

Submission No.			026	
Organisation Name or Name of Submitter			Brendan Flanagan (Flanagan's Pharmacy and associated residences) (18 Berkeley Road, Phibsboro)	
Item No.	Section Ref.	Page No.	Observation Statement	TII Response
Letter Re: Proposed Development of Metro [District 7] OBJECTION				
1	Letter	1	On first hearing about the proposed Metrolink I was delighted as it would provide a service for the public and help bring custom to the area, however on further examination it appears to have the potential to be a total nightmare with possible severe negative impacts during its development and construction phases, for me and my, very specific location, should such development not be done sympathetically regarding my business, my customers and my renters.	<p>Thank you for your submission and for sharing your observations with regards to the MetroLink project to which we have responded below. TII acknowledge your concerns around the short-term impacts that may arise as a result of the Project's construction. Where significant impacts have been identified, appropriate mitigation measures have been proposed to reduce the severity of the impact. Please refer to the responses below in relation to mitigation measures to reduce the impacts of traffic, noise and vibration, air quality, and building damage.</p> <p>Chapter 3 (Background to the MetroLink Project) details the strategic need for the Project, highlighting the national, regional and local challenges that will be addressed through its delivery. MetroLink will positively contribute to addressing challenges of compact growth, sustainable mobility, enhanced regional connectivity, quality international connectivity, transition to a low carbon and climate-resilient society, enhanced amenity and heritage, maximising sustainability gains, strong economy supported by enterprise innovation and skills, access to quality childcare, education and health services, and strengthened rural economies and communities.</p> <p>It is anticipated that once operational, the stations will attract a wide range of businesses keen to take advantage of the projected footfall. This will help to boost economic activity and generate an improvement to the urban public realm. This will see uplifts in office and retail rental values, declines in vacancy rates and boosts to walking behaviour. Heavy traffic can make it harder to access services such as pharmacies, especially when roads need to be crossed. This can influence social inclusion within the community and particularly more vulnerable groups that may not have access to private vehicles. Whilst TII understand that the temporary impacts associated with the construction of MetroLink may be significant in some cases, the long term benefits that will be delivered once the Project is operational will be greater.</p>

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2	Letter	1	<p>At no time has anyone approached me as to how the construction program is going to be undertaken and what potential impact this process is likely to have on my business concerns. It was only on close examination of a graphic on the technical document provided on the internet that I could see that the pharmacy and apartments were effectively positioned in a building or structure, presumably to protect somebody from something, for an undefined period and cordoned off by a 10ft high hoarding which completely obstructs the view anyone may have of the pharmacy. No-one has outlined what this is about, the purpose of same or the possible impact on access and egress regarding 18 Berkeley Road. The graphics now available online show the hoarding mentioned above effectively abutting my property which would be totally unacceptable for any length of time!</p>	<p>TII have undertaken extensive consultation across the route of MetroLink and have listened carefully to the concerns of stakeholders and the community, as documented by EIAR Chapter 8 (Consultation). It is TII's intention to continue to consult with the community through the establishment of local community forums for local business and residents throughout both the construction and operational phases of the Project.</p> <p>TII acknowledge the concerns you have around the proximity of your property to the construction site at Mater Station. Potential impacts associated with the construction phase activities of the proposed Project on the residences and businesses are addressed in Chapter 11 (Population & Land Use) of the EIAR, with mitigation measures proposed where required. The construction site will be located in Four Masters Park, but with a proportion of the works also to be undertaken under Berkeley Road. This will give rise to inconveniences and disturbances affecting activities and services at a localised level and on Berkeley Road and in particular outside properties 18 to 22. The potential noise and vibration impacts from construction activities are detailed in Chapter 13 (Airborne Noise & Vibration) and Chapter 14 (Groundborne Noise & Vibration), while disturbances to the local road network are detailed in Chapter 9 (Traffic & Transport), and dust risk as detailed in Chapter 16 (Air Quality).</p> <p>Measures to mitigate and monitor these impacts as a result of construction activity across the proposed Project are detailed in Chapter 5 (MetroLink Construction Phase) and summarised in Chapter 31 (Summaries of the Route Wide Mitigation & Monitoring Proposed).</p> <p>Additionally, the appointed contractor will prepare detailed design and construction methodologies in the form of a detailed Construction Environmental Management Plan (CEMP) to ensure all environmental impacts are managed and mitigated in accordance with the EIAR and Railway Order, assuming an Enforceable Railway Order is granted. This detailed CEMP(s) will be provided to DCC for consultation and approval in advance of any construction works on site. An Outline CEMP is included in Appendix A5.1 of the EIAR that will be developed further by the appointed contractors. Monitoring instrumentation will also be used throughout the works to monitor potential environmental impacts, including those discussed above to ensure that acceptable limits are not breached.</p> <p>TII confirm that on the western side of Berkeley Road and north of the junction with Sarsfield Street, a ventilation shaft will be constructed as part of the Mater Station under Berkeley Road, and in front of No 18 and 19. The footpath will be reinstated on completion, but the existing parking at this location will be removed.</p> <p>Ideally, and like the vast majority of the MetroLink deep stations, the ventilation shaft would be an integral part of the main structure. However, with limited space to build the station under the park and surrounding roads, a ventilation shaft located on the north west corner of the structure would protrude up into Berkeley Road, and therefore would require the road to be diverted permanently around it where there is limited space to do so. Its proposed location, whilst not ideal from the prospective of the impact on your property during construction and loss of a parking bay, will in the long term be a preferred location as it allows the streetscape to be returned to its pre-construction layout upon completion.</p>

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3	Issues that need to be addressed	1 and 2	1) Being a retail pharmacy in close proximity to both Mater Public and the Mater Private as well as various medical centres on Eccles St. a significant part of our business comes from these locations, yet, with the proposed development the pharmacy will be totally obscured from everyone on Eccles St. this will have a direct impact on the business of the pharmacy.	<p>TII are committed to working with the local business community to ensure that disruption to normal business operations such as yours are kept to a minimum. In Chapter 11 (Population and Land Use), it is acknowledged that there is a healthcare hub around Mater Hospital with significant employment and residential land use in the area.</p> <p>During the Advanced Enabling Works associated with the construction of Mater Station, parking bays will be suspended on the northbound side of Berkeley Road. Footpath use on Berkley Road and Eccles Street will be impacted but pedestrian and cycle access will be maintained on Berkeley Road, with diversions provided around the works. This will maintain access to and from your premises. To minimise disruption to pedestrians and ensure desire lines are maintained, appropriate signage and crossing facilities will be put in place. Refer to EIAR Chapter 09.</p> <p>Chapter 5 of the EIAR (MetroLink Construction Phase), explains that traffic management plans for the construction phase of the Project have been developed to minimise the impact on road users, and to maintain access to businesses and other premises. The design of traffic management measures and highways works is based on achieving the key objective of maintaining continual access to all properties during the works. Where necessary, a safe alternative route will be provided for pedestrians and vulnerable road users, such as children, and persons with restricted mobility, to maintain pedestrian access to premises. Where detour routes are required, these will be kept as short as possible and detour signage will be clear and easy to understand. All construction sites will be designed to be as unobtrusive as possible.</p> <p>As part of the Railway Order application, TII will be seeking Compulsory Purchase Order (CPO) powers to enable the acquisiton of the necessary land and property, rights and interests to construct, operate and maintain the MetroLink project. Where CPO powers are exercised, owners and occupiers whom are displaced are compensated in accordance with the compensation code. Where no property interest is acquired, there is no entitlement to compensation [provided that the works are carried out with reasonable care].</p>

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4	Issues that need to be addressed	2	2) Major disruption will occur with regard to access and egress along with the level of noise and vibration from the ongoing construction. In addition, the pharmacy keeps an open door and there is major concern as to the level of dust that will be generated both internally and externally to the business requiring additional cost in trying to control this problem.	<p>Please refer to response item (3) in relation to access and egress from your premises during the construction works.</p> <p>Potential impacts associated with noise and vibration during the construction and operational phase of MetroLink are addressed in EIAR Chapter 13 (Airborne Noise & Vibration), with mitigation measures proposed where required. EIAR Chapter 14 (Ground-borne Noise and Vibration) includes the specific control measures proposed across the Project to control vibration sources with the potential to result in disturbance to building occupants or building damage.</p> <p>The assessment of airborne noise and vibration during the construction of Mater Station includes the consideration of a number of receptors on Berkeley Road. Table 13.64 of Chapter 13 presents the potential significant airborne noise impacts, which includes receptors on Berkeley Road with predicted Moderate to Significant, and Significant to Very Significant impacts during some of the work phases. EIAR Appendix 14.5 Groundborne Noise and Vibration Blasting Modelling Results presents predicted groundborne noise and vibration levels during the construction phase of the project for buildings on Berkeley Road. In summary:</p> <p>Airborne Noise and Vibration EIAR Chapter 13.5.2.6.6 Mater Station sets out the assessment of airborne noise and vibration during the construction of Mater Station and includes the consideration of a number of receptors on Berkeley Road, including no. 18.</p> <p>As stated in EIAR Chapter 13 (Airborne Noise and Vibration), section 13.2.6.1.3, the principles for the management of Airborne Noise & Vibration in the EIAR are based on BS 5228-1. Based on this standard the Construction Noise Threshold (CNT) was calculated for receptors on existing rounded ambient noise levels. In accordance with this standard, the CNT is set at 70 dBA at no. 18 Berkeley Road.</p> <p>In order to manage and mitigate airborne noise, the Contractor will be required to set out their proposals in the Construction Environmental Management Plan (CEMP), an outline of which is included in EIAR Appendix AS.1. The Construction noise threshold will be mandated to the contractors and enshrined in the Railway Order. Before commencing works, Contractors will then need to provide best practice mitigation to reduce the impacts. If the Contractor is unable to reduce the impacts sufficiently, and the residual levels are such that widespread community disturbance or interference with sleep is likely to occur, TII will consider whether the provision of further mitigations would be appropriate. Please refer to the TII Airborne and Groundborne Noise Mitigation Policy (Appendix A14.6).</p> <p>Groundborne Noise and Vibration Predicted levels of groundborne noise and vibration are set out in Chapter 14 of the EIAR. Unfortunately, there are no effective methods available to reduce groundborne noise from the TBM at source, but noting that the duration of this impact will be temporary and of the order of up to two-weeks as the TBM passes. TII will undertake advanced consultation and stakeholder engagement to prepare people for the passing of the TBM.</p>

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		(4) continued		<p>Air Quality</p> <p>EIAR Chapter 16 (Air Quality) assesses the likely effects of the Project on Air Quality during the construction phase with mitigation measures proposed where required. Air quality during the construction phase will be impacted by traffic and dust emissions resulting from construction activities at the Mater Station site from Earthworks, Construction and Trackout (Maximum Daily HGV Movements).</p> <p>Strict dust prevention will be in place at all times to minimise any potential emissions and these procedures will be strictly monitored and assessed. In the event of dust nuisance occurring outside the site boundary, movements of materials likely to raise dust will be curtailed and satisfactory procedures implemented to rectify the problem before the resumption of construction operations.</p> <p>As specified in the response item above, before commencing relevant works, the Outline Construction Environmental Management Plan (Appendix A5.1) will also be used to manage the construction phase impacts. As part of the updated Construction Environmental Management Plan in advance of commencing construction, an Air Quality Management Plan will also be produced to include for specific working hour measures at sensitive locations. The plan will include all appropriate dust and emissions mitigation measures applicable to the circumstances of the relevant site, based on the local authority requirements and industry best practices. A plan will be developed by the contractor for each worksite, including Mater.</p> <p>The types of measures that will be implemented to manage dust will include the following:</p> <ul style="list-style-type: none">•Material handling systems and site stockpiling of materials will be designed and laid out to minimise exposure to wind. Water misting or sprays will be used as required if particularly dusty activities are necessary during dry or windy periods;•Any blasting will be completed by specialised contractors with a specific blasting dust management plan;•Liaison with local authorities and community groups;•Hoarding will be provided around the construction compounds; and•It is anticipated that methods of collecting rainwater and recycling for general site use, will be adopted where practical. Requirements for dewatering installations at deep station and tunnel portals can also provide a valuable source of water for general site use.

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5	Issues that need to be addressed	2	3) Traffic is to be diverted away from the pharmacy and parking to be restricted with some spaces totally removed from the location. I do get business from passing trade where people find it easy to park and to attend the pharmacy.	<p>Please refer to response item (3) related to the traffic management during the construction phase.</p> <p>Regards parking availability, this is also covered by the EIAR in Chapter 9 (Traffic and Transport), section 9.6.1.2.4.5, Parking and Loading Construction Impact Assessment, with particular detail provided in EIAR Appendix A9.5 Scheme Traffic Management Plan, section 7.7.</p> <p>There will be slight impacts for loading and parking during the Enabling Works associated with Mater Station. These are in the form of a loss of parking bays for both on street loading facilities (16 & 17 Berkeley Road) and general parking. This loss of parking will at its peak be approximately 7 parking spaces, however generally only one or two spaces will be lost through the phasing of the work.</p> <p>During Phase 1 of the Main Works, the Pay and Display parking spaces along the eastern side of Berkeley Road will be removed, resulting in the removal of 12 on-street parking spaces. Approximately 5 on-street Pay and Display and Resident Permit parking spaces will be removed from the western side of Berkeley Road. A temporary location for the taxi rank will be agreed with DCC. The construction of the ventilation shaft outside of No. 18 Barkeley Road removes one permanent parking space at this location.</p> <p>During Phase 2 and 3 of the Main Works at Mater Station, the Pay and Display parking spaces along the eastern side of Berkeley Road will be removed. This will result in the removal of 12 on-street parking spaces. On the west side of Berkeley Road, five on-street Pay and Display and Resident Permit parking spaces will be removed as well as a loading bay that will be relocated.</p> <p>Once MetroLink is operational, to accommodate the station entrance, the current footways and traffic lanes on Eccles Street will be realigned as part of the proposed Project. The realignment of Eccles Street, and the widening of the footway on Berkeley Road will result in the loss of on-street parking at both locations. Approximately 20 on-street parking spaces will be lost on Eccles Street, while approximately 14 spaces will be lost on Berkeley Road, due to the provision of a signalised crossing in proximity to the Station entrance. While there will be a loss of commercial and residential parking and loading infrastructure as a result of the proposed Project, the modal shift from road to public transport when the proposed Project is in place will reduce the overall demand on parking and loading facilities, thus reducing the severity of the impact.</p>

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6	Issues that need to be addressed	2	4) It is evident from online images and streetscapes of Berkeley Road recently made available to the public that there will be an extraction air vent feet from my building. This is a potential quagmire of issues!!! Noise, contaminated air venting into a pharmacy, etc. etc...a licenced pharmacy must adhere to many health and safety issues that perhaps other retail businesses do not. I fail to understand why a ventilation shaft would be located only feet from my front door, surely it could be positioned at another location reducing the need to have hoarding in such close proximity to the pharmacy. [Possible solution]	<p>Please refer to response item (4) in relation to the predicted impacts to noise, vibration, air quality and dust during the construction phase.</p> <p>As detailed in Chapter 13 (Airborne Noise and Vibration), the following options will be considered when selecting suitable mitigation for tunnel ventilation systems (in order of priority):</p> <ul style="list-style-type: none">* Selection of low noise rated equipment;* Reduction of induct flow rates;* Reduction of elements in the airflow;* In duct attenuators;* Orientation of grilles and louvres away from sensitive receptors;* Acoustic louvres; and,* Anti-vibration mountings and couplings will be incorporated into the design to control vibration. <p>The Mater station box will be constructed via top-down excavation, several utilities will need to be diverted temporarily to faciliate access. On the western side of Berkeley Road and north of the junction with Sarsfield Street, a ventilation shaft will be constructed as part of the Mater Station under Berkeley Road, and in front of No 18 and 19. The footpath will be reinstated on completion, but the existing parking at this location will be extinguished.</p> <p>Ideally and like the vast majority of the MetroLink deep stations the ventilation shaft would be an integral part of the main structure. However, with limited space to build the station under the park and surrounding roads, a ventilation shaft located on the north west corner of the structure would protrude up into Berkeley Road, and therefore would require the road to be diverted permanently around it where there is limited space to do so. Its proposed location, while not ideal from the prospective of the short term impact on your property during construction and loss of a parking bay, will in the long term be a better location as it allows the streetscape to be returned to its pre construction layout on completion.</p> <p>Chapter 16 (Air Quality) section 16.5.3.11, identifies that, there are no substantial emissions within the tunnels as the trains or the operations do not generate significant emissions to air, therefore the main emission of ventilation shafts in normal operation is akin to warm air. The street level location of the grilles associated with the ventilation shafts is designed to minimise effects on pedestrians and near buildings. They are often situated in slightly elevated median strips (30cm) for drainage purposes or within green spaces, out of the normal transit of pedestrians or other sensitive receptors. Inlet and outlet ventilation grilles are separated in order to minimise the possibility of air recirculation. Consideration is also given to the potential for air pollution to enter from vehicles through the air intake system, in particular in more urban areas where pollutant concentrations are higher. Within the stations a system with air-quality sensors and ventilation controls can be utilised in order to ensure air quality within underground stations remains comfortable and at safe levels for human health. With respect to the potential for emissions from the ventilation shafts during a fire, the materials for the rolling stock or other systems such as wiring are selected during the detailed design of the proposed Project to comply with strict regulations to avoid the emission of irritating or toxic products. These materials are chosen in order to ensure conditions remain tenable during evacuation however it will also minimise the potential for toxic fumes being emitted from the ventilation shaft during a fire within the tunnel. In accordance with the EPA Guidelines (EPA 2022) and considering the potential likely effects of emissions from the ventilation shafts, the impacts are considered overall Neutral, Not Significant and Long-Term.</p>

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7	Issues that need to be addressed	2	5) The reports published on the internet provide information in a table format as to how various properties will be impacted yet there is nothing referring to the pharmacy at 18 Berkeley Rd. and thus was excluded from any analysis. It would appear that there may be a serious error in the collation of registered property information at this location which will have had the serious impact of misrepresenting or underrepresenting my particular building and its proximity to the works.	<p>TII disagree with the statement that your property was excluded from the analysis. A comprehensive Settlement Assessment has been undertaken to determine the potential impacts that construction of the proposed Project will have on sensitive receptors such as buildings and infrastructure from the advance of the TBM. The ground movement predictions and the building damage assessment methodology adopted for MetroLink is based on the approach adopted in most tunnel projects around the world, including London Crossrail and High Speed 2 in England. This is described in EIAR Section 5.4.11 (Ground Settlement Monitoring and Mitigation Works).</p> <p>Excavation for the tunnels and other below ground structures could potentially lead to ground movements at the surface and below ground. An assessment of the effects of ground movements and potential impacts on existing buildings has been carried out as part of the Scheme Design.</p> <p>EIAR Appendix A 5.17 Building Damage Report, covers the assessed impacts of construction generated ground movements and settlement on properties similar to yours. Section 5.2 of this report sets out the rationale for the assessment of properties. The results of the assessment provided in Table 5.2 shows that the property Ref AB-47 located next to your property has been assessed as falling within the '<i>Slight</i>' category. The building risk categories shown in Table 4-4 of the aforementioned report are used to define the degree of building damage related to the Risk Category. As your building falls within Damage Category 2 or below, no protection works are anticipated for this building. However, considering the foundation of your property are shallow, a Phase 3 assessment will be undertaken by the appointed Contractor on your property, the results of which and any requirements for monitoring and / or other mitigations that eventuate from that assessment will be shared with you in advance of commencing works.</p> <p>The Phase 3 assessment will take account of final design and construction methodology details. For the Phase 3 assessment, each building will be subject to detailed assessment on an individual basis. A detailed survey will be carried out as part of the Phase 3 assessment to provide the necessary additional information to inform this detailed analysis of how the individual elements of the building would be affected by the predicted ground movements. The method and extent of the detailed analysis will be determined on a case-by case basis and may include a more sophisticated semi-empirical or a detailed soil-structure interaction using finite element modelling methods. It is likely that the Phase 3 assessment will yield further improvement to the damage category determined by the Phase 2b assessment. The results of this refined assessment typically show that earlier assessments are conservative and over estimate the likely impact of construction generated ground movements.</p>
8	Issues that need to be addressed	2 and 3	6) The duration of the disruption is not clear from the information provided but one has to believe that the longer it takes the greater will be the financial strain on the pharmacy thereby increasing the probability of the pharmacy failing. It is quite self-evident that any and all work done on this project at such close quarters, involving such lengthy and disruptive propositions will undoubtedly impact on my business in a negative way... I repeat this is in no doubt. It is our contention therefore that this inevitable outcome must be catered for in any development budget so as to ensure my business and entities such as mine, but more specially mine, are compensated for such pecuniary loss and this must include any increased cost of working and recompense for any detrimental impact. This fact needs to be contractually recognised before planning is considered. It is a fact over the last decade or so that any property development by individuals in this area has required a contribution to the "Metro development fund" surely the same should apply in reverse should our entities suffer?	<p>The programme for the construction of the proposed Project has been optimised to minimise the duration of the Construction Phase, where possible, in order to lessen the duration of potential environmental impacts, while ensuring that the areas surrounding the works sites remain operational and functional.</p> <p>A summary programme showing the duration and phasing for construction of the proposed stations and surface works along the alignment is shown in Chapter 5 (MetroLink Construction Phase) Diagram 5.4. of the EIAR. This shows the duration that each of the proposed construction compounds will be in place, while Appendix A5.2 provides more detailed, including the tunnelling elements. For Mater Station Compound/Deep Station construction the estimated programme is 105 months, that includes the following elements of the works anticipated at Mater: Advance Enabling Works; Main Works to Station; Station Fitout and Completion. It is anticipated that first two stages of the works at Mater, the Advance Enabling Works and Main Works to Station, will take up to 6 years to complete.</p> <p>Outside of localised traffic diversions and parking suspension to facilitate access for works, the access to your business will not be impacted during the Advance Enabling Works period. When the main station works commence and during the first phase, TII intends to maintain access to your business while the main activities outside of your property, the construction of the Stations North West Ventilation</p>

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				Structure under Berkeley Road are completed. This work is anticipated to take a year to complete, after which Berkeley Road will be fully reinstated with full pedestrian access along Berkeley Road restored while Phase 2 and 3 of the Main Stations works proceeds within the Four Square Park area.
9	Issues that need to be addressed	3	7) It takes years to generate the goodwill in a pharmacy business where good service encourages customer loyalty. As mentioned above, it is obvious that with such disruption will inevitability cause a downturn in the pharmacy's turnover with the resultant risk of a business failure with a complete devaluation of same. The apartments here too will suffer as no one will want to rent an apartment on a building site!	TII/NTA do not have a policy of compensation for local business for disruption during the construction stage. As with the installation of Luas line throughout the City, TII believe that any short term disruption to businesses during the works is offset by the eventual benefits of owning and operating a business in close proximate to a Luas or in this case Metro line.
10	Letter	3	<p>What I don't understand is that despite how obvious it was as to how this development was going to impact on this specific building location nobody has approached me to address my concerns and to offer assurances. This business represents a major investment both financially (1.5m) and in time and effort.</p> <p>With the approach that has been taken this generates mistrust between the parties involved and suggests that the authorities have no regard for the continual viability of my business but the importance of their own objectives. I view this proposal as a direct threat to my livelihood and the livelihood of my staff, I refuse to accept this undertaking and will fight this through the courts if required. Therefore for all of the reasons given above I vehemently object to this development as proposed.</p>	<p>Please refer to response item (2) in relation to the consultation that has taken place with local residents along Berkeley Road.</p> <p>TII's intention is to continue to consult with Local Businesses and Residents through the establishment of local community forums for residents and local buiness.</p> <p>Since the submission of the Railway Order Application, TII have engaged with the local business community and explained the sequencing of works and environmental impacts as set out in the Railway Order submission. TII are committed to addressing your concerns and of the local business community and to continue to address these concerns throughout the projects constructions stage through one on one engagement and through the soon to be established local business forum.</p> <p>Please refer to the response above in relation to the predicted impacts to your property, and the proposed mitigation measures from TII.</p>