

Submission No.			276	
Organisation Name or Name of Submitter			Save Markievicz Pool & Gym Campaign	
Item No.	Section Ref.	Page No.	Observation Statement	TII Response
Railway (MetroLink - Estuary to Charlemont via Dublin Airport) Order [2022] Case reference: NA29N.314724				
1	Introduction	1	Whilst we very much welcome the overall MetroLink project for the improvements it will bring to the public transport network in and around Dublin, we feel that aspects of the Draft Railway Order contravene Government housing policy; the proper social and economic planning and sustainable development of the area affected by the Tara Station; and are economically reckless.	<p>TII wish to thank you for your submission and stated support for the delivery of MetroLink. The delivery of MetroLink has been assessed against all relevant planning policy at a European, national, regional and local level, as presented in the Planning Report which accompanies the EIAR.</p> <p>The consideration of alternatives to the project date back to the North Fingal Transport Study in 2015, and since then have iterated through the NTA's GDA Transport Strategy 2016-20235, the Emerging Preferred Route Report (2018), the Preferred Route Report (2019), the Albert College Park Intervention Shaft Report (2020) and the GDA Transport Strategy 2022-2042. Over that period there have been three statutory consultations (two on the transport strategies and the current consultation) and three non-statutory consultations. That is in addition to ongoing and extensive one-to-one engagement with landowners and key stakeholders.</p> <p>Chapter 07 (Consideration of Alternatives) details the decision-making process that has led to the development of the proposed Project, including the route alignment and station locations. A station at Tara Street provides good interchange opportunities, serves important key trip attractors in the study area with high potential passenger trips. This option also takes a direct and short route through areas of high demand in the centre of the study area.</p> <p>As Dublin’s public transport network grows through the implementation of higher capacity bus routes, more frequent heavy rail services and coverage, and the expansion of the light rail network it is critically important that to achieve the full benefits and capitalise on these investments that they are integrated fully where appropriate to attain “the network effect”. High quality interchanges can significantly broaden the transport offer for their catchment and add to the appeal and attractiveness of sustainable transport by ensuring that people can easily change services to access a wider range of places by these modes, and each scheme should be designed to ensure that these are as seamless as possible.</p> <p>Please refer to response (5) which details the alternative options that were considered for this location, and outlines the reasons why this location (involving demolition) was ultimately identified as the preferred option.</p>
2	Impact on community	1	Tara Station as it is proposed will have the most negative impact of any of the stations on affected communities along the metro line, with 78 relatively recently constructed, good quality homes to be destroyed. College Gate, comprising 70 apartments and 8 duplexes on Townsend Street owned by Dublin City Council and housing mostly elderly tenants, many of whom have lived in the area all their lives, as well as the Markievicz Leisure Centre, which has the only large public swimming pool in the city centre, and a gym.	<p>As a result of the selection of the preferred option for reasons noted in response (5) below, mitigation for the loss of the College Gate apartments is being addressed as part of the Project with the support of DCC.</p> <p>TII will continue to work with DCC in relation to the development of an alternative sports and recreational facility to replace the Markievicz leisure centre and intends to fund the alternative. However, TII does not have control over that development, which is part of DCC’s function to provide public sport and recreational facilities in its function area. DCC may or may not be in a position to deliver it in parallel with the MetroLink project. Accordingly, the Board should assess the MetroLink project on the basis that the alternative may not be available. The impact would then be significant, but nonetheless one that would not outweigh the strategic scale long term benefits that MetroLink will deliver.</p>
3	Impact on community	1	<p>While the NTA claims that they will fund and build a new leisure centre in advance of MetroLink’s construction, they make no commitment to do this in advance of the demolition of this leisure centre. This means that if the MetroLink project does not proceed after demolition of the leisure centre and homes, they are not obliged to meet their commitment. This discrepancy is important, because of the high land value of this site. See the section on funding, below, for more on this point.</p> <p>And importantly, the commitment they do give is contingent upon Dublin City Council finding a suitable site, which to date it has not and, in the light of the current economic situation, appears very unlikely to happen in the foreseeable future. Also the value of development land in the city centre would mean the replacement facility would almost certainly be sited far away from its current location, and equally lost to the community.</p>	<p>Please refer to response (3).</p>

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4	Impact on community	1	<p>Further, they make no commitment to replace the 78 homes, which means there would be a significant loss of housing stock in the area.</p> <p>Contrary to the objectives of the National Planning Framework, although the residents of the DCC duplexes will be re-housed by the Council, they will almost certainly be uprooted from their community and dispersed. And the residents of College Gate apartments face having to move far from jobs and community, if they can find new homes, which is not very likely given the current housing crisis.</p>	<p>While it does not address the needs of owners and tenants specifically affected by the demolition of College Gate, MetroLink is a critical enabler of new and sustainable housing and will enable the development of compact, dense urban developments along the alignment that is not dependent on private transport to for commuting and leisure. The needs of the owners and tenants affected by College Gate will be addressed by way of compensation for CPO and the measures outlined in the MetroLink Land Acquisition Strategy.</p>	
5	Lack of due consideration given to alternative proposals	2	<p>Three alternative proposals for the Tara Station were submitted by residents of College Gate during the first public consultation period. Following this, a report entitled 'Preferred Route Design Development Report' was drawn up by Jacobs Idom, who are providing the engineering design services for Metrolink.</p> <p>In Appendix M of the Report it stated that the MetroLink project team assessed 8 alternative options for Tara Station... However all these were dismissed in the Report but without providing any background technical reports or much detailed information by which their analysis and opinion could be assessed.</p> <p>We submitted an FOI request to TII for the relevant records. They refused on the basis that releasing the records before the final decisions are made on the route and design of the project would be contrary to the public interest, and referred us to publicly available information, e.g., Appendix M (above).</p>	<p>Chapter 07 (Consideration of Alternatives) details the decision-making process that has led to the development of the proposed Project, including the route alignment and station locations. Appendix A7.2 Tara Street Station Report presents in detail the various options that were considered by TII for this location.</p> <p>Concerns had been raised during the public consultation on the Emerging Preferred Route (EPR) regarding the demolition required for the station in the location proposed, and concerns were again raised during the consultation on the Preferred Route. A number of alternative station locations were considered to try and address these concerns. Option 0 is the proposed station location, with a further 11 options assessed. Three options as submitted by College Gate residents, with the station relocated either to the north or south of the EPR proposed location, have been reviewed in detail. In addition, other options developed through the Preferred Route design process including a mined option and realignment of the route to the east of Tara Street Station have also been reviewed. All were assessed against the EPR proposed station location (Option 0) as a base case, adjusted to suit the single bore and reduced station box length.</p> <p>The various options were taken through a Mutli Criteria Analysis to compare aspects of each different option. Assessment of options considered the viability of the rail alignment, the quality/ease of interchange with Tara DART Station (a key requirement given that this will be one of the busiest stations on MetroLink with high passenger interchange with the DART), demolition/construction impacts (including minimising impacts on the existing DART infrastructure/operations), other environmental and planning issues, including traffic and utility impacts, and urban integration, health and safety issues, and potential construction costs. This has identified that for a number of reasons including constructability, cost, and retention of a good interchange facility, that Option 0, including demolition of College Gate and Markiewicz Centre, remains the preferred station location.</p> <p>Following assessment of the 11 alternative options, Option 0 has been retained as the preliminary design. The main reasons are:</p> <ul style="list-style-type: none"><li>* This location retains a good interchange facility with Tara DART Station;</li><li>* It reduces risk to the overall construction programme;</li><li>* It offers cheaper overall construction cost;</li><li>* It retains opportunity for future adjacent development by others;</li><li>* Mitigation for the loss of the College Gate apartments is being addressed as part of the Project with the support of DCC. In particular, TII, in consultation with DCC, will support rehousing and provide compensation for the loss of the residential units;</li></ul> <p>The FOI request referred has been dealt with separately by TII in accordance with the Freedom of Information Action 2014.</p>	

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6	Lack of due consideration given to alternative proposals	2	<p>We then made a request to the Office of the Information Commissioner. At the outset of the OIC review, TII confirmed to its Investigator that it had identified three records covered by our request. They were:</p> <p>(i) a document called “Tara Street Station Mined and Other Designed Options”</p> <p>(ii) Jacobs IDOM report regarding Tara Street Station and</p> <p>(iii) an update to the Board of TII and the National Transport Authority (NTA).</p> <p>After examining them the Investigator noted that the Jacobs IDOM report is largely similar to and, in some aspects less detailed than, the information published as Appendix M. The Investigator noted that Appendix M also reflects the other two records.</p> <p>She asked TII to identify the differences between Appendix M and the records at issue and to describe the impact of the disclosure of those differences on the deliberative processes that remain, in relation to the Metrolink and/or Tara Street Station. TII’s submissions did not address these matters.</p>	The FOI request referred has been dealt with separately by TII in accordance with the Freedom of Information Action 2014.	
7	Lack of due consideration given to alternative proposals	3	<p>TII's refusal to grant access to the three records was annulled and they were directed to release them. But these did not contain any additional information and it is difficult to accept that very many more records were not created as part of such a deliberative process, and indeed Section 8 of the Freedom of Information Act 2014 requires FOI bodies "to prepare and publish as much information as possible in an open and accessible manner ... having regard to the principles of openness, transparency and accountability...".</p> <p>In Appendix M the 8 alternative proposals listed above are described as having been assessed on a multidisciplinary basis and the results described and summarised.</p> <p>But without the background to the assessments it is difficult to understand them or explain anomalies.</p>	Please refer to response (5) above in relation to the several options assessed as part of the decision-making process at Tara Street. Further details on the assessment can be found in Appendix A7.2 Tara Street Report (appendix to Chapter 07 Consideration of Alternatives) of the EIAR.	
8	Lack of due consideration given to alternative proposals	3	<p>A) Option 1 (under Hawkins House/Apollo House site) was proposed because, in addition to avoiding the demolition of the College Gate/Markiewicz Pool building and the 8 homes on Townsend Street, it would reduce the journey time as a station there would create a gentler curve along the Metrolink line compared to the original proposal on Luke Street. Also, this more straightforward route would require 125m less tunnelling. In the Jacobs Idom Report/Appendix M (above) this is dismissed as not viable because it would require "a complete re-alignment of the tunnel approaches ... incompatible with TBM tunnel construction".</p> <p>However, each tunnel boring machine (TBM) is custom built for the job. Tunnelling under existing structures — big or small — is how subways are built in cities all over the world. Modern tunnel boring machines adapt to all kinds of underground conditions, like densely packed soil, rock or areas with high water pressure. And when the Metrolink project was launched in September 2015, reducing the amount of tunnelling involved from that planned under the previous Metro North project, was described by then Minister for Transport, Paschal Donohoe, as the main contributory factor in vital savings of approximately €1bn.</p>	Please refer to response (5) above in relation to the several options assessed as part of the decision-making process at Tara Street. Further details on the assessment can be found in Appendix A7.2 Tara Street Report (appendix to Chapter 07 Consideration of Alternatives) of the EIAR. Option 1 (under the Hawkins Development) would require realignments of the tunnel section between O'Connell Street Station and Tara, with curve radii reduced significantly below desirable design standards required for MetroLink operation (see Appendix A7.2 section 3.4.1). As such, this option was not considered viable.	

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9	Lack of due consideration given to alternative proposals	3	<p>B) Option 2 (Station under Tara Street and a proposed new CIE development) was dismissed because it would have a major impact on city traffic during construction as Tara Street and Poolbeg Street would need to be closed for long periods and there would be major utility diversions, particularly a large sewer, needed for its construction. However in the Jacobs Idom report the analysis of the original proposal includes: "Affected utilities include as a minimum a large diameter sewer, an underground (38kV) ESB Power Line and a trunk watermain of 400mm diameter."</p> <p>Further evidence of a lack of due consideration of alternative proposals is shown by the fact that, in October 2018 after Dublin City Councillors wrote to the NTA on foot of motions calling for the authority to reverse its plans to demolish the Markiewicz Leisure Centre and the College Gate apartments, etc, in response NTA Deputy CEO Hugh Creegan wrote that while it was still in the process of reviewing submissions the route "does require the acquisition of the swimming pool and the block of apartments ... with all of the implications that arise from that" and that "it is worth noting that following construction ...the above ground space is still available for development". This created huge concern among those affected and prompted Jim O'Callaghan TD to write:</p> <p>"The letter from the NTA suggests that ... it seems to have already made up its mind that the demolition of College Gate is necessary ... and that there will be no alterations. This raises a question as to whether there is in fact any real public consultation process and what effect, if any, public submissions can have on the NTA's proposals."</p>	Please refer to response (5) above in relation to the several options assessed as part of the decision-making process at Tara Street. Further details on the assessment can be found in Appendix A7.2 Tara Street Report (appendix to Chapter 07 Consideration of Alternatives) of the EIAR. Option 2 would have significant property impacts to the entire city block between Tara Street and Corn Exchange Place, as well as construction impacts on Tara Street. It would also impact on the current 2-16 Tara Street and the Hawkins developments. For these reasons this option is not recommended. It should also be noted that potential future development above the finished station does not form part of this Railway Order Application.	
10	Lack of due consideration given to alternative proposals	4	In addition to Mr Creegan's comment about above ground space being available for development, NTA and TII officials have told us directly that if they demolish the Leisure Centre and the homes, they would then be able to sell the land to help fund the project.	Potential future development above the finished station does not form part of this Railway Order Application. Potential funds arising from the development of lands above the station box did not form part of the Preliminary Business Case approved by Government in July 2022.	
11	Lack of due consideration given to alternative proposals	4	<p>The land is extremely valuable.</p> <p>MetroLink is allowed to sell the land in order to raise funds for the project if the buildings currently on site are demolished during construction of the station.</p> <p>Before the public consultation process and assessment of alternative options for Tara Station had been completed, Hugh Creegan (Deputy CEO of the NTA) wrote to Dublin City Councillors that it would be necessary to acquire and demolish the buildings on site for construction of the Tara Station.</p>	Please refer to response item (11).	
12	Lack of due consideration given to alternative proposals	4	<p>Another anomaly is how the dismissal of all the alternatives proposed to a development which will demolish 78 homes and a vitally important public health and leisure facility, in the inner city, compares with the response of TII to concerns expressed about the Glasnevin and Ranelagh areas:</p> <p>On the southside, the original plans included a proposal to upgrade the Luas Green line to Metro standard.</p> <p>Objections to the disruption to the Luas during the construction and the permanent closure of level crossings, were raised by Fianna Fail justice spokesman Jim O'Callaghan and Labour Senator Kevin Humphreys. Eamon Ryan had sent an open letter to Transport Minister Shane Ross complaining that "closing all the roads and pedestrian crossings along the Luas line, will divide every local community between Beechwood and Sandyford" and Minister Ross later said "I won't countenance any project which ... inconveniences commuters to ... any extent".</p> <p>Instead a new section of metro line will be built, terminating at Charlemont, with the Green Line conversion to Metro to occur at a later date.</p>	<p>Please refer to response item (5) in relation to the alternative options that were considered as part of the decision-making process at Tara Street. Further information on the assessment can be found in Appendix A7.2 Tara Street Report (appendix to Chapter 07 Consideration of Alternatives) of the EIAR.</p> <p>The connection from St Stephens Green to Charlemont / Ranelagh is supported by the previous Transport Strategy for Greater Dublin Area (2016-2035) and the current Transport Strategy for Greater Dublin Area (2022-2042). The latter considers a range of options for the onward extension of MetroLink to meet the demand for travel over the period of the strategy. This includes consideration of the need for the upgrade of the Luas Green Line to metro with a metro extension to Dublin south west, south or south east. Whilst the strategy envisages that further extensions will be delivered after 2042, MetroLink which terminates at Charlemont allows for the possible extension of the metro in all the above directions. Further information on the deferral of the Luas Green Line upgrade can be found in section 7.7.7 of Chapter 07 (Consideration of Alternatives).</p>	

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13	Lack of due consideration given to alternative proposals	4	In the light of all the above we believe it is clear that TII has not given sufficient consideration to finding a solution for Tara Station which would avoid the demolition of 78 homes and an important leisure centre. And therefore we believe their conclusion that their original proposal for Tara Station is the best option, should be set aside.	Please refer to response (5) above in relation to the several options assessed as part of the decision-making process at Tara Street. Further details on the assessment can be found in Appendix A7.2 Tara Street Report (appendix to Chapter 07 Consideration of Alternatives) of the EIAR.
14	Funding	5	NTA and TII officials have told us directly that if they demolish the Leisure Centre and the homes, they can sell off the land to help fund the project. And, indeed, in addition to this and Mr Creegan’s comment above, Appendix M of the Jacob Idom Report cites the fact that the above-ground space would be available for development following construction as one of the perceived advantages of the project’s proposal for Tara Station.	Please refer to response item (11).
15	Funding	5	A) Just before the Government approved the Metrolink business plan in July 2022, the Major Projects Advisory Group (MPAG) reviewed it and expressed concerns about how the projected costs were estimated. They felt that 'unknown unknowns' risks hadn't been best allowed for and that the upper range of the costs estimate could be €23.39bn.  The MPAG also had concerns about costs of the southern end of the route:  "The rationale for extending the preferred scheme to Charlemont is noted by JASPERS as “strategically weak” given the additional costs involved and the duplication of the LUAS Green Line which also provides a public transport service to the areas of the city centre in question." (JASPERS is part of the European Investment Bank).	The project budget and financial approvals are a matter for TII, NTA, Government and the Oireachtas and are outside the scope of the Railway Order application. The Government approved the Preliminary Business Case and were aware of the analysis referred to. The Government will have to consider a Final Business Case under the Public Spending Code after the RO is granted.
16	Funding	5	B) Even though the MPAG has estimated the upper range of the costs for MetroLink at €23.39bn, only €3bn is allocated to Metrolink in the Revised National Development Plan 2021-30.	Please refer to response (15).
17	Funding	5	For these reasons it appears that TII will not achieve the funding required as the Metrolink project proceeds after the homes and Leisure Centre have been demolished, and therefore will not be completed. In addition huge amounts of public funds will have been spent on the incomplete project in the interim, as with Metro North which was shelved for budgetary reasons in 2011 after an outlay of €1 70m.	Please refer to response (15).
18	Conclusion	5	Given all of the above, it is simply not credible that all possible alternative solutions for the Tara Station were fully and properly explored before the decision was made that demolition of the leisure centre and the 78 homes was necessary. Further, there is clearly a financial incentive for MetroLink to pursue a plan for the Tara Station which involves this demolition.  For all of the grounds we have described, we respectfully request that An Bord Pleanála refuses approval for the Draft Railway Order.	Please refer to response (5) above in relation to the several options assessed as part of the decision-making process at Tara Street. Further details on the assessment can be found in Appendix A7.2 Tara Street Report (appendix to Chapter 07 Consideration of Alternatives) of the EIAR.  Please refer to response (15) in relation to financials and funding.