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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
N° prev. doc.:	ST 12250/22
Subject:	Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network, amending Regulation (EU) 2021/1153 and Regulation (EU) No 913/2010 and repealing Regulation (EU) 1315/2013 - Comments by Ireland on sections 1, 2, 4, and 5 of Chapter III

Delegations will find attached comments by Ireland on sections 1, 2, 4, and 5 of Chapter III of the above proposal as presented in ST 12250/22.

In relation to the Presidency compromise text (12250/22) on Sections 1, 2, 4, and 5 of Chapter III of the proposal to revise the TEN-T Regulation, please find the below written comments from IRELAND

CHAPTER III
SPECIFIC PROVISIONS
SECTION 1

RAILWAY TRANSPORT INFRASTRUCTURE

Article 16

Transport infrastructure requirements for the core network and the extended core network

4. The requirements set out in paragraphs 2 to ~~4~~³ do not apply to isolated networks.

Commented [A1]: numbering needs to be updated as previous paragraph 4 deleted

Commented [A2]:
Of key importance that there is an exemption for Ireland.

Ireland has an isolated rail network and there are no timescales for the deployment of ERTMS in Ireland in the ERTMS deployment plan/Regulation (EU) 2017/6. *Ireland already has an exemption under the current TEN-T Regulation.* It is our preference that the derogation should be upfront in the Regulation, otherwise it will give rise to uncertainty for future planning.

In the absence of a derogation, the new requirements and deadlines in paragraphs 1-5a of Art 17 would present a very significant challenge and would disrupt existing investment plans.

There is no interoperability benefit to going beyond our current plans for ETCS1. As ERTMS requirements don't apply to the only rail network that we can connect to (NI), such requirements would have a negative impact on interoperability on the Island of Ireland.

The costs of complying with these requirements are very significant. Such investments would represent poor value for money given the more pressing requirement for greening the rail network.

The introduction of ERTMS requirements for the IE rail network in this proposal has already placed question marks over existing plans, an explicit exemption is vital.

Article 17

The European Rail Traffic Management System

6. The following exemptions apply:
- (a) isolated networks are exempted from the requirements under paragraphs 1, 2, 3, 4, 5 and 5a;
- (b) At the request of a Member State, in duly justified cases, exemptions ~~may~~^{shall} be granted by the Commission by means of implementing acts in respect of requirements referred to in paragraphs 1 to 5. Any request for exemption shall be based on a socio-economic cost-benefit analysis and an assessment of the impact on interoperability. Any such request

shall be substantiated with sufficient elements. The request for exemptions shall be coordinated and agreed with the neighbouring Member State(s) where applicable. A Member State may request the granting of several exemptions in a single request.

Requested exemptions shall comply with the requirements of Directive (EU) 2016/797 of the European Parliament and of the Council, ~~be coordinated and agreed with the neighbouring Member State(s) where applicable.~~

The Commission shall assess the request in view of the elements provided under the first subparagraph.

The Commission shall inform other Member States of the exemptions granted pursuant to this paragraph.

Article 19

Additional priorities for railway infrastructure development

In the promotion of projects of common interest related to railway infrastructure, and in addition to the general priorities set out in Articles 12 and 13, attention shall be given to the following:

[...]

- (d) subject to socio-economic costs and benefits analysis **and where relevant**, developing of infrastructure for train length above 740 m and up to 1500 m and 25.0 t axle load when constructing and modernising railway lines relevant for freight traffic;

[...]

- (h) for the development of comprehensive network, **where relevant** providing a standard of at least P400 in accordance with item 1.1.1.1.3.5 of Table 1 in the Annex to Commission Implementing Regulation (EU) 2019/777, without any additional requirement for special permission to operate services.

Commented [A3]: Propose addition of this text to recognise situations such as isolated networks, for such networks these requirements don't apply on core/extended core network so makes no sense to have a general requirement

Commented [A4]: Isolated networks are exempted from the P400 requirement for Core and Extended Core network, does not make sense to have obligations to consider higher standards for comprehensive network



CHAPTER III

SECTION 4

ROAD TRANSPORT INFRASTRUCTURE

Article 29

Transport infrastructure requirements for the comprehensive network

2. Member States shall ensure that by 31 December 2050 the roads infrastructure as referred in Article 28. 1(a), of the comprehensive network:

is designed, built or upgraded as motorway or primary road and

(a) meets the following requirements:

~~(i) — they prohibit stopping and parking on the running carriageway; and~~

~~(ii) — they do not cross at grade with any railway or tramway track.~~

~~(ab) — rest areas are available at a maximum distance of 60 km from each other, providing sufficient parking space, safety and security equipment, and appropriate facilities, including sanitary facilities, that meet the needs of a diverse workforce;~~

Commented [A5]: Not in favour of these requirements. Seem to prohibit traffic lights and roundabouts on comprehensive roads. Substantial rerouting and investment would be entailed and may divert funding from more essential road and road safety projects

Also some of our comprehensive roads run through towns and villages where such restrictions are not practical.

Commented [A6]: Not in favour of this requirement given the size of the country and the ready availability of service stations on the national road network.

Article 30

Transport infrastructure requirements for the core network and extended core network

- 1a. Member States shall ensure that the roads, as referred in Art 28. 1(a) infrastructure comply with the following requirements, by 31 December 2030 for the road infrastructure of the core network and extended core network is designed and by 31 December 2040 for the road infrastructure of the extended core network built or upgraded as motorway.

[...]

~~(iii) — they do not serve properties bordering on it.~~

Commented [A7]: Propose to delete.



SECTION 5

AIR TRANSPORT INFRASTRUCTURE

Article 33

Transport infrastructure requirements for the core and comprehensive network

1. Member States shall ensure that:

- (a) the airports of the core network with a total annual passenger traffic volume of more than twenty five million passengers are connected to the ~~TEN-T~~ railway network and to corresponding urban nodes, as set out in Annex II, ~~and with~~ **allow for direct long-distance railway connections from the airport to other urban nodes**, including where relevant with the high-speed rail network, by 31 December ~~2040~~**2030**, except where **they are located in a Member State with no cross border rail links to other EU Member States or where** specific geographic or significant physical constraints prevent such connections;
- (aa) the airports of the core network with a total annual passenger traffic volume of more than four and less than twenty five million passengers **and airports of the core network with a total annual passenger traffic volume of more than twenty five million passengers that are located in a Member State with no cross border rail links to other EU Member States** are connected to the ~~TEN-T~~ railway network and to corresponding urban nodes, as set out in Annex II, by railway, metro, light rail or trams, by 31 December ~~2030~~ **2040**, except where specific geographic or significant physical constraints prevent such connections;

Commented [A8]: Given that Ireland does not have long-distance rail journeys by EU standards and therefore is not competing with aviation, we have proposed to add flexibility in how our airports are connected to the wider rail network.

Commented [A9]: While the change to the deadline is welcome we can't accept this provision unless
1) metro connections are allowed
2) the requirement for direct rail connections to other nodes is removed

Ireland has no plans to connect Dublin Airport directly to the heavy rail network. Instead, Irish Government has agreed to construct a metro line to Dublin airport with capacity of up to 20,000 passengers per direction per hour, and this line will provide opportunities for interchange with heavy rail. Metrolink has been assessed as the best solution to link Dublin Airport to Dublin and the rail network, it will be complete by 2034.