

Submission No.			162	
Organisation Name or Name of Submitter			Kieran Smyth and Margaret McDonnell and others (121 Ballymun Road)	
Item No.	Section Ref.	Page No.	Observation Statement	TII Response
Letter Re: Application by Transport Infrastructure Ireland (TII) to An Bord Pleanála for the Railway (MetroLink Estuary to Charlemont via Dublin Airport) Order 2022				
1	1	1	While very supportive of the scheme overall, and its objectives as detailed in the application we would like to comment on certain details of the proposals, which raise concerns for us. Before doing so, we would like to take the opportunity of acknowledging and complimenting TII on its stakeholder engagement, and in particular its engagement of an independent engineering expert, RINA Consulting, to support residential stakeholders likely to be affected by the MetroLink works, which not only upholds the letter, but also the spirit of applicable Irish and EU law.	TII wish to thank you for your submission and your stated support for the delivery of MetroLink.
2	"Albert College Park: Intervention Shaft- Protection and Preservation of the Park and Scale of Design Footprint"	1	Albert College Park is an essential community resource and everything possible should be done to fully protect and preserve it. Ideally, the MetroLink Project would not impact the Park in any way, and certainly not in any permanent way (as seems to be the approach to parks and green spaces, where emergency shafts are employed, in other underground systems, for example, the newly constructed Elizabeth Line in London). It seems however, based on the current MetroLink proposals and the applicable recommended standards that an Intervention Shaft (IS) is required between the Collins Avenue and Griffith Park Stations as they are more than one kilometre apart. Based on this approach, Albert College Park (ACP) would appear to represent the optimal location for such an Intervention Shaft (IS). (Just to note that whatever about an IS it is clear that the placement of a MetroLink Station within the ACP, were this to be proposed, would be a disaster for the continued functioning of the park and would very severely impact on its amenity).	The RO does not include a proposal for a station to be located in Albert College Park. As stated, Albert College Park has been assessed as the optimum location for the ventilation shaft as noted within Chapter 7, Section 7.7.11.1.
3	Albert College Park: Intervention Shaft- Protection and Preservation of the Park and Scale of Design Footprint	1,2	In our view the size and scale of the design of the Intervention Shaft (IS) proposed in the Albert College Park (ACP) will negatively impact not only the visual but the general amenity of the park by reducing the area of the park that is available for walking, and sports etc. We would therefore ask that an alternative to the current IS design, that would reduce its overall footprint, be fully considered. From some preliminary discussions with experts we understand that a suitable and effective IS could possibly be devised which would reduce its footprint using the kind of approach employed in the London Underground e.g. the new Elizabeth Line and Italian underground systems (see the red and yellow markings on the extract from the TII drawing of the IS attached - which illustrates in broad outline what the redesign and considerably reduced footprint of the IS might involve).	The design for the ACP Intervention Shaft has been developed having regard to the operational requirements, submissions received and detailed discussions with Dublin Fire Brigade and other stakeholders with regard to the site layout. The landscaping has been developed to mitigate any visual impact. Overall, MetroLink is taking a small proportion of the park with the walkways and the football pitches will be reinstated on completion of construction. The EIA Chapter 27, Landscape & Visual and Chapter 15, Biodiversity set out the assessment of the potential impacts at Albert College Park and the proposed mitigation, while Appendix A8.18 details the engagement that has taken place with Dublin Fire Brigade. TII will work with the subsequent detailed designer to provide optimisation if feasible such that residual impacts are mitigated so far as is reasonable practicable.
4	Albert College Park: Intervention Shaft- Protection and Preservation of the Park and Scale of Design Footprint	2	Key issues to be considered here are: -reducing the number of parking places and placing the ones that remain onto a grass verge at the edge of the Ballymun Road as a new emergency vehicle only layby, - moving the Air Intake/Exhaust Ventilation structure to the main building structure for the stairs and lift: while it would make that building a little larger it would significantly reduce the 'technical footprint' of the site overall (as long as the equipment rooms below ground as currently designed remain as is and perhaps are grassed over).	Please refer to response item (3) above in relation to the design and sizing of the Intervention Shaft at Albert College Park. As set out within the EIA Chapter 4 section 4.17.5, a one way system for entry from and exit to the R108 has been provided for Dublin Fire Brigade, alongside required parking space for vehicles by the intervention shaft, both following discussions with Dublin Fire Brigade regarding their requirements. Further details are provided on slide 84 of 89 on RO Submission: Structures Details Book 3 of 3 Other Line wide Structures Fingal County Council and Dublin City Council. The reasoning supporting the proposed location, layout and operation of the Emergency Shaft at Albert College Park is detailed within Appendix A8.16.
5	Albert College Park: Intervention Shaft- Protection and Preservation of the Park and Scale of Design Footprint	2	Another issue to be examined in terms of reducing the footprint of the IS might be to limit it to a shaft head and the subsurface buildings with a clear paved road from the revised IS to the main road in a straight line. That would omit the parking area in particular and having both an access and an exit road). This would be done on the basis of the Ballymun Road being closed in the event of an emergency, which we understand would be a recognised approach successfully used in the London Underground system.	Please refer to responses (3,4) above in relation to the required space for emergency vehicles, following consultation with Dublin Fire Brigade.

Submission No.		162		
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Item No.	Section Ref.	Page No.	Observation Statement	TII Response
6	Albert College Park: Intervention Shaft- Protection and Preservation of the Park and Scale of Design Footprint	2	While these are technical matters which would require detailed expert consideration we have seen no convincing analysis and rationale from TII for the proposed scale of the IS footprint in the ACP. We would ask that An Bord Pleanála as a preliminary matter in advance of the finalisation of the Railway Order require TII to give further consideration, in consultation with other relevant bodies, with a view to reducing the design of the IS in the ACP to the minimum necessary for a suitable and effective IS in order to better protect the amenity of the ACP.	Please refer to responses (2, 3 and 4) above in relation to the rationale for the location and size of the ACP Intervention Shaft, which takes cognisance of the requirements set out by Dublin Fire Brigade and the feedback from public consultations. TII will work with the subsequent detailed designer to provide optimisation, if feasible, such that residual impacts are mitigated so far as is reasonable practicable.
7	Albert College Park Intervention Shaft - Construction Issues	2,3	We would ask that very careful consideration be given to the Metrolink application, and in particular the Environmental Impact Assessment undertaken, to ensure that the proposals adequately protect the amenity of the houses and other premises in the environs of the ACP, during the construction phase of the IS and that the inevitable disruption from the construction of the IS is kept to a minimum. We would seek in this context that in the event of the Metrolink being approved by An Bord Pleanála that such approval be subject to specific conditions to ensure: That the noise and vibration as a result of the construction works (including blasting for shaft sinking and tunnelling) is kept to within tightly prescribed limits and monitored on an ongoing basis with a staffed 24 hour contact telephone line available should any issue of concern arise;	Chapter 13 (Airborne Noise and Vibration) and Chapter 14 (Groundborne Noise & Vibration) of the EIAR outline the baseline noise and vibration levels and proposed mitigation measures. Appendix A5.1 Outline CEMP notes that in addition to the noise and vibration mitigation measures proposed, the contractor(s) will prepare a Construction Noise and Vibration Management Plan (CNVMP) for the proposed Project which will be a live document. There are no statutory standards in Ireland relating to noise and vibration limit values for construction works. The contractor(s) will work within the noise and vibration significance threshold levels identified in the EIAR (as per British Standards) for both airborne and groundborne noise and vibration and the limits contained in the Railway Order approval. The outline CEMP, Section 3.3.1 notes that TII and the contractor(s) will take all reasonable steps to engage with stakeholders in the local community, especially those who may be affected by the construction works including residents, businesses, community resources and specific vulnerable groups. The contractor will also be responsible for putting in place a Stakeholder Communications Plan which will be developed under the consent of a designated Public Liaison Officer (or equivalent officer) appointed by TII. This plan will provide a two-way mechanism for members of the public to communicate with a designated member of the contractor(s)'s staff and for the contractor(s) to communicate important information on various aspects of the proposed Project to the general public.
8	Albert College Park Intervention Shaft - Construction Issues	3	That the proposed Construction Community Relations Officer have an adequate and dedicated support team in place to liaise in a timely and comprehensive way in order to update residents on a regular basis of developments and to deal with any issues or problems that may arise;	For the tunnel boring, Appendix A5.1 Outline CEMP states that TII will establish a website to provide information on the forecast and actual passage of the tunnel boring machine. The contractor(s) will distribute leaflets to properties and affected parties, giving such notice along the tunnelling alignment, along with details of the first point of contact for any queries. Notifications will detail the estimated duration of the works, the working hours and the nature of the works. All notifications will include a local helpline number, as detailed in response item (7) above.
9	Albert College Park Intervention Shaft - Construction Issues	3	The design of the Shaft Ventilation system be such as to minimise any noise or vibration arising in order to protect the amenity of the area;	The requirements for the selection and attenuation of the Albert College Park Intervention Shaft ventilation systems, will be based on background noise level at the nearest and most exposed NSLs to each fixed item of plant and determined for day and night-time periods, with the methodology described in the EIAR Chapter 13, Section 13.2.5.2.4. All baseline noise values will be confirmed prior to the design and selection of the operational plant items with requisite attenuation determined after the updated baseline noise surveys. Suitable noise attenuation will be provided for the intermittent fan operation and will be developed at detailed design to ensure best practical means and equipment are employed. As presented in the EIAR Chapter 13, Section 13.6.2.3, the following will be considered when designing the equipment: - Selection of low noise rated equipment; - Reduction of induct flow rates; - Reduction of elements in the airflow; - In duct attenuators; - Orientation of grilles and louvres away from sensitive receptors; - Acoustic louvres; and - Anti-vibration mountings and couplings will be incorporated into the design to control vibration."

Submission No.	162
Organisation Name or Name of Submitter	Kieran Smyth and Margaret McDonnell and others (121 Ballymun Road)

Item No.	Section Ref.	Page No.	Observation Statement	TII Response
10	Albert College Park Intervention Shaft - Construction Issues	3	That the use of lorries and other vehicles to transport materials and staff to and from the IS in the ACP be minimised insofar as possible and in particular that out of hours working especially between 8pm and 7am (and at weekends) be avoided or at the very least severely restricted with a requirement to keep residents apprised in advance of any such planned out of hours working;	<p>As detailed in the EIAR Chapter 5, MetroLink Construction Phase, the programme for the construction of the proposed Project has been optimised to minimise the duration of the Construction Phase in order to lessen the duration of potential environment impacts, while ensuring that the areas surrounding the work sites remain operational and functional. Work will run concurrently at all MetroLink site locations to ensure the Project is delivered in an effective and timely manner.</p> <p>EIAR Chapter 5, and Appendix A9.5 Scheme Traffic Management Plan details the impact of the temporary traffic management measures and associated construction traffic. As the Intervention Shaft is wholly located within the Albert College Park, there are no temporary traffic management measures associated with the main construction of this site required on the adjacent R108, causing no impact to road users. As shown in Appendix A5.7 Construction Vehicles, Plant and Equipment, there will be between 30 to 80 vehicle movements per day associated with the Intervention Shaft, however much of the works will see daily vehicle movements lower than this range.</p> <p>Vehicle movements will generally be limited to standard working hours as defined in Table 5.3 in section 5.2.4 of EIAR Chapter 5 which is as follows: - Monday to Friday 07:00hrs to 19:00hrs - Saturday 07:00hrs to 13:00hrs</p>
11	Albert College Park Intervention Shaft - Construction Issues	3	That appropriate traffic management plans be employed, including ones that take full account of the Bus Connects Ballymun/Finglas to City Centre proposals, in the event these are approved by An Bord Pleanála and proceed. (Just to note that it is understood that it is proposed that work on Metrolink and Bus Connects Ballymun/Finglas will be undertaken at the same time);	<p>Please refer to response (10) in relation to the temporary traffic management measures associated with the Albert College Park Intervention Shaft.</p> <p>Chapter 5 of the EIAR, MetroLink Construction Phase, explains that traffic management plans for the construction phase of the Project have been developed to minimise the impact on road users, and to maintain access to businesses and other premises. Prior to implementation, all traffic management measures will be agreed with the relevant local authority (FCC or DCC) and where relevant, consultation with An Garda Síochána and other statutory stakeholders will be undertaken. The design of traffic management measures and highways works is based on achieving the key objective of maintaining continual access to all properties during the works.</p> <p>As noted in Appendix A9.5 Scheme Traffic Management Plan, the 2028 Do Minimum model scenario used for the local and strategic impact assessments during the construction phase consists of a 2028 base network with the addition of the measures included within the R132 Connectivity Study and the proposed BusConnects infrastructure design changes. Therefore, the traffic assessment of both the baseline, construction and operational phases is on the basis that BusConnects infrastructure and network redesign are in place prior to the construction of MetroLink.</p>

Submission No.		162		
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Item No.	Section Ref.	Page No.	Observation Statement	TII Response
12	Albert College Park Intervention Shaft - Construction Issues	3	That satisfactory and appropriate mitigation strategies are employed to ensure that any risks, such as that of local flooding and rodent displacement (from construction work) are fully addressed.	<p>The risk of flooding is minimal and the EIAR includes for provision to manage the risk. Table 18.16 of EIAR Chapter 18, Hydrology provides a summary of the construction and compound sites along the full route together with the planned discharge point (surface water/storm sewer) and the estimated daily rate of discharge to that receiving feature. Including Albert College Park, none of the planned construction or compound sites are located immediately within areas designated as Flood Zone A or B, in accordance with the OPW 'Planning System and Flood Risk Management Guidelines' (November 2009). The management of flood risk during construction is detailed in Chapter 18 (Hydrology, Section 18.6.1.3) and in the outline CEMP (Appendix 5.1). Any local drainage impacted will be diverted to suit such that flood risk is managed.</p> <p>In order to manage and mitigate all environmental risk at Albert College Park, and as part of the preparation for the construction phase, the appointed Contractor for these works will be required to set out their proposals in the Construction Environmental Management Plan (CEMP), an outline of which is included in EIAR Appendix A5.1. The Contractors CEMP will include a Construction Flood Protection Plan, with minimum requirements set out in EIAR Appendix A5.1, Table 6.4 Water Measures.</p> <p>As noted in Chapter 10, Section 10.5.1.10, with regard to rodent displacement, as is standard practice vermin control will be implemented on all MetroLink sites. While rodents will be temporarily displaced as a result of initial construction activities, there is nothing in the Construction Phase which would lead to an increase in the number of rodents. It could be argued that with the rodent control policies in place, there will be a reduction in the level of rodents and the subsequent risk. Because there will be no increase in vermin numbers and more likely a decrease because of vermin control measures there will be no increase in vermin transmitted disease over and no significant adverse effect on human health.</p>
13	Collins Avenue Station and Tunnelling- Construction Issues	3	We would ask that very careful consideration be given to the Metrolink application, and in particular the Environmental Impact Assessment undertaken, to ensure that the proposals adequately protect the amenity of the houses and other premises in the environs, during the construction phase, of the Collins Avenue Station and the Tunnelling work and in particular that the inevitable disruption during the construction phase is kept to a minimum. We would ask that in the event of An Bord Pleanála approving the Metrolink application that it be done subject to detailed conditions along similar lines to those proposed for the IS in the ACPIS - Construction Issues section above.	<p>Minimising environmental impact on the local community is fundamental to the approach that TII will take and this is documented throughout the EIAR.</p> <p>As detailed in EIAR Chapter 5, MetroLink Construction Phase, the programme for the construction of the proposed Project has been optimised to minimise the duration of the Construction Phase in order to lessen the duration of potential environment impacts, while ensuring that the areas surrounding the work sites remain operational and functional. Work will run concurrently at all MetroLink site locations to ensure the Project is delivered in an effective and timely manner.</p> <p>Potential impacts associated with the construction phase activities of the proposed Project on the residences and businesses are addressed in for example : Chapter 11 (Population & Land Use), Chapter 13 (Airborne Noise & Vibration), Chapter 14 (Groundborne Noise & Vibration), Chapter 9 (Traffic & Transport), and Chapter 16 (Air Quality).</p> <p>Measures to mitigate and monitor these impacts as a result of construction activity across the proposed Project are detailed in Chapter 5 (MetroLink Construction Phase) and summarised in Chapter 31 (Summaries of the Route Wide Mitigation & Monitoring Proposed).</p> <p>Additionally, the appointed contractor will prepare detailed design and construction methodologies in the form of a detailed Construction Environmental Management Plan (CEMP) to ensure all environmental impacts are managed and mitigated in accordance with the EIAR and Railway Order, assuming an Enforceable Railway Order is granted. The detailed CEMP(s) will be provided to DCC for consultation in advance of any construction works on site. An Outline CEMP is included in Appendix A5.1 of the EIAR that will be developed further by the appointed contractors. Monitoring instrumentation will also be used throughout the works to monitor potential environmental impacts, including those discussed above to ensure that acceptable limits are not breached.</p>
14	Property Owners Protection Scheme (POPS)	3,4	We would like to welcome the proposal by TII for a POPS scheme. However, we have some concerns about some of the details of the scheme, including that the system put in place by TII for compensation awards for damage to houses arising as a result of the Metrolink's construction, is a streamlined one, that allows for the prompt payment of such awards. -Given the rate of inflation, and in particular building inflation, we are concerned that the proposed limit of Euro 45,000, non inclusive of VAT, for an individual award may not adequately cover the cost of damage to houses as a result of Metrolink's construction in light of the fact that such occurrences may only come to pass over ten years from now (assuming that the Metrolink gets the required approvals and proceeds as planned). TII should be required to commit to increasing the maximum level of award at least in line with building or general inflation, whichever is the higher. As an additional safeguard it should also be required to obtain expert advice on the adequacy of the maximum quantum of award to ensure house owners are fully compensated for damage arising as a result of the Metrolink works, in respect of the time the scheme becomes operational, and to act on that advice. Interested parties should be able to make submissions for consideration by the expert concerned within this context.	TII believe the current limit of 45,000 is appropriate but do recognise the impact of inflation on the number. TII commit to reviewing the appropriate of the figure taking account of forecasted inflation, on receipt of an enforceable railway order for the scheme. Furthermore it should be noted that participation in the POPS does not impede a property owner's standard legal rights and so should this POPS threshold be exceeded, the property owner may seek redress through standard legal means.

Submission No.		162		
Organisation Name or Name of Submitter		Kieran Smyth and Margaret McDonnell and others (121 Ballymun Road)		
Item No.	Section Ref.	Page No.	Observation Statement	TII Response
15	Property Owners Protection Scheme (POPS)	4	Furthermore, we are concerned that the proposed time limit of one year from the end of the Metrolink construction phase for awards to be valid under the scheme is too short as the consequence of problems, such as ground settlement, may not be identified within such a short timescale. The normal statutory time limits, were such a matter to be taken to court, should apply.	TII believe the proposed time limit is appropriate
16	Property Owners Protection Scheme (POPS)	4	Residents in addition to opting for one of the three TII contracted experts should be able to choose to use their own expert and be compensated up to an agreed set maximum amount.	To avail of the scheme residents must use one one of the survey companies from the panel of survey companies listed in the POPS scheme.
17	Property Owners Protection Scheme (POPS)	4	A dispute resolution process for any disputes arising under the POPS scheme should be put in place. Indeed, a dispute resolution process should be in place for all significant impacts arising from the Metrolink project construction and operational phases, which should encompass a comprehensive complaints' procedure.	Clause 26 of the draft Railway Order sets out an arbitration process in relation to any dispute arising between TII and any other party in relation to the execution of the authorised works or the exercise by TII of the powers granted by this Order. Furthermore, in the event the property owner disputes the findings of any survey carried out by the panel surveyor (on foot of the POPS), Engineer's Ireland shall be instructed to appoint an independent expert to adjudicate over the matter. The decision of the Independent Expert from Engineer's Ireland will be binding upon TII, however the property owner shall not be bound by the decision.
18	Property Owners Protection Scheme (POPS)	4	The above changes should be made to the POPS in advance of the start of the Metrolink construction phase and made a specific condition of any approval by An Bord Pleanála for the Project to proceed.	Please see above responses.
19	Other Issues	4,5	<p>We welcome the fact that TII has committed to discussing the issue of the implications for home insurance arising from the construction of the Metrolink with a view to protecting the interests of the stakeholders concerned and look forward to full updates and consultation on these ongoing discussions.</p> <p>We also welcome the commitment of TII to a programme of public engagement, during the operational phase, to provide, inter alia, information on measures to manage anti-social behaviour. We think the issue of crime and anti-social behaviour is a key one for communities.</p> <p>Much more detail and engagement is needed on these issues not just during the operational phase but also in advance of and during the construction phase. The use of closed circuit television, employment of dedicated security personnel by TII and multi-agency forums with the full participation of residents' groups, Gardai, local authorities etc are all key issues to be considered. Failure to address such issues satisfactorily will negatively impact communities, and indeed, the positive reputation and "brand" that the Metrolink Project should have.</p>	<p>TII to comment on implications for home insurance and consultations on this.</p> <p>Construction Phase As detailed in Chapter 05 (MetroLink Construction Phase), there will be a construction security team on site. The primary function of the site's security team will be to ensure that no unauthorised entry to site occurs. There will be fencing around the sites to minimise the risk of vandalism and unauthorised access. This process will be made easier by all operatives possessing an ID card. ID cards will only be issued to operatives that have attended the site induction and (if relevant) a medical examination. CCTV and alarm systems will be installed where required. Security will also undertake regular inspections of the boundary to the compound. TII will continue to liaise with An Gardai and DFB to ensure provisions are suitable and sufficient.</p> <p>Operational Phase One of the outcomes of the architectural and urban realm design is to discourage anti-social behaviour in the operational phase, for example through the attractive setting, use of public lighting, open sight-lines, and avoidance of areas where individuals and groups of people can hide. Vandalism and anti-social behaviour on the trains and within the stations will be observed through CCTV (Closed Circuit Television) and if required staff sent to manage the situation. (ALG: refer back to relevant section of EIAR/application documents)</p> <p>The ACID (Access control and intrusion detection) system will also identify intruders trying to enter locations where unauthorised access is prohibited. It will also cover the platform doors to the track (surface and retained cut stations) and to the tunnel (underground stations); entrances to technical rooms, the station incident rooms, and stations (outside operational hours); access to the mainline tracks; entrances to facilities at Dardistown depot (test racks, workshops, garages, OCC (Operational Control Centre), technical rooms, storage areas, offices, and emergency doors); the back-up OCC: electricity sub-stations; tunnel portals; shafts and ventilation shafts and emergency doors. ACID will be integrated with the telephone system, CCTV, SCADA (Supervisory Control and Data Acquisition), Fire Alarm System and the Central Clock System.</p> <p>Subject to a Data Protection Impact Assessment and compliance with the General Data Protection Regulation, there will be a single CCTV system and a single ACID system serving all stations, tunnels, substations, and depot, and managed from Dardistown Depot.</p> <p>The final detailed design will be agreed with An Gardai, DFB and DCC to ensure compliance.</p>