While the role of the judiciary is paramount in protecting the letter of the law and the rights of citizens, further clarification should be made as to when it is appropriate for citizens to make use of the courts rather than the planning system directly.

## **5.1 Limitations and Recommendations for Future Research**

Due to difficulties with contacting participants, this research struggled to hear from a more diverse group from all angles of this divisive issue. Future research should ensure to contact participants from local anti-metro (in its current state) activists who are attempting to voice their concerns on the plans. Hearing from members of other stakeholders such as the government would also bring more extensive information to

the research. Because the MetroLink is a “live” project, certain experts that were contacted were unable to discuss the project directly. Future research should revisit the MetroLink upon completion or perhaps compare it to a completed project of similar scale. Time constraints also played a major role in delivering a more comprehensive depiction on the role of citizens in impacting mega-infrastructure developments like Dublin MetroLink.

**Word Count: 6,426**

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## Appendices

### Appendix 1

#### Interview Guide:

<b>Introduction</b>	<ul style="list-style-type: none"><li>- Introduce yourself</li><li>- Explain the research</li><li>-</li><li>- Is it ok to record the interview</li><li>- Can I use your first name to identify you in the research?</li><li>- Your answers will only be used in the course of this research and data will not be shared with any 3rd parties.</li></ul>
<b>Opening question</b>	<ul style="list-style-type: none"><li>- So can I ask you to please introduce yourself and to tell me your occupation and role?</li><li>- How long have you held this position?</li><li>-</li><li>- What is your understanding of the term, “mega-infrastructure project”?</li><li>- What is your understanding of the term “joint-investment opportunity”?</li><li>-</li><li>- Do you think Ireland is efficient in implementing infrastructure projects?</li></ul>
<b>Transition questions(s)</b>	<ul style="list-style-type: none"><li>- How do you view the public transportation system in Dublin? How do you compare it with other similar sized cities?</li><li>-</li><li>- Have you witnessed much progression in Dublin’s public transport system in recent years? If yes, what projects in particular?</li><li>- Do you believe that a functional public transport is a priority for most Dubliners? If not, why?</li><li>- Do you think Dubliners are satisfied with the current public transportation network?</li></ul>

	<ul style="list-style-type: none"> <li>-</li> <li>-</li> <li>-</li> <li>-</li> <li>- How do you view the planning system in Ireland?</li> <li>- Do you think it is fit for purpose?</li> <li>-</li> <li>- Have you ever made submissions to the planning system on public or private projects as a private individual? If yes, how do you feel you were received?</li> </ul>
<p><b>Key questions</b></p>	<ul style="list-style-type: none"> <li>- Are you aware of the current status of the Dublin MetroLink in terms of when construction will begin and finish?</li> <li>-</li> <li>- What do you think is the main proponent(s) that is/are hindering progress in implementing infrastructure such as the Dublin metro?</li> <li>-</li> <li>- Do you think the Irish planning system has an overall positive or negative effect on the implementation of infrastructure?</li> <li>-</li> <li>- Do you think there is the same amount of red tape for implementing public projects versus private? Eg housing developments</li> <li>-</li> <li>- Do you think tension exists between different stakeholders in the Irish planning process?</li> <li>-</li> <li>- Do you believe that the ability to object to aspects of projects is fairly distributed amongst stakeholders? Do certain stakeholders have more power than you believe they are entitled to?</li> <li>-</li> <li>- Do you feel that submissions from people from more affluent areas yield more power than those from more working class areas? If yes, why?</li> </ul>

	<ul style="list-style-type: none"> <li>-</li> <li>- Do you think private individuals have excessive influence in hindering progression of the Dublin MetroLink?</li> <li>-</li> <li>- Do you think that the public, in general, use their right to object to plans at a moderate and fair level?</li> <li>-</li> <li>- Do you think the benefits of having an open and democratic planning system are more important than having a fast paced implementation process? Should professional opinions be given more status than the opinions of private citizens?</li> <li>-</li> <li>-</li> <li>- Why, in your professional opinion, have the Dublin MetroLink plans not been finalised and implemented at this moment in time? Do you think there is a certain group, individual or policy that is noticeably hindering progression?</li> <li>- Do you think the political will exists to act on the metro plans?</li> <li>-</li> <li>-</li> <li>- Are you aware of the proposal to make the Dublin Metro a joint venture, with both public and private investments?</li> <li>- Do you support this plan?</li> <li>- What advantages, if any, can you identify from utilising a joint investment over the use of public monies to finance the metro line?</li> <li>-</li> <li>-</li> </ul>
<p><b>Concluding questions</b></p>	<ul style="list-style-type: none"> <li>- Give an overview of the most important answers given by the interviewee.</li> <li>- Do you feel optimistic for the future progression of the Dublin MetroLink project?</li> </ul>

	<ul style="list-style-type: none"> <li>- Are there any topics that the interviewee wants to discuss?</li> </ul>
<b>Closure</b>	<ul style="list-style-type: none"> <li>- Repeat the agreements mentioned in the introduction.</li> <li>- Tell the interviewee how the information will be used</li> <li>- Ask the interviewee if there is some information that should not be included (sensitive information).</li> <li>- Are there any comments that the interviewee wants to share?</li> </ul>

## Appendix 2

### Interview Transcripts

#### Interview 1: Fiona Fair, Senior Planning Officer, An Bord Pleanala (P1)

Interviewer

Can you please begin by introducing yourself, please

Ms. Fair

Yes, I'm Fiona Fair, I'm a senior planning Inspector, with an bord pleanala. I've been working there for over 13 years. I've been a Senior Inspector for the last 8 years, I work in strategic housing. So until strategic housing developments, all developments, over 100 units for residential, are over 200 units for student accommodation bill to rent type of accommodation, to just housing.

Interviewer

Thank you, and do consent to this interview being recorded and your name being used for this research.

Ms. Fair

Of course

Interviewer

So to begin, how do you view the public transportation system in Dublin? And how do you compare it with similar sized cities around Europe?

Ms. Fair

Well, I mean, I do think there should be a public transport link to the airport? To the city centre, it's quite poor that there isn't this massive car parking and temporary car parking sites out there and so forth. I think most capital cities have transport links or, you know, to the metro or, you know, better transport links to the airport to their city centres. And we have, so definitely, because I live in the city, myself, I walk a lot and I cycle. So I don't generally use the car. But, you know, you can see that there is congestion and traffic, even with COVID. Now, you know, it's even people are hopping out of the city for so long, but now they're coming back into the city again. And can you really notice the congestion on the streets? So, yeah, you know, it wasn't particularly busy now. But

Interviewer

And have you witnessed much progression in Dublin's public transport in recent years? And if yes, what projects in particular?

Ms. Fair

Well, I suppose the, you know, the new Luas lines, you know, I don't use the news too much. But they serve the south side of the city much more so than they do kind of the North, even going out west. So there has been investment in public infrastructure, not not in my opinion. I mean, they're the techniques to be better connected. It is at capacity, mostly, you know, all of public transport is our capacity, you know, people would be that's the first. You know, the point is we're trying to reduce car parking within developments. So, you know, down 2.3 per apartment, point three car spaces per apartment, what you have, even if it's on this line, if the capacity isn't there, it's just you know, you can feel people's pain, which, you know, trying to reduce car parking, and reduce cars, but the improvements need to be made to public transport to do that, and I think it's just very slow. I think the understanding of the policy and everything is there to do it. It's just extremely slow getting it across the line.

Interviewer

And you think it's a priority for Dubliners to have a proper transport system.

Ms. Fair

Oh, yes, I think so. Yeah, I certainly would advocate for us.

Interviewer

Okay. And then I just want to ask you, then, how do you view the planning system in Ireland? And do you think it's fit for purpose?

Ms. Fair

Some recent, Frank McDonald article on this identical end and a debate on the ratio of whether an bord pleanalá was fit for purpose. And I suppose there's just different views on, you know, the planning system? It's, at the moment, getting very legal. And, you know, it's reactive, it's changing very quickly. It's, I think, there's always a topic that comes up every now and again, whether it's environmental, whether it's your tourist sites, whether, you know, European legislation, whether, you know, at the moment, do you like sunlight, and then the courts get involved. You know, it changes almost planning nor around about these issues, my surgeon planning, I was writing reports, that, you know, we're maybe 20 pages long, doing assessments and your, you know, your professional opinion are, was taken as given, you know, to mean, you didn't have to go into in depth assessment on something if it wasn't raised as an issue, or you considered that it wasn't an issue, you know, in a development. But now, the rules of information that have been submitted with applications and the in depth detail that every single judicial review is, is bringing up, like, even if it's, even if a development doesn't have an impact in terms of sunlight, daylight, you know, what, you know, I mean, any body experienced in farming would know, you know, which way the sun rises and sets and the heights and separation distances and all of that sort of thing. But if the assessment isn't there, in the beginning, or an assessment done, it's a failure legally, even if it's seen that the development would not have had an impact. So it's, it's, everything is true, is that ticking boxes, you know, now, and there's reams of information coming in on, you know, so many different issues. It goes from environmental, as I said to that day, like sunlight to whatever the new, you know, next issue is, and then the boxes of information are coming, coming in and trying to assess that to the standard to the standard that the courts require. In the timeframe that we have to do it for these developments, it is very challenging.

Interviewer

Yeah, I see. So now, I need to ask you, have you ever made submissions to the planning system on public or private projects as a private individual? And if you have, how'd you feel you were received?

Ms. Fair

I haven't actually made any submissions.

Interviewer

That's fine. And then I'll move on to the main questions here about the Metrolink in particular. And so ask you, are you aware of the current status of the Metrolink in terms of when construction will begin and finish?

Ms. Fair

I read someplace 2021 they weren't looking to finish or to start, but I from I know that it's in as a pre AP with an bord pleanala and it's going through that consultation, pre application process. So it's not an application. So come see it being, you know, coming in as an application and being approved, you know, within the next six months, I don't know maybe I don't know what what stage it is exactly. progressing, but I know what's a pre AP stage? And other than that, I'm not aware of the timeline for 2021.

Interviewer

For a project of that size, how long would that normally take?

Ms. Fair

I don't work in this, but I'm sure it's you know, I don't think they don't have the same timeline as the strategic housing house. We've 16 weeks but they have longer as far as I understand because those projects again, are deemed to be much more complex.

Interviewer

That's fine. And what do you think might be the main component that is hindering the progress in implementing infrastructure.

Ms. Fair

Choosing the route, you know, I think and getting the route getting a route and I guess, observers and, you know, general public and bodies that, you know, we're all public bodies as well, you know, I have to get so many different people and organisations and on board and get getting people's, you know, opinions and all of that sort of thing. So it's so many issues to consider.

Interviewer

Do you think there's any particular side that would be holding up more so or do you? Would you think it's like, it's everyone needs to compromise?

Ms. Fair

Well, I don't see it possible to please everybody, I guess. But there has to be as far as on balance, to weigh up the pros and cons, and all of the issues choose a route and, you know, a lot of detailed discussion again, they'll have to pull the word hearing, it's, you know, to mean, it'll have to be very public. All of that. So it will just take time, I guess.

Interviewer

And then do you think that there's the same amount of red tape for implementing public projects versus private housing developments?

Ms. Fair

Yeah, I think there is because it's the same process, you still have to, you know, put it out there, that people's observations and comments on it, go through all of that, there'll be a list of who it has to be referred to, to get their comments, you know, public bodies, all of that sort of thing, hold meetings, get out there, and, you know, get the views of the, of the public on it. And so, I think there is, you know, it's, it's probably pretty, you know, equal. Whether it's a I didn't know, if it's, if it's probably deemed, I would say, to be maybe a fairer process more equitable being a public body doing it than private developer? I don't. I don't know what I would guess, maybe, that there'd be a little bit more public support for it, than if it was a private developer doing the same project. People are still aware of the rights these days, and everybody knows those mean, and they will, they will get involved and things. And that does not add to the time, you know, trying to take everybody's opinion into account and have cognizance to all the issues raised and then find a balanced solution.

Interviewer

And do you think there's too much of that. Do you think certain stakeholders have more power in objecting than you might believe they're entitled to?

Ms. Fair

Well, I don't know. I mean, if you look at the shd legislation, and the way that's working, we're supposed to fast track housing. And at the end of the day, it's being judicially reviewed all the time and following a traditional review. So the applications aren't getting through. So it's not the whole agenda to increase housing stock. And that is being hindered by people feeling that they're cut out of the process. And that, you know, they're not being able to have their say, and so even local councillors, all of that, so it's causing problems for the shd. Yeah. Yes, you know, so I suppose you tried to cut people out of, you know, what I mean? They are, you know, if it is affecting them or impacting on them, they are going to want to have their say, and if you try if, if that's, I think, if they feel they can't have their say, or they're not listened to, it could cause problems, you know, down the line, as legally they've got, you know, to me, if it gets go, it could take years and years and years. Well,

Interviewer

Do you think that there are benefits of having like, an open and democratic planning system? Do you think that's more important than having like fast paced implementation? Like do you think professional opinion should be more valued over the opinions of private citizens?

Ms. Fair

I think that you know, that I suppose historically, planning You know what I mean, sometimes had a bad name, and but it's very open democratic process now, you know, I would say we're working in the board, you know, it's, you know, the ethos of the board is being equitable and fair to people, and, and all of that. But it does take time, if you've got to take everybody's opinion into account, but at the end of the day, it has to be balanced. So it is a balanced approach. And, you know, it shouldn't, if developers are, if everything is, you know, being appealed and then judicially reviewed and then falling gone back, again, it's increasing the cost of everything, it's adding to all those projects, because it's going to cost me another million for that to be resubmitted. And to come back in, again, to some technical issue, or point that has been raised by some individual who doesn't want that involvement to go ahead, and has been taken up by lawyers and has fallen on that. And so that's going to add to the cost of the project overall. So that something does need to be done. I think that, you know, judges and legally and solicitors and all of that they should, they should be sticking to whether the democratic process has been fuddled. And whether it is legally, you know, legally, the application has been dealt with, in the correct format, instead of getting involved in planning issues. And, you know, raising the bar in terms of assessments and getting into getting involved in planning matters. You know, there has been a lot of, you know, some judgments that before, it was very difficult to get to get leave to judicially review a project, but that our house convention or people's, you know, if anybody raises an environmental issue or anything like this, then they just, it went from, what was the wording, like, you know, it was pretty difficult to to get, you have to have outstanding reasons or whatever, to, to get a judicial review, but then it went to, you know, just reasonable grounds or something like that, so that the wording changed. So it's easier now to judicially review something that is slowing down projects.

Interviewer

Okay. Yeah. And what do you think like the public would generally use the right to objects, like at a moderate and a fair level? Or do you think it's abused?

Ms. Fair

It's abused, I think, because definitely planning, I would say is, you know, can be people really, really take it, you know, to mean to heart, if anybody's changing anything in their, in their area and their neighbourhood, and it depends on certain parts of the city, like, you know, public interest is, can be very, very difficult in certain areas to get anything through. So, yeah, I think that planning is, you know, something that people are very, can get very upset about, you know,

Interviewer

and then when you say in certain areas, it can be more difficult. I have a question here about, do you feel like submissions from people from more affluent areas yield more power than applications, then submissions from working class areas? And if you do, why

Ms. Fair

No, definitely not. I don't I wouldn't I don't think that they would do any submission that has made you know, is read and you know, is looked at in a balanced, you know, when fair manner, but I do think that more submissions will come in from more affluent areas, and they probably throw more money at it, they will have consultants and whatever else involved and maybe solicitors and barristers and, you know, they will make it as difficult as possible and, you know, they will take it was, you know, in, I suppose more underprivileged areas, or, you know, for the three, you know, people might need to have the interest or the money or the time or whatever to make, you know, such detailed submissions or have the knowledge as well or whatever, to make such detailed submissions.

Interviewer

And then, would you say that, like there's a lot of tension between the different stakeholders in the planning process, especially the public for public projects?

Ms. Fair

Well, not necessarily, I think, you know, for like the story I told you about the strategic development zone and the darklands a lot and, you know, the controversy that that's causing, you know, so there are instances where there is disagreement on certain policy issues. And, you know, but generally, like if you have to consult certain bodies for any development of depending on what it is, whether it's the airport, or whether it's the car, you know, there's a whole list in the act of the 2002 Act of who you need to consult with, if it impacts on them. So do generally they just make their submissions? They don't there's no, you know, disagreement between any of the bodies, they will just give their opinion. And that's then taken on board. You know, whether it's Irish water, the gas network, you know what I mean? So everybody gets to have their input, and then depending on the type of development or where it is, or what it's impacting on, you know, they just have to take a balanced approach to us. Or they might give conditions that they want included in any granting permission. Or they might recommend that it not be granted, or you know, what all of that will be taken into account. And overall, would you think that's a positive thing? That's, that is so open and democratic. Personally, speaking from myself, I do think that it is a good thing. But I know that if you spoke to my friend who works in the private sector, and was trying to get projects across the line, she would have a totally different view. So she was, you know, so I suppose again, it's just it's very difficult to balance that. I think it causes problems, too, if you try to cut them out. That was my point from earlier. Yeah. So

Interviewer

Ok and now I want to ask you, why do you think that the Metrolink plans haven't been finalised and implemented at the moment? And do you think that there's a certain element that's halting progression?

Ms. Fair

Well, I haven't been involved in anything to do with it. So I don't know. But I presume it's just route selection. Lots of different stakeholders involved, trying to find the best route. I, you know, I don't know what sort of reports are required or needed, or if nothing, there's no changing legislation, you know, what, what the courts are looking for these days. So if there was a development and health that was overturned, because the developer didn't show the piling dimensions into the ground, in the planning application, but there's argument and it was thrown out over that. But there was never a requirement for a planning application to have to show subterranean details. That's like construction, and even at construction stage, they might be able to, you know, with minor changes, change that change everything. So there's, again, if that level of detail has been looked at, for a project of that scale, I can imagine that that is going to slow things down.

Interviewer

Okay. I suppose once again, that's when it is at that scale, it always is going to take that bit longer. Yeah. Do you think the political will is there for the Dublin metro?

Ms. Fair

Well, I haven't seen a study of the truth. Yeah, you know, over the last building roads everywhere road building has been going on and on the seven, you know, before they, you know, from my time living in Dublin, it's been moved built, likely been waiting for him 50 point tunnel, then I'm not seeing any of those aren't worthy projects, the m seven, the m four, you know, they are good before it's the investment and public transport to counterbalance stuff. Okay, I don't think the same level of investment is being put into, into public transport.

Interviewer

to a high degree for sure. Definitely would. And then my last questions here, are you aware of the proposal to make the Dublin Metro a joint venture with both public and private investments involved? And would you support that?

Ms. Fair

Well, I guess that to get it across the line, you know, quicker, I wouldn't be opposed to most I don't know, in terms of the funding. I'm not involved in that side of things about timeframes for construction, you know, getting investment, all of that sort of thing. I wouldn't be opposed to it. It would depend, I suppose. I never thought I hadn't given it a lot of thought. But yeah, I mean, that's actually the history of that here in this case. entry for all of the road building and that's why it's told and whatever. And I know people are upset about the M50. We've been paying for it for how many years? How long? But you know, at the end of the day, you know what I mean, if it's built within, you know, a certain timeframe. And there's if we learn how to do these public private procurement projects better, and they're dealt with better, and, you know, we get something back promised in

terms of timely delivery of the service and not extortionate costs. And then you know, we're not paying for it forever. And I guess I wouldn't be opposed to it. But I don't think it's straightforward.

Interviewer

Yes, I see. Well thank you Fiona, you have answered all of my questions. I really appreciate it.

Ms. Fair

No problem at all. Glad to be of help.

Interviewer

And just in conclusion, are there any further points you would like to make or is there anything that you would prefer did not go on the record etc.?

Ms. Fair

No, no not at all. It can all stay.

Interviewer

Well, thank you again Fiona. You have been of great help to my research.

Ms. Fair

Not at all, it was my pleasure. Best of luck with it!

## **Interview 2**

### **Eoin Gillard, Head of public transport investment for the NTA (P2):**

Interviewer

Firstly can I ask, do consent to this interview being recorded and your name being used for this research.

Mr. Gillard

Of course

Interviewer

I might just start by asking you to maybe introduce yourself and tell me about your occupation or role.

And how long have you been there?

Mr. Gillard

So yeah, I am the head of public transport investment in the nta. I've been in this role since October 2019. So I'm relatively still fresh, fresh and route. Prior to that I was with ti for about eight or nine years until I was aware of the RPA, roadway patrol agents T, who are previously responsible for Metro and Lois, and the National roads authority. So for the last four years of my role in Tia, I was the head of strategic and transport planning, some working on realms and low rail projects in that respect, and I would have been involved in assistant VI and progressing with the Metrolink scheme. And then prior to that, then I was in RPA. And working primarily sort of in the area of traffic and road rail schemes. But I would have had a greater involvement in the delivery of livers cross city and I would have had, to what extent involvement in the Metro North scheme, wrote about them, I was working in private consultancy, and I was working on the planning, the ad planning and delivery of the little sign a one extension would have been one of the key elements and episodes of unusual one in that three developers have got together to sort of fund it. So that and ultimately, what happened was they ended up building the infrastructure. And then our VA came in and put the systems in place sold. So most of the Paragon system elements are done by RPA. But the infrastructure was actually delivered by these three pipelines, along with a level of funding to do RPA contribute against other elements. So that was quite an unusual asking. So that's sort of my background. So at the moment, I'm sort of responsible for managing all investment in public transport. So we have a capital programme. This year, the capital programme extends to about 860 million euro I think, Metrolink direct clause, what a heavy rail investment or low grade investment there was when there was little good known sort of things, and, and investment bus fleet, and that sort of thing, probably accounts for that group to go to about four, four to 500 million of that element solos. There's quite a lot going on there. And yeah, put in that.

Interviewer

And so would you be involved in the finance side of it? And then or it would be also the implementation all this?

Mr. Gillard

Yeah, we would be a role as is that of the approving authority. So we have the public spending calendar in order. And so I don't know how familiar you are with that, but effectively, where we're overseeing the delivery of the schemes. So low rate has been delivered by tip heavy rain has been delivered by Irish rail boss is delivered by nta. And the bus operators. So those a little bit of a mixed bag today. So we will be sort of ensuring that all elements of the project comply with what we call our project approval guideline. So we have various different deliverables that sort of cover the three contracts as a cast scope, and and programme, do they really, are the different elements they are. So we have a gated system where you have to bring the project through that lifecycle, basically, and get up to the point of implementation. And then beyond implementation as well. So yeah, very extensive.

Interviewer

Yeah, kept busy. Yeah, very good. And I'll go ahead and ask you these now. How would you view the public transportation system in Dublin? And how would you compare it with other similar sized cities?

Mr. Gillard

Yeah, I think we're probably very quick to be mounted public transport system in Dublin, bought at the same time, and it could be a lot better and you compare it to other European cities of similar scale and major, and they're probably more advanced. The biggest issues that I think we see on the public transport network in Dublin is its usefulness. So it might be very good at doing particular types of trips. So if all you wanted to do was shuffle people in and out of the suburbs, to the city centre, it's actually not bad at doing that. It's great, but it's not bad. But if I want to do anything else, I could be waiting an hour for a bus or I could be, you know, if I wanted to go to the hospital or if I wanted to do an orbital route, or ejido. And so that's one issue, it's very radio dominant and very much focused on the community. Look, there's obviously issues around reliability, punctuality, the POS system, and the light rail system has been an overwhelming success. And do you know that the biggest issue there is that everyone wants one pot, it's always justified. And their dad again, has been an unmitigated success bought bought? That was really building on the existing rent now?

Interviewer

Yeah, absolutely. No, the light rail has been such a success, especially the cross city. And sorry, so with me there. Thank you for those. Hello.

Mr. Gillard

If I just left and came back in? No. So sorry, I don't know. If you had the last week. I think we're probably over and light and both of which which has its own issues, has capacity issues, have mobility issues. And we do need higher capacity, higher quality, sort of transport interventions as well. And we need a better. We needed to be more useful. We needed to cater for the diversity of trip making. Rado again, just assuming people get on walk and come home. And that's all they need public transport for reducing reliance on care.

Interviewer

Yeah, of course. And but do you think like, public transport is a priority for most Dubliners? Do you think that?

Mr. Gillard

and I think it probably, and now is probably the short answer, in that they've gotten off alternatives. So it's very much an individual decision. So if you're running for public office, you're going to tell everyone what we transport is important, but at the same time, as an individual. Now, why do we do all the things that I want to do by tag by bike by all the things if I need to get you know, so? If not, for me, how, I suppose it's probably a more how concerned I, Irish people in, you know, sustainable

urban planning? They probably don't give a damn well, pretty selfish, you know, I think there's definitely a momentum shift happening. I agree. But the cohort like, you know, probably people of your generation have a completely different perspective than people of my generation and beyond. Do you know where and that momentum shift is happening? But it's probably happening too slow to make a real difference to the projects that aren't driving? Yeah.

Interviewer

I see. Then would you say like the Dubliners are satisfied then like if they are if they don't see as a priority? Do you think they actually satisfied with the current level of transport? Was it not?

Mr. Gillard

I think in two cohorts, you have people who use public transport and the people who don't? And the people who don't? The extent to which they want to use it as questionable. Do you know so, if you went out and said, would you use a high quality medical system if it was available to you, you might get people saying Yes, they will. But actually will they actually change their behaviour is another thing. And the people who use it actually have quite a high degree of certificate satisfaction that meets what they need and there is like nta do quite an extensive customer satisfaction survey back in 2019. And that's available on our website about just turn cameras off here because I don't over that's killing. The 2013 customer satisfaction survey, but actually have, you know, most things in around 90%? Do you know, something's dropped down to about 75%? But but a dude also have that information probably. Do you know, as a single cohort token people probably, yeah, I don't think you can, you can necessarily categorise it in that way, you have to look at the people who use it, and the people who don't use it. And actually the people, we really want to attract other people around us. Yeah. Try and tap into reasons why they're not using it, and sort of break the perceptions to barriers and issues as to why they can't use public transport. And eventually, people run out of excuses.

Interviewer

Yeah. And it's kind of more sort of my own curiosity. But do you? Do you think there's enough barriers in place to kind of get people out of their cars? Do you think there's enough incentives to get them out and use the public transport? Or use the bike?

Mr. Gillard

No, but it's not. And it's a chicken and egg situation, like, you know, and certainly, the prioritisation of investment. Again, there's a paradigm shift happening now, but the prioritisation of investment is that Do you know until such time as high quality alternatives to care exist, you can't be punitive to the use of the car. Because people don't have an odd kind of so and the perception of cycling is that it's unsafe and that you need dedicated cycle facilities and do not to a certain extent you do. But there's a lot of perceived value to say that I think things like the COVID pandemic have really influenced people because they've gotten on a bike. Absolutely right. And I've ever been on a bike before. And now to sort of go Actually, this isn't as bad as I thought. Do you know so? There's a lot, you know, you'd hear about knowledge and behavioural economics, there's a lot to where to be said for although interventions that ain't had infrastructure and and had policy interventions like congestion

changing our carbon tax or that sort of thing, that could I actually have a much have quite an influence on how people travel and behave. So so I think that Yeah, until we have the high quality infrastructure, it's very hard for people to turn our back on car route based transporters investment at the same time, then the Yeah, trying to put in measures that would discourage car use, then in the absence of those alternatives, becomes something that people are less likely to do. So the demand for car driver keeps going up. The passion for investing in infrastructure for car travel keeps going up. And the measures to restrict car travel, and been implemented. So it's, it's, it can create quite a difficult thing. But again, you know, that you can see a huge shift in even the political mindset over the last five years, it really, really is changing.

Interviewer

Yeah, and I'd say so myself, very positive, really. But it seems like it has to go hand in hand it has to go hand in hand, you know, I have to distance incentivize car use, but also build the infrastructure to incentivize for cyclocross, etc, if to do

Mr. Gillard

is, we'll probably come on to a time but the problem is that, like, we're 10 years away from MetroLink, being an operation, and what's going to happen in the middle, is, you know, how do you fill the void of not having MetroLink for the next 10 years? Do you stop the development from happening along those corridors and the compact way to do permit sprawl to continue to happen and create undesirable travel patterns in the next 10 years? while they're trying to deliver MetroLink or direct expansion or both connects whichever one you want to pick on? And that's the real challenge, though. We can't do it to tell people we shouldn't grow for the next 10 years until we have this stuff in place. Yes, but

Interviewer

Yeah, I see that point for sure. And so I'm gonna ask you now, how do you view the planning system in Ireland and would you say it's fit for purpose?

Mr. Gillard

Yeah, that's like, it's, it's, it's, uh, you know, I shouldn't say it's a loaded question, but it's a it's a very clear Question. And and I think we have to look at it in the context of what the planning system has to operate in. And I suppose fundamentally, looking at it the the EU directives around environmental impact assessment and proper and sustainable planning, you know, really does guide you in a certain direction on how these things happen. I think things like the strategic infrastructure act and strategic infrastructure development process, like they aren't good processes for for the planning system, I suppose and and they do comply Well, with the requirements of, you know, things like the EIA Director venado, he your policy around that. I think the framework for planning is probably overly complex in that, you know, who does part and who owns part, I think those, I think it was an ESRI piece of research, where they tried to map out who was responsible for transport in Ireland, and how you might do the planning of that. And I think it was really, the complexity of it sort of, really came through in that, do you know, nta, and national roads, authorities, and route authorities, actually, the

lack of authorities or route authorities, and then do not stop, you know, doing busking and protection in the realms of her to do that have to do with them? Do you know, then you've got to pushing like round Metro, you've got Irish Rail pushing heavy rail you've embarked on either you've are the Department of Housing planning, local government, all sorts of things, who are responsible for different elements of different things. And what you what you get is quite a complex web of obtains, and who, who does what, those become a bit of a problem to know. So is a fit for purpose? I think it is fit for purpose. Is it is the framework with his older planning system was properly fit for purpose? Is the framework within which it operates in Ireland? fertigation Medical transport projects, correct? I think that's overly complex.

Interviewer

Yeah, I see. And then. Yeah, so I was actually asked something else, but you actually answered it there, I realised. But I'm gonna move on to the metro in particular now. And what do you think the main proponent of that is or are hindering progress in implementing the infrastructure like the metro?

Mr. Gillard

Yeah. Look, I can I can be very, I can give you a long answer to this. And I can give you a short answer to this, I think. And fundamentally, we had planning permission from you for Metro mode. Back in 2011, I think it was time for permission came through that would have seen a load rail tow been underground loader error type system, operating between source and the city centre terminating at Stephens Green. The decision at the time, was that we could implement that project. And that project was put on ice. And that the the economic climate around that meant that the project was delivered. The request was then to look at lower cost alternatives to delivering that. And I suppose that's a political viewpoint where you're sort of carried forward to do this and the current economic climate, but we acknowledge the need to deliver something now. With respect to the previous planning, that was the previous railway order that was achieved for Metro nine that went through the detailed auctioneering process, and here are your settlement process and all those things over a 10 year period or a seven year period to get to the point of achieving planning approval. And to suggest that actually was a better option that was cheaper, that could deliver the same things is a bit of a thought both in terms of getting political backing for scheme. You have to go back and look at the theme. So you know, things like the North finglas study, fingglas red line study, which looked at have what's called an optimised Metro, which removes stops and often a lower cost solution. But so publish really, what really happened then was that the scheme that we had permission for effectively became only implementable because of the rails around compulsory purchase order waiting must be an active within 18 months. So it wouldn't have just been possible for someone to go back and say, yeah, you have permission for that game. Let's start building it. And the concept around optimise the Metro North required a complete revisit of the auctioneering for the tourists gain. So effectively, all of all of the work that was done on Metro previously became a sunk cost. And people were saying you have to go back and revisit all options for addressing this need. And others I suppose, people are some of you have this game that you could have implemented, you can implement that now are, why don't you just implement that now. And that's actually where we have to go back and start the entire process again, and probably highlight that, then is the fact that things like the EU Directive, the EIA directive of 2014, came in and became involved in the independent 17 that do the previous rigour upon which the schemes were assessed from an environmental perspective, you have to go and actually redo that again, and we've seen a North legal sort of cases and challenges to decisions on schemes based on environmental assessment, or those sorts of things that you have to go back and do that work again. And that means, you know, you're starting everything from from, from zero, really, and building it up. So we know that the

lifecycle and starting from a project, route selection stage to go all the way through to to submission of a railway order or submission of an old railroad, we know that it can be anything from a three to five year process. So the day, the day when someone says, I want you to start looking at this, again, you could be three to five years before you're submitting a planning application on it are around a order statutory process. And, you know, so. And as before, you've really you've another two to three years, probably, in then designing and procuring anything once you've got permission for it. And then anything in between, you know, 357 10 years, like on a metro and the metro scheme is probably a 10 year construction programme. Yeah. So your 15 years, eight to 15 years is what we would estimate as the life cycle of deciding to do the auctioneer, you got a scheme to delivering to a minister coordinate revenue from multiple description to operate in the scheme. And within that, then that you have certainly the potential for up to three changes in national government. Immediate economic cycles that can go up and down without being viewed as well. And you have, like local elections, then happen, interest rates between that in real terms, and the political cycle is about two and a half years ahead. And when you have something that's trying to go on in the background, there's always an opportunity for us for it to be like, people wanted to revisit it and looked at the current scheme.

Interviewer

That's the politicians that want to revisit or the public. Sorry, to think that the politicians that want to revisit it, or is the public that want to have their

Mr. Gillard

to bring it back up. So it's both really that don't be objectors to every scale. Yeah. And then, for the liberal political representatives are seeking to get reelected. To represent those people evolve, they will take up the mantle on these things. So it's a little bit bold, but it can depend on the climate that we're in as well. So obviously, before in an economic recession, climate that the political people may be saying, well, we don't think we should be prioritising this for investment of our investment in health care, our robust maternal writings and you know, that sort of balance between tax hikes versus public spending. So it can be the thing is that you're trying to deliver these things in a constantly changing socio economic environment and, and even you know, We, in 2010, it was delivered employment at all costs. In 2020, it's delivered residential at all costs. And actually, for good public transport, you need to deliver both. So we get, you know, a bit of amazing development that that's going to happen around it as well. So, you know, those, it's, it's so the question was around what's hindering the progress and those those multiple teams really that that, you know, those those aspects, there's also qualitative actually design these type of projects, and that the length of time that takes the public consultation process, do you know, we do go down the route of non statutory public consultation, that does mean that those periods where you have to revisit part of what might have been your preferred option to to, to bring something that that's more acceptable to people and and that that better reflects some of their concerns and issues. So that that does influence the ever changing technology influences things as well. So the current Metrolink scheme is is something that's looking at a grade of automation of for which each, which puts it at work, effectively an automated train system with no drivers. And you would say, that wouldn't have been compromised count counterplay to 10 years ago under previous Metro scheme. But if you're implementing a new scheme, now, would you implement something that's using technology from 10 years ago, you probably wouldn't. So you have to try and deliver the best system now. And as a result of a lot of these things, and construction, inflation and all these things, the cost of the scheme is going up. So the political buy in for a scheme that maybe was previously been looked at as a 3 billion euro scheme is now going to be more than that. And then that raises exam questions as well. So there's, it's very hard to pinpoint single things that influence the progression of the scheme.

Interviewer

When you're saying costs there, do you still see, you know, getting getting the cash or getting the finance put in place? Do you still see that as a problem now, when? Not sure. Are you aware of the the idea to make the joint investment? Yeah,

Mr. Gillard

you know, that's, that's very much a decision that's being made in consultation with the market. And to look at the best mechanism for delivering this project, which is four times the overall, the overall cost of the scheme is is very, is very high. And that's probably not something that we could go to watch and record on. But what it is, it's an acceleration mode, at the moment, and there's only one element that's actually being considered for PPP. So the packaging up is that the civil the civil elements are being broken up into three sections, effectively, that the tunnel between northward and the city centre, the section between the city centre are north of the airport, and they're sorry, the section between the city centre, or sorry, the section between northward and just beyond the airport, and then the section from north of the airport, West Street, they three civils packages, and they're broken up into three packages. They wouldn't be PPP investment. Okay. bp investment would be around the station free to have the systems elements, and then the fleet. And they will then be wrapped up into a design, build finance operate type thing, where you be trying in the operation of the system into that BBP element.

Interviewer

Would you be supporting that idea? Go ahead. Would you go ahead to say would you be supportive of that proposal to bring in pbb.

Mr. Gillard

But very much so, on PPP, I suppose the rationale for bringing in PPP is not to do with funding our costs. it's to do with risk. And that's to do with how we think we can best apportion risk across the scheme to deliver value family outcomes. And so we wouldn't be looking at a PPP as a way of non exchequer funding of the scheme because fundamentally, the Exchequer is funding the scheme. It's just funding it in a different mechanism. And, and it will be on an availability based payment mechanism over 30 years or whatever it might be. The executives they're paying for that, and actually are probably paying more than they will pay. If they were to borrow the money, because the staffer can borrow the money cheaper then then then then then then the financing the financier is on a BBB scheme, why provided? So the rationale for BBB type investment is more to do with, as I say, risk apportionment and ensuring sort of better management of contractual interfaces. So for example, if we were to give someone a tunnel with systems or fleet as a operator for the next 30 years and do a separate operations contract, they could forever be coming back and saying the system is unfit for purpose. This isn't right, this isn't right. And actually, the Exchequer then is paying the burden of all that, because they're saying you gave us a system that wasn't fit for purpose. Therefore, all the penalties that are trying to apply for and we're not delivering on the operational contract that we've entered into, can be applied because of half of what you've delivered to her. So it's it's within that type of environment that that PVP is considered and the financing is actually

accordingly to limited and are the source of forms is quite a limited view. BBB scheme are not the

Interviewer

see. And Eoin, would you say that there would be the same amount of red tape for implementing public projects versus private? Like, for example, housing?

Mr. Gillard

I suppose. It depends, like publicly funded stuff has to go through approvals processes, and privately funded stuff. Go through a different set of approvals. Planning is planning though. So the planning system will remain the same? Yeah. And so it depends what stage of the project that you're looking at. Where it is, so planning is probably much of a muchness I would have thought, you've got your same kind of mechanisms, you are more open with the opportunity for people to appeal and that sort of thing. And, obviously things I guess, HD, is there for housing developments now. But that's that's, you know, I think that people are showing that that's not necessarily a process that delivers things any quicker either. And certainly, the decisions have been challenged in right way up to European court. And on that basis, do you know whether whether those expedite the planning process modelling, procurement is the area where you see the big difference. So obviously, we're obliged to follow EU procurement rules for petroleum these contracts according the way, and that, that really call this but the fact that you're doing that you're publicly funding things. So even if there was private a level of private investment, once the external funding is 50% or more, you're obliged to use public procurement processes. So we can't just ring up our mate and say, we're going to build a tunnel give you a good price for it, we have to be far more stringent in the way that we deliver those things. And that place is quite a burden on the specification, though, to go out to stand around the level of designer to go work to turn around, because that all manifests itself then in in, in the risk of delivering the project on time on budget, on schedule, and the different contract forms that we can use for that type of thing. For our influence that I'm the information that we need to perform a public speaker over then obviously, your hobbies, you went to the risk of legal challenge of your procurement processes as well. So for example, there was grass city, there was legal challenge against the award of the main infrastructure contract on that project. Now fortunately, that didn't actually delay that the award of the contract or the delivery of the contract, but potentially doors, doors, it also it can Have that risk of delaying the won't part of the contract. So in the post planning stage, where you are procuring the thing, there's definitely an imbalance there. At port, when you're delivering public infrastructure, like, I'm not sure, people will be happy enough, like, if we, if we look at the, the National towel rolls, the western bridge, you know, there was no one national towel rolled for delivering this bridge, they think basically, that that the Exchequer was taken to the cleaners, and, and we, you know, sold sort of the crown jewel for wonderful, better description and allow capitalists to sort of profit from the delivery of infrastructure, that is public infrastructure. So do you know, I'm not sure how much you can extract yourself from delivering these type of schemes, you know, maybe maybe VLAN, most came along, and certainly deliver hope by loop. People might take the risk on that port, I'm not sure of public transport, to what extent we can do that. And then of the construction of this game, again, you're probably probably a bit more the boat boat to no changes, change always happens. And so you can manage that change during the construction of a contract construction with the scheme. And I suppose, again, it's the contract mechanisms that you have in place, and when you are bound by some of the government forms of contract, that may restrict your flexibility within which you can quickly collaboratively address issues and majority of the construction of the schemes. But that's, that's stuff that, I think, you know, isn't overly difficult. So I don't know if that answers your question.

Interviewer

No, I do. I see. It's not necessarily the planning stages that awaits where the red tape is. But there's that outside of that rules that you have to follow in terms of procurement and everything. And what was my next one now is I want to talk about the stakeholders. And basically, do you believe that the ability to object to aspects of projects, I think that's fairly distributed amongst stakeholders? Do you think certain stakeholders have more power than you might believe that they're entitled to?

Mr. Gillard

Yeah, okay. And I suppose stakeholder management is key to any project. And I think it's, it's, it's classifying as stakeholders becomes very key. So like it, do you know, where this concept of the stakeholder matrix, I don't know, if you're familiar with that of who your stakeholders are, we need to understand who our stakeholders are, and then we have to manage them. So whether we can determine whether they have gone through influence is actually something that is something that we have to manage in the context of our project. And if I believe this might be your personal opinion, that, you know, the planning process is in place, for good reason. And those might be people who are maybe viewed in the press or viewed in, in in our circles as being professional objectors to schemes. And they will take a scheme of the way to the environment or to the European courts, on the basis of non compliance with EU directives or Quanzhou impacts on Natura 2000. So that sort of thing. But that's, that's the job and and if you know they're there to protect the interests of those environmental features are there to protect the interests of the public or to protect the interests of individuals that aren't necessarily always represented and there's a huge imbalance in the planning system that do not work if I've dealt with people you know, individuals remember what I once gave there was someone crying in the front row because to be impacted the scheme was we worked out proposing was going to have on their on the low fund their quality of life and Wally data on what they do. And for them to get their voice heard in an oral hearing or a planning process for a scheme that may influence that may impact 10,000 people and that have em, you know, might 10 kilometres long. Very, very Are you difficult in it for them to have their voice heard? Doesn't mean that our issues aren't worthy of consideration. And that, you know, are we putting the greater societal need ahead of bit the need of these individuals? So I think we then need so for example, if the if, if there's people, let's take a group, especially the interest group, on target, right, you know, sort of in Ireland, they might be viewed as people who are anti development or anti this or do you know what, in real terms.

Interviewer

Yes I see, I see. Eoin sorry to interrupt but I'm just remembering you said you would have to leave on the hour.

Mr. Gillard

Oh god, is that the time. Yes I better get going for my next meeting.

Interviewer

That's no problem at all thanks for answering all my questions

Mr. Gillard

Sorry I have to finish up Tom but if you have any further questions, you have my email, don't hesitate to

Interviewer

Thanks Eoin I really appreciate it. But thankfully we got through the bulk of the questions so I think I'll have plenty of info to go off.

Mr. Gillard

Ok great, well sure if anything else comes up let me know

### **Interview no.3 (Anonymous)**

#### **- Employee in Strategic Infrastructure Development (SID), An Bord Pleanala (P3)**

Interviewer

Hello, \*\*\*\*

I won't waste any of your time. So if you want, I can get started right away. So first of all, do you mind me just recording this so I can transcribe later? There won't be any shared And then is it okay for this to use your first name for my paper? or would you prefer to remain anonymous?

Unknown Speaker

Maybe just stick down anonymous, if that's ok?

Interviewer

Absolutely, no problem at all.

Well, I might just ask you to start by maybe just introducing yourself and telling about your occupation, your role and how long you've been there In that position?

Unknown Speaker

Yeah, okay. Well, my position is I'm an executive officer I'm an executive officer I've been with the bord

19 years now at this stage. So currently, I'm working in the what's called SIDS , it's, that means strategic infrastructure and local local authority projects section. I've been with that section, I think about 13 years now. So that's where I'm at at the moment. Okay.

Interviewer

And you're based in Dublin presently?

Unknown Speaker

our offices in Dublin. Yeah, that's correct.

Interviewer

And then can I ask you, how do you view the public transportation system in Dublin? And how would you compare it with other similar sized cities?

Unknown Speaker

I don't have any comparisons. Really, you know, I, to be honest with you, I don't I I seldom use public transport within Dublin. I actually, I'm quite lucky that I live very close to the office. I'm no more than the 20 minute walk from the office. So I actually don't use public transport with adults, I can't remember the last time I was on a Dublin bus.

I scarcely use the Luas, even when I'm often at the moment, I'm mostly working from home.

I worked from home entirely for five months, I've just come back to the office in the last three weeks now I'm only up one day a week. But even then, when I get the train up, I usually don't get the list to the office, I usually walk it which is about it's about. It's about a half hours walk. So throughout

my experience, my experiences with the public transport system in Dublin are in recent times are scant few and far between. So I wouldn't really be able to compare it with other European cities or cities of opposite of size as you put there yourself. So I feel like a lot of governors would feel had the same kind of attitude towards this, the same kind of Outlook, but they feel a bit far removed maybe from us that it's just not a part of their daily life. I suppose.

Yeah, I suppose more and more people, as you know, yourself, even in Dublin are going resorting to walking or cycling. You know, we've got, you know, we've had this, you know, Dublin in the last couple of years introduced this, the bicycle scheme in Dublin and stuff like that, people really want something like that in Galway as well. But that was really that in the last couple of years. And as far as I understand, it's been a huge success, you know, you see the stands all over the city for people to put their continent to the bike or whatever it is, and they just use that. So I think more and more people are going for sustainable modes of transport. And let's face it, I mean, you know, the relevant authorities who are in charge of transport systems in Dublin are pushing for more sustainable forms of transport, like walking and cycling in the future. I think that's literally every every urban area in the world, you know, just for 15 minutes city kind of the thing? I'm not sure if you're aware of that one.

Interviewer

I think that's literally every every urban area in the world, you know, just for 15 minutes city kind of the thing? I'm not sure if you're aware of that one.

Unknown Speaker

Yeah.

Interviewer

And then I'll ask you, then how do you view the planning system in Ireland? Do you think it's fit for purpose?

Unknown Speaker

I don't know if I should say, No comment to that one. I mean, you probably know this yourself, that's.

Now I don't, again, I don't have any comparisons with other countries with the planning system. And Ireland is evolving all the time. And legislation, as you probably know, yourself is something that moves at a very quick pace, you know, we find ourselves all the time that we're having to try to keep up with legislation and changes that come along.

novelty schemes have been introduced in the last couple of years. And, you know, we've had the strategic housing department in the in the board for the last couple of years, to try to deal with the housing scarcity in urban areas, as well as especially in Dublin. So suppose the governments of the other time have tried to address issues like that by rolling out kind of things like strategic housing, and obviously, strategic infrastructure was introduced back about 15 years ago, again, that was, you know, sure know, that, that it was intended as a fast track system, that, that private developers and other bodies would come to the board directly, the planning applications of something was deemed to be strategic infrastructure. And the idea was, initially was to try to fast track these infrastructural developments as most, as was as worthwhile in that sense that governments and the kind of consenting authorities have tried to address those issues in the system.

Interviewer

Yeah, yeah. I see that. And then, what would you What would you see as maybe like the main aspects of opponent that might be hindering progress in like the major projects, the major strategic infrastructure projects? Do you think there's a certain stakeholder or a certain institutional role that's kind of slowing things down?

Unknown Speaker

Well, speaking, just from the point of view of strategic infrastructure cases, obviously, you know, the whole system has gotten more more and more litigious in the last couple of years, it's probably the same all over as well. But, you know, we think, anecdotally, we have certainly seen a huge rise in the number of judicial reviews that come along. So even though there there are, obviously, obviously, delays in the system itself, you know, the from from from the time the developer applies for permission to ourselves to the time to eventually get the final grant to get the grant permission from ourselves or whatever the decision may be. Certainly, the more complex and controversial projects are increasingly under, you know, they it's almost a given nowadays, I think that you, you almost expect that if there's going to be a grant of permission for a complex or what has been a controversial project in terms of having a lot of third party interest in objectors to us. It's almost a given that there will be a judicial review following if the board decides to grant permission for the project, there usually will be the expectation then that the judicial review will follow and judicial reviews have have risen number in the last couple years, that there was a change back two years ago, whereby a third party costs are covered matter or something like that. So it's in a sentence those again, it's easier, and it's it's less costly for third parties to to go down the route of judicial review. So I think there has been a huge I don't know what the statistics are, but my understanding is that certainly our legal departments are kept busy with the numbers of judicial reviews can then the so they can, they can hold up a scan of a project as well because that can take that legal process.

I'm not sure what the time is, again, and I suppose it can differ from case to case, but has become even see sometimes now, private developers coming in at preamp stage. And they're outlining their kind of timetable in respect of, you know, when they want, when they would hope to get where they would hope to apply for the project. And then when they would hope to get a grant of permission from the board, and they're not even now those are even factoring in a judicial review, time period into their time really is now as well. So, yeah, it's more the exception than the rule still, but I have seen it once or twice that some of them are factoring in them, because I suppose because these projects are controversial, it's you know, and if they do get the grant permission from the board, they are expecting as well, it would be naive, from their point of view nowadays, to kind of think that it just ends when the board grants permission, because there was there was no yourself there isn't a mechanism that someone can apply for leave to judicial review the Board's decision within the within eight weeks of the of the board making the decision. So

Interviewer

how do you view the court's role in all of this? Do you think they have a guide? Do you think they're having maybe more say than they're entitled to or think they're being? They're involved? I don't know what I don't need. You know, I, as I said,

Unknown Speaker

I understand that the most, a lot of these controversial projects and large projects are subject to this process now, but I don't really take a great interest in, you know, we were informed of court rulings and stuff like that we hear of various keynotes decisions that are taken, I don't take a huge interest in that myself. I know that you're probably aware that the courts are supposed to, you know, if something is taken to the high court that the High Court is only supposed to be looking at the procedures that the board took, which in this decision, it's not actually supposed to be taking the view on issues of proper planning and sustainable development and effects in the environment of a proposed development. That's supposed to be the board's we met early, you know, also, the High Court is supposed to be doing is, is analyzing the board's procedures and reaching this decision and the other fields that didn't follow how it's supposed to be reaching that position from the procedural point of view, or procedural point of view, then, you know, the High Court has asked me then to quash the Board's decision. But that means, of course, that the case will come back to the board for a fresh adjudication on on the other proposed development that could end up with the board, just going with it with granting permission. Again, that doesn't necessarily mean that the board is going to overturn its own decision. But the point here is that the court, the High Court can't overturn the Board's decision, you know, can change minds into a refusal, or vice versa. Yeah, you think

I can't really comment on on how far they're going, you know, in terms of what they're saying, and their rulings and things like that. But I know that from from the dawn of time and planning, that's possibly where it goes, I thought that that's possible. You really getting into the whole remit of ppms V and fixing the environment, it's supposed to be looking at our procedures and making a decision. And do you think they're sticking to that within their their brief? I suppose. I don't I don't want to do that, again, time because I'm not really reading these rulings. I don't know if that's the case or not, you know, that's fair. . I mean, I know that the general rule of thumb is what I've just said to you there before. Yeah, yeah. And then the factor is that we have a lot more judicial review cases than we had years ago. So yeah, a lot of a lot of these bigger projects, complex projects are invariably and inevitably being judicially reviewed, especially when, especially in the circumstances where the board

is granted permission, you know, there are third party, if there's a lot of objectors and parties on it, I think he can almost you can almost expect that there's probably gonna be a legal challenge to the Board's decision. I see. And then do you think that like the public in general, what do you think they use their right to objects, I can moderate and fair level, you have to have the right to do so. And once they, again, I can't speak I have picked for planning appeals, but again, just in the context of local authority projects in strategic infrastructure, they know they have the right to make a submission on the case within once they prepare the normal criteria of making the written submission within the appropriate time period paying the fee of 50 euros. one or two other things, you know, they then they can just you can kind of just say what they like then about the proposed development agenda written submission. Invariably, a lot of them obviously are rushing to ourselves to object to to a proposed development. You do get you do get third parties and groups who are in favor of course of proposed developments as well. They're often commercial elements they are kind of thing who would be in favor of something being established in the community that works probably, I suppose lead to, to, to, to maybe, for example, an example of that would be greenways. For example, we've we've, we've had a few greenways. In the last couple of years, they were usually local authority projects. So it's the council's who are looking to carry out to develop a Greenway within their own jurisdiction. And quite commonly, a lot of the submissions on those ones from retail groups, that kind of thing, commercial elements, and maybe even tourist interests would be obviously in favor of those because they're thinking, quite rightly, is that they're going to probably bring in more tourists into the area and I suppose add value to their businesses in that sense. Yeah, I see that. Yeah. Especially in rural areas, I suppose. There may be grounds for redevelopment and things like that are not as well off as other areas, and they would see Greenway as being a possible revitalizing agent for the region as a whole.

Interviewer

And so like, it would be fairly well, from my assign, it would be fairly, like, open and like democratic planning system, where people are entitled to their say, do you think that that's more important than like to have such an open and democratic planning system is more important than having a fast paced implementation process? Like? Should? Should professional opinion be given maybe more status than the opinions of private citizens? Or do you think that's the case at all?

Unknown Speaker

First of all, I mean, I think you're asking me, would I prefer a more open democratic system as opposed to something that has just a fast track system as it is?

Interviewer

essentially!

Unknown Speaker

Yeah, I would certainly prefer that I think I mean, the problem of every part, if we did fastrack, all of these, all of these proposed developments, just kind of got them to the focus was just to get them to the system as quickly as possible and to make a decision whether it would be to grant permission or refuse permission for them. I think that wouldn't be correct. Anyway I certainly wouldn't be personally more in favor of, of a project being proper, properly analyzed, and properly assessed by by both the board's inspector and then subsequently the board itself, and it's making its decision on the case, rather than the attitude being, let's just get this through as quickly as we can. And let's, let's hope that it gets over those judicial reviews. That's where we'll get past that hurdle as well, you know, I think it's

better to interrogate these projects as robustly and thoroughly as possible, rather than just speed them through.

And you might miss something, or you might miss, you know,

Sorry, what was the other kind of side of your question there? Sorry?

Interviewer

No, that was essentially it really, I was kind of basically saying that to, like, should professional opinion be given more of a status than people like private citizens, if you know what I mean?

Unknown Speaker

I should we should be engineers and planners to have a professional opinion you're talking about there is basically, there's probably going to be the board's Inspector, you know, he or she was the one who was who is doing the raising the reports, they're going to be doing the site visit. Sometimes, again, if it's a very complex case on, it's involving a large soldier, whether the inspector has to carry out a number of site visits. And there may be no robbery in order to hear an order hearing held on the case down as well, if it's particularly complex case, and those requirements for the holding them or hearing them, the inspector is also conducting that as well. So I mean, at the end of all of that, you know, the inspector, he or she is going to be making a recommend at the end of their report, they're going to be making a recommendation to the board as to whether they feel that the proposal often should be granted or refused permission. So that's the that's the professional opinion there, obviously. And that's the one that the board is going to be along with both the, you know, the submissions that have been made, on the case itself, including from the developer also, who obviously is, is making the case for the development to be granted permission. So yeah, the board has to weigh them weigh both sides up, I suppose it has to take a take in the professional opinion from its own inspector and then the public opinion from observers and third parties, and also the obviously the advocate themselves, because they're making the case for for grant.

Interviewer

Yeah, yeah. And then would you say there would be like the same amount of red tape for implementing the public strategic infrastructure projects versus maybe private? Like housing developments? Do you think there's same amount of red tape involved?

Unknown Speaker

I don't know you but you mentioned housing. Maybe you're you're kind of you're alluding to a strategic housing area.

Interviewer

Yeah, well, that's an example now.

To be private, I mean, public versus private, do you think that there's the same amount of red tape?

Unknown Speaker

I'd say the red tape is the same for both to be honest with you, I don't think there's any, I don't think there's any huge differences, you know, they're all subject to the same process. And they can all be, you know, whether it's a local authority project or a strategic infrastructure by a private developer, that can be subject to the holding of an oral hearing, for example, they can be subject to further information requests from the board board or the board or its inspector feel that further information is required, to to supposed to lead to better understanding of the project, than a private developer is the same as local authority project, local authority, they can we we can request for information from either them, or hearing, as I, as I mentioned, can be had on both those types of cases. So I think that generally the same type of legislation, even though there's different bits and pieces of legislation, the the overall effect is is quite similar, really, for both local authorities and park developers. I don't think there's too much of that same process. There's too much of a Yeah, I think the same principles apply to both really to be honest with you. Yeah.

Interviewer

And then it's going to be be last question actually,

Do you feel that submissions from people from more affluent areas, you have more power than those from more working class areas? And if Yes, why?

Unknown Speaker

No, definitely not. No, I don't there's no, there's no waste put on. That certainly wouldn't be the case, you know, that there would be any racial weight from from some area in Dublin. That's an affluent area in Dublin, or an affluent area, even in Galway, or some other parts of the country, as opposed to maybe, as you put yourself Alaska affluent, or maybe poor region or something. No, they would there wouldn't be any, and there shouldn't be. I mean, that would be completely contrary to the spirit of legislation. I think you'd agree. Okay, yeah, no, I see that. Yeah.

Interviewer

I'm looking through all my questions here. And you seem to have like answered all of them, even if I didn't ask them directly. So if I was very helpful now, I must say,.

\*Section omitted due to confidentiality agreement\*

Interviewer

All right. Have a nice day.

Unknown Speaker

Take care.

## Appendix 3 - Coding

