

## APPENDIX 2

**STATUTORY INSTRUMENTS**

**S.I. No. • of 2006**

**DRAFT OF**

**Transport (Railway Infrastructure) Act, 2001  
(Dublin Light Rail Line B1- Sandymount Industrial Estate to Cherrywood) Order, 2006.  
(S.I. No. • of 2006)**

**PUBLISHED BY THE STATIONERY OFFICE  
DUBLIN**

**To be purchased directly from the  
GOVERNMENT PUBLICATIONS SALE OFFICE,  
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2  
Or by mail order from  
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,  
51 ST. STEPHEN'S GREEN, DUBLIN 2  
(Tel: 01-6476834/35/36/37; Fax: 01-6476843)  
Or through any bookseller.**

**(Pn. •)**

**Price: €•**

## ARRANGEMENT OF ARTICLES

---

### PREAMBLE

### PART I

#### PRELIMINARY

1. Citation.
2. Interpretation.
3. Incorporation of enactments.

### PART II

#### WORKS AND RELATED PROVISIONS

4. Construction of works.
5. Deviation.
6. Power to alter the layout of roads.
7. Temporary closure of roads.
8. Construction of new roads.
9. Construction of bridges.
10. Fixing of brackets to buildings and erection of poles.
11. Underpinning of buildings.
12. Discharge of water.
13. Temporary light railways.
14. Motive power.
15. Period within which the Agency is authorised to carry out works.

### PART III

#### ACQUISITION AND POSSESSION OF LAND

16. Power to acquire land.
17. Acquisition of rights
18. Extinguishment of rights of way.
19. Use of air space.
20. Temporary possession of land.
21. Period within which the Agency may compulsorily acquire land and interests in land.

### PART IV

#### MISCELLANEOUS AND GENERAL

22. Interference with apparatus
23. Arbitration.
24. Agreement between the Agency and road authorities.
25. Interference with roads.
26. Rights of third parties to open up roads.
27. Operation of the Light Railway.
28. Preservation of State rights.
29. Expenses of Minister.

## SCHEDULES

FIRST SCHEDULE Part 1	Description of the works authorised by this Order.
FIRST SCHEDULE Part 2	Further works authorised by this Order.
SECOND SCHEDULE	Land to be acquired.
THIRD SCHEDULE Part 1	Structures to which bracket(s), cables or other fixtures are to be attached.
THIRD SCHEDULE Part 2	Land upon which poles are to be erected.
FOURTH SCHEDULE	Under road basements which are in whole or part to be acquired or affected.
FIFTH SCHEDULE	New roads to be constructed.
SIXTH SCHEDULE	Public Roads to be altered.
SEVENTH SCHEDULE	Rights of way and other rights necessary for giving effect to the Order
EIGHTH SCHEDULE Part 1	Public rights of way to be extinguished.
EIGHTH SCHEDULE Part 2	Private rights to be extinguished.
NINTH SCHEDULE	Rights of way to be temporarily interrupted.
TENTH SCHEDULE	Land to be temporarily occupied.

## PREAMBLE

I, Martin Cullen, Minister for Transport, in exercise of the powers conferred on me by Section 43 of the Transport (Railway Infrastructure) Act, 2001 (No. 55 of 2001) (as adapted by the Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No.305 of 2002)) being of the opinion, after consideration of an application dated 7 November 2005 made to me by the Railway Procurement Agency for an Order to authorise light railway works between Sandyford Industrial Estate and Cherrywood Dublin, the draft of the said Order together with the Schedules thereto, the plan of the proposed railway works, the book of reference to the plan, the environmental impact statement that accompanied the said application, the Report of the Public Inquiry duly held, the recommendations contained therein, such submissions as were made to me pursuant to sections 40 or 41 of the said Act of 2001 and not withdrawn, and being of opinion that the said application should be granted and being also of the opinion that the rights in over or under public roads specified in this Order with the consent of the Minister for the Environment, Heritage and Local Government are necessary for giving effect to this Order, hereby order as follows:

Transport (Railway Infrastructure) Act, 2001 (Dublin Light Rail Line B1- Sandyford  
Industrial Estate to Cherrywood) Order, 2006 ( S.I. No. ● of 2006)

## PART I

### PRELIMINARY

#### 1. Citation

This Order may be cited as the Transport (Railway Infrastructure) Act, 2001 (Dublin Light Rail Line B1- Sandyford Industrial Estate to Cherrywood) Order, 2006.

#### 2. Interpretation

(1) In this Order except where the context otherwise requires:

"The Act" means the Transport (Railway Infrastructure) Act, 2001 (No. 55 of 2001);

"The Act of 1993" means the Roads Act 1993 (No. 14 of 1993)

"The Agency" means the person which made the application for this Order or a person with whom or which such person has made an arrangement pursuant to Article 43 (6) of the Act.

"Apparatus" includes any sub-station, inspection chamber, junction box, booster station, pipe, sewer, drain, duct, tunnel, conduit, wire, cable, fibre, insulator and such other thing as may be used by an undertaker for or in connection with the provision or acceptance of a service to the public.

"Construct" includes build, make, and put together;

"The Deposited Plan" means the copy of the plan (and sections) deposited together with a copy of this Order pursuant to Section 46 of the Act:

"Execute" includes construct and maintain and cognate words shall be construed accordingly;

"Light Railway" means a way formed above, on or under the ground by parallel rails together with vehicles having wheels flanged or otherwise suitable for use on and to be guided by such rails the entire being designed for the safe transport of passengers;

"Light Railway Works" means the works described in and authorised expressly or by necessary implication by this Order;

"Maintain" includes inspect, repair adjust, alter, remove, reconstruct, renew, enhance, upgrade and replace and cognate words shall be construed accordingly;

"Mechanical Power" includes electrical or any other motive power;

"Public Road" means any public road within the meaning of the Act of 1993 or any road which may become a public road during the currency of this Order;

"Relevant Road Authority" means a road authority in whose functional area the Agency may exercise rights conferred on it by this Order in relation to a road;

"Rights Over" land or water or a road includes rights to do or place or maintain anything in on over or under such land water or road.

"Road" has the meaning assigned to it by the Act of 1993 but also includes a public road.

"Road Authority" has the meaning assigned to it by the Act of 1993.

"Sanitary Authority" has the meaning assigned to it by the Environmental Protection Agency Act 1992 (No. 7 of 1992).

"Undertaker" means any person or body with power and authority in relation to apparatus to locate or relocate it or cause it to be located or relocated as provided for in Article 22 hereof;

"Works" includes "railway works" as defined in the Act but also includes where the context so requires or admits other works authorised by this Order including such acts or operations as are included in the meaning of "works" for the purposes of the definition of "railway works" contained in the Act.

(2) Terms herein have the same meaning as the same terms have in the Act unless otherwise herein stated.

### 3. Incorporation of enactments

The Regulation of Railways Acts 1840-1889 and any other Act relating to railways shall apply to the light railway authorised by this Order so far as they are applicable for the purposes of and are not inconsistent with or varied by the provisions of this Order and the Act together with this Order shall be deemed to be the Special Act for the purposes of those enactments.

## PART II

### WORKS AND RELATED PROVISIONS

#### 4. Construction of works

(1) Subject to the provisions of this Order, the Agency may, on the lines, in the places and according to the levels shown on the deposited plan, execute the light railway and the light railway works specified in Part 1 of the First Schedule and all other necessary or ancillary works in connection therewith.

(2) Subject to the provisions of this Order, the Agency may, on the lines, in the places and according to the levels shown on the deposited plan, execute the further works described in Part 2 of the First Schedule and all other necessary or ancillary works in connection therewith.

(3) Subject to Section 63 of the Act, the Agency may break open a public road having given not less than 7 days prior notice to the relevant road authority and may remove, appropriate and use the soil or other materials therein or thereunder.

[(4) The light railway and light railway works constructed under this Order shall not be brought into operation unless and until the same have been duly inspected and certified fit for the purpose by an Inspector duly appointed by the Minister under the Regulation of Railways Act, 1871.

#### 5. Deviation

(1) In executing any light railway works the Agency may:—

(a) Where such works are situated in a public road

- (i) Deviate laterally by an amount not exceeding 2.5 metres from the lines or situations shown on the deposited plan
- (ii) Deviate vertically by an amount not exceeding 1 metre upwards or downwards from the levels shown on the deposited plan
- (iii) Deviate longitudinally by an amount not exceeding 20 metres in respect of any light railway works.

(b) Where such works are situated otherwise than in a public road

- (i) Deviate laterally by an amount not exceeding 5 metres from the lines or situations shown on the deposited plan
- (ii) Deviate vertically by an amount not exceeding 2 metres upwards or downwards from the levels shown on the deposited plan
- (iii) Deviate longitudinally by an amount not exceeding 20 metres in respect of any light railway works.

(2)The Agency may, in executing light railway works, lay down either single or interlacing tracks of parallel rails in places where double tracks are shown on the deposited plan.

6. Power to alter the layout of roads

(1) In exercise of the powers conferred by Section 50 of the Act the Agency may in connection with or for the purpose of light railway works in, over or adjacent to any road and in accordance with the deposited plan and subject to the provisions of paragraph (2) of this Article do any one or more of the following:

- (a)Alter the width of the carriageway of the road by altering the width of any footway, cycle track, verge or other land within the boundary of the said road;
- (b) Break up, alter or interfere with the level of any carriageway, kerb, footway, cycle track, verge or other land within the boundary of the said road;
- (c)Realign the road where necessary;
- (d)Carry out works to the carriageway of the road for the purpose of deterring or inhibiting vehicles other than light rail vehicles from passing along the tracks of the light railway or from passing along any particular section or sections of the road.

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

(3)The works authorised by this Order may be done, made, and executed in, upon and under the roads specified in the Sixth Schedule to this Order.

7. Temporary closure of roads

(1) Subject to the provisions of paragraph (2) of this Article, the Agency may, for the purpose of executing light railway works or for any purpose incidental thereto, request the relevant road authority by order temporarily to close to traffic any one or more of the public roads mentioned in the Ninth Schedule and the following provisions shall apply in relation to such request:—

- (a)The Agency shall give to the road authority notice in writing of its requirement to close such road and such notice shall
  - (i)Specify the road which is required to be temporarily closed
  - (ii)State a period for which, in the reasonable opinion of the Agency, it is necessary to temporarily close such road
  - (iii)Give particulars of any alternative route or routes if any which the Agency believes will be available while such road is temporarily closed
  - (iv)Contain a brief description of the works which the Agency proposes to carry out while such road is temporarily closed;

(b)Within 12 days of the receipt by a road authority of such notice as aforesaid such road authority shall give at least 14 days notice of its intention to close the said road

(i) In one or more newspapers circulating in the area in which the road is situated and

(ii) In writing to the Superintendent of the Garda Síochána within whose district the road is situated;

(c) Such notice required to be given by sub-paragraph (b) shall

(i) Contain the information set out in the notice furnished to such road authority by the Agency and

(ii) State that objections may be made in writing to the road authority in relation to the proposed temporary closure of the said road before a specified date (which date shall not be less than 3 days after the publication of such notice);

(d) A road authority shall consider any objections made to it in writing pursuant to sub-paragraph (c) and not withdrawn;

(e) Where a road authority having complied with subparagraphs (b), (c) and (d) of this paragraph decides to close a road it shall give at least 7 days notice of its decision to close such road

(i) In the newspaper or newspapers circulating in the area where the notice of its intention temporarily to close the road was published and

(ii) In writing to the Superintendent of the Garda Síochána within whose district the road is situated

and such temporary closure shall not take effect on a date which is earlier than that specified in the notice of intention under sub-paragraph (b). The notice of decision required to be given by this sub-paragraph shall contain the information specified in sub-article (a) of this paragraph;

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

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

(2) Paragraph (1) of this Article shall be without prejudice to the power of the Agency to execute in an emergency works immediately necessary to eliminate or reduce danger or risk to persons or property.

## 8. Construction of new roads

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

(2)Each new road constructed under this Article shall when completed, unless otherwise agreed between the Agency and the road authority, be maintained by and at the expense of the Agency for a period of 12 months from the date of completion and at the expiration of that period shall be maintained by and at the expense of the road authority.

#### 9. Construction of bridges

Wherever the Agency is authorised by this Order to construct a bridge to carry a light railway over any road, motorway or waterway or, as the case may be, to carry any road over a light railway the following provisions shall apply in relation to the construction and maintenance of such bridge:—

(a)Where any such bridge carries the light railway, such bridge shall be maintained by the Agency at its own expense;

(b)Where such bridge carries a road the Agency shall maintain such bridge at its own expense provided however that in relation to the maintenance of the road surface of such bridge the Agency and the relevant road authority may enter into agreements upon such terms as may be agreed between them for the maintenance, improvement, or relaying of such road surface whether by the Agency, a contractor employed by the Agency for that purpose, or by the road authority or any contractor on its behalf.

#### 10. Fixing of brackets to buildings and erection of poles

(1)The Agency may enter upon the lands specified in Part 1 of the Third Schedule and may attach to any wall, house, building or structure thereon any bracket, cable or wire or other fixture required for or in connection with the construction, operation or maintenance of a light railway authorised by this Order.

(2)The Agency may enter upon the lands specified in Part 2 of the Third Schedule and may erect thereon any pole or poles required for or in connection with the construction, operation or maintenance of a light railway authorised by this Order.

#### 11. Underpinning of buildings

(1)The Agency may in accordance with the provision of Section 48 of the Act enter on any land and underpin or otherwise strengthen any house, building or structure affected or likely to be affected by light railway works where the Agency considers it necessary or expedient to do so for the purpose of preventing or minimising injury, loss or damage to such house, building or structure or any part thereof.

(2)Where any house, building, or other structure has been underpinned or strengthened in accordance with the provisions of Section 48 of the Act and this Article, the Agency may from time to time thereafter and in accordance with the provisions of the said Section 48 and the provisions of this Article re-enter on any land and do such further underpinning or strengthening as the Agency may deem necessary or expedient.

#### 12. Discharge of water

The Agency may use any available stream or watercourse or any sewer or drain for the drainage of water in connection with the construction, operation or maintenance of the light railway works and for that purpose may make any convenient connections with any such stream, watercourse, sewer or drain, subject, however, to the following provisions:—

(a)The Agency shall not discharge any water into any public watercourse, sewer or drain except with the consent of the sanitary authority to which it belongs which consent shall not be unreasonably withheld or delayed and in accordance with such terms and conditions as such sanitary authority may reasonably impose;

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

### 13. Temporary light railways

(1)Where the light railway works have been constructed, the Agency may, for the purposes of the safety, maintenance, upgrading or improving of the said light railway works

(a)Remove or discontinue the operation of the light railway or any part thereof

(b)Lay, maintain and operate in or near such light railway or part a temporary light railway in lieu of such light railway or part.

(2)The Agency in exercising the power contained in paragraph (1) of this Article shall, where a road may be affected, before carrying out such works, obtain the consent of the relevant road authority to the carrying out by the Agency of such works as aforesaid which consent shall not be unreasonably withheld or delayed.

(3)Where the Agency is of the opinion that the road such as is referred to in paragraph (2) of this Article, should properly be temporarily closed to vehicular traffic then it shall request the road authority temporarily to close the road to vehicular traffic and the provisions of Article 7 of this Order shall apply in respect of such temporary closure. Where the road authority is of the opinion that such road should be temporarily closed to traffic it shall notify in writing the Agency of such opinion whereupon the Agency shall furnish a request to such road authority in accordance with the provisions of sub-paragraph (1) of Article 7 of this Order and the provisions of the said Article shall thenceforth apply in respect of such temporary closure.

### 14. Light railway to be constructed

(1)The light railway shall be operated by mechanical power.

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

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

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

(1)Construction of the works authorised by this Order shall be, so far as is reasonably

practicable, substantially completed at the end of the period of six years beginning on the day upon which this Order comes into force.

(2) Paragraph (1) of this Article shall not apply to any works required for the safety or Maintenance of the said works

### PART III

#### ACQUISITION AND POSSESSION OF LAND

##### 16. Power to acquire land

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

(2) Without prejudice to the provisions of Article 19 and subject to the provisions of the Act, the Agency may acquire compulsorily and use all of the basements specified in the Fourth Schedule or such parts thereof as the Agency may consider necessary to acquire for the purposes of the light railway works authorised by this Order.

##### 17. Acquisition of rights

Subject to the provisions of the Act, the Agency may acquire compulsorily such rights over the lands water or roads shown on the deposited plan and specified in the Seventh Schedule as may be required for the purposes of the execution and operation of the light railway authorised by this Order together with such rights as may be necessary for the full and free exercise at all times of the first-mentioned rights.

##### 18. Extinguishment of rights of way

Subject to the provisions of the Act the Agency may—

(a) Extinguish the public rights of way specified and to the extent specified in Part 1 of the Eighth Schedule,

(b) Extinguish the private rights including rights of way, if any, specified in Part 2 of the Eighth Schedule,

(c) Temporarily interrupt the rights of way specified in the Ninth Schedule.

##### 19. Use of air space

(1) Without prejudice to the provisions of Article 16 of this Order, the Agency may enter upon and use so much of the air-space over a road as may reasonably be required for the purposes of or in connection with the light railway authorised by this Order.

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

##### 20. Temporary possession of land

(1)The Agency may enter upon and take temporary possession of the lands specified in the Tenth Schedule to this Order or any part of such lands.

(2)In particular, the Agency may enter upon and take temporary possession of such land for the provision of working sites and access for construction purposes and for such purposes may construct and remove any structures thereon, cut and remove anything growing on such land or part thereof, and generally do all such things to and on such lands as may be required to adapt it for such working or access.

(3)Furthermore the Agency may enter upon and take temporary possession of a building or any part thereof, another part whereof may, in exercise of the powers conferred on the Agency by the Act and this Order, have been compulsorily acquired or interfered with for the purpose of carrying out works on the unacquired or uninterfered with part of such building with a view to minimising the damage or injury done or likely to be done by the acquisition of, removal of or interference with the part of such building so acquired or interfered with.

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

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

(6)The Agency shall pay to the owners and occupiers of land, of which it takes temporary possession by virtue of this Article, such compensation for any loss thereby suffered as though it were loss suffered and the amount of the compensation determined in consequence of the exercise by the Agency of a power conferred upon it by Section 45 of the Act.

21. Period within which the Agency may compulsorily acquire land and interests in land

(1)The powers conferred on the Agency by this Order to acquire compulsorily land or rights over land water or a road and the power conferred by Article 20 of this Order to enter upon and take temporary possession of land shall cease at the end of the period of 6 years beginning on the day upon which this Order comes into force.

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

(3)Notwithstanding paragraph (1) hereof, the Agency shall be entitled to remain in temporary possession of land pursuant to Article 20 of this Order after the end of the period mentioned in Paragraph (1) where possession of such land was taken before the end of such period.

#### PART IV

#### MISCELLANEOUS AND GENERAL

22. Interference with apparatus

1. Where the Agency is authorised to execute works by virtue of this Order and discovers apparatus in the vicinity of a place in which it wishes to execute works so that the functioning of the apparatus may be likely to interfere with the proper functioning of the works or vice versa the relevant undertaker may and upon reasonable request by the Agency shall, without unreasonable delay, do one or more of the following:—
  - (a) Remove the apparatus and relocate it or other apparatus in substitution for it in such other position or location as may be agreed with the Agency.
  - (b) Take such further or other steps or make such further or other provision with the agreement of the Agency as may secure the apparatus and the works of the Agency and the proper functioning of each of them respectively from mutual interference or damage.
2. Subject to the provisions of paragraph 3 of this Article, the Agency shall pay to the undertaker an amount equal to the cost reasonably incurred by that undertaker in the discharge of its obligations under paragraph 1 of this Article.
3. Where an undertaker, in the course of the discharge of obligations under paragraph (1) of this Article, unnecessarily provides, in substitution for existing apparatus, improved or superior apparatus, whether because of its type, construction, design, layout, placement or any other feature, the sum payable by the Agency pursuant to paragraph 2 of this paragraph shall nevertheless not exceed the cost that would have been reasonably incurred by the undertaker if the substituted apparatus had not been such improved or superior apparatus.
4. An undertaker may permit the Agency to carry out or cause to be carried out such portion of his, her or its obligations under this Article AND in accordance with such conditions as may be agreed provided however that an undertaker shall not be obliged to enter into any such agreement.

## 23. Arbitration

Should any dispute arise between the Agency and any other party in relation to the execution of light railway works authorised by this Order or the exercise by the Agency of the powers granted by this Order, the following provisions shall apply:

- (a) The Agency and the other party shall use their best endeavors to resolve any such dispute on terms mutually acceptable.
- (b) If, after such period as the Agency or the other party considers reasonable, such dispute has not been resolved to the satisfaction of both parties the following provisions shall apply
  - (i) Either party may, by 14 days notice in writing to the other party, require the subject matter of the dispute to be submitted to a single arbitrator and shall, in such notice, nominate a person to arbitrate upon the subject matter of the dispute;
  - (ii) The party receiving such notice may, within the said period of 14 days, by a counter notice, either accept the arbitrator nominated by the party serving the original notice or nominate not less than two alternative persons to act as such arbitrator;

- (c) If any one of the persons nominated by the parties is acceptable to both parties then the subject matter of the dispute shall be referred to such arbitrator as soon as may be after such arbitrator has indicated his or her willingness to act as arbitrator;
- (d) If, after service of such notice and such counter-notice, the parties fail to agree upon an arbitrator or if an arbitrator agreed upon has failed to indicate, within 14 days of being so requested, his or her willingness to act then either the Agency or the other party may apply to the Chairman for the time being of the Irish Branch of the Chartered Institute of Arbitrators for the appointment of an arbitrator;
- (e) The arbitrator so appointed by the Chairman of the Irish Branch of the Chartered Institute of Arbitrators, shall notify the Agency and the other party to the dispute in writing of his or her appointment as soon as may be thereafter and shall conduct the arbitration in accordance with the rules of the Irish Branch of the said Institute.
- (f) The provisions of the Arbitration Acts, 1954 to 1980 shall apply to the arbitration and the decision of the arbitrator in relation to the dispute and all matters connected therewith shall be binding on the parties thereto.

24. Agreement between the Agency and a road authority.

The Agency may, from time to time, enter into and carry into effect and thereafter from time to time alter, renew or vary contracts, agreements, or arrangements with a relevant road authority in regard to the laying down, making, paving, metalling or keeping in repair of any road and the light railway thereon or in respect of altering the levels of the whole or any part of any road in which the Agency is authorised to lay down the light railway and the proportion to be paid by them or either of them of the expenses of laying down, making, paving, metalling or keeping in repair or altering the level of such road and light railway.

25. Interference with roads

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

26. Rights of third parties to open up roads

1. Nothing in this Order shall take away or abridge any power lawfully vested in any person to open or break up any road in which a light railway is laid or to lay down, repair, alter or remove any apparatus.
2. No such power shall be exercised so as to affect a light railway or its operation without the prior consent in writing of the Agency which consent shall not be unreasonably withheld or delayed.
3. A person exercising any such power as aforesaid shall in all respects comply with any reasonable conditions specified by the Agency as necessary for or in connection with the construction, maintenance, operation or protection of the light railway or the light railway works.

27. Operation of the Light Railway

Subject to the provisions of Section 11(7) of the Act, the Agency may use and operate the light railway and the railway works constructed pursuant to this Order.

#### 28. Preservation of State Rights

Nothing in this Order shall affect any property real or personal vested in the State or in any Minister thereof or be construed so as to restrict or prejudice the rights of the State or any right, power, privilege or duty vested by law in any Minister or any Officer of the State, and in particular any powers of erecting, constructing, altering, or extending any works on any such property as aforesaid shall not confer on the Agency any rights of entry into, or any estate or interest in any such property, but this Article shall not operate to prevent the exercise in accordance with the this Order by the Agency of such powers if and when such right of entry as aforesaid has been duly obtained according to law by the Agency.

#### 29. Expenses of Minister

Any expenses incurred by the Minister in the exercise of his powers and functions under the Act and this Order shall, to such extent as may be determined by the Minister for Finance, be paid to the Minister by the Agency.

**FIRST SCHEDULE Part 1**

**Description of the works authorised by this Order**

## Area 13

### *Work No.1*

A light railway approximately 273 metres in length consisting of double and single lines of light railway connecting to the existing track system, commencing at match line O, on the existing railway approximately 68 metres north west of the centre of the existing Sandyford stop, and running in a south-easterly direction and then in a southerly direction, east of Blackthorn Avenue, and ending at match line A, at the north-western end of Woodford Housing Estate, as shown on Plan No.B1-RO 13 O-A.

### *Work No.2*

A light railway approximately 628 metres in length consisting of double lines of light railway commencing at match line A and running in a southerly direction, east of Blackthorn Avenue and west of Woodford Housing Estate, and crossing the junction of Blackthorn Avenue and Burton Hall Road at grade and turning in an easterly direction and continuing in an easterly direction along a ramped embankment, to be constructed on lands south of Burton Hall Road, and crossing the roundabout junction of Leopardstown Road, Burton Hall Road and Brewery Road on a bridge to be constructed and turning south and continuing along a podium, east of Block E of Central Park, the Vodafone Building, and ending at match line B as shown on Plan No.B1-RO 13 A-B.

### *Work No.3*

A light railway approximately 513 metres in length consisting of double lines of light railway commencing at match line B and running in a south-westerly direction along a podium, crossing a service road at grade and continuing along a retained embankment to be constructed, incorporating a short span bridge at its northern end, between Central Park to the west and Leopardstown Park Hospital to the east, and continuing along a bridge to be constructed over the alignment of the South Eastern Motorway and adjacent lands and ending at match line C as shown on Plan No.B1-RO 13 B-C .

### *Work No.4*

A light railway approximately 387 metres in length consisting of double lines of light railway commencing at match line C and running in a south westerly direction along a bridge to be constructed over the alignment of the South Eastern Motorway and adjacent lands and continuing along a ramp and continuing beyond the ramp and turning to run in a more southerly direction and continuing to run east of and approximately parallel to the section of Murphystown Road between the southern-most junction of Murphystown Road and the roadway crescent providing access to Glencairn House and the junction of Murphystown Road and Mount Eagle Park and traversing the footprint of Clonlea House to be demolished and ending at match line O as shown on Plan No.B1-RO 13 C-O .

*Work No.5*

A light railway approximately 283 metres in length consisting of up to four lines of light railway , commencing at a point on the existing railway approximately 182 metres south east of match line O and ending at match line A1, all within the boundaries of the existing Luas depot complex and on the reservoir side of and adjacent to the existing tram stabling area as shown on Plan No.B1-RO 13 O-A.

**Area 14**

*Work No.1*

A light railway approximately 632 metres in length consisting of double lines of light railway commencing at match line O and running in a southerly direction traversing the footprint of farm-type buildings and a water tower to be demolished and continuing in a southerly direction running west of Glencairn View, crossing the footprint of the existing roundabout junction of Glencairn Road and Glencairn View, to be reconfigured, at grade and continuing in a southerly direction west of Glencairn Heath and turning to run in a south easterly direction adjacent to the southern boundary of The Gallops/Glencairn Housing Estate and north of Ballyogan Road to be realigned and upgraded and ending at match line A south of Glencairn Court as shown on Plan No.B1-RO 14 O-A .

*Work No.2*

A light railway approximately 532 metres in length consisting of double lines of light railway commencing at match line A and running in a south-easterly direction along the southern boundary of The Gallops/Glencairn Housing Estate and north of Ballyogan Road to be realigned and upgraded, crossing the eastern leg of Glencairn Crescent at grade at the junction of Glencairn Crescent and Ballyogan Road to be reconfigured, and continuing in a south easterly direction to run adjacent to the south west boundary of Glenbourne House and Glenbourne View and ending at match line B south of Glenbourne Road as shown on Plan No.B1-RO 14 A-B .

*Work No.3*

A light railway approximately 535 metres in length consisting of double lines of light railway commencing at match line B and running in a south-easterly direction north of and adjacent to Ballyogan Road to be re-aligned and upgraded and south of Glenbourne Road, crossing the roadway entrance to Glenbourne Road and Leopardstown Valley Shopping Centre from Ballyogan Road, to be reconfigured, at grade, running south of Leopardstown Valley Shopping Centre, crossing Ballyogan Avenue at grade at the western-most junction of Ballyogan Avenue and Ballyogan Road, to be reconfigured, running south of Drinaghmore and Leopardstown Abbey and ending at match line C south of the sports grounds east of Leopardstown Abbey as shown on Plan No.B1-RO 14 B-C .

*Work No.4*

A light railway approximately 534 metres in length consisting of double lines of light railway commencing at match line C and running in a south-easterly direction and adjacent to Ballyogan Road to be re-aligned and upgraded and south of the sports grounds east of Leopardstown Abbey and crossing Ballyogan Avenue at grade at the eastern-most junction of Ballyogan Avenue and Ballyogan Road, to be reconfigured, and continuing in a south-easterly direction along the southern edge of the open area west of Ballyogan Wood and ending at match line O south of Ballyogan Wood as shown on Plan No.B1-RO 14 C-O .

**Area 15**

*Work No.1*

A light railway approximately 560 metres in length consisting of double lines of light railway commencing at match line O, approximately 35 metres west of the roadway entrance to Ballyogan Wood / Ballyogan Vale, and running in a south easterly direction north of and adjacent to Ballyogan Road to be re-aligned and upgraded and crossing the roadway entrance to Ballyogan Wood / Ballyogan Vale at grade and continuing to run in a north easterly direction along a ramp to be constructed and then along a bridge to be constructed over the alignment of the South Eastern Motorway and then along a ramp to be constructed and ending at match line A as shown on Plan No.B1-RO 15 O-A .

*Work No.2*

A light railway approximately 397 metres in length consisting of double lines of light railway commencing at match line A and running in an easterly direction along a ramp to be constructed and turning to run in a south easterly direction along the abandoned railway alignment in the cutting south of Brighton Avenue and Brighton Court and ending at match line B west of the road-over-railway bridge on Glenamuck Road as shown on Plan No.B1-RO 15 A-B .

*Work No.3*

A light railway approximately 535 metres in length consisting of double lines of light railway commencing at match line B and running in a south easterly direction along the cutting of the Old Harcourt Street Railway alignment, crossing beneath Glenamuck Road road bridge, to be refurbished, and continuing east of Glenamuck Road along the abandoned railway alignment passing Brennanstown Vale and rising along an embankment at the eastern end and ending at match line C as shown on Plan No.B1-RO 15 B-C .

*Work No.4*

A light railway approximately 523 metres in length consisting of double lines of light railway commencing at match line C and running in an easterly direction along the embankment, partly retained, of the abandoned railway alignment, incorporating a culvert and an

underpass, south east of Brennanstown Vale and continuing to run in a retained cutting, to be constructed, and turning to run in a south easterly direction, diverging from the abandoned railway alignment, and crossing beneath the alignment of a proposed road by means of an underpass to be constructed and continuing to run in a retained cutting to be constructed and ending at match line D west of Laughanstown Lane as shown on Plan No.B1-RO 15 C-D .

*Work No.5*

A light railway approximately 506 metres in length consisting of double lines of light railway commencing at match line D and running in a south easterly direction along a retained cutting to be constructed and continuing in a south-easterly direction in a shallow cutting , crossing Laughanstown Lane at-grade and continuing in a south-easterly direction approximately at general ground level to a point approximately 250 metres beyond the Laughanstown Lane crossing from which point, continuing in a south-easterly direction, the light railway enters a cutting to be constructed on open ground and ends at match line E approximately 379 metres beyond the Laughanstown Lane crossing as shown on Plan No.B1-RO 15 D-E.

*Work No.6*

A light railway approximately 505 metres in length consisting of double lines of light railway commencing at match line E and running in a south-easterly direction partly in cutting and turning to run in a more southerly direction and then in a south-easterly direction partly in a cutting and then on an embankment and then on a terrace, all to be constructed, across open ground and ending at match line F, south west of Druid Valley residential estate, as shown on Plan No.B1-RO 15 E-F.

*Work No.7*

A light railway approximately 579 metres in length consisting of double lines of light railway commencing at match line F and running in a south-easterly direction through the proposed Cherrywood Town Centre on an elevated structure to be constructed and south of the existing Druid Valley residential area and crossing the Wyattville Link Road by means of a rail-over-road bridge to be incorporated in the aforementioned elevated structure and continuing along the elevated structure and terminating at match line O as shown on Plan No.B1-RO 15 F-O.

**FIRST SCHEDULE Part 2**

**Further works authorised by this Order**

## Area 13

### *Work No.1*

Extend the width of the southern platform of the existing Sandyford stop as shown on Plan No. B1-RO 13 O-A and as shown in more detail on Plan No. B1-ST 13 O-A1&2

### *Work No.2*

Construct a radio mast approximately 30 metres high and located approximately 40 metres north west of the western most end of Sandyford stop and approximately half way between the southern-most existing track and the kerb defining the edge of the existing bus pick-up/set-down facility as shown on Plan No. B1-RO 13 O-A.

### *Work No.3*

Construct an additional technical cubicle near the existing technical cubicle located approximately 16 metres west of the western end of the platforms of Sandyford stop on the Blackthorn Avenue side of the existing and proposed light railway as shown on Plan No. B1-RO 13 O-A and as also shown on Plan No. B1-ST 13 O-A1.

### *Work No.4*

Construct a kiosk between Sandyford stop and Blackthorn Avenue as shown on Plan No. B1-RO 13 O-A and as shown in more detail on Plan Nos. B1-ST 13 O-A1&2.

### *Work No.5*

Remove the existing park and ride facility between Sandyford stop and Sandyford depot as shown on Plan No. B1-RO 13 O-A and as shown in more detail on Plan Nos. B1-ST 13 O-A1&2.

### *Work No.6*

Provide bicycle parking facilities, re-configure pedestrian and hard and soft landscape areas in the general vicinity of Sandyford stop as shown on Plan No. B1-RO 13 O-A and as shown in more detail on Plan Nos. B1-ST 13 O-A1&2.

### *Work No.7*

Demolish the structure ancilliary to house no.27 Woodford and part of the wall bounding no.27 and Woodford housing estate and construct a new boundary wall as shown on Plan No. B1-RO 13 A-B.

*Work No.8*

Relocate the access gate to the Luas depot area from Brewery Road as shown on Plan No.B1-RO 13 O-A.

*Work No.9*

Demolish part of the existing boundary wall to the new apartment complex constructed at the junction of Blackthorn Avenue and the section of Burton Hall Road leading to the Burton Hall Road, Brewery Road, Leopardstown roundabout and construct a realigned boundary wall as shown on Plan No. B1-RO 13 A-B.

*Work No.10*

Realign and widen the section of Blackthorn Avenue from the service roadway junction on the south side of Blackthorn Avenue, opposite Sandyford stop, to the junction of Blackthorn Avenue and Burton Hall Road, reconfigure the Blackthorn Avenue / Burton Hall Road junction, provide a drop-off / taxi rank facility adjacent to Sandyford stop and provide footpaths along both sides of the section of road to be realigned and widened as shown on Plan Nos. B1-RO 13 O-A and B1-RO 13 A-B.

*Work No.11*

Realign the access roadway to the Luas depot from Blackthorn Avenue as shown on Plan No. B1-RO 13 O-A.

*Work No. 12*

Construct a ramped railway embankment commencing on land south east of the junction of Blackthorn Avenue and Burton Hall Road and extending in an easterly direction to a point west of the roundabout junction of Burton Hall Road, Brewery Road and Leopardstown Road as shown on Plan No.B1-RO 13 A-B and as shown in more detail on Plan Nos. B1-BR 13 A-B1&2.

*Work No.13*

Construct a railway bridge, curvilinear in plan, spanning lands south west of the roundabout junction of Burton Hall Road, Brewery Road and Leopardstown Road, the roundabout and lands south east of the roundabout and leading on to a podium structure east of and adjacent to Block E of Central Park, the Vodafone Building, as shown on Plan No.B1-RO 13 A-B and as shown in more detail on Plan Nos.B1-BR 13 A-B1&2.

*Work No.14*

Construct a retained embankment extending from the podium east of and adjacent to Block E of Central Park, the Vodafone Building, and incorporating a short span bridge at the northern end, extending in a south westerly direction and ramping at the southern most end and leading to a bridge to be constructed over the alignment of the South Eastern Motorway and adjacent lands as shown on Plan No.B1-RO 13 B-C and as shown in more detail on Plan No.B1-BR 13 B-C and on Plan No.B1-BR 13 B-O.

*Work No.15*

Construct a stop to be called "Central Park stop" situated approximately mid-way along the eastern boundary of the Central Park complex and west of Leopardstown Park Hospital complex as shown on Plan No.B1-RO 13 B-C and as shown in more detail on Plan Nos.B1-ST 13 B-C 1&2.

*Work No.16*

Construct a pedestrian walkway incorporating a ramp between the proposed Central Park stop and the roadway leading to Leopardstown Park Hospital, to the east of the proposed stop and construct a pedestrian walkway adjacent to the light railway between the Central Park stop and Block E of Central Park, the Vodafone Building, as shown on Plan No.B1-RO 13 B-C and as shown in more detail on Plan Nos.B1-ST 13 B-C 1&2.

*Work No.17*

Construct a technical cubicle near the ramp of the proposed walkway leading to Central Park stop as shown on Plan No. B1-RO 13 B-C and as also shown on Plan No. B1-ST 13 B-C1.

*Work No.18*

Construct a railway bridge spanning over the alignment of the South Eastern Motorway and adjacent lands as shown on Plan Nos.B1-RO 13 B-C and Plan No.B1-RO 13 C-O and as shown in more detail on Plan No. B1-BR 13 B-O.

*WorkNo.19*

Construct a ramped railway embankment between the southern end of the aforementioned proposed bridge over the South Eastern Motorway and lands adjoining Glencairn House as shown on Plan No.B1-RO 13 C-O and as shown in more detail on Plan No.B1-BR 13 B-O.

*Work No.20*

Construct a stop to be called "Glencairn stop", with bicycle parking facilities, situated east of Murphystown Road, proximate to the southern junction of the crescent roadway providing access to Glencairn House and Murphystown Road and on the footprint of Clonlea House, to be demolished, as shown on Plan No.B1-RO 13 C-O and as shown in more detail on Plan No.B1-ST 13 C-O 1&2.

*Work No.21*

Demolish Clonlea House and out-buildings at the location of the proposed Glencairn stop as shown on Plan No.B1-RO 13 C-O and Plan Nos.B1-ST 13 C-O 1&2.

*Work No. 22*

Construct an electricity sub-station and technical cubicle east of and adjacent to the proposed Glencairn stop, the western wall of the proposed sub-station to be integrated with a new wall to be constructed commencing at the entrance gate immediately south of the main entrance to Glencairn House and continuing to the southern end of the eastern platform of the proposed stop where pedestrian access to the Glencairn/Gallops residential area will be provided, vehicular access to the walled and fenced-off substation to be provided from Glencairn View to be extended, as shown on Plan No.B1-RO 13 C-O and as shown in more detail on Plan No.B1-ST 13 C-O 1&2 and on Plan No.B1-SS 00 O-O.

*Works No.23*

Construct, demolish, re-align or alter the height of fences, railings, walls and walls with railings as shown on Plan Nos.B1-RO 13 O-A, B1-RO 13 A-B, B1-RO 13 B-C and B1-RO 13 C-O and plans referred to on these plans.

## **Area 14**

*Work No.1*

Demolish farm-type buildings and the water tower located south of the proposed Glencairn stop and east of Murphystown Road as shown on Plan No.B1-RO 14 O-A.

*Work No.2*

Construct a wall with railings extending from the pedestrian access to the proposed Glencairn stop along the eastern boundary of the proposed light railway and west of Glencairn View to Glencairn Road and recommencing on the south side of Glencairn Road and continuing along the eastern boundary of the proposed light railway as far as the southern end of Glencairn Heath as shown on Plan No. B1-RO 14 O-A and as shown in more detail on Plan Nos. B1-ST 13 C-01&2.

*Work No.3*

Reconfigure the junction of Glencairn View and Glencairn Road eliminating the existing roundabout and establishing a T-junction as shown on Plan No. B1-RO 14 O-A.

*Work No.4*

Construct a stop to be called "Gallops stop" with bicycle parking facilities, pedestrian access to the cul de sac section of Glencairn Crescent on the north side of Ballyogan Road to be re-aligned and upgraded as shown on Plan No.B1-RO 14 A-B and as shown in more detail on Plan No.B1-ST 14 A-B.

*Work No.5*

Construct a technical cubicle adjacent to the proposed Gallops stop as shown on Plan No. B1-RO 14 A-B and as also shown on Plan No. B1-ST 14 A-B.

*Work No.6*

Reconfigure the cul de sac end of Glencairn Crescent to provide for vehicle turning as shown on Plan No. B1-RO 14 A-B and as also shown on Plan No. B1-ST 14 A-B.

*Work No.7*

Construct a vehicular and pedestrian entrance to Glenbourne House from Glenbourne View and construct a wall closing the existing vehicular entrance from Ballyogan Road to the said house as shown on Plan No.B1-RO 14 A-B .

*Work No.8*

Construct a stop to be called "Leopardstown Valley stop" with bicycle parking facilities and a bus interchange facility on the north side of Ballyogan Road to be re-aligned and upgraded at Leopardstown Valley Shopping Centre as shown on Plan No.B1-RO 14 B-C and as shown in more detail on Plan No.B1-ST 14 B-C.

*Work No.9*

Reconfigure the junction of Glenbourne Road and the roadway providing access to Leopardstown Valley Shopping Centre, as shown on Plan No.B1-RO 14 B-C and as also shown on Plan No.B1-ST 14 B-C.

*Work No.10*

Construct a technical cubicle adjacent to the proposed Leopardstown Valley stop as shown on Plan No.B1-RO 14 B-C and as also shown on Plan No.B1-ST 14 B-C.

*Work No.11*

Construct an electricity sub-station north of Ballyogan road and east of Leopardstown Abbey in the south west corner of the sport grounds east of Leopardstown Abbey with access to the

sub-station from Leopardstown Abbey by means of an access road to be constructed as shown on Plan No.B1-RO 14 B-C and as shown in more detail on Plan No.B1-SS 00 O-O.

*Works No.12*

Construct, demolish, re-align or alter the height of fences, railings, walls and walls with railings as shown on Plan Nos.B1-RO 14 O-A, B1-RO 14 A-B, B1-RO 14 B-C and B1-RO 14 C-O and on plans referred to on these plans.

**Area 15**

*Work No.1*

Construct a stop to be called "Ballyogan Wood stop" with bicycle parking facilities north of Ballyogan Road to be re-aligned and upgraded and east of the entrance to Ballyogan Wood / Ballyogan Vale residential estate as shown on Plan No.B1-RO 15 O-A and as shown in more detail on Plan No. B1-ST 15 O-A.

*Work No.2*

Construct a ramped railway embankment extending eastward from the proposed Ballyogan Wood stop leading to the proposed over-bridge spanning the alignment of the South Eastern Motorway as shown on Plan No.B1-RO 15 O-A and as shown in more detail on Plan No.B1-BR 15 O-B.

*Work No.3*

Construct a railway bridge spanning the alignment of the South Eastern Motorway and adjacent lands north of Ballyogan Road to be re-aligned and upgraded and north west of the proposed Carrickmines Interchange of the South Eastern Motorway as shown on Plan No.B1-RO 15 O-A and as shown in more detail on Plan No.B1-BR 15 O-B.

*Work No.4*

Construct a ramped railway embankment leading from the proposed bridge over the South Eastern Motorway to the alignment of the Old Harcourt Street Railway south of Brighton Avenue and Brighton Court and west of Glenamuck Road as shown on Plan No.B1-RO 15 A-B and as shown in more detail on Plan No.B1-BR 15 O-B.

*Work No.5*

Construct a stop to be called "Racecourse stop" on the alignment of the Old Harcourt Street Railway south of Brighton Court and west of Glenamuck Road, with access to Leopardstown Racecourse complex to be facilitated by others as shown on Plan No.B1-RO 15 A-B.

*Work No.6*

Refurbish the road-over-railway bridge on Glenamuck Road, works to include replacement of the bridge deck and parapets, as shown on Plan No.B1-RO 15 B-C and as shown in more detail on Plan No.B1-BR 15 B-C.

*Work No.7*

Demolish those parts of the private residence, immediately east of Glenamuck road-over-railway bridge, the footprints of which extend over the alignment of the proposed railway as shown on Plan No.B1-RO 15 B-C and as also shown on Plan No.B1-ST 15 B-C 1&2.

*Work No.8*

Construct a stop to be called "Carrickmines stop" east of Glenamuck Road and south west of Brennanstown Vale with associated passenger interchange facilities, including bicycle parking, bus set-down and pick-up and car drop-off facilities, and with access road layout and footpaths as shown on Plan No.B1-RO 15 B-C and as shown in more detail on Plan No.B1-ST 15 B-C 1&2.

*Work No.9*

Construct a footpath allowing access to the proposed Carrickmines stop from Glenamuck Road with steps and a lift at the Glenamuck Road end as shown on Plan No.B1-RO 15 B-C.

*Work No.10*

Construct a two level underground park and ride facility adjacent to and south of the proposed Carrickmines stop with access stairs, lifts, ramps and access road system as shown on Plan No.B1-RO 15 B-C and as shown in more detail on Plan Nos.B1-ST 15 B-C 1&2.

*Work No.11*

Construct an electricity sub-station and technical cubicle adjacent to and south of the proposed railway and west of the proposed Carrickmines stop as shown on Plan No.B1-RO 15 B-C and as shown in more detail on Plan Nos.B1-ST 15 B-C 1&2 and on Plan No.B1-SS 00 O-O.

*Work No.12*

Construct a stop to be called "Brennanstown stop" east of Brennanstown Vale and west of Laughanstown Lane as shown on Plan No. B1-RO 15 C-D.

*Work No.13*

Construct a railway-under-road underpass with retained cutting approaches, east of the proposed Brennanstown stop and west of Laughanstown Lane to accommodate a proposed roadway to be constructed by others as shown on Plan No.B1-RO 15 C-D and Plan No.B1-RO 15 D-E and as shown in more detail on Plan No.B1-BR 15 C-E.

*Work No.14*

Construct a stop to be called "Laughanstown stop" in close proximity to and east of Laughanstown Lane with pedestrian access along the north side of the alignment from Laughanstown Lane as shown on Plan No.B1-RO 15 D-E and as shown in more detail on Plan No.B1-ST 15 D-E.

*Work No. 15*

Construct a technical cubicle adjacent to the proposed Laughanstown stop as shown on Plan No. B1-RO 15 D-E and as also shown on Plan No. B1-ST 15 D-E.

*Work No. 16*

Construct an electricity sub-station south of and adjacent to the proposed railway on open ground east of Laughanstown Lane and south-west of Druid Valley residential estate as shown on Plan No.B1-RO 15 E-F .

*Work No. 17*

Realign a continuous section of Laughanstown Lane approximately 140 metres in length extending north and south of the proposed at-grade railway-road crossing as shown on Plan No. B1-RO 15 D-E.

*Work No. 18*

Construct an elevated structure through the proposed Cherrywood Town Centre incorporating a railway bridge over the Wyattville Link Road approximately mid-way along the proposed elevated structure as shown on Plan No. B1-RO 15 F-O and as shown in more detail on Plan No. B1-BR 15 F-O.

*Work No. 19*

Construct a stop to be called "Cherrywood stop" south of Druid Valley residential estate and north-west of Wyattville Link Road on the elevated structure to be constructed as shown on Plan No.B1-RO 15 F-O and as also shown on Plan No.B1-BR 15 F-O.

*Work No. 20*

Construct a terminal stop to be called “Bride’s Glen stop” south of Wyattville Link Road on the elevated structure to be constructed as shown on Plan No. B1-RO 15 F-O and as also shown on Plan No. B1-BR 15 F-O.

*Work No. 21*

Construct technical cubicles in the vicinity of the proposed Ballyogan Wood, Racecourse, Brennanstown, Cherrywood and Bride’s Glen stops.

*Work No. 22*

Construct, demolish, re-align or alter the height of fences, railings, walls and walls with railings as shown on Plan Nos. B1-RO 15 O-A, B1-RO 15 A-B, B1-RO 15 B-C, B1-RO 13 C-D,

B1-RO 15 D-E, B1-RO 15 E-F and B1-RO 15 F-O and plans referred to on these plans.

**SECOND SCHEDULE      Land to be acquired**

Refer to Book of Reference (Book 1 of 2)

**THIRD SCHEDULE Part 1 Structures to which bracket(s), cables or other fixings  
are to be attached**

Refer to Book of Reference (Book 1 of 2)

**THIRD SCHEDULE Part 2 Land upon which poles are to be erected**

Refer to Book of Reference (Book 1 of 2)

**FOURTH SCHEDULE      Under road basements which are in whole or part to be  
acquired or affected**

Refer to Book of Reference (Book 1 of 2)

**FIFTH SCHEDULE**

**New roads to be constructed**

1. Construct a new roadway system with roads fulfilling the property access functions fulfilled by the existing crescent shaped roadway east of Murphystown Road and north of the southern end of the proposed Glencairn stop as shown on Plan No.B1-RO 13 C-O and as shown in more detail on Plan No.B1-ST 13 C-O1&2.
2. Construct a new roadway extending Glencairn View in a northerly direction to the vicinity of the proposed Glencairn stop to provide vehicular access to the said stop, the proposed electricity sub-station east of the stop and adjacent property as shown on Plan No.B1-RO 13 C-O and on Plan No.B1-RO 14 O-A .
3. Construct a new roadway with footpaths and cycle-paths on both sides and bus lay-bys and filter lanes from a point south of Glencairn Heath to a point approximately 225 metres south-east of the proposed Ballyogan Wood stop and running on the southern side of the proposed railway throughout and approximately parallel to and partially overlapping or adjacent to the existing Ballyogan Road and realign and/or reconfigure junctions of roads and driveways connecting with the existing Ballyogan Road which are to connect with the proposed roadway so as to form junctions with the proposed roadway as shown on Plan Nos.B1-RO 14 O-A , B1-RO 14 A-B, B1-RO 14 B-C, B1-RO 14 C-O and B1-RO 15 O-A .
4. Construct a new road providing access from Leopardstown Abbey to the proposed sub-station to be constructed in the south west corner of the sports grounds east of Leopardstown Abbey as shown on Plan No. B1-RO 14 B-C .
5. Construct a roadway system incorporating roadways connecting the roundabout junction forming part of a South Eastern Motorway interchange arrangement at the southern end of Glenamuck Road to the proposed Carrickmines stop and associated proposed facilities including park and ride, bus set-down and pick-up and car drop-off facilities and to the proposed sub-station to be constructed adjacent to the proposed stop as shown on Plan No.B1-RO 15 B-C .

**Note:** Some of the above works are in effect alterations of the existing road.

---

**SIXTH SCHEDULE**

**Public Roads to be altered**

### **Area 13**

1. Blackthorn Avenue
2. Burton Hall Road
3. Brewery Road
4. Leopardstown Road
5. Murphystown Road
6. Roadway providing access to Glencairn House from Murphystown Road
7. South Eastern Motorway (M50)

### **Area 14**

1. Murphystown Road
2. Ballyogan Road
3. Glenbourne View
4. Glenbourne Road
5. Roadways providing access to Leopardstown Valley Shopping Centre
6. Ballyogan Avenue
7. Leopardstown Abbey
8. Ballyogan Wood

## Area 15

1. Ballyogan Road
2. Ballyogan Wood
3. Glenamuck Road
4. Roundabout Junction forming part of South Eastern Motorway interchange arrangement at southern end of Glenamuck Road
5. Laughanstown Lane.
6. South Eastern Motorway (M50)
7. Wyattville Link Road.

The above roads are in the charge of Dun Laoghaire Rathdown County Council.

---

**SEVENTH SCHEDULE      Rights of way and other rights necessary for giving effect  
to the Order**

Refer to Book of Reference (Book 2 of 2)

**EIGHTH SCHEDULE Part 1 Public rights of way to be extinguished**

Refer to Book of Reference (Book 2 of 2)

**EIGHTH SCHEDULE Part 2 Private rights to be extinguished**

Refer to Book of Reference (Book 2 of 2)

**NINTH SCHEDULE    Rights of way to be temporarily interrupted**

Refer to Book of Reference (Book 2 of 2)

**TENTH SCHEDULE    Land to be temporarily occupied**

Refer to Book of Reference (Book 2 of 2)

