

Belfield /Blackrock to City Centre Scheme ref 313509

Dear Sirs

I wish to make an observation on this scheme, the principle of which seems acceptable. I also am requesting an oral hearing on the basis set out below.

Oral hearing

I have requested an oral hearing on the Clongriffin Scheme reference 313182 largely related to my concerns about non compliance with the Aarhus Convention and related guidance (which also includes their general statement in 2020 on the pandemic). I set out in Appendix 1 to my submission, which you already have, a number of concerns which equally apply to this application. Please treat the principles of Appendix 1 to my then submission as equally applicable to this submission. If you have an oral hearing on the Clongriffin scheme at which I can address these points, then there is probably no need to air much the same points in connection with this scheme.

If an oral hearing is however otherwise held on key issues which I raise in this submission, I would request the right to be heard on those issues.

One Aarhus issue which this scheme brings to the fore however is the requirement in Article 6.4 that each party shall provide for early public participation, when all options are open and effective public participation can take place. I believe that the failure to present the options of running buses ex Belfield on their current route via Donnybrook and buses ex Blackrock on their current route via Northumberland Road in the public consultation is a breach of Article 6.4. This is also a substantive point I make below.

My key issues

1 access issues in Elgin Road area

2 continue to use existing 7 and 39A routes rather than Pembroke Road and Nutley Lane

3 extra traffic in local streets

4 bus gates during prescribed hours

5 moving bus stops

**Access issues in Elgin Road area**

The proposals that access to Elgin Road will be cut off at the US Embassy and the bus gate at Eastmoreland Place on Pembroke Road will have some impact on access to Wellington Road and Raglan Road and adjacent roads. It would seem to me that residents and businesses in that area will largely have to access from Morehampton Road. I don't believe local residents are necessarily aware

of this or that the implications are considered in the enormous documentation submitted. I don't believe the Elgin Road impediment should be allowed unless you are satisfied that residents have no issue and that all such traffic exiting onto Morehampton Road (which is to be a bus corridor) has no impact there.

### **Continue to use existing routes of 7 and 39A bus.**

My comments on these is without the benefit of knowledge of the views of affected residents on Pembroke Road and adjacent streets and on Nutley Lane. If they are all happy with what is proposed then I am probably ok with it too.

The current no 7 (and indeed no 4 bus) proceeds to town via Northumberland Road and Lower Mount Street, the obvious route. It is now proposed with the B replacement services to take a somewhat longer route to Merrion Square and cause disruption on Pembroke Road by re routing those buses there, Currently Pembroke Road is only used by the relatively ancillary number 18 service. Further the new longer route runs on a section of Lower Fitzwilliam Street that is part of the golden mile and is a particularly important heritage area. There is I believe a bus lane infrastructure in place already on Northumberland Road and Lower Mount Street and I would submit that that should be the corridor. The reasons for dismissing this in their options report are difficult to understand. I would think therefore you should refuse permission for the section proposed on Pembroke Road and Baggot Street.

The current 39A proceeds to the city via Donnybrook on what is to be the E Spine. It travels down Waterloo Road where there is already some bus lane provisions. There seems no reason why it can't continue on the E Spine to the city or use its existing route. For students using the 39A who would be the key traffic it is a more direct route to the city. Nutley Lane is currently so unimportant in the bus hierarchy that it is not included at all in the master map of Existing Network –The Big Picture produced at the start of this project. I would suggest that the scheme on Nutley Lane should not be permitted.

### **Extra traffic in local streets**

The scheme seems to identify a number of roads which may face significant extra traffic if the scheme proceeds. It is difficult to understand why a scheme which is not really taking away any road space on the Merrion Road and is supposed to divert car passengers to bus can have this effect.

Paragraph 6.4.6.2.8 in Traffic and Transport at page 126 and following is very difficult to follow. It seems to breach transparency norms. Can you please in any event have NTA confirm that the modelling includes the effect of the Bray Corridor as the modelling is useless if it is not assessing the combined impacts of corridors on the Stillorgan Road and Merrion Road. Models such as on page 129 and page 134 which show extra traffic on the Stillorgan Road do not seem to me to reflect combined modelling. If the modelling is not combined, they should be asked to produce this as it is unreal not to work on the basis that both Bray and Blackrock corridors are implemented. I suspect you may have powers to demand additional items from them and I would ask that you demand combined modelling, if what is submitted is not combined.

Extra traffic is identified on a significant list of residential roads (if I understand tables 6.67 and 6.71 correctly) including

New Road 1120 -1465

Stillorgan Park 1456 -1916

Grove Ave 554-928

Trees Road 374-505

Leeson Park 364-493

Haddington Road 631-1222

Tritonville Road 608-885

Park Ave 398-532

Monkstown Avenue 679-1040

Many of these roads also appear in the 6.71 Table with Fleurville +800 standing out. These schemes should not be permitted unless you are satisfied that residents have been made aware and their views if any are taken into account.

### **Bus gates during prescribed hours**

In the description of the scheme at paragraph 5.4.5.1.2 they state that they propose a bus gate which will “ensure that the only traffic utilising Pembroke Road (during the hours of operation) will be local traffic with a destination on or close to Pembroke Road” I think it is appalling that they do not set out at this stage the hours of operation. They have been very evasive on this issue in other corridors. A bus gate operating 6am to 10am city bound and 3.30pm to 7pm Monday to Friday at this location is a vastly different proposition, particularly for locals, as opposed to a 24/7 timescale 365 days of the year. The inclusion of the words in brackets suggests they intend there be a timescale. They must come clean on this and it should be specified as a numbered condition in any planning permission granted, to be changed only with further planning permission.

### **Moving bus stops**

There is an extraordinary amount of moving bus stops. I count 20 in the scheme description. The location of a bus stop is very important, particularly to persons of limited mobility. I believe that there should be a notice placed on any bus stop to be moved, to allow people to raise issues. You should direct them to do this now. If a bus stop is moved in front of a residential premises, it can cause issues. One of the submissions on the Clongriffin scheme outlines a difficulty with a narrow pavement where a bus stop is being moved. In normal circumstances the move of a bus stop would have specific planning notices etc, so people would have no reason not to be aware,

Brendan Heneghan

88 Parkmore Drive

Terenure

D6W

1 July 2022

This is the Appendix to my Clongriffin submission for convenience. Facts specific to Clongriffin, but similar factual background

***Failure by National Transport Authority to observe the principles of the Aarhus Convention and the Kazakhstan Advice***

*As is stated in the documents there are been three separate consultations on the Clongriffin scheme*

*Phase 1 Emerging Preferred Route 14 November 2018 to 28 March 2019 (over 4 months)*

*Phase 2 Preferred Route 4 March 2020 to 17 April 2020 (6 weeks 2 days)*

*Phase 3 Preferred Route 4 November 2020 to 16 December 2020 (6 weeks)*

*While I would not agree that consultation was in any way adequate at Phase 1 for other schemes with which I am much more familiar, there was at least a fairly open public meeting apparently on 11 December 2018, a session in a hotel on 10:January 2019 at which you could speak to representatives of NTA and Dublin Bus and a four month plus time period to assess a very complex proposal. I should say however that the public meetings were excessively short, took three questions at a time and generally the more difficult questions were evaded. I think the NTA needed to have several public meetings on the more tricky corridors. Critically as well there was plenty of time to hold public meetings and to have the usual political types of process to form collective views on issues.*

*By contrast phases 2 and 3 both took place at times when Covid was at its worst. I have always failed to understand why any process was launched on 4 March 2020, as at that time there was clear evidence of a possible impending crisis and any reasonable organization would have pressed a hold button. I suspect there was no Phase 2 engagement at all on this corridor, bar the Bonnington Hotel meeting referred to on 11 March. The speech by An Taoiseach from Washington DC happened the following morning. Indeed that speech said that "the Government and our public services have been focused on the impact of the virus" - evidently that did not include NTA. There were I believe few (30 per report as opposed to 150 at stage 3 for Clongriffin) submissions on any scheme in that phase.*

*By Phase 3, the Aarhus Convention authorities had issued their Kazakhstan Advice of 1 July 2020. This arose in connection with how effective public consultation could happen during Covid and I believe related to a proposed nuclear power station in Kazakhstan.*

*What actually happened in Phase 3 is that there was an online (Zoom or similar) meeting for each corridor and that was the extent of the consultation. The same format of three questions*

*(and one question per participant only) was applied and the on line nature made it much easier for questions to be not addressed or ignored. No one knew who else was in the meeting. Very little notice was given of the meeting - in one case the general notice of meetings for all corridors was issued the night after the meeting for a corridor. Most importantly only a limited audience was allowed to attend and anyone who was not affected by Phase 1 of a scheme, but clearly impacted by Phase 2 or 3 likely was not aware of the consultation or indeed of the revised plan. The meetings were excessively short for such an important issue. Phase 3 also followed the usual NTA bad habit of consultations ending immediately before Christmas or straddling the Christmas period (Phase 1 here including Christmas 2018 and the consultation on the Greater Dublin Area Transport Plan 2022-2042 covering Christmas 2022 are other examples)*

*The substance of what happened is that if someone was affected by a proposal in Phase 1, they had a fair bit of time to "scream and roar" about it and in many cases their wishes were acceded to. However if you were adversely affected by something introduced at Phase 2 or Phase 3, your ability to object was very limited. So if something nasty was proposed for your area, it was much better to have it at phase 1 rather than later phases. While the Clongriffin Scheme is not a prime example of major shifts, I note that in Phase 1 the residents of Haverty Road were not faced with a cycle gate impeding their access.*

*I would contend that a decision on a significant environmental matter has now been reached in the form of the application submitted to you. Your ability to vary it is comparatively limited, so you can either reject it or approve it with modifications. I think in reaching that decision, NTA largely ignored many of the principles of Aarhus Convention on effective public participation in decision making and of Kazakhstan. In particular I don't think any opportunity was afforded to those who are not computer literate (by a toll free number) to participate in any aspect of phase 2 or 3, which is a breach of paragraph 49 and 50 of the Kazakhstan Advice. Other breaches include*

- a the time scales for Phase 3 were very short which seems to breach paragraph 29, 33 and 38*
- b people at meetings who wanted to speak were not allowed do so because an arbitrary time limit and a one question rule was put on the meeting which infringes paragraphs 45 and 46*
- c no facility was offered to comment other than by way of electronic communication, in particular a toll free number*
- d no additional effort was made to allow participation contrary to paragraph 23*
- e I doubt a needs assessment was carried out as required by paragraph 26. I believe you should request a copy of this from NTA*
- f there was no user friendly guidance as to how to participate as set out in paragraph 29*
- g no additional means of notification were deployed as required by paragraph 34. It would have been easy to use a delivery company to put a relevant leaflet in everyone's door*
- h no transcript was provided of the online meetings contrary to paragraph 57*

*I believe you should direct a relatively short period of further consultation, at least on post Phase 1 changes, with the Kazakhstan principles being observed.*

***Completely different scheme than that consulted on. The cross leg of the inverted L is omitted***

*While I accept that the final plan can properly have minor modifications as opposed to what was consulted on, the final application is the first time that the omission of the entire*

*Clongriffin leg has become apparent. As they say in the press release "The scheme is now proposed to commence at the Mayne River Avenue/Malahide Road junction whereas previously it commenced at Clongriffin DART Station" People could well have an entirely different view on the scheme with its length cut considerably from 10km (key facts Phase 1) to just over 5km.*

***Complete lack of clarity as to what works are to be carried out under the current application***

*I would expect that a planning application would have a clear indication as to what works exactly are to be carried out. I would have thought they should have submitted a short readable document setting out what they intend to do. I believe the substance is bus lanes and an elevated bicycle track, moving of bus stops and removal of trees. A document would also flag the removal of roundabouts and of left turn slip roads.*

*They seem to have slipped in the moving of a number of bus stops. If you live adjacent to a bus stop, it tends to give rise to issues such as rubbish in your garden, people loitering outside. Also it is not clear whether there are to be shelters and real time information poles. I would have thought both shelters and real time information should be provided at all inbound stops and at the busier outbound ones. They are obviously of less relevance to stops mainly for alighting. I would have thought there should be a simple statement of where the bus stops are to be and what facilities will go with them.*

***Identification of affected roads in the traffic report in circumstances where there has unlikely been any effort to communicate with persons affected***

*The maps in the traffic reports in chapter 6 identify a number of roads which apparently will have very material extra traffic in 2028 at either or both AM and PM peak. Examples include (pages 93 and 97)*

*Clonsaugh Road A6 818 to 1288 AM also PM increase*

*Clonsaugh Avenue A6 243 to 564 AM*

*Priorswood Road A6 245 to 427 AM*

*Vernon Ave A4 207 to 333 AM*

*Kilmore Road P6 717 to 992 PM*

*Oscar Traynor Road P7 349 to 626 PM*

*Baskin Lane P10 882 to 1239 PM*

*I have to say I find it difficult to see why a scheme, which allegedly diverts a lot of passengers to bikes and bus and which leaves a single lane available to general traffic each way, can possibly have the impact suggested on local roads a fair distance away. It seems however to be very bad practice for them to indicate at an obscure point in very complex documents that there may be a knock on effect on a distant road that is material, without any requirement to notify residents of that road that the Clongriffin scheme impacts them adversely. I note that while soothing statements are made about roads with traffic reduction such as "positive, moderate and long term effect", no statement is made about roads forecast to have more traffic. While there is a lot of stuff about junctions at those roads apparently being able to cope with extra traffic, the extra traffic on the actual roads is a serious loss of amenity for residents*

*It is not clear whether these figures include the cumulative effect of the Swords Road corridor.*

### ***Whether adequate site notices have been erected***

*I notice the lengthy schedule of where site notices will be. They seem to be entirely on the Malahide Road corridor, when there are clear impacts elsewhere. I would have thought that site notices in affected areas were essential for a proper process.*

### ***Fees being charged***

*At the various public hearings, the point was repeatedly made by NTA personnel that of course it didn't really matter much if you didn't get your observation in now, because of course you could object at the current planning stage. What they failed entirely to point out was that a fee of €50 was payable and that substantial fees would be levied to get copies of documents essential to appraise the scheme properly. Further an assistant to the Minister for Transport (who is of course the line Minister here) and city councillor assured the public in an online session that no fees would be payable and has never clarified the position. A fee of €150 and €200 being charged for essential documents, so that one has to pay over €600 for a suite of the relevant documents is grossly excessive.*