

## MINUTES 86<sup>th</sup> MEETING OF TII BOARD

### ITEM

<b>Subject:</b>	TII BOARD MEETING	<b>Meeting No:</b>	86
<b>Location:</b>	Knockranny House Hotel, Westport, Mayo, with some contributions by video link (Teams)	<b>Date held:</b> 23 May 2023	<b>Doc Revision:</b> Approved

### ATTENDEES

BOARD CHAIRPERSON	Gareth Llewellyn
BOARD MEMBERS	Aidan Skelly
	Mary O'Donovan
	Patricia O'Shea
	Damien Ó Tuama
	Des Kenny
	Peter Walsh (CEO)
	Colette Byrne
	Aebhric McGibney
	Sadhbh O'Neill*
	Michael Wall*
APOLOGIES	AnnMarie Farrelly*
MEMBERS OF EXECUTIVE	Edel McCormack (Head of Governance and Legal)
	Marie Mulvany (Executive Assistant)
	Rachel Cahill (Head of Executive Office)
PRESENTERS	Declan Wylde (Head of Finance) – <i>Item 6</i>
	Seán O'Neill (Director of Communications) – <i>Item 5</i>
	Virginia Kangley (SE Inspector, Western Region) – <i>Item 5</i>
	Geraldine Fitzpatrick (Head of Roads Capital Programme) – <i>Item 3</i>
	Cathal Masterson (Director of Commercial Operations) – <i>Item 5</i>
	Helen Hughes (Director of Professional Services) – <i>Items 5 &amp; 7</i>
	Kelly McCarthy (Assurance & Performance Reporting Manager) – <i>Item 11</i>
	Paul Hyland (SE Mayo NRO) – <i>Item 3</i>
	Tony Redmond (Director of Corporate Services) – <i>Item 2</i>
	Donal Minnock (Motorways Operations Manager) – <i>Item 7</i>
	Nigel O'Neill (Director of Capital Programmes) – <i>Item 5</i>

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\*New Board Member appointed 15 May 2023

It is noted that New Board Members were appointed in the week prior to the meeting and have not completed formal induction as required by the Code of Practice for the Governance of State Bodies due to the constraints of time. The Chairman agreed prior to the May meeting that new members could attend, subject to their availability at short notice, and that formal induction will be completed prior to the June Board meeting. Prior to the commencement of the meeting the Chairman welcomed the new members of the TII Board, Sadhbh O'Neill and Michael Wall, who were in attendance. The Chairman also congratulated Aidan Skelly, Damien O'Tuama, Patricia O'Shea and Des Kenny, existing Board Members, who are to have their terms extended from October this year.

### 1.0 CONFLICTS OF INTEREST

No conflicts were declared other than those already on the record for Board Members. It is noted that no decisions relevant to any of the existing interests of members were before the Board.

### 2.0 GOVERNANCE & LEGAL UPDATES/RISK MANAGEMENT

(2.1) Tony Redmond presented the Contracts signed in April valued in excess of €50k which were **noted** by the Board.

### 3.0 PRESENTATION: N5 WESTPORT TO TURLOUGH & N59 WESTPORT TO MULRANNY SCHEME

Virginia Kangley, Paul Hyland and Geraldine Fitzpatrick presented to the Board. The CEO acknowledged the effort and work of Mayo County Council, through the NRO, in bringing this scheme to completion. Paul Hyland of the Mayo NRO acknowledged the role of TII and the value of the collaboration between TII and local authorities in the upgrade of the national roads network, active travel and Greenways. These projects, in particular, add to the overall experience people have and offer a connection to the Great Western Greenway. It was noted that TII needs to get more credit for tree planting and hedgerows (native mix) undertaken on these schemes where there is adaptation of species to match local areas.

### 4.0 PRESENTATION: ENT 15: FAILURE TO ADEQUATELY MEASURE AND REDUCE CARBON EMISSIONS

Rachel Cahill presented ENT 15 to the Board. The risk is rated at an inherent risk rating (IRR) of 16 and residual risk rating (RRR) of 12 and has been assessed by the management team as deteriorating.

Rachel outlined the elements of TII's plan, including implementation of a pipeline of 22 projects which, if delivered, will achieve a 73% reduction in carbon emissions (against a target of 72%). TII has 6 levers of influence and is focussing on suppliers and industry.

A Board discussion followed, and a number of questions were raised and discussed:

- Could per unit reductions be captured (e.g., per road km)?
- Can the link between this risk and blended working be considered?
- If 93% of our emissions are road users what will the impacts of EVs be? Government target is to reduce car use in the first instance.
- Maintenance is crucial. Is there an engineering solution that reduces carbon emissions of maintenance?
- How can TII shape behaviour? There is a growing area of research in this that warrants attention. There is a role for TII in influencing shaping and modifying behaviour.

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- There is an issue between dependencies and responsibilities. Who has overall responsibility for this working? Are we using the same benchmarks/standards etc.? Sometimes there can be many different entities with input or responsibility over the same thing.
- How did TII get assigned a 73% target when Luas has to consume electricity? Should TII be considering any extensions to the system where this is going to result in higher energy consumption?
- We need to look further ahead than tomorrow. What way will we be using roads in 2040, for example? What will roads be carrying?
- CSR Directive – there are aspects of this that TII would not be able to deal with at present. It was noted that CSR training will be run in July for ARC and Board.

### 5.0 CHIEF EXECUTIVE REPORT AND SUB-REPORTS/COMMUNICATIONS UPDATE

(5.1) The Chief Executive presented the CEO Report to the Board The report follows the format recommended by Board Excellence and focusses on the Strategic Goals of:

- Existing Infrastructure
- New Infrastructure
- Services
- Safety
- People
- Engagement & Collaboration
- Organisational Excellence

Sean O’Neill provided the communications update which included website analytics as previously requested. It was noted that toll increases are getting a lot of discussion as the toll increase deferral period approaches the end. There was some general discussion around TII’s use of social media and TII’s profile and it was acknowledged that this may form part of the discussion as part of the Strategy session planned for the following day (24<sup>th</sup> May).

The following matters in the CEO report were highlighted:

- The Board has been provided with a further paper under the title ‘Stepping up-Preparing for the NDP period 2026-2030’ to outline the challenges faced by TII in delivering what has been planned for the second half of the National Development Programme. This is a continuation of the piece presented to the Board in April. [REDACTED]
- The Board noted the new Monthly Balanced Scorecard contained in the CEO report.

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- The issue of a low number of tenders for some contracts was discussed. TII has discussed the issues around this with other stakeholders, including OGP. Issues with the current form of the Public Works Contract (PWC), particularly regarding the allocation of risk, were discussed.
- The Board requested that a separate paper be brought back on N69 Kildimo Pavement (Existing Infrastructure) and this should not form part of a quarterly report.
- It was noted that the CRR has issued a letter of acceptance for the MetroLink AFA Stage 1 Concept which is conditional on TII having obtained a Safety Management Certificate from CRR before 30 April 2024.
- The CEO asked the Board for guidance on the interpretation of Circular 06/2023 “Update of the Public Spending Code Requirements” published by DPENDPR. The CEO is proposing to approve for N28 Cork to Ringaskiddy on a reading of the circular that there is no requirement for additional approval by the Minister. The Board agreed with this interpretation and **directed** the CEO to proceed on that basis.
- The Board noted that TII has not received any instructions or any indication that the Minister will seek to extend the Toll Deferral arrangements beyond 30 June 2023 when the existing Ministerial Direction expires. In addition, the Board noted that, based on current projections, further toll increases are likely to be implemented by PPP toll roads on 1 January 2024. The Secretary confirmed that the Board has previously indicated to the Executive that it is of the view that this deferral should end, in line with other temporary measures, at the end of the current deferral period. [The Secretary subsequently verified this against the minutes of the February 2023 Board meeting].

(5.2) Cathal Masterson presented the Commercial Operations Quarterly Report. It was noted that the KPI on customer satisfaction (M50) is below target and there have been deductions on contractor payments for this. The contractor has agreed to a root cause analysis. It was noted that penetration testing had recently been completed with Piers Fitzgibbon solicitors, the enforcement service provider based in Listowel.

There was some general discussion around SMISHING and it was reported that Bank of Ireland is using a seek and destroy tool for this. Over 70 convincing fraudulent eFlow sites were identified using this tool. TII is hoping that these will not be re-built when taken down. It was noted by Members that banks proactively warn their clients about this and maybe we should draw more attention to this issue.

Some issues with the grant scheme for purchase of alt. fuelled heavy duty vehicles were noted. Funding has been committed but not drawn down due to delays in getting vehicles delivered. Of a €11m fund, on €180k has been paid out.

Meet the Manager has returned to Luas. Anti-social behaviour is an issue that has been raised by passengers.

Tram maintenance is an issue. Transdev has brought extra resources in to address this.

(5.3) The Board **noted** the National Roads Network Indicators presented by Helen Hughes. The indicators now include total carbon emissions and air quality total volumes.

(5.4) Nigel O’Neil presented the Stepping Up paper, already referenced. The paper has been updated to include wider areas – EV charging, protection and renewal.

The Civil Engineering sector has rejected the State’s form of contract and the planning system is too slow and risky. TII and other state bodies have capabilities gap and this is holding up delivery of projects. We



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The timetable and implementation, as outlined in the programme provided by the Secretary to the April Board, were approved although it was noted that the new committee structure may not be achievable for June and may have to be pushed back to July.

The Board Members discussed the most effective way of engaging with the planned strategy session on 24<sup>th</sup>. The Board asked if TII could establish the status of the DOT's Strategy which went to public consultation recently. The Secretary agreed to make enquiries. [It was later confirmed via the Director of Communications, that no developments of DOT strategy are expected until June]. The Board noted that any constraints on the delivery of TII's strategy would have to be brought to the attention of DOT.

Signed by \_\_\_\_\_

**Chairperson**

Date: \_\_\_\_\_