

Submission No.			115	
Organisation Name or Name of Submitter			Hertz Europe Service Centre Limited (represented by Corr Property Consultants)	
Item No.	Section Ref.	Page No.	Observation Statement	TII Response
RE: Metrolink Railway Order Application and Supporting Documentation, Client: Hertz Europe Service Centre Limited, Address: 25-28 North Wall Quay, Dublin 2, Ref No: ML1L-A1, ML1K-A7 and ML1K-A6				
1	1. Surplus Lands - Permanent	1	There appears to be an acquisition of surplus lands on a permanent basis. This is particularly the case at the bicycle hub building and at the attenuation area at the southern side.	
2	2. Surplus Lands - Temporary	1	The acquisition of temporary lands is completely excessive and unless it is modified, will have extreme consequences for the daily operations of the premises. As currently planned, the following severe problems are being created:	TII have responded below to the individual observations raised and would note that while they do not consider the acquisition of temporary land is excessive, TII are committed to working with Hertz, as demonstrated by the responses below to ensure the severe problems referred to do not occur.
3	Surplus Lands - Temporary, (a) Health and Safety	1	The temporary acquisition area runs right up to the fire exits on the western side of the main building. The fire exits will be blocked by the temporary acquisition. This is completely unacceptable. As the acquisition is currently planned, the premises would not be operational because it would not be compliant with fire regulations and health and safety regulations.	TII have previously walked the site with Hertz and can confirm that the works will not prevent the use of the existing fire exits through the land temporarily acquired for construction. As requested by Hertz, a minimum 2m access width will be maintained for fire and emergency access and egress, to and from Hertz premises throughout construction. These requirements will be specified by the Main Works Contract.
4	Surplus Lands - Temporary, (b) Computer Systems and Cooling Units	1	For the continued operation of the business, it is critical that there is access at all times to the cooling units which are on the south west corner of the main building. These cooling units are essential for the large comms rooms that are located immediately inside the building at the location of the cooling units. Hertz is a major international company and the subject premises in Swords serves the European market. The continued operation of the IT’s section of the business is critical for its operations.	TII have previously walked the site with Hertz and can confirm that the works will not prevent access to the cooling units on the south-west corner of the main building. This requirement will also be included in the Main Works Contract.
5	Surplus Lands - Temporary, (c) Access to Power Supply Services and Storage Area	2	It is critical that the power location point on the south west side is accessible at all times. All of the manholes to the various services, that are located in the temporary acquisition area, will need to be accessible at all times.	TII and their contractors will maintain access and protect (or divert if required) all incoming services to your premises prior to construction starting in the area. This will be a specified contract requirement. Please also see Response (8) below.

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6	Surplus Lands - Temporary, (d) Mitigation in Relation to Temporary Areas	2	An alternative location for a temporary area is at the south east side of the Hertz owned lands. This would facilitate a storage and parking which could reduce the requirement for temporary acquisition areas to the west and south of the main building. In addition, the temporary areas must be set back at all locations around the perimeter of the building so that all the hard surfaces are not being interfered with and there is a minimum pathway of three metres around the entire perimeter of the building.	<p>Temporary land take is required to facilitate construction works, however, please refer to Response (7) below regarding possible alternative land take to reduce the impact on the existing car parking area.</p> <p>The temporary hoarding line will be adequately set back at all locations around the perimeter of the building so that all the hard surfaces are not being interfered with and there is a minimum available pathway provided around the entire perimeter of the building at all times. Where feasible a 3m clearance from the building to the hoarding line will be maintained. However during the piling operation along the western edge of the building it will not be feasible to provide a 3m offset to the hoarding. During this phase, a minimum 2m offset will be provided from the building to maintain the necessary emergency fire exits and pedestrian flows to the nearest fire assembly point. The hoarding line will then be realigned to a 3m offset on the completion of the adjacent piled wall and ground beam with any damage to the hard surfaces repaired.</p> <p>Please refer to Response (3) above on the 2m minimum requirements for fire/emergency access requirements.</p>
7	Surplus Lands - Temporary, (e) Temporary Acquisition of Car Parking Area	2	There is a completely excessive temporary acquisition of the car parking area to the northern end of the site. This will cause major problems as the area is the visitor car parking area. In addition, it will have a serious impact on the business plan for this Hertz location as it is the intention of the company to lease further space and this leased space will greatly increase the car parking requirements. One of the main issues here is that there is no current start date indicated for the Metrolink Project that is in any way definite. Everything ultimately will be subject to funding and as it stands at the moment, all these temporary areas could be in existence for very many years with negative consequences for the future plans of Hertz.	The land take as detailed is required for the construction of MetroLink, and in particular for the management of traffic marshalling through the main construction phase between Seatown Station and Estuary Roundabout. With regards the lorry holding area, TII would note this is a temporary acquisition and only takes part of a very large site.
8	Surplus Lands - Temporary, (f) Power and Data Network	2	At this point in time, there is no clarity with regard to how power and data networks and other services including sprinkler piping and so on, will be relocated into the building. Clarity around this point is essential. Currently these services are in the area proposed for the station that will be permanently acquired.	The plans for utility diversion required to facilitate access to construct Seatown Station have been included within the section of the Railway Order Plans\Drawings, Utility Drawings - Utility Diversion Book 1 of 4 Fingal County Council. The specific drawing for this location is ML1-JAI-URD-Rout_XX-DR-Y-01014 Plan Drawing ML-UC 301 K-L. These details make provision for maintaining all of the existing services to the Hertz business as the works are progressed. TII's appointed contractors will be required to maintain services to your building as they sequence the works to suit their construction methodology.

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9	3. Scheme Time Frames and Funding	2	There is no definite time frames in relation to the Metrolink Project. As a consequence of this, the Hertz premises is blighted as a property.	<p>In July 2022, the Government granted Approval in Principle to the NTA to enable the submission of a railway order application by TII to An Bord Pleanála in respect of the MetroLink project (Decision Gate 1). This approval was granted after the Preliminary Business Case (PBC) had undergone significant scrutiny and challenge by bodies that are independent of TII, including DoT and DPER review (including independent review by JASPERS and the Major Projects Advisory Group (MPAG)) of the PBC around timeline, costs and benefits that were updated to inform the Government decision.</p> <p>Work will commence once the statutory planning process has been completed and an Enforceable Railway Order is in place. The timescale then envisaged for construction is indicated in EIAR Appendix A5.2 Construction Programme. Once complete the Hertz buisness will benefit greatly from its proximity to the Seatown Station and high frequency metro services.</p> <p>See also Response (7) above.</p>
10	4. Noise	2	There is a large telephone service section within the premises and construction noise will interfere with the operations of this section of the business. Adequate mitigations in relation to noise and noise monitoring have not been made available.	<p>The impact from construction noise on the Hertz building is assessed in EIAR Chapter 13 Airborne Noise and Vibration. The noise levels during construction are predicted to be between 76 to 80 dB at the external facade depending on the construction activity. This is above the acceptable threshold limit of 75dB, resulting in a Moderate to Very Significant impact on the Hertz building during the Construction Phase. As a result, noise mitigation will be implemented including a specific measure in the case of Seatown Station compound to use a 4m high construction site hoarding instead of standard 2.4 m high. However, as outlined in Section 13.7.1.1.1 of Chapter 13, there will be residual impacts at the Hertz building facade (upper floor of western facade). This will require additional measures to be applied at this location as per the Transport Infrastructure Ireland (TII) Airborne Noise and Ground-borne Noise Mitigation Policy (Appendix A14.6 of EIAR Chapter 14) i.e. Noise Insulation. TII are consulting with Hertz to explore possible additional mitigation measures that will be put in place in advance of the commencement of construction. It is anticipated that that the required mitigatios measures (if any) may include additional noise insulation and/or temporary relocation of staff to areas within the exiting premises will be agree with Hertz and implemented pre commencement of construction.</p> <p>Monitoring - During the Construction Phase the contractor will be required to carry out noise and vibration monitoring at representative noise sensitive locations (NSLs) to evaluate and inform the requirement and/or implementation of noise and or vibration management measures. A full monitoring and auditing programme will form part of the Construction Noise and Vibration Management Plan (CNVMP) which will be agreed with the Local Authority prior to the commencement of the Construction Phase. As a minimum, the monitoring programme will include an alert system for threshold exceedances, remote access and a platform for sharing monitoring results between the contractor, TII, and the relevant local authority.</p>
11	5. Vibrations	2	Vibrations caused from excavations and construction work may have very serious consequences for the sensitive IT equipment and servers within the premises. There is an IT development centre located in the main building and this will also be severely impacted by the excessive vibrations that are likely to arise from construction. No details have been provided as to how vibrations can be mitigated or monitored.	<p>Predictions of vibration during piling are at approximately 1.2 mm/s at the building facade. This would reduce to approximately 0.6mm/s inside the building which is below vibration limits proposed by IBM for servers (https://www.ibm.com/docs/en/power7?topic=sppp-vibration-shock-25) once the frequency is below 65hz. However due to the proximity of the building to the proposed pilling operation, it is proposed that monitoring would be appropriate with a red-amber-green alert system to ensure that the acceptability criterion are not exceeded.</p>

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12	6. Dust	3	Construction dust has the potential to cause very serious issues in relation the premises given the sensitive IT equipment and servers and outside cooling units for the servers. This is a matter of major concern to the business.	<p>TII acknowledge your concern and will put measures into place to ensure your property and equipment is not damaged by dust. As outlined in EIAR Chapter 16, Air Quality, section 16.6.1, an Air Quality Management Plan, detailing dust mitigation methods will be prepared prior to the commencement of construction works. This plan will be used to manage and minimise dust emissions from the construction works, with limits (Alert levels) set for locations along the alignment. If these levels are exceeded (triggers) there will be a process in place to notify those affected and works will cease until measures are put in place to ensure limits are not exceeded. A summary of dust mitigation measures (section 16.6.1.1) to be implemented include:</p> <ul style="list-style-type: none">• Material handling systems and site stockpiling of materials 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;• Hoardings provided around the construction compounds; and• Liaison with local authorities and community groups. <p>When the dust minimisation measures detailed in the mitigation section 16.6 are implemented, fugitive emissions of dust from the site are not predicted to be significant. In addition, it is understood that at this location, the air intake location for the computer servers is significantly remote from the construction site. As such, the potential impacts on computer servers are not considered a significant risk arising from the proposed Project. However, dust monitoring will be included at the air intake location and alert levels set (with a notification process) to ensure that mitigation measures are sufficient to keep dust levels sufficiently low at this location.</p>
13	7. Drainage	3	Adequate details have not been provided in relation to the control of surface water and drainage during the construction period. Any negative consequences in relation to temporary flooding or interfering with drainage, would have serious impacts on the business.	<p>TII can confirm that there will be no negative consequences for Hertz in relation to temporary flooding or interfering with drainage. The requirements that will be placed on the appointed contractors are detailed within the Outline Construction Management Plan (EIAR Appendix 5.1), and specifically at this location: the Water Management Plan; Groundwater Management Plan; and Construction Flood Protection Plan.</p> <p>The following principles of water management will apply: All surface water or increases in the risk of flooding within site compounds will be managed using temporary drainage facilities. There will be no negative drainage or flooding impact to areas adjacent or in close proximity to construction sites, and any potential flooding risk will be designed out through the development of construction drainage and flood mitigation measures. Water management tools employed by TII's contractor will include storage tanks or basins, drained to existing drainage infrastructure or removed from site.</p>
14	8. Access	3	As currently proposed, one of the main access points for the carparking area is being blocked off by the temporary acquisition area. This is the assembly point for a fire evacuation. In addition, having only one access point, will potentially cause future problems given that there is an intention to expand the use of the premises by letting surplus space.	As noted by response (7) above TII are agreeable to the alternative site proposed by Hertz. In the unlikely event that it is not possible to enact this alternative land take, TII will work with and ensure Hertz is provided with a suitable alternative location for the building fire assembly point.
15	9. Security	3	Site security is a matter of major concern for the business as large volumes of sensitive data are stored on the premises. Details in relation to how security will be controlled have not been properly provided.	TII confirm that the MetroLink site will not compromise the security of the Hertz site. The site compound for Seatown Station construction will be secured with hoarding varying in height from between 2.4 to 4m depending on noise attenuation requirements together with secure gates, site security and CCTV. TII's contractor will liaise with Hertz to ensure that the hoarding and security provision around the boundary of the site interfaces with your existing systems to maintain your site security. Further details of site security requirements are available EIAR Appendix 5.1, sections 5.4 to 5.9 of the Outline Construction Environmental Management Plan.

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16	10. Design and Build Construction	6	Because this will be a design and build project, there are serious concerns in relation to how the contractor will be controlled. On other design and build projects, it would appear that the Acquiring Authority’s main aim is to reduce construction costs regardless of the negative consequences for property owners. This is a major concern to the owner.	<p>TII can confirm that the design and build contractor will be required to design and construct the works in accordance with consent Railway Order and the EIAR for the scheme. The contracts being put in place with potential contractors will be designed to ensure compliance with the consented Railway Order and ensure that the works are carried out in a controlled fashion and do not not exceed the predicted environmental impacts detailed in the EIAR. In addition TII will have a strong supervisory role in the delivery of the contract and will have a strong presence on site to ensure compliance with all relevant standards and constraints.</p> <p>TII as Sponsoring Agency are responsible for the delivery of the MetroLink project. We can confirm that our main aim is to deliver the construction of the scheme in a safe and efficient manner, whilst minimising the environmental impacts of the scheme on property owners during the construction phase. TII therefore do not accept that its main aim is to "reduce construction costs regardless of the negative consequences for property owners".</p>