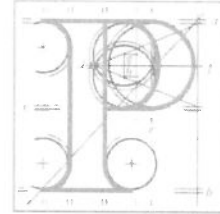


Our Case Number: ABP-314724-22



An
Bord
Pleanála

GADRA c/o R. Carty
108 Homefarm Road
Drumcondra
Dublin 9. D09 RF21

Date: 24 March 2025

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.

If you have any queries in the meantime please contact the undersigned officer of the Board at laps@pleanala.ie.

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Eimear Reilly
Executive Officer
Direct Line: 01-8737184

RA05

Teil	Tel	(01) 858 8100
Glaao Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

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

Eimear Reilly

From: LAPS
Sent: Thursday 20 March 2025 09:47
To: Eimear Reilly
Subject: FW: Metrolink Submission ABP 314724-22
Attachments: Second Statutory Consultation on Metrolink March 25 Final.docx

Follow Up Flag: Follow up
Flag Status: Completed

From: Griffith Avenue & District Residents Association <info@gadra.ie>
Sent: Thursday, March 20, 2025 8:06 AM
To: LAPS <laps@pleanala.ie>
Subject: Metrolink Submission ABP 314724-22

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Eimear

Please find attached the submission from GADRA in relation to ABP-314724-22

Could you confirm that you have received this and that it is a valid submission

Kind regards

Ruth

GADRA

Submission in relation to the TII submission dated 31/01/2025

Responses -ABP-314724-22

GADRA welcome the opportunity to respond to the 'TII responses' to 'observations made' in relation to 'responses to the Document drop' by TII on the first day of oral hearings, together with the subsequent modification of some of these late documents during the actual hearings.

Section 4.2.4.2.2

This leads us, Inspectors, directly to our first response in relation to **4.2.4.2.2**

Under Observation (1) The very fact that we are responding to TII responses to our submissions to the document drop that occurred at the start of the oral hearing speaks to our point that the RO application was not ready when submitted originally on 30/09/2022. The fact that the inspectors also had to request additional information further supports this position. The Independent Experts also said that they had difficulty obtaining information from TII, specifically in relation to the Shaft.

TII responds that it submitted all required documents – however, over 400 documents had to be added - and subsequently even more were requested. Having been through this process on MetroNorth GADRA were shocked at the amount of information missing from the application - and particularly the lack of consultation with residents. GADRA are concerned that TII know how necessary this project is to the city and submitted an application with little regard to its completeness, believing their application would more than likely still be accepted. We again note that in the full application no drawing or artist's impression shows the Albert College Park Ventilation shaft with the surrounding car park and fencing – the omission of this has been highlighted by GADRA on multiple occasions, and was also identified and highlighted by the inspector in a question to Foley at the hearings.

Following on from this, the response from TII in relation to the high number of NDAs is misleading. While GADRA were attending the hearings, we observed the TII and Our Lady of Victories School representatives negotiating in the lobby – it seems all involved believed that there was nothing wrong with two publicly funded entities spending taxpayers' money in this way. The issue that was raised by us and others on the day was, that any agreement privately put in place as a result of this negotiation could directly impact the residents whose properties/gable wall forming the boundary of the school. Without these details these and other residents could not possibly make an informed submission. While the Inspector did request that the environmental component of these negotiations be disclosed, this did not happen until after all the residents' groups had presented. Consequently, to us they still amount NDAs which, in our opinion, should have no place in a public consultation between two publicly funded entities. We were not, and believe the TII to be disingenuous in saying we were, looking for information pertaining to CPOs.

Section 4.2.4.2.1

We will now move to the TII response in relation to the decision of the location of the Collins Avenue Station **4.2.4.2.1**. The TII have responded that the information was not gathered at the busier bus stop during COVID and therefore in our opinion they have used incorrect information in their application in 2022 as the NTA have confirmed that obviously the bus stop at the entrance to DCU with a student population of 17,000 plus workers is higher than the Church with three masses a week and occasional funerals. We confirmed this via Gary Gannon TD. who requested a response from Anne Graham which confirms this below

I refer to the matter you raised in Parliamentary Question No. 168 of 23 July last, which has been referred to the National Transport Authority (NTA) for reply. I apologise for the delay in responding.

The number of passengers boarding Dublin Bus at stop 115 Ballymun Church and stop 37 Ballymun DCU for the past two years are contained in the following table;

Year	Stop Number	Count
2022-07-23 to 2023-07-22	115 Ballymun Church	140,696
2022-07-23 to 2023-07-22	37 Ballymun DCU	435,185
2023-07-23 to 2024-07-23	115 Ballymun Church	102,822
2023-07-23 to 2024-07-23	37 Ballymun DCU	347,866

I trust that the above is of assistance.

Anne Graham

Chief Executive

In relation to the above you may also like to review the transcripts of the Albert College and Ballymun Residents. While discussing the Collins Avenue Station, they asked TII about the algorithm used, and the TII responded indicating that it was very complicated and really only one of the team fully understood it. Without doubt an algorithm is only as good as the inputted information. The figures given to us by Anne Graham clearly show that more passengers use the bus stop at the entrance to DCU - so either incorrect data was fed into the algorithm, or it was manipulated to ensure the desired outcome of a station at the church. The TII produced documents on day one of hearings to support this decision, but again this is producing information to support a decision already made. Of note, the site at the entrance to DCU, which all residents' groups that spoke at the hearings supported as a station location was already deemed suitable for a Metro Station, as it was approved by ABP when they granted the Railway Order ("RO") for Metro North

Now the TII are indicating that the location of Collins Avenue Station in their response is not based on the spider algorithm alone, but rather on documents i.e. "*The Collins Avenue Station: EAS report*" of the option. However, this document was not submitted with the application for RO in 2022 and were only submitted on the first day of oral hearings, with more documents submitted on day 18 of the oral hearings entitled "*Educational and Jobs Forecast*". As these documents did not form part of the original application in 2022, it would appear to us that TII have spent the two years post application trying to prepare documentation that would support their decision to site this station at the church. Residents' views in relation to the station position were not considered prior to the RO application.

Section 4.2.4.2.2

With regard to consultation in relation to the shaft, the response from the TII is disingenuous, incorrect and confusing in 4.2.4.2.2

We still do not believe that TII have satisfied this requirement of the Act – By their own admission they confirmed at the oral hearings in Module 2 that they did not consult the public in relation to the position of the ACP Shaft – the TII reasoning was '*because they needed it there*'. GADRA cannot see in the Act where you can bypass consultation because you need a structure in a particular place. Na Fianna did not want a station at their property and every GAA club in the country were informed and made a submission on this, yet residents living within 20 feet of the above ground permanent vent shaft structure were not consulted on its position. The only consultation on the shaft was as to predetermined aesthetics. This in our opinion calls into question the validity of the whole application, as TII have not satisfied Section 39 of 2001 Act by not informing the public during consultation that the ACP shaft was an above ground structure. There were only 17 words relating to same in the EPR documentations, none of which mentioned that it was above ground. GADRA have shown previously that TII sent us (and only us) the "*back of beer mat*" drawing two days before the close of consultation in May 2019 and refused to extend consultation by two weeks so we

could inform the public. In retrospect this is just laughable considering the delays and extensions the TII have had to date.

Due to the change from twin bore to single bore and the move from Na Fianna grounds, a shaft/station was required. However, the siting of that structure requires public consultation - just as every other structure did. So, without evidence of a consultation on the position and alternatives to this structure (e.g. a station) GADRA do not feel the application has met the standard in either of the quoted paragraphs from the Act above.

With regards to the size of the shaft and shaft compound, the decision process around the separation of the headhouse and ventilation grilles has not been made public, nor was the detailed design for this site available at RO application - again it would appear that TII is making a decision and retro fitting it to work. The late addition of Atkins to the process, well after the application was made, is worrying as the footprint for this site has not changed throughout the process. The independent experts have advised that this site could be reduced by one third and the use of the hard standing area on the Ballymun Road would satisfy requirements but, has never been considered by TII. GADRA have raised this on several occasions and TII have not addressed this issue in their responses. To fence off such a large area of a public green field park for a car park for maintenance vehicles is contrary to all climate action policy. The need for fencing around the whole site has not been explained by TII, and we are requesting that this is rejected by ABP. There is no reason for there to be **staff** car parking at the headhouse – why can workers not use public transport – that is the whole purpose of this project.

Indeed, if TII need a hard standing area as part of the design, it should be a sports area e.g. a Basketball court or handball alley, so it can be used by the public. We note with despair the comment from TII that the rest of the park will remain accessible for public use – we would remind TII that they do not own the park and they should respect a public park and not view it as theirs for the taking.

TII state that we are factually incorrect as there are multiple shafts in parks and list the following four –

1. The Green Park way Shaft merges with a green corridor and includes a green roof community space and wildlife habitats - **no car parks or fencing!!**
2. Mile End is at the edge of the park, opening onto the road and has been designed as a green hill which can be used for viewing matches held in the nearby football pitches, again right at the edge of park beside a railway bridge – **no car park no fences!! (the public are actually encouraged to climb it and sit to watch a match from it).**
3. Kennington Green - is with the built community – right beside buildings, as is usual, and right at a road side, open directly to street – **no car park and no fences other than a whole park perimeter fence!!.**

And our favourite

4. Brooklyn Battery Vent which, because of objections (they actually ran a consultation) had to be built in granite and designed as a monument!- **no car park or fences!!**

Had TII bothered to look at these before rushing out a poor design of a shaft? They hadn't consulted anyone or they might actually have looked at the neighbouring protected Cuilin House, or the protected 'White House' and then designed a suitable small non fenced open and purposeful inclusive building. Instead of a car park, TII could have used the 6 lane Ballymun road for emergency vehicles. We don't think the TII ever considered the park, the residents, the community or this specific park environment in their haste to find a position for the shaft once they had to move from Na Fianna and to a single bore tunnel.

Section 4.2.4.2.7

GADRA do not think it is acceptable that TII have stated that they will not provide generators should there be a disruption in services, either planned or unforeseen, due to construction. This is unacceptable for a community of elderly people in particular, but also not acceptable to those members of our community

who work in or from the home. Given what communities throughout the West of Ireland have been through following Storm Eowyn, we are requesting that this mitigation measure is put in place.

Section 4.2.4.2.12

It appears that TII have a policy of looking for forgiveness rather than permission in relation to the out of hours works – Section 36 of RO Act 2001 does not give TII permission to carry out routine ground works out of hours – they did this without informing the local authority and having any good reason as confirmed to us by the contractor, other than to free up a pitch for a football match. (NOTE - documentation supplied to ABP with our previous response). With no sanctions in place, TII feel that they can do what they like and interpret that Act to suit themselves – we would be happy to argue this issue in front of the ABP and would welcome a ruling on this section 36 of RO Act.

TII also blamed a contractor for out of hours work in ACP - seemingly unaware that the work of contractors remains the responsibility of TII – this was an issue raised by Hampstead Residents in their response.

Conclusion

Finally if this project has any hope of working with communities during construction and operational phase, the engagement with TII needs to be genuine and rise above PR level to the actual decision makers.

Additionally, the IEE must not be funded and controlled by the very company that is tasked with the delivery of the project – it must be a condition of RO that this contract moves to Transport or Expenditure or Finance. There is no precedence as this is first Metro that may go to shovel and as the first ever IEE was obtained in Metro North by Residents 4 Realignment Ltd which we set up. We want this aspect of this billion euro project to actually be of benefit to all residents as well as assisting the government in keeping this project on time and on budget. In other metros world-wide the IEE work for the government to ensure that quality, value and safety are all observed

March 2025

GADRA

Una Caulfield – Chair

Ruth Carty – Secretary

108 Homefarm Road

Drumcondra

info@gadra.ie