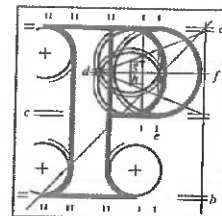


Our Case Number: ABP-314724-22

Planning Authority Reference Number:



**An
Bord
Pleanála**

Save Markievicz Pool & Gym Campaign
C/O John Dean
5 Henrietta Street
Dublin 1

Date: 26 January 2023

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 (including your fee of €50) 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.

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.

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Yours faithfully,

FP EM

Niamh Thornton
Executive Officer
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Submission to An Bord Pleanála on Railway (Metrolink - Estuary to Charlemont via Dublin Airport) Order [2022]

Case reference: NA29N.314724

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.

Impact on community

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. Originally opened in 1886 for the benefit of the poor in a populous working class district, as the Tara Street Public Baths and Wash-houses, the Markievicz Leisure Centre – refurbished by Dublin City Council in 2016 at a cost of €1 million – continues to provide vital cultural and health benefits to this inner city community and all who work in the city centre.

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.

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.

Further, they make no commitment to replace the 78 homes, which means there would be a significant loss of housing stock in the area.

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.

Lack of due consideration given to alternative proposals

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.

In Appendix M of the Report it stated that the MetroLink project team assessed 8 alternative options for Tara Station including those submitted by the Save College Gate Group (Options 1 - 3):

OPTION 1: Station under Hawkins House/Apollo House proposed redevelopment

OPTION 2: Station moved northwards under Tara Street and a proposed new CIE development

OPTION 3: Station moved southwards

OPTION 4: Mined station at the concept design location

OPTIONS 5 and 6: Alignments passing to the east of the existing Tara Street DART Station, with station locations aligned with Moss Street (to avoid the St Georges Quay complex)

OPTION 7: A Metro alignment passing to the east side of Tara Street DART Station, with the station located south of Townsend Street

OPTION 8: A Metro alignment passing to the east of Tara Street and aligning the Metro station directly adjacent to Tara Street Dart 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.

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, eg, Appendix M (above).

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:

(i) a document called "Tara Street Station Mined and Other Designed Options"

(ii) Jacobs IDOM report regarding Tara Street Station and

(iii) an update to the Board of TII and the National Transport Authority (NTA).

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.

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.

"TII has not explained how disclosure of such information could impact on the remaining deliberative processes. Accordingly, I have no basis on which to find that disclosure of the records at this point in time would be contrary to the public interest." she wrote.

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...".

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. But without the background to the assessments it is difficult to understand them or explain anomalies.

For example:

A) Option 1 (under Hawkins House/Apollo House site) was proposed because, in addition to avoiding the demolition of the College Gate/Markievicz 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".

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.

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."

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 Markievicz 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:

"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."

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.

This land, being in the centre of Dublin and being zoned with no height restrictions, is extremely valuable.

Let us now restate clearly what has been established above:

The land is extremely valuable.

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. 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.

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:

On the southside, the original plans included a proposal to upgrade the Luas Green line to Metro standard.

Objections to the disruption to the Luas during the construction and the permanent closure of level crossings, were raised by Fianna Fáil 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".

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.

On the northside, the original plans saw Na Fianna GAA Club losing their pitches for seven years during the construction phase.

But following a campaign including objections raised by Fine Gael TD Noel Rock, celebrity architect Dermot Bannon, Sinn Féin leader Mary Lou McDonald, Minister for Finance and Public Expenditure Paschal Donohoe and Taoiseach Leo Varadkar, a more compact station is now to be built underneath a Home Farm FC pitch which will then be restored.

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.

Funding

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.

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).

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:

"Appendix I: Transport Investment in the National Development Plan.

The National Development Plan (NDP) sets out national investment priorities for the transport sector to 2027.

I.1: Rail and Buses

- C. €3 billion investment in Metro Link (Dublin) from Swords via Dublin Airport and Luas Green Line to Charlemont"

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 €170m.

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.

Save Markievicz Pool & Gym Campaign

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Anthony Gannon, 19 Champions Ave, D1
Joy O'Toole 5K Pearse House, D2
Jim Curran, 36a Pearse House, D2
Gerry McEntagart, 43 Kilmainham Bank, D8
Sylvester Almenski, 202 Parklands, Northwood, Santry, D9
Lukey Sherlock, 2 Brian Terrace, D3
P Dignam, 32 Clonliffe Road, D3
James Farrell, 11 The Stables, Clancy Quay, D8
Sarah O'Malley, 47 West Road, East Wall, D1
Danny McMahon, 20 Kinahan St, D7
Martin Penter, 58 Seville Place, D1
Michiel Laleman, 3 Tobernea Tce, Blackrock, Co D
Graham Fitzgerald, 26 Woodbine Close, D5
Edward Canavan, 18 St Declan's Tce, Marino, D3
Tom Bailey, 56 Annadale Drive, Drumcondra, D9
Martin Murtagh, 8 Grangemore Rd, Donaghmede, D13
Pearse Bartley, 19 Clonmore Rd, D3
Kieran Devoy, 3 Upr Fitzwilliam Street, D2
Jim Fitzsimmons, 164 Harold's Cross Rd, D6W
Noel Redican, 21 Tolka Estate, Glasnevin, D11
Liam Delaney, St Broc's, Milltown Rd, D6
Susan O'Donnell, 7 Church Gardens, D6
Ronan Sheehan, 1 Dartmouth Place, D6
Tommy Gibson, 62 Sillogue Gardens, Ballymun, D11
Bernie Farrell, 25 Shancastle Lawns, Clondalkin
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Does Moore, 156 The Maltings, Island St, D8
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