

Hampstead Residents CLG, 10 Hampstead Ave Dublin 9

Hampstead Residents CLG. (Submission No 111/Case 314724) at An Bord Pleanála Metrolink Oral hearing 12/3/24 (Module 2).

Good morning .

We, 'Hampstead Residents CLG', welcome the opportunity today, to speak at the oral hearing for the Metrolink project, -Module 2.

Our residents support the concept of the Metrolink project and we have always actively sought honest and frank dialogue with TII.

Introduction:-

Hampstead Residents CLG (HR CLG) consist of a group of 19 homes. Eighteen dwellings are located on Hampstead Avenue, and one at 114 Ballymun road - which is a protected structure.

Our Avenue directly borders Albert College Park.

Within 20 meters of Hampstead Avenue, and in the south west corner of Albert College Park, a proposal by TII, is to position a large Metrolink **excavation and construction** site. The construction of this, will span 64 months duration.

If approved, this will be the only combined 'Vent Shaft', Maintenance facility, Evacuation and Emergency access, plus associated parking space, -that will support the Metrolink tunnel - All of this, located within yards from an established residential area, a protected building, and positioned inside a public park!

We, received the TII response to our Module 1 comments on the 4th March. I understand that the Inspector will have received this response also.

We are in general disappointed with the TII responses as some of our most important questions and concerns remain un addressed! It seems to us, based on this response, that the TII stance remains rejectionist and negative.

We would like to now comment on some of the responses issued to us, by TII on the 4th March.

AN BORD PLEANÁLA	
12 MAR 2024	
LTR DATED	FROM
LDG-	MR CAMPBELL
ABP-	314724-22

Re:- TII responses to HR CLG Submission Items No 1,2,3,4,5,6,25,26,28 .

TII states:- "Since RINA's appointment in 2021 they have been available to HR CLG as a resource to assist them in their considerations of the Railway Order application for Metrolink and in participating in the consultation process. Since 2021 there have been 7 meetings by RINA with HR CLG."

We would like to remind everyone in this room, that RINA were tasked as an independent engineering resource whose services were provided to residents/property owners along the entire proposed Metrolink route. RINA services were provided two years after the Preferred Route 'consultation', ended in early 2019! RINA's function was NOT to provide Metrolink consultation (or facilitating consultations) for residents!

TII is the Metrolink Project sponsor and owner!

It is surely obvious then, that it is TII's full responsibility to champion and execute consultation with all residents and stakeholders in relation to the Metrolink project. We believe that TII has not provided adequate consultation, and appear to be now using RINA as a 'diversion tactic'.

We would like to remind everyone here today that the Metrolink process, to date has taken approximately 5 years.

The fact is, that during this 5 year period, TII have held just two on-line calls! - during which our residents group, were one of other invitees!

TII have never met face to face with our residents, throughout those 5 years!

Consider this:- if someone intended to place a 64 month duration construction site beside your home, and they think it's appropriate NOT to meet with you face to face, to outline the proposals, and consult prior to decisions being made ... is this reasonable?..... We suggest if every unbiased person in this room asked themselves this very same question... we believe they will all come to the same conclusion... This is totally unacceptable!

So in conclusion to this point:- in reference to the Preferred Route so called 'consultation' which ended in early 2019:-

We were NOT consulted on the plan to place a major construction site consisting of a vent shaft, maintenance/emergency access plus a car park in Albert College Park... which was to be located just 20m from Hampstead Avenue and close to a protected residence at 114 Ballymun road.

When the Preferred Route was announced in March 2019 , TII thought it adequate to describe a proposed vent shaft with just 17 words. TII then provided (when asked) a rudimentary hand sketch of the shaft, to our residents association (GADRA), just 2 days before the official close of the so called 'consultation'! A reasonable request for an extension to consider this new information,- by our residents association, was refused outright by TII!

TII did NOT consult on the proposal of a vent shaft with our residents or any of our local residents representatives groups. We believe there were realistic alternatives such as a Metro station that would have the same function of a vent shaft and also be a useful for our residents. No other option was explored with our residents. The vent Shaft placement in Albert college Park was a 100% solo decision, by TII!

TII have failed to addressed the above sequence of events, in their response to our oral submission in Module 1.

TII also state that the Metrolink team prepared an information brochure for local residents in Feb 2020 ('survey'). We are astonished to see TII repeating the 'results', as justification that the majority of our local residents were positive in relation to a vent shaft!

Hampstead Residents have already stated that this 'survey' was totally misleading! The 'survey' contained leading questions about the cosmetic appearance of a vent shaft only, and thus can NOT be taken to represent public sentiment, in relation to a Metrolink structure in Albert College Park. We believe this 'pseudo survey' was initiated by TII in order to try and mitigate against NO consultation occurring on the existence of the vent shaft in the first place.

We hope it is now obvious to everyone here, why we feel the 'consultation process' was flawed. Additionally our residents representatives wanted the assistance of an Independent Engineering expert at an earlier stage of this project. ie;- before the Preferred Route was announced in March 2019. As stated before, this common sense and reasonable request by our residents representatives, was ignored by TII, at the time.

We also believe, TII have not adequately addressed the item (in our submission Module 1) in relation to ignoring our residents request to be

involved and contributing to the actual definition of the independent expert 'scope of work'.

In conclusion we ask the Inspector to review the lack of consultation especially in relation to the proposed 'vent shaft' in Albert College Park.

The below comments should not in any way be seen as an endorsement by Hampstead Residents for a Vent shaft. These points apply to any Metrolink structure, (like a Metro Station), that may be located in the Park.

Re:- TII response to:- Item No8 and 9.

TII have provided an explanation in relation to baseline readings and the application of distant sampling locations that were applied to Hampstead Avenue. However it is still unexplained :- why was 'distant sampling' employed at all? Common sense would argue that the baseline readings should have been taken on Hampstead Avenue in the first place.

In relation to 'noise breakout at night' and lack of baseline night time reference data...TII confirmed that this will be limited to a period when night time works are occurring to support sprayed concrete lining (SCL).

This proposed SCL night time work will have associated noise, vibration, light issues associated with it, irrespective of mitigation measures.

We note that in other underground Metro construction sites in Europe (eg Milan), no SCL works are permitted at night time! Why is TII proposing to deal with Irish residential areas differently?

Additionally we have been advised by the assigned Independent Engineering resource that the SCL could well take place day time only.

We ask the inspector to ensure that any SCL works are carried out during standard working hours and place this as a condition in the RO.

In relation to a 'Dark and Quiet site' at night.

As stated above other European Metro projects, have not permitted SCL at night, and there are no engineering reasons why this cannot also happen with the TII Metrolink project.

We ask the inspector that a condition is placed in the RO directing any Metrolink site is a 'quiet and dark site at night time'!

We also argue that in order to limit 'noise and vibration' ...that deliveries to and from any proposed excavation/works in Albert College Park should be strictly limited to standard working hours. (not 'generally'...as stated by TII).

We ask the inspector to make this a condition of the RO, :- deliveries to/from site, are performed only during standard working hours.

Re:- TII in response to:- Item 10

TII states that within various construction contracts (with contractors) provisions will be made for local community initiatives.
However we believe funding needs to be clearly quantified and ring fenced.

For numerous reasons, a resident may want to sell their property, which is located close to a Metrolink construction site. The Metrolink site conditions at the time of sale may have negative effects on the sale price. We ask that these residents are treated fairly and compensated, for any negative impact on sale price, that is seen to be caused by the Metrolink construction nearby.
Home owners should not be financially penalized, just because TII decide to place a construction/excavation site near their properties.
A relocation scheme must also be established for affected residents.

We ask the inspector ensure a fair 'sales' support, and relocation system is in place and is a condition of the RO.

This should be included in the Construction Environmental Management Plan (CEMP)

Re:- TII in response to:- Item 15 and 16

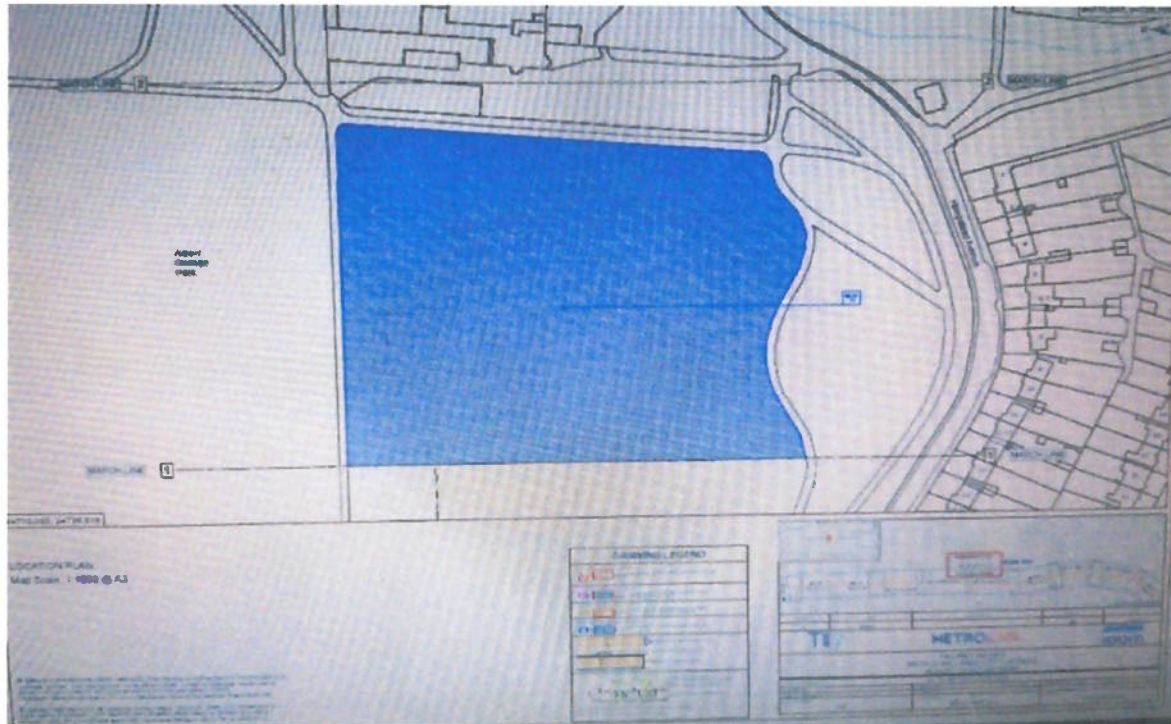
Temporary land take proposed for Albert college Park:-

We welcome that TII has now changed their statement from.... "No trees along the Hampstead Avenue boundary are planned to be removed"
TO "No trees along the Hampstead Avenue boundary will be removed"

Temporary soil impacts proposed for Albert College Park:-

In this section we referred to the Construction Report (p 94,95 of Vol 5, Ch5 A5.3).

Please refer to Map (A). (blue shaded area below).



We requested in our submission that any of the soil impacts to Albert College park lands that are indicated by TII/NTA in the above map and specifically allocated for football field re-alignment (according to TII/NTA) are only used for football field re-instatement/re-alignment.

In other words this land should not at any stage be used for temporary construction work , storage, staging, or any support uses, for any Metrolink facility that may occur in Albert College Park.

Unfortunately, TII/NTA have responded with much ambiguity to the above question, in our Oral Hearing, submission Module 1.

We now ask the inspector to include a specific RO condition.

ie:- the land outlined in blue in the above map, should not at any stage be used for temporary- construction work/staging /storage, or any support uses for a Metrolink facility that may occur in Albert College Park.

- (1) Once work starts on any proposed site in Albert College Park, it must continue to completion, and does not adopt a 'start stop' approach over numerous years.
- (2) Any work on a site proposed in Albert College Park must be only related to this site alone.

TII have not responded to the above two points in our Oral Hearing, submission Module 1.

The above, are two very important conditions that we ask the inspector to apply to the RO.

Re:- TII in response to:- Item 7

In relation to Graffiti and Anti social behaviour:- TII's solution is to erect wire fences and install CCTV. Wire fences and monitored CCTV on their own, has not prevented Graffiti/Anti Social behaviour across Dublin city. One has to only take a walk around Temple Bar/many other city locations, transport hubs and public parks to be aware of this.

We believe in addition to the above, what required is a proactive and reactive metro security, maintenance, and have prompt response times when issues arise. We suggest that these aspects could also be included in a 'trouble ticket' system and continue into the operational phase.

We ask the Inspector to instruct TII to properly scope a workable security and Anti Graffiti system, and make it a condition of the RO.

Re:- TII in response to:- Item 21 and 22.

TII state that in the unlikely event of a fire that the proposed Albert College Grills would evacuate the unfiltered ('non toxic') smoke and it is extremely unlikely that the affects of any such fire would affect residents of Hampstead Avenue. TII explains that this is because the smoke is buoyant and will rise upwards above roof level of nearby houses...in addition to this the prevailing south westerly winds will further assist in smoke dilution and push the smoke in the opposite direction (from Hampstead Avenue) .

We ask TII to furnish evidence in support of the above claims.

TII state the smoke will be non-toxic as materials used in construction will be 'regulated'. This smoke, even if it was non toxic, can still have the potential to

cause respiratory issues to some of our residents that have certain medical conditions.

How can TII guarantee the smoke will be non-toxic ?

Will TII be monitoring the smoke from a Metrolink fire for toxicity?

Take for example:- Many passengers will likely have personal belongings, with them that in the event of a fire will likely be abandoned in the Metro trams/tunnels. eg:- plastic bags, bottles, clothing etc. All of this can emit toxic fumes if burned. Thus, there is indeed a risk of toxic fumes, in the event of a fire.

TII additionally state the prevailing south westerly winds will push the smoke away from Hampstead Avenue. Can TII provide evidence backing up this claim? We the residents on Hampstead Avenue, many of whom have grown up on the Avenue, can categorically state that the wind direction in and around Albert College Park is constantly in flux and not as predictable in direction, as TII have stated.

Thus we believe, there is a real risk of toxic smoke drifting onto Hampstead Avenue in the event of a Metrolink fire.

Re:- TII in response to Item No 23.

TII have outlined simply that construction staff will not be permitted to park on residential streets adjoining construction sites, and this will be included as a condition in all Metrolink contracts, with non –compliance penalties.

We believe this response is just aspiration. What is required is also a robust policing/monitoring strategy, proactively monitoring for these inevitable parking ‘non-compliances’.

We ask the Inspector to instruct TII (contractor) to properly scope a workable policing/monitoring strategy for ‘non compliant parking’ and make it a condition of the RO.

Re:- TII in response to Item No 24.

In relation to potentially using the hard shoulder on Ballymun road for emergency vehicle parking, TII state that this would not satisfy Dublin Fire Brigade. We would take it then that DFB has reviewed the TII plans and formally dismissed the ‘hard shoulder’ parking option. Could this information be provided to the Inspector and be generally made public?

Re:- TII in response to Item No 29 and 30.

In respect to the difficulties our residents association had in attaining information:-

TII simply responded that they complied with the direction of ABP in terms of the location that were required to display documents.

However this does not answer our question...we stated that in the first instance...our residents association had to lobby (elected reps) to get TII to place RO application docs in local libraries. Additionally we had to 'forcefully request' information we required under freedom of Information. (FOI)!

In relation to the Apex surveys (a TII agent), who was taking boundary wall photographs of Albert College Park just eight days before the submission deadline of 25/11/22. Our point is that new data was being collected by TII, and it was not being placed in the public domain. At the time we asked TII and Apex for access to this 'new information', and asked TII for an extension to allow time to review it. We were refused an extension, and we still have not received this 'new information' we requested from TII/Apex, two years ago!

Closing Summary:-

Hampstead Residents CLG, would like to now formally close our oral submission Module 2, to the ABP Metrolink oral hearing.

We again point out that many of the issues we have raised in our submission could have been addressed, or mitigated against, very early in the project cycle,- had genuine consultation, been provided.

We ask the Inspector, based on our oral statements, in Module 1 and 2 and from many other residential groups in our area that he impartially investigate the approach by TII in respect to their so called 'consultation' process.

Finally, we ask the inspector to include all our conditions in Module 1 and 2 to the RO.

Thank you for listening. Hampstead Avenue CLG.