

Prospect ACA

Submission to Metrolink Oral Hearing

27 February, 2024 – Gresham Hotel.

Please Note: Before we commence this submission, Prospect ACA would like it noted that we are not in a position to respond to the new information submitted by the applicant on Day 1 of the hearing. We have not yet had reasonable time to consider its content in detail before making this submission. We would ask that the inspector provide sufficient time at the end of the hearing for those responses to be included.

Introduction

Broadly speaking, Prospect ACA welcomes any measures that can improve public transport, reduce fossil fuels and particulate pollution, and that includes Metrolink. Although we have a number of concerns about the impact of a project of this scale, so we welcome this opportunity to comment further on TII's response to our original observation.

Communications

I would like to first address the vexed question of communication between TII, the NTA and our group. I note from the RINA/Jacobs IDOM minutes of 01.02.2024 that they are of the view that they are now on their 5th round of consultation. I assume that they are referring to Prospect ACA's engagement with the IEE, as in truth we have had one online meeting in April 2021 and our first in-person meeting with TII on the 8th February of this year – that is actually the first time we've had a direct discussion with TII's technical personnel.

While Prospect ACA appreciates that TII took the decision to appoint an IEE – we understand that this is not standard practice in many such projects internationally - we nevertheless appear to have very different ideas of what constitutes real consultation from TII and the NTA. I suspect that this is the case for most groups along the alignment and goes some way to explaining why there has been such a negative response from many groups on the subject of consultation. Now that we have had a first meeting with TII personnel, I would hope that this will open the way for further in-person discussions.

We believe that real consultation requires a reasonable level of personal contact and an opportunity not only to hear first hand about the plans of the NTA and TII, but also an opportunity to have some level of influence on decision-making where that is appropriate.

TII state that they have sole responsibility for Metrolink and its co-ordination with other building and infrastructural projects in the area. **In the interests of continuity and**

consistency we ask that consideration be given to appointing one agency as having sole responsibility as a condition of the Planning Order.

Damage to Property

We take on board the information that TII have relayed about the care they have taken in estimating the possibility and degree of damage that might effect properties in Prospect ACA. We have been told that damage, if it occurs, should be on the cosmetic end of the scale and should be easily remediated. While not wishing to labour the point the residents of Prospect ACA remain very much aware that our properties are now roughly 120 years old, they really just rest on the ground with minimal foundations and are built on boulder clay that may be subject to settlement post tunnelling. In this regard, we are thankful for the advice of Prof. Paolo Merlanti and this advice is reflected in the following paragraphs, and in particular on the issue of settlement and clay soils.

The TII response emphasises that their Phase 2a assessment is 'moderately conservative and over estimates impacts', we remain of the view that even the most careful of assessments prior to tunnelling may not fully capture an accurate horizontal and vertical profile of the mixture of bedrock and till that exists. Also, we do not fully understand TII's piece in Item 7 of their response to our Observation stating that every house does not become 'its own zone', although we would certainly agree that 'settlement varies due to the depth of the tunnel and the prevailing geology'.

It is actually difficult to ascertain the depth of the tunnel from the ground surface in available documentation – the top of the single bore tunnel would appear in our section to be just 50 feet below the surface, or a little more than 15 metres. Furthermore, single bore tunnels are regarded as more prone to settlement than twin bore. However, there is a way to reduce the risk of settlement by placing a shield behind the Tunnel Boring Machine, compressing the soil that then leaves a gap behind the shield which is then injected with mortar. This requires a Grouting Oversight Requirement and in our view, similar to GADRA, we feel that this process should be monitored by an independent, experienced expert.

With regard to repairs for damage resulting from the Metrolinks works, undertunnelled houses and those within a 30m boundary of the tunnel may join a POPS scheme that will provide up to €45,000 in remediation works. We don't feel that this is adequate should more substantial damage accrue to any of these vulnerable houses. Indeed there has been a low take up of this scheme to date. Partly due to a lack of understanding, but also due to caution about being tied into an inadequate scheme should there be any serious problems.

We would like to share TII's optimism that the tunnelling process and its aftermath will run smoothly, but if it does not, then residents within the POPS area and potentially in other parts of the ACA may have to do what residents in Marino and other locations affected by the Port Tunnel had to do, which is undertake a lengthy legal process to prove their properties had been damaged by tunnelling. Nor do we have any knowledge at this point of how insurance companies might view the potential impact of tunnelling on houses within the ACA.

This is an unfair burden to place on ordinary householders who are already going to be shouldering significant disruption during the lengthy construction of Metrolink. We will effectively be sandwiched between the construction of the metro station in Griffith Park, and the very large engineering works at Cross Guns Bridge to create the mainline rail and Metro station that is mooted to take 10 years.

Some months ago the Law Society Gazette estimated the spend on Metrolink alone to have already reached €88m. A local Councillor has told us that if the costs for MetroNorth were added in, that the sum is already closer to €250m. Looking at the sums paid out to date and the potential costs in the coming years, we are at something of a loss as to understand why we should be the ones underwriting some of the risks in this mega project - even if those risks are estimated to be small, they still exist.

In the circumstances, We are asking that a full structural survey of all properties in Prospect ACA be made a condition of planning, not just those chosen as representative properties, or those on the alignment.

We also ask that in addition to the POPS scheme dealing with superficial damage, that there should be a further Dispute Resolution scheme agreed, whereby independent experts can assess property in Prospect ACA should more serious damage occur, using the structural surveys as baseline data. If damage is deemed to have been due to the Metrolink works then full remediation of the damage will be undertaken without undue delay. Funding for a dispute resolution process and contingency for remediation costs should form part of the overall budget for Metrolink. This process should work on the principles of alternative dispute resolution such as those used in the Personal Injuries Resolution Board. **We ask that the Dispute Resolution Scheme be made a condition of the Planning Order.**

Our advice on settlement suggests that it can occur at a more significant remove in both time and distance than might otherwise be expected. While TII have undertaken to monitor the tunnelling process, their timeframe for post construction monitoring is far too short in our view. **We ask that monitoring be carried out for 10 years post tunnelling and while the frequency of that monitoring may reduce over time if appropriate, it should still be maintained for at least 10 years, and that this should be made a condition of the Order. Additionally, we ask that there be independent assessment of the monitoring data available as part of the Order.**

Finally in this section, we are asking that an independent expert be appointed to monitor the Grouting Oversight Requirement as a condition of the Planning Order. We have further questions about the chemical composition of the mortar that would be used and its capacity for leaching some pollutants into the water table, but we will enquire further through the IEE.

Vibration & Noise

It is difficult at this early stage to imagine the level of groundborne and airborne noise and vibration during the construction phase. We are conscious though, that due to the prolonged nature of the project to build Glasnevin Station that noise and vibration may

be significant, particularly during those parts of the construction that will require 24 hour working. We ask that those periods of intense activity should be notified well in advance to the local communities and that all mitigations be made to ameliorate these problems. **We assume that data on noise levels will be published online in real time or as close to real time as is possible – and if this is not the case that the immediate and ongoing availability of this data to local communities be made a condition of the Order.**

Dust, pollutants, fungal spores etc.

As above, we would ask that full mitigation plans will be in place and that ongoing monitoring data will be published online in real time or as close to that as is possible. **Again we request that the prompt availability of data on air quality and airborne pollutants be made a condition of the Planning Order.**

Transport of soil and waste

It would appear at present that the preferred route of trucks approaching and leaving the Glasnevin Station site will be along the Botanic and Mobhi Roads. We are somewhat surprised at this given the narrowness of these roads relative to Finglas Road. While no road is ideal to have to run so many trucks, we request that ABP examine the suitability of Botanic and Mobhi Roads given their narrowness, and the danger to cyclists and school children along these routes and consider a more suitable and equitable arrangement for access and egress of trucks to Metrolink sites in the locality.

Parking facilities for Construction Staff

Parking facilities for Metrolink construction staff should be contained on the Metrolink site by constructing a carpark first to alleviate pressure on local roads that are already choc-a-bloc with cars. Also consideration can be given to nominating carparks in suitable locations from which staff can be shuttled to site. **While we note that TII have a plan for transport of construction staff, we ask that a transport and parking plan be made a condition of the Order.**

Use of Prospect Square as Stand Off Facility

We note TII's assurance that they will not be making use of the rear of the Botanic Gardens as a Works Depot. **We request that ABP ensure that Prospect Square or indeed the Botanic Gardens rear access in the Square will not be used at any stage of the construction process as parking, storage or as a stand off point for trucks while awaiting access to Metro Station sites and that this be made a condition of the Planning Order.**

Community and Stakeholder Involvement

We understand that we are still at a relatively early point in the design phase and that decisions on the actual construction processes to be used, such as blasting at the Cross Guns site, will ultimately fall to the appointed Contractor, although for now TII say that blasting will not take place in the construction of Glasnevin station. **Given the extensive planning phase and the changes that may be made at the discretion of the Contractor when appointed, we ask that the promised setting up of Local Community Forums should be made a condition of planning permission as it is**

crucial that local communities have defined and protected lines of communication with TII and the contractors as this mega project develops in the coming years.

We would also support the retention of RINA as the IEE past the Railway Order phase and into the enabling works and construction phases. Their role in interpreting and explaining complex processes and plans has been of tremendous benefit and we hope that this support will remain available to our community as this project progresses.

Finally, on behalf of Prospect ACA, I would like to say that we consider ourselves stakeholders in this construction process. To us, a stakeholder is he or she who should never be surprised by events. We therefore look forward to much improved and more timely communication and information flows from TII, the NTA and in due course the appointed Contractor. It may take some time to establish relationships, but we believe that effort will be worthwhile for all parties.

We look forward to making a further submission during Module 2.

In the meantime we'd like to thank you for your time and attention this morning.

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27 FEB 2024

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