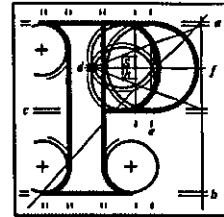


**Our Case Number: ABP-314724-22**

**Planning Authority Reference Number:**



**An  
Bord  
Pleanála**

National Disability Authority  
25 Clyde Road  
Dublin 4

**Date: 12 December 2022**

**Re: Railway (Metrolink - Estuary to Charlemont via Dublin Airport) Order [2022]**  
Metrolink. Estuary through Swords, Dublin Airport, Ballymun, Glasnevin and City Centre to Charlemont, Co. Dublin

Dear Sir / Madam,

An Bord Pleanála has received your recent submission in relation to the above-mentioned proposed Railway Order and will take it into consideration in its determination of the matter.

The Board will revert to you in due course with regard to the matter.

Please be advised that copies of all submissions/observations received in relation to the application will be made available for public inspection at the offices of the relevant County Council(s) and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: [www.pleanala.ie](http://www.pleanala.ie).

If you have any queries in the meantime, please contact the undersigned. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Niamh Thornton  
Executive Officer  
Direct Line: 01-8737247

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64 Sráid Maoilbhríde 64 Marlborough Street  
Baile Átha Cliath 1 Dublin 1  
D01 V902 D01 V902

## Kevin McGettigan

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**From:** SIDS  
**Sent:** Tuesday 22 November 2022 12:45  
**To:** Niamh Thornton  
**Subject:** FW: Submission from NDA re: Metrolink Railway Order  
**Attachments:** NDA Submission Metrolink Railway Order final.docx

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**From:** Naomi S. Oldenburg <NSOldenburg@nda.ie>  
**Sent:** Tuesday 22 November 2022 11:37  
**To:** SIDS <sids@pleanala.ie>  
**Cc:** Gerald M. Craddock <GMCraddock@nda.ie>; Stephen R. Patten <SRPatten@nda.ie>  
**Subject:** Submission from NDA re: Metrolink Railway Order

To Whom it May Concern

Please find attached submission from the National Disability Authority regarding the Metrolink Railway order.

Kind Regards

Naomi Oldenburg  
Acting Senior Standards and Monitoring Officer  
National Disability Authority  
25 Clyde Road  
Dublin 4

Email: [nsoldenburg@nda.ie](mailto:nsoldenburg@nda.ie)  
Web: [www.nda.ie](http://www.nda.ie); [www.universaldesign.ie](http://www.universaldesign.ie)  
Twitter: @NDAIreland; @CEUD\_NDA



**Centre for Excellence | Údarás Náisiúnta Míchumais**  
**in Universal Design | National Disability Authority**

**The NDA's Centre for Excellence in Universal Design has published a new, self-paced eLearning module for professionals wanting to follow a Universal Design approach in the design and procurement of buildings.**

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Is le haghaidh an duine nó an eintitis ar a bhfuil sí dírithe, agus le haghaidh an duine nó an eintitis sin amháin, a bheartaítear an fhaisnéis a tarchuireadh agus féadfaidh sé go bhfuil ábhar faoi rún agus/nó faoi phribhléid inti. Toirmisctear aon athbhreithniú, atarchur nó leathadh a dhéanamh ar an bhfaisnéis seo, aon úsáid eile a bhaint aisti nó aon ghníomh a dhéanamh ar a hiontaoibh, ag daoine nó ag eintitis seachas an faighteoir beartaithe. Má fuair tú é seo trí dhearmad, téigh i dteagmháil leis an seoltóir, le do thoil, agus scríos an t-ábhar as aon ríomhaire. Is é beartas na Roinne Dlí agus Cirt, na nOifigí agus na nGníomhaireachtaí a úsáideann seirbhísí TF na Roinne seoladh ábhair cholúil a dhícheadú.

Más rud é go measann tú gur ábhar colúil atá san ábhar atá sa teachtaireacht seo is ceart duit dul i dteagmháil leis an seoltóir láithreach agus le mailminder[ag]justice.ie chomh maith.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer. It is the policy of the Department of Justice and the Agencies and Offices using its IT services to disallow the sending of offensive material. Should you consider that the material contained in this message is offensive you should contact the sender immediately and also mailminder[at]justice.ie.

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# NDA submission for Metrolink Railway order

## Introduction

The National Disability Authority (NDA), as the independent statutory body provides information and advice to the Government on policy and practice relevant to the lives of persons with disabilities. We have a role to assist the Minister for Children, Disability, Equality and Integration in the co-ordination of disability policy. We work through our Centre for Excellence in Universal Design (CEUD) to promote the universal design of the built environment, products, services and information and communication technologies, so that they can be easily accessed, understood and used by everyone, including persons with disabilities.

The NDA welcomes the opportunity to make a submission to An Bord Pleanála concerning the Metrolink project and railway order, which is being managed by Transport Infrastructure Ireland (TII). We appreciate that as a member of the Luas Disability User Group the NDA, and also other members of this group will have many opportunities for feedback. The NDA welcomes this continued engagement and we also appreciate detailed drawings and information are to follow, however we want to get across this submission at an early stage to ensure the information and advice is provided at early juncture.

The NDA looks forward to being involved in future consultations on this project. We understand that TII is going to adopt a 3 pronged approach to consultation on this project and we welcome this approach. We would suggest for these consultations TII make use of the recently published Participation Matters: Guidelines on implementing the obligation to meaningfully engage with disabled people in public decision making as well as the CEUD's Customer Communications Toolkit for the Public Service - A Universal Design Approach which will help to produce universally designed written, verbal and digital communications that can be easily accessed, understood and used by everyone. It is also vital that all information on websites is accessible. Public body websites must comply with the accessibility criteria laid out in the EU Directive on Web Accessibility 2016/2102. It should be noted that a textual description of technical drawings and proposed station designs should be provided as these are often inaccessible by persons who use screen reading technology.

The NDA has previously advised TII that a Universal Design approach needs to be adopted and implemented on transport projects to ensure the provision of services that are easy to access, easy to understand and easy to use by everyone regardless of age, size, ability or disability. We continue to advise the same for



this project. Further details of previous advice given with regards to universal design is available in **Appendix I**.

## **Delivering Universally Designed transport services**

The NDA strongly advises that TII project should consider planning approaches that ensure that each element regarding the development and delivery of Metrolink includes accessibility as a key component to support all users to access transport services so they can participate in mainstream society. This includes persons with disabilities, older people and families with young children.

As such, the NDA advises that TII adopt and implement a Universal Design approach for every aspect of the Metrolink project as set out in this submission. Previous advice given to TII on this matter is summarised in **Appendix I** that also has relevance for An Bord Pleanála itself on how to ensure its services and information are accessible.

The NDA is aware that TII continues to consult with the Luas Disability User Group on the Metrolink project. The NDA welcomes this consistent engagement and recommends continuing this engagement. However, the NDA would also encourage consistent engagement with as wide a range of users as possible. The NDA would like to stress that **user testing (piloting)** is an important part of this sustained engagement process. This should be a key consideration for design of the interior and exterior of stations, car parks, cycle lanes and other infrastructure surrounding stations. User testing will also be key to assessing the design of the Metrolink carriages. Temporary infrastructure should be considered as well, for example as part of any shared spaces, to facilitate user testing and implementation of improvements.

**Accessible services** are one of the key criteria in the provision of universally designed services. Every aspect of the service including: the design of Metrolink stations; the location of Metrolink stations; the design and location of the proposed pedestrian level crossings; the pedestrian pathways; interchanges; way finders; tactile surfaces; the built environment; the number of transfers a person may need to make in one journey; and the exterior and interior design of the trains, need to be easy to access, easy to understand and easy to use for everyone regardless of age, size, ability or disability.

## Station and Infrastructure Design

Following a review of the available station design drawings there are a number of concerns which the NDA wishes to raise. The first concern is around access to stations for persons with disabilities. Many of the station designs provide details of proposed bollards outside of the front of the station where they are facing a road. It is unclear to the NDA the intended space between these bollards, and we would like clarification on the intended spacing, as bollards can present a barrier to access for wheelchair users, persons who use mobility aids, persons who are visually impaired as well as those who are pushing prams or travelling with luggage. The NDA also notes with a great deal of concern that there is very little information in these technical drawings of ramp access, noting that ramps that are very long or very steep can lead to further barriers for disabled travellers, rather than promoting access.

The NDA requests further detailed information on ramped access to stations- where ramp access will be available as well as the proposed width and gradients of all ramps.

The NDA would also like further detail on how proposed pedestrian underpasses as detailed in the plans for Estuary station and the associated park and ride building will be accessible to wheelchair users for example, as the designs only seem to mention access via stairs and the proposed lifts detailed do not seem to grant access to the underpass level.

The NDA would also like to stress the need for clear and controlled pedestrian access to the stations. As detailed in the guidance Building for Everyone: A Universal Design Approach, the provision and location of pedestrian crossing points in any road or street environment should be carefully considered and involve detailed consultation with the relevant road authority. Access to buildings is also detailed in the EU Standard and **IS EN17210 Accessibility and usability of the built environment - Functional requirements**. The NDA would strongly advise that TII consult with this document when progressing with more detailed infrastructure and station designs in order to ensure universal design of both.

These stations will be very high traffic areas, where people will be accessing the metro from other methods of transportation or transferring from the metro to other methods of transport (i.e. bus, Luas, Dart, Taxi, cycling etc.) For example, in 2019 all day boarding and alighting at Connolly station numbered at 18,594 and

20,405 respectively.<sup>1</sup> As such, a great deal of care and consideration must be put into crossing points. Crossing points should be located where they are clearly visible and safe for all road users, including pedestrians, and where they provide convenient, understandable and useable access.

In busy streets, controlled crossing points with traffic lights should be provided. Audible crossing signals such as pelican crossings help everyone, as well as being essential for people with visual difficulties. Pedestrian crossing points, including Zebra and controlled crossings, junctions at side roads and other locations such as access points to car parks, should incorporate level or flush access to enable easy passage by all pedestrians. Level or flush access can be achieved with the use of a dropped kerb or a raised road crossing.

The NDA would strongly recommend when designing cycle paths and pedestrian crossings to consider the universal design guidance Getting to the Curb produced by Walk San Francisco (Walk SF). Safe bike infrastructure is imperative for protecting cyclists. Although cycle tracks create safer conditions for cyclists, their location next to the kerb has two major impacts:

1. It eliminates direct access to the kerb for people parking or being dropped off.
2. It often results in pedestrians having to cross an active cycle track to access parking and transit islands.

While these changes may only be a minor inconvenience for able-bodied individuals, they are more problematic for persons with disabilities, older people and children who rely on easy access to the pavement.

Pavements provide access from the kerb to buildings and open space, they provide access to bus stops, and they provide a safe space to get pedestrians where they need to go. Access to the pavement needs to be safe, direct, and as plentiful as possible. This is why controlled crossings and speed management infrastructure over cycle tracks are recommended.

The NDA also notes with concern that shared spaces such as plazas are incorporated into many of the designs with unsegregated cycle lanes depicted. The NDA strongly advises against spaces designed to be used by both cyclists and pedestrians extensively as this can present significant safety issues to pedestrians, particularly those with disabilities, older people and children. This is best reflected by the Department of Transport in London redacting guidance associated with the design and implementation of shared spaces in July 2018,

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<sup>1</sup> NTA\_Heavy\_Rail\_Census\_Report\_2019..pdf (nationaltransport.ie)



deeming that implementation is not inclusive and the potential risks outweigh the benefits of introducing such spaces. Where possible, pedestrian infrastructure should be kept separate to minimise risk of injury. It is also noted by the NDA that way finding could be difficult in these open areas without points of interest and tactile paving. The NDA recognises that these drawings are not representative of detailed plans but would encourage TII to incorporate tactile paving information and consideration of points of interest in consultations and subsequent detailed information.

In addition to this point the NDA appreciates that Metrolink is linking in with the policies promoting moves towards sustainable mobility and active travel which have been promoted nationally and at the local level. The NDA wishes to stress that active travel considerations must not eliminate accessible parking provision. Also contained in Building for Everyone Guidelines- External Environment and Approach, is information concerning the recommended specifications for design and provision of accessible parking bays as well as recommendations on the amount of accessible parking required. The NDA would strongly suggest consulting these guidelines for details on best practice of accessible parking provision, however, this is not a substitute for consultation and user testing with persons with disabilities and older people.

Finally, the NDA notes that toilets are included in the station plans, however there is not much detail provided in terms of accessible toilet provision. As detailed previously, public transport stations are very high traffic areas. The NDA would like to stress the importance of accessible toilet provision to ensure that the public toilets in each station are as accessible as possible for a wide range of users.

Additionally, the NDA would like to stress the importance of the provision of changing places toilets in addition to accessible toilets. The lack of suitable toilet facilities greatly restricts the everyday lives of some persons with disabilities and their families. Having access to accessible and Changing Places Toilets can enable people to fully participate in all aspects of daily life including accessing education and employment. Changing Places Toilets can greatly improve a person's quality of life, as it enables them and their family to get out and about for longer enabling them to participate in everyday life in their community.

There is no requirement to provide Changing Places Toilets under current Building Regulations in Ireland. According to the Changing Places Ireland website, there were 17 registered Changing Places Toilets in the Republic of Ireland as of November 2022. However, by calculations done by the NDA in an Estimated number of potential users of Changing Places Toilets in Ireland there are as many as 265,100 potential users of Changing Places in 2021 meaning that this



population is greatly underserved. Many people with disabilities currently have to go through the indignity and unhygienic option of being changed on the floor of a public toilet, as the facilities they need are not available. This carries the risk of injuries, including to those providing assistance, due to the manual lifting involved. The NDA has been informed by Metrolink that changing places toilets are being planned, and we welcome this. We look forward to more detailed information on the plans and are happy to provide guidance and assistance in this matter as provision of changing places toilets is vital to ensuring that Metrolink is a truly accessible transport option.

The NDA and CEUD are happy to provide further information and advice as required as TII progresses with this project. The NDA strongly supports continued consultations with the Luas Disability User Group, but would also like to recommend continued wide spread consultation with Disabled Persons Organisations (DPOs) The NDA also wishes to point out requirements under the Disability Act (separate to building regulations) which should be considered in designing transport infrastructure;

- Section 25 of the Disability Act, 2005 states that public bodies should ensure that public buildings are, as far as practicable, accessible to persons with disabilities. And,
- Section 26 of the Act states that integrated access be provided to services provided by public bodies by persons with and without disabilities.<sup>2</sup>

## Appendix I

### Previous Information and Advice

#### Information considerations

- **Accessible information** is one of the key criteria for universally designed services that should be incorporated into the proposed audit tool and for

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<sup>2</sup> “service” means a service or facility of any kind provided by a public body which is available to or accessible by the public generally or a section of the public and, without prejudice to the generality of the foregoing, includes— (a) the use of any place or amenity owned, managed or controlled by a public body, (b) the provision of information or an information resource or a scheme or an allowance or other benefit administered by a public body, (c) any cultural or heritage services provided by such a body, and (d) any service provided by a court or other tribunal.

existing and future TII projects. All information (written, spoken, signed and digital) delivered by a public transport services provider (which includes consultation information), should be universally designed. The NDA suggests that TII should use the **Customer Communications Toolkit for the Public Service - A Universal Design Approach** which will help to produce universally designed written, verbal and digital communications that can be easily accessed, understood and used by everyone. Websites must comply with the accessibility criteria laid out in the **EU Directive on Web Accessibility 2016/2102**. Accessible information also includes audio visual announcements on public transport, information received from self-service terminals, processes for requesting information and making complaints.

### **Information and consultation**

- The NDA recommended developing and publishing a strategy on the Metrolink website detailing how TII will ensure that any future impact assessments for this proposed project will **examine the potential effects this project could have on persons with disabilities and older people**. This strategy should also have a clear commitment from TII that it will ensure that every element of the proposed Metrolink project will meet the needs of persons with disabilities and older people
- Having a clear commitment in the Metrolink project that TII will **have a sustained engagement process with a diverse range of users**. As mentioned earlier the NDA welcomes continued engagement with the Luas disability users group concerning this project. However, a sustained engagement process specifically on this project is recommended. This sustained engagement process could be achieved by establishing and consulting with an advisory committee that includes, persons with a range of disabilities, older people, architects, urban planners, IT professionals, representatives from the local authorities and the NDA. This diverse level of expertise will help TII to address the different impacts that the proposed Metrolink project will have on the lived experience of all users of the built environment, public spaces, other transport services such as the bus and rail services, etc. To assist with consistent and meaningful engagement, the NDA would suggest consultation with our newly published guidelines **Participation Matters: Guidelines on implementing the obligation to meaningfully engage with disabled people in public decision making** which provides context on the requirements for engaging with Disabled Persons Organisations (DPOs), the importance of engagement with DPOs and how to gain meaningful engagement and input from engagement with DPOs and persons with disabilities.
- The NDA also suggested that the Metrolink project should contain an action and key deliverables for a **cross departmental approach** between TII the



NTA, the NDA, the public transport service providers, Dublin City Council, relevant Government Departments and related agencies to ensure the effective development and implementation of the proposed Metrolink project so that it will provide integrated universally designed public transport services

- It is also worth noting that under the **European Accessibility Act** electronic ticketing machines, check in machines and information terminals must comply with accessibility requirements set out in this Act. Member states are obliged to transpose the European Accessibility Act into national legislation by 28th June 2022 with implementation commencing from June 2025.

### **Monitoring and reporting**

- The NDA's **Code of Practice on the Accessibility of Public Services and Information provided by Public Bodies** outlines the statutory obligations public bodies have in providing accessible services and information under section 26, 27 and 28 of the **Disability Act 2005**. These sections of the Disability Act 2005, incorporate the core elements of an integrated universally designed public transport service as mentioned previously. The NDA recommends that the Metrolink project use this Code of Practice to deliver an integrated universally designed public transport service. The NDA, has a statutory role to **monitor the implementation of this Code of Practice** and report our findings to the Minister.

### **Accessible Services**

- All personnel involved in the planning and design of this project and all staff who will be providing public transport services on Metrolink should be trained to provide services and supports to persons with different disabilities and older people.
- The design and procurement of certain products and services must comply with **EU Directive 2019/882 on the accessibility requirements for products and services**. This Directive came into force in April 2019 but has not yet been transposed in Ireland. We also recommend that you implement the **European standard I.S. EN 17161:2019 'Design for All - Accessibility following a Design for All approach in products, goods and services - Extending the range of users'** when designing and procuring products, goods and services. This standard enables an organisation to apply a Universal Design approach for accessibility and meet its statutory and regulatory requirements in terms of accessibility of its products, goods and services.