Submission No.	106
Organisation Name or Name of Submitter	Grace Bible Fellowship

Item No.	Section Ref.	Page No.	Observation Statement	TII Response
Re: Metrolink Railway Order Application and Supporting Documentation; Property Owner: The Trustees of Grace Bible Fellowship; Address: 29, Pearse Street, Dublin 2; Ref No: ML60-U24 and ML60-U27				
1	1. Warranties and Guarantees	1	The TII advised us of their intention to acquire the substratum of part of our property at 28a and 29 Pearse Street. We have requested that they advise us of the warranties and guarantees that will be in place to safeguard us in the event our property is damaged by the tunnelling work immediately adjacent to our site. They have failed to provide us with such information. We are justifiably concerned that such construction works may cause damage to our property. We have therefore serious concerns regarding the lack of warranties, assurances and guarantees in relation to our property. If our building is damaged during the construction period or as a result of the construction work, we maintain that the Acquiring Authority should be responsible and should be prepared to give guarantees, assurances and warranties. It is not acceptable that the Acquiring Authority might delegate all responsibility to the contractor who will be appointed to undertake work on their behalf and that any damage that may arise during the construction period in relation to nearby property might be the sole responsibility of the appointed contractor. The TII can recover any outlay that they have to incur from their contractor under the terms of their contract. A property owner such as ourselves should not have to deal with a contractor that is not acting on our behalf. We submit therefore that any permission granted by An Bord Pleanala in this matter should be subject to the provision by TII to An Bord Pleanala of such guarantees and warranties that will satisfy the Bord that we will be fully indemnified in respect of any costs which may be incurred by us in the event of damage to our property, including but not limited to all costs related to the repair or rebuilding of the property and all costs related to relocation of our activities and those of our tenants in the event that we need to vacate the premises before or during such repair or reconstruction. We submit further that details of such warranties and guarantees should require that these be provided to us before construction begins.	TII are not predicting structural damage to your property from the construction of MetroLink. TII understand the reasons for your concerns and would like to provide the assurance that the potential impact of construction on your property has been carefully assessed. This includes the impact of noise and vibrations from: the tunnel boring machine (TBM), mechanical excavation and blasting; and construction generated ground movements leading to settlement and possible building and property movement. All of which have been assessed and reported in the EIAR and are summarised below. <u>Ground Movement</u> EIAR Appendix A 5.17 Building Damage Report, covers the assessed impacts of construction generated ground movements and settlement on your property. Your property is predicted to not exceed the 'Slight' category, an explanation for which can be found in Table 4-4 of the aforementioned report. <u>Noise and Vibration</u> EIAR Appendix A14.5, Groundborne Noise and Vibration and Blasting Modelling Results, 14.4 Section AZ4 Northwood to Charlemont, presents the predicted vibration levels during TBM passage for various sensitive receptors. The predicted vibration levels for TBM Passage during the day and night are 0.27ms-1.75 (VDV day) and 0.227ms-1.75 (VDV night). [Vibration Dose Value is a parameter that combines the magnitude of vibration and the time for which it occurs]. Both of these values are lower than the VDV Threshold Levels of 1.0ms-1.75 (VDV day) and 0.5ms-1.75 (VDV night). These threshold levels have been used in relation to human response to vibration, and thresholds for building damage are much higher. As the predicted levels of vibration from TBM passage are below these thresholds then no impact from vibration during TBM passage is predicted to the building. The predicted groundborne noise and vibration from mechanical excavation at Tara Station are also presented. The predicted vibration during mechanical excavation is 0.001 ms-1.75 VDV which is will below the VDV Threshold Levels of 0.8ms-1.75 VDV. There are therefore no adverse impacts predicted at this location during the mechanical excavation at Tara Station. Figure 14.4 of the EIAR Blasting Contours of PPV indicates that vibration from blasting at this location will be less than 1mm/s PPV, which is well below the threshold level of 8mm/s for blasting. Figure 14.5 of the EIAR Blasting Air Overpressure contours shows that this location is outside of the 120dB contour, and below the 125dB threshold levels. There is therefore no significant impact from blasting predicted at this location. <u>Monitoring of Potential Impacts</u> To provide further reassurance, monitoring instrumentation will also be installed to monitor the performance of the works and potential environmental impacts, including those discussed above to ensure that acceptable limits are not breached. <u>POPS Scheme</u> TII do not intend to put in place a Property Owners Protection Scheme for Commercial Properties along the MetroLink route. To protect commercial properties, TII contractors appointed to carry out the works will, with the agreement of the owners of such properties, commission chartered building surveyors to carry out a precondition survey of commercial properties. In the event that it is determined that damage has occurred. TII's contractor will be required to commission a follow up survey to confirm the extent of the damage and confirm if the damage has been caused by MetroLink works. Metrolink project insurances will be put in place in a manner similar to other large rail projects including Luas, and commercial businesses who suffer damage as a result of the MetroLink works will have access to those insurances"
2	2. Route Selection	2	In the event that such warranties, assurances and guarantees are not forthcoming we have serious concerns in relation to the route chosen for the Metrolink in our vicinity. We believe that the route does not need to come under our building or so close to it. An alternative route for this stretch could be (for example) below the railway line which is reasonably close by and we assume the substratum under that property is already available to the Acquiring Authority.	The routing of the tunnel by your property is due to the proposed station locations at Tara Street and St. Stephen's Green. The routing of the tunnel has been the subject of careful consideration over the course of a number of years and although all possible alternative routes have been considered, the optimum design which accommodates the proposed station locations, is to route in accordance with the current design.
3	3. Supporting Information	2	The relevant part of our property is detailed at references ML60-U24 and U27 in the maps provided to us by TII. These show that the edge of the tunnel will be directly below the corner of our building, and the substratum that they seek to acquire will extend up to 10 metres beneath our building. Our building is 7 storeys over basement, and was built in 2018. It is occupied and used 7 days a week. We attach hereto copies of the email correspondence between ourselves and TII in this matter.	TII confirm that the tunnel has been designed to cater for the basement and all floors of the building, and potential environmental impacts have been assessed as noted by response (1), taking account of the particular location of your property.