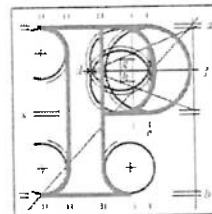


(F)

Our Case Number: ABP-317780-23

Your Reference: Windsor Motors



**An
Bord
Pleanála**

Hughes Planning
85 Merrion Square South
Dublin 2
D02 FX60

Date: 11 October 2023

Re: Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023
Bray to Dublin City Centre

Dear Sir / Madam,

An Bord Pleanála has received your letter of objection on behalf of your client, Windsor Motors in relation to the above-mentioned compulsory purchase order.

In respect of same, please note that in circumstances where

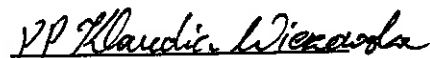
- (i) no objections are received by the Board within the period provided for making objections, or
- (ii) all objections made are subsequently withdrawn, or
- (iii) all objections made relate exclusively to matters which can be dealt with by a property arbitrator the Board will inform the local authority as appropriate and, in such circumstances, the local authority can itself confirm the order with or without modification or refuse to confirm the order in accordance with the provisions of section 216 of the Planning and Development Act, 2000, as amended.

The Board has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Board will inform you on this matter in due course.

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,


Sarah Caulfield
Executive Officer
Direct Line: 01-8737287
CH03

Tel	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

Fw: Bray to City Centre Core Bus Corridor Submission - Windsor Motors.

Klaudia Wieszowska <klaudia.wieszowska@pleanala.ie>

Wed 10/11/2023 9:56 AM

To:Klaudia Wieszowska <klaudia.wieszowska@pleanala.ie>

From: Sarah Caulfield <s.caulfield@pleanala.ie>

Sent: Tuesday, October 10, 2023 3:51 PM

To: tatiana.penton@hpdc.ie <tatiana.penton@hpdc.ie>

Cc: Klaudia Wieszowska <klaudia.wieszowska@pleanala.ie>

Subject: RE: Bray to City Centre Core Bus Corridor Submission - Windsor Motors

Dear Tatiana,

The Board acknowledges receipt of your email and attached objection on behalf of your client, Windsor Motors.

Kind Regards,
Sarah

From: Tatiana Penton <tatiana.penton@hpdc.ie>

Sent: Tuesday, October 10, 2023 3:13 PM

To: LAPS <laps@pleanala.ie>

Cc: Bord <bord@pleanala.ie>

Subject: Bray to City Centre Core Bus Corridor Submission - Windsor Motors

Dear Sir/Madam,

Please find enclosed a PDF copy of the submission made on behalf of Windsor Motors, Unit 13 Joyce Way, Park West Business Park, Dublin 12. D12RW59, regarding the Bray to City Centre Core Bus Corridor Scheme.

To supplement the electronic submission, a hard copy of the report will be furnished to the Board by the close of business.

Should you have any questions or concerns, please do not hesitate to contact me.

Thank you for your attention.

All the best.

Tatiana Penton

Consultant Town Planner

Hughes Planning & Development Consultants

85 Merrion Square,

Dublin 2

D02 FX60

T 00 353 (0)1 539 0710

E tatiana.penton@hpdc.ie

W www.hpdc.ie

COMPULSORY PURCHASING ORDER SUBMISSION



BRAY TO CITY CENTRE CORE BUS CORRIDOR SCHEME (ABP Ref. 317780)

Bray Windsor,
Dublin Road,
Bray,
Co. Wicklow,
A98 FC96

OCTOBER 2023

SUBMITTED ON BEHALF OF:
Windsor Motors,
Unit 13,
Joyce Way,
Park West Business Park,
Dublin 12,
D12RW59

85 Merrion Square, Dublin 2, D02 FX60
+353 (0)1 539 0710 info@hpdc.ie www.hpdc.ie

HUGHES
PLANNING

& DEVELOPMENT CONSULTANTS

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1.0 Introduction

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2, have been instructed by our client, Windsor Motors, to make a submission in respect of a Compulsory Purchase Order (CPO) for lands in his ownership to facilitate the Bray to City Centre Core Bus Corridor Scheme currently being planned by the National Transport Authority (NTA).

This submission is made in response to a public notice, available at <https://brayscheme.ie/>, inviting submissions, up until 10th October 2023, as part of a public consultation process on the CPO (Ref. No. 317780). The purpose of this submission is to outline our clients' concerns about the CPO and proposed alterations to the existing access points to the site as a result.

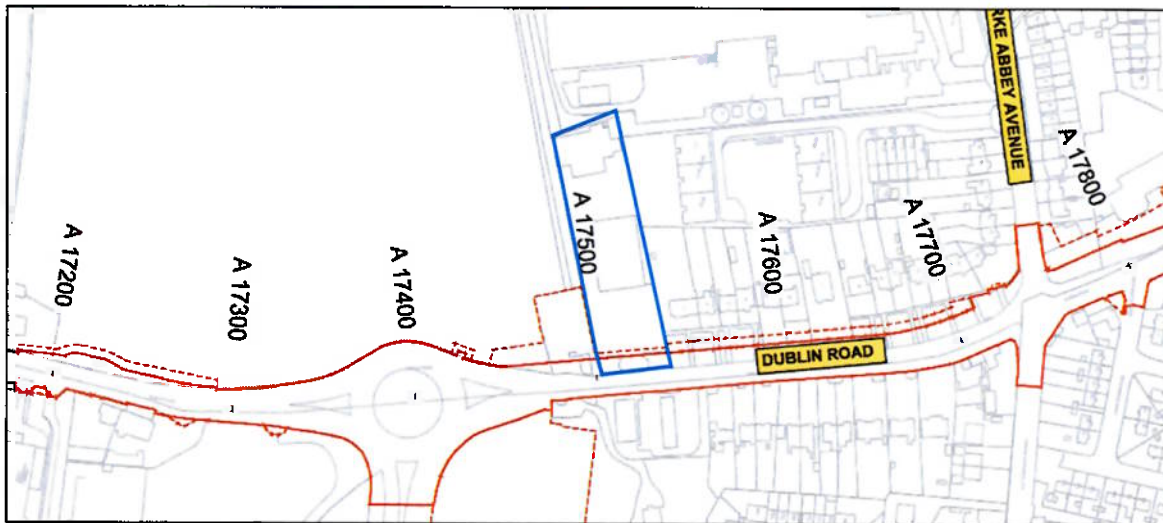


Figure 1.0 Extract of the Bray to City Centre Core Bus Corridor Scheme Site Location Map Sheet 10 with the subject site outlined in blue.

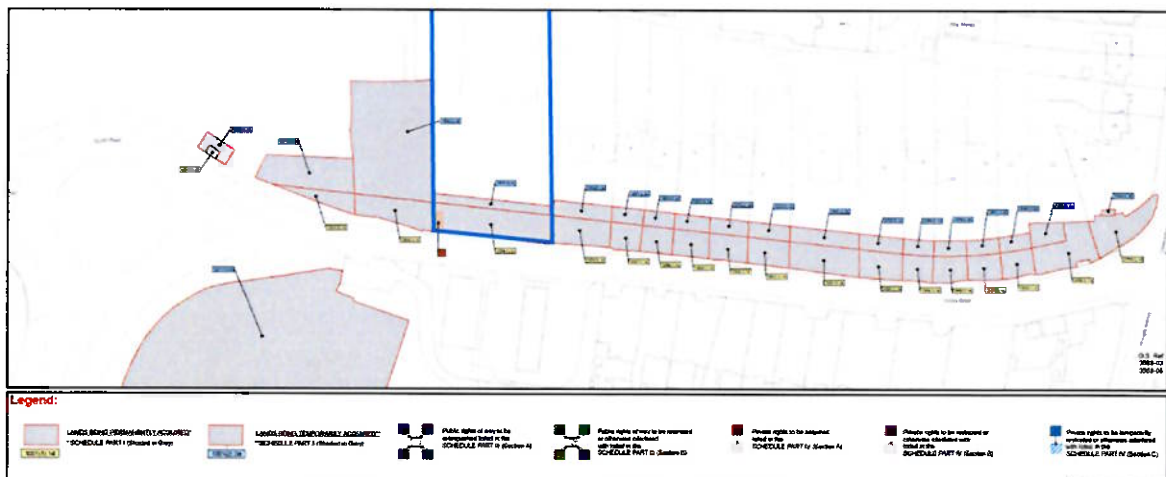


Figure 2.0 Extract of the 'Land Acquisition Map' – Sheet 3; subject site outlined in purple.

Note that the lands being permanently acquired on site are shown with a yellow annotation and labelled as '1059(1).1c'. The lands being temporarily acquired are shown using a blue annotation and is labelled as '1059(2).2c'. In addition, the scheme intends to acquire private rights along the western boundary of the site shown using an orange annotation labelled 'CR'. These lands are occupied by ESB.

2.0 Submission Lands

The site to which this submission pertains is located to the immediate south of the Dublin Road (R761) – M11 roundabout (Wilford Roundabout) and adjoins Dublin Road (R761) to the east with c. 36.4m fronting the roadway at Windsor Bray, Dublin Road, Bray, Co. Wicklow, A98 FC96.

Windsor Bray is a multi-franchised motor retailer representing Nissan, Renault, and Dacia brands and it's the Groups principal South Dublin retailing location and extends to approximately 0.4614 hectares and is occupied by 2 no. buildings.

Established in 1996, the dealership employs 26 staff and operates new and used vehicle sales, leasing and finance, service, spare parts, and accident and repair functions. The dealership's showroom was also recently refurbished, and the dealership provides a used car forecourt and customer parking facility which fronts the busy Dublin Road joining Bray town centre to the M11. Access to the site is via a separate entrance and exit on the Dublin Road.



Figure 3.0 Street-view image of the subject site illustrating the entrance to the site.



Figure 4.0 Street-view image of the subject site illustrating the exit serving the business.



Figure 5.0 Aerial image illustrating the immediate locational context of the subject site (red outline).

As the site entrances are utilised daily and the proposal intends to reduce the sites capacity to a degree, it is submitted that any interference with or loss of use of this area would render the operation of the subject site impossible. This would not only question the viability of the business due to loss of trade and franchise criteria obligations, but also jeopardize the livelihoods of the skilled employees working there.

It is likely that the business will be significantly adversely affected from being currently a vibrant, profitable dealership to an ailing, loss making operation within a few short months and given the length of time it takes to build good will, the clients' fear that the business will not recover. They believe it is essential that the impact on their operations is thoroughly assessed and appropriate measures are taken to mitigate any potential negative effects on their business.

3.0 Bus Connects Proposal Relative to Subject Site

As per the documentation available at <https://brayscheme.ie/>, the Bray to City Centre Core Bus Corridor Scheme will have a significant impact on our clients' site as follows:

1. Land acquisition proposed for temporary use on site; and,
2. A significant extent of the subject site that is currently in use by the clients' is proposed to be acquired by TII to provide a new pedestrian path, cycle lane, as well as a new bus lane.

Further to the above, the scheme will significantly affect the viability of the business resulting in the following:

- Reduction of site capacity for display of new and used vehicles for sale which will result in significant loss of trade;
- Permanent reduction in customer accessibility to the wider site given the following:
 - Car carriageway,
 - Bus route,
 - Cycleway,
 - Footpath;
- Permanent loss of visibility, impairing marketing impact of consumer offers and brand effectiveness;
- Permanent loss of customer footfall following protracted site works;
- Reduction of car spaces available for parking;
- Massive temporary impact on operations during site works through:
 - Fixed site modification with associated costs,
 - Staff issues in relation to parking with inevitable cost implications,
 - Loss of access; and,

- Forfeiture of at least one, possibly two franchises due to the contravention of franchise criteria compliance standards relating to signage and display requirements directly attributable to the loss of land area.

The CPO seeks to take a substantial portion of land permanently and a smaller amount of land temporarily. This land will affect the entrance and exit points of the site and as such will affect the business itself as will be discussed in the following section.

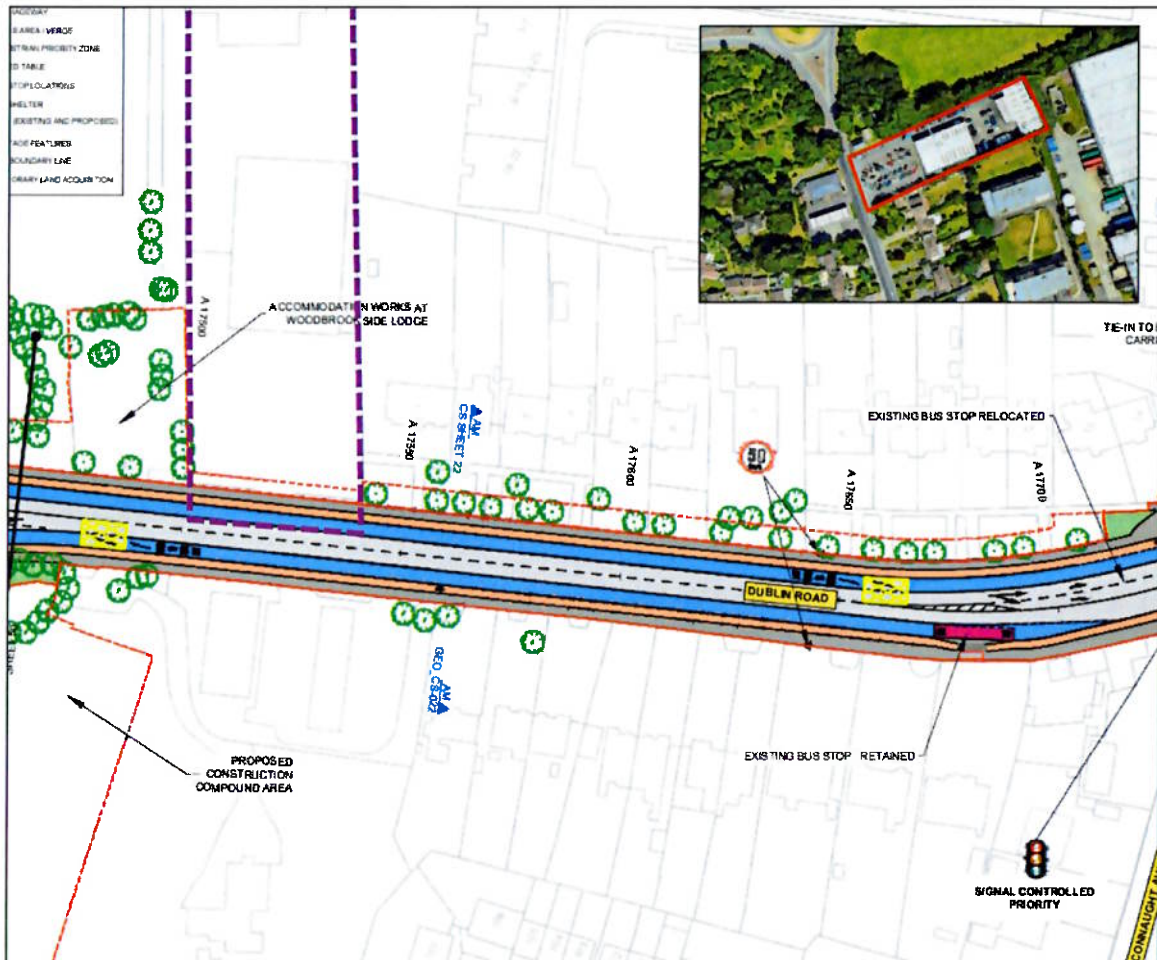


Figure 6.0 Extract of the 'General Arrangement Plan' – Sheet 50; illustrating the proposed works relative to our client's site (purple dashed outline).

4.0 Impact of Bus Connects Proposal on Subject Site

Having regard to the nature of the proposed works and the proximity of these works to our clients' site, we would consider the Bray to City Centre Core Bus Corridor Scheme to present direct impacts on the operational capacity and functionality of our client's property and business. The resulting CPO will compromise the entrance to the facility and will seriously affect the operational capacity of the business. As shown in the figure above, the CPO proposes to capture lands and private rights at both entrances to the site and creating difficulty for traffic entering and exiting the site as well negatively impacting the facilities ability to make sales on a business that largely relies on visibility, accessibility, and marketing impact.

The following sections of this report will expand upon the impacts which will occur as a result of the aforementioned scheme.

4.1 Access and Egress

The scheme is proposed to minimise the existing site access and egress. The site is frequented by cars and SUVs, including LGVs and HGVs to bring damaged vehicles and transport parts for repairs not possible by way of public transportation. Currently, the practice utilises an access and egress point which allows for a smooth traffic flow through the property.

As the site is frequented by various types of vehicles including those used to transport damaged vehicles in need of servicing, any alteration to these access points could have severe implications for the facility's ability to maintain its thriving business operations.

The proposal intends to permanently acquire c. 361.1 sqm of utilised privately owned lands with a c. 9.61m set back from the access road. It is submitted that this will significantly impact the sites ability to conduct business operations, will potentially result in reduced sightlines given the revised width of the access and egress, and create traffic hazards for those entering and exiting the business premises.

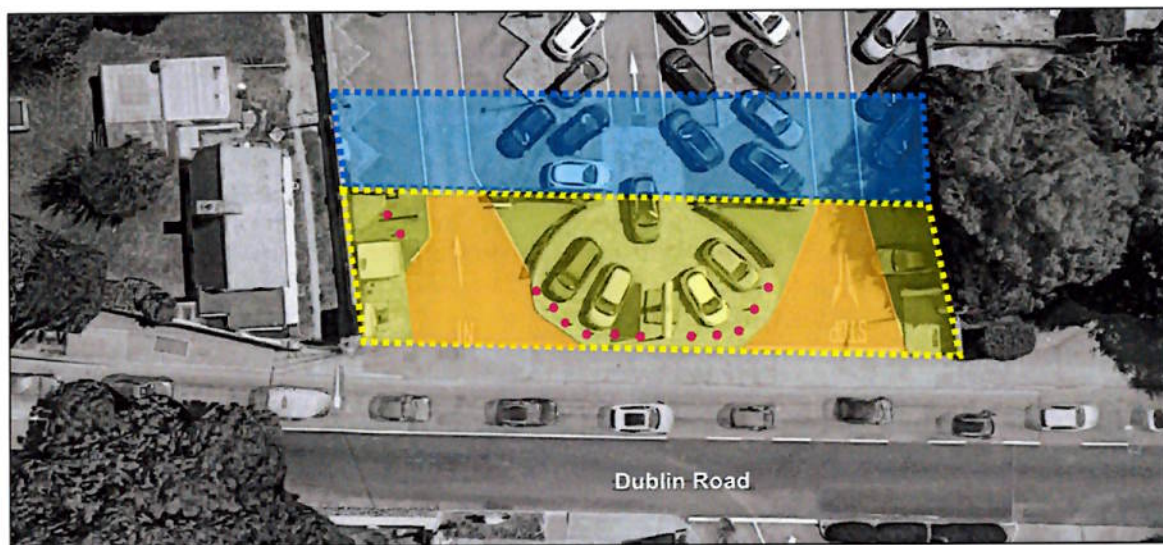


Figure 7.0 Aerial view of site access and egress illustrating the anticipated area to be permanently (yellow) and temporarily (blue) acquired by the NTA. Note the bollards to be removed and replaced along the boundaries (pink dots) and the reduction in width afforded to the access and egress which have been critical in providing a safe access to site due to optimal visibility (orange).

4.2 Permanent Loss of Visibility, Marketing and Brand Effectiveness

It is submitted that the proposed scheme will have significant impacts on brand effectiveness due to the permanent loss of visibility and impairment of the marketing impact. The subject site relies on marketing and visibility of such to bring in business. The works proposed intends to reduce the frontage of the subject site by c. 361.1 sqm. This area of land is currently in use and provides for spaces used to market vehicles for sale and a variety of signage.



Figure 8.0 Streetview image of signage along the NW boundary.



Figure 9.0 Streetview image looking southwest and showing signage to the front of the site that will be impacted by the permanent acquisition of the lands along Dublin Road.

In addition, it is believed that the inevitable loss in signage and marketing ability will also reduce footfall traffic to the premises. It is considered that given the amount of land proposed for acquisition and for the establishment of a new footpath, bicycle lane, and bus lane with the car carriageway wedged in the middle, the accessibility and visibility of the site becomes greatly diminished.

Further, it is considered that accessibility to the site is further impacts due to proposal to remove the Dublin Road – M11 Roundabout and replace with a T- Junction. As existing, Dublin Road flows naturally through the roundabout. In addition, the roundabout provides for an easy way to return back to the site if customers miss the site entrance going north through the roundabout and returning south along Dublin Road. Establishing a T- Junction with traffic lights and 2 no. additional lanes for busses and cyclists, would result in a build up of traffic along the already busy Dublin Road resulting in a variety of traffic and safety hazards.

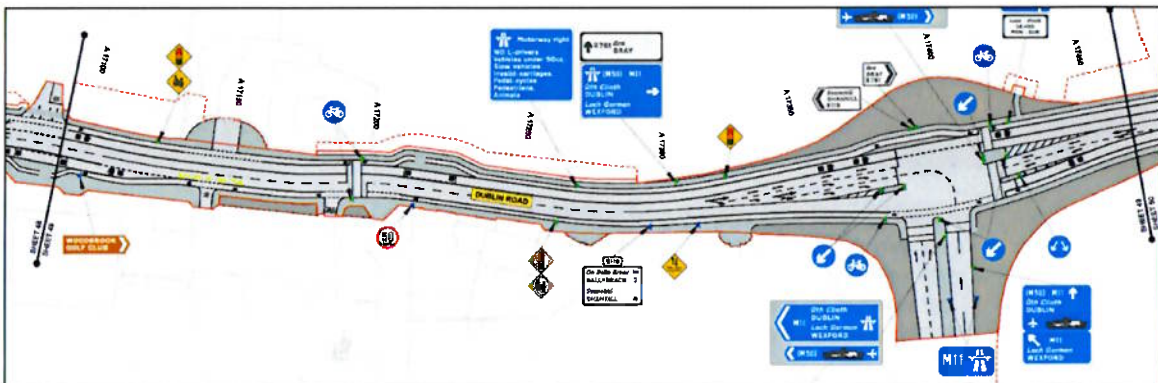


Figure 10.0 Extract of the 'Traffic Signs and Road Markings' – Sheet 49; illustrating the replacement works for the roundabout and the proposed road markings.



Figure 11.0 Streetview image of the morning traffic along Dublin Road at the site entrance.

It is unclear what the thought process is in replacing the roundabout with a T – Junction. Whilst it is assumed that establishing bus and cycling lanes are intended to alleviate traffic congestion, it is submitted that the proposed T – Junction would completely derail this mission by way of promoting a signalised junction with increased traffic in an area that already provides for 25,959 daily movements as noted in the Transport Impact Assessment. Moreover, it is considered that the 'Emerging Preferred Route' for the roundabout design would be substantially safer with less impact on the traffic flow for the area as footpath, bicycle lane, and bus lane deviate from the main transport route slightly (see Figure 12.0 below).

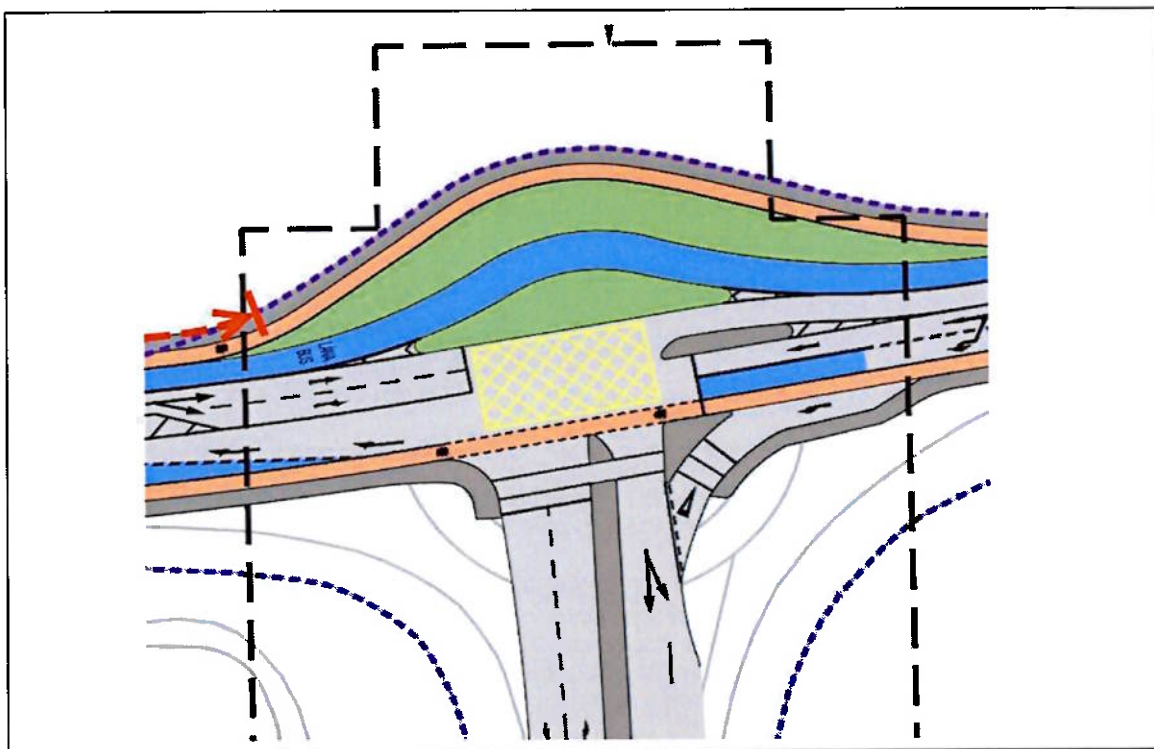


Figure 12.0 Extract of the Wilford Roundabout design prior to public consultation shown in the 'Junction Design Report'.

We note that the proposal may result in the forfeiture of one, possibly two, franchises due to non-compliance with franchise criteria standards. This non-compliance, specifically regarding signage and display requirements, is directly attributable to the loss of land area proposed under this scheme. As such, it is considered that the loss of signage, reduction in vehicular capacity on site, and design proposal for the roundabout as well as the roads leading to and from the Wilford Roundabout are critical to business operations and would result in significant depreciation of value of the business and economic viability of the business.

Given the potential risks and disruptions posed by these proposed changes, it is considered to be of utmost importance to conduct a comprehensive evaluation of alternative solutions. This evaluation should aim to address the concerns raised and safeguard our clients' business, allowing it a reasonable prospect of survival despite the negative impacts of construction works and the proposed augmentation.

4.3 Additional Impacts on Business Operations

It is considered that there will be a massive permanent and temporary impact on operations during site works through the fixed site modification with associated costs, staff issues due to parking and inevitable cost implications, and overall loss of suitable accessibility to and within the site.

The site will be impacted due to a reduction of capacity on site. The proposed scheme is estimated to result in 6 no. parking spaces, currently utilised for vehicular parking, as well as the bollards to the front are required to be forfeited. In addition, there are cars for sale on display to the front of the development

with bollards to the front impairing marketing of the business on site. We note that the scheme proposes to relocate these bollards but does not outline where these will be located.

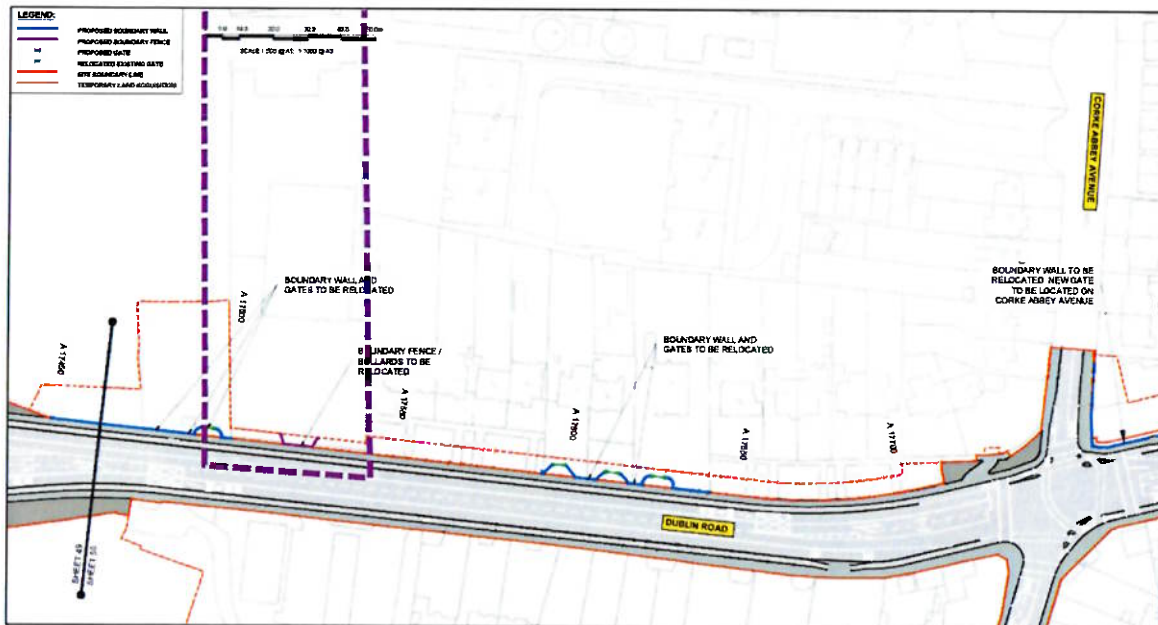


Figure 13.0 Extract of the 'Fencing and Boundary Treatments' – Sheet 50; illustrating the proposed works relative to our client's site (purple dashed outline).

Altering the site to this degree permanently or temporarily will impact the business operations greatly. The alterations will require the site to lose marketing, signage, and landholding directly related to the viability of the site. As noted, the scheme may result in the forfeiture of one, possibly two, franchises due to non-compliance with franchise criteria standards. This non-compliance, specifically regarding signage and display requirements, is directly attributable to the loss of land area proposed under this scheme. Loss in any franchises due to the requirements imposed by this scheme will directly impact the business and the livelihoods of the 26 no. staff members who rely on this business for income.

5.0 Conclusion

Upon evaluation of the CPO concerning lands owned by the client, there are significant concerns that the proposed scheme could severely impact the accessibility of the commercial premises in question. It poses a considerable risk to the business's operational capability. The Bray to City Centre Core Bus Corridor Scheme has the potential to decimate the business in question, marking it as an unsatisfactory option that needs immediate attention.

Given the nature of traffic frequenting the site, it's imperative for the business to retain its front-facing lands and existing access points, especially considering the large vehicles involved. The current proposal does not present a secure and viable option for vehicles, raising notable concerns regarding on-site market dynamics.

If the proposal proceeds, predictions indicate a shift from a thriving dealership to an unsustainable operation in just a few months. The potential loss of franchises could be devastating for the business. Relocating, especially to a similar footprint in South Dublin, brings numerous challenges, including land acquisition, construction of specialized facilities, and the prevailing economic context making such opportunities rare.

Should the Bus Connects plan advance, the commercial potential of the residual lands will likely experience severe financial setbacks, making the site unsuitable for motor sales.

The client expresses a willingness to liaise with the National Transport Authority (NTA) to ensure protection of the motor retailer at the specified location. Without comprehensive mitigation strategies, it's deemed fair for appropriate compensation to be extended to the client.

We trust that the Board will have regard to the contents of this submission in relation to the wider public consultation process on the Bray to City Centre Bus Corridor Scheme.

Yours sincerely,



Kevin Hughes MIPI MRTPI
Director for HPDC Ltd.

Appendix A

Letter from the NTA advising our client of the CPO for lands in their ownership.

**Windsor Motors
Unit 13,
Joyce Way,
Park West Business Park,
Dublin 12,
D12RW59**

Dún Scéine, Lána Fhearchair
Baile Átha Cliath 2, D02 WT20

Dún Scéine, Harcourt Lane
Dublin 2, D02 WT20

t 01 879 8300

info@nationaltransport.ie
www.nationaltransport.ie

Plot List: 1059(1).1c, 1059(2).2c

Thursday 10th August 2023

**RE: Bray to City Centre Core Bus Corridor Scheme
Compulsory Purchase Order 2023**

Dear Sir/Madam,

The National Transport Authority has submitted an application under Section 51 of the Roads Act 1993 (as amended) in relation to the Bray to City Centre Core Bus Corridor Scheme to An Bord Pleanála and will be submitting the associated application for confirmation of the Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023 (CPO) in the coming days. You have been identified as an owner, lessee, or occupier of, or have rights over or an interest in land referred to in the Compulsory Purchase Order.

A number of documents relating to the compulsory purchase order application are enclosed for your attention. These comprise the following:

- Statutory landowner/interested party notice;
- Extracts from the Schedules to the CPO describing the location and extent of the impacted lands and/or rights relating to you;
- Server map(s) showing the location and extent of the impacted land(s) and/or rights; and
- A copy of the National Transport Authority privacy statement.

We recommend that you consider these enclosures carefully.

Important Note: Many of you who receive this letter are owners, lessees or occupiers of portions of multi-occupancy buildings, such as apartment buildings. Please note that there is no intention to acquire the building itself. The buildings themselves will not be directly affected by the CPO. The extents of the CPO are shown on the maps provided.

Further information relating to the Bray to City Centre Core Bus Corridor Scheme including a copy of the Environmental Impact Assessment Report, Natura Impact Statement and CPO documentation can be found at the National Transport Authority website for the Bray to City Centre Core Bus Corridor Scheme at:

www.brayscheme.ie

If you have any questions or queries in relation to the above or the information attached, please contact us at 1800 303 653 or at property@busconnects.ie.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'Aidan Gallagher', written in a cursive style.

Aidan Gallagher

Head of BusConnects Dublin Infrastructure
National Transport Authority



Údarás Náisiúnta Iompair
National Transport Authority

National Transport Authority

Údarás Náisiúnta Iompair

www.nationaltransport.ie

**FORM OF NOTICE OF THE MAKING OF A COMPULSORY PURCHASE ORDER
UNDER SECTION 76 OF AND THE THIRD SCHEDULE TO THE HOUSING ACT
1966, AS EXTENDED BY SECTION 10 OF THE LOCAL GOVERNMENT (No. 2)
ACT 1960, TO BE SERVED ON OWNERS, LESSEES AND OCCUPIERS IN
ACCORDANCE WITH ARTICLE 4(b) OF THE THIRD SCHEDULE TO THE
HOUSING ACT 1966 AS AMENDED BY THE PLANNING AND DEVELOPMENT
ACT 2000 (AS AMENDED) AND UNDER SECTION 213 OF THE PLANNING AND
DEVELOPMENT ACT 2000 (AS AMENDED), SECTION 184 OF THE LOCAL
GOVERNMENT ACT 2001 AND SECTION 44 OF THE DUBLIN
TRANSPORT AUTHORITY ACT 2008 (AS AMENDED)**

COMPULSORY ACQUISITION OF LAND

**“Bray to City Centre Core Bus Corridor Scheme
Compulsory Purchase Order 2023”**

To: Windsor Motors
Of: Unit 13,
Joyce Way,
Park West Business Park,
Dublin 12,
D12RW59

Plot List: 1059(1).1c, 1059(2).2c

1. The National Transport Authority (hereinafter referred to as the “NTA”) in exercise of the powers conferred upon them by Section 76 of the Housing Act, 1966, and the Third Schedule thereto, as extended by Section 10 of the Local Government (No. 2) Act, 1960 (as substituted by Section 86 of the Housing Act, 1966), amended by the Planning and Development Act 2000 (as amended) and under section 213 of the Planning and Development Act 2000 (as amended), Section 184 of the Local Government Act 2001 and Section 44 of the Dublin Transport Act 2008 (as amended), have made an order entitled as above which is about to be submitted to An Bord Pleanála (hereafter the “Board”) for confirmation.

2. If confirmed, the order will authorise the NTA to acquire compulsorily the land and/or rights described in Part I, Part II and Part IV (Section A) of the Schedule and to extinguish, restrict and/or otherwise interfere with the public rights of way in Part III of the Schedule, restrict and/or otherwise interfere with the private rights in Part IV (Section B) and to temporarily restrict or interfere with the private rights in Part IV (Section C) of the Schedule thereto for the purposes of the construction of the Bray to City Centre Core Bus Corridor Scheme together with all ancillary and consequential works associated therewith for the purposes of facilitating public transport. The Bray to City Centre Core Bus Corridor Scheme is routed via Leeson Street Lower and Upper, Sussex Road and continues along Morehampton Road and Donnybrook Road, through Donnybrook Village and on to the Stillorgan Road, serving the UCD Interchange via the Stillorgan Road Overbridge at Belfield. The Proposed Scheme then continues on the Stillorgan Road, which carries on to the Bray Road to Loughlinstown Roundabout, and then is routed via the Dublin Road to St. Anne’s Church and then continues south through Shankill village, Wilford Junction and along the Dublin Road until it terminates on Castle Street in Bray, on the north side of the River Dargle crossing, in the County of Dublin and County of Wicklow within the Dublin City Council (DCC), Dun Laoghaire-Rathdown County Council (DLRCC) and Wicklow County Council (WCC) administrative areas.

3. A copy of the order and of the maps referred to in it may be seen at:

**National Transport Authority
Dún Scéine
Harcourt Lane
Dublin 2D02 WT20**

**Opening Hours
Monday to Friday 09:15 to 16:00**

**An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902**

**Opening Hours
Monday to Friday 09:15 to 17:30**

on working days during the opening hours listed above from **Tuesday 15th of August 2023 to Tuesday 10th of October 2023.**

4. A copy of the Order and map is also available for inspection and downloading on the National Transport Authority website for the Bray to City Centre Core Bus Corridor Scheme at:
www.brayscheme.ie

5. The Housing Act, 1966, as amended, provides that if an objection is made to the proposed compulsory acquisition of land, the land in respect of which an objection is duly made by any of the persons upon whom notices of the making of the order are required to be served shall not be acquired compulsorily unless the Board makes an order to confirm the compulsory purchase order, unless:-

- (a) the objection is withdrawn, or
- (b) the Board is satisfied that the objection relates exclusively to matters which can be dealt with by the arbitrator by whom the compensation may have to be assessed.

6. The Board cannot, however, confirm: -

- (a) a compulsory purchase order in respect of the land if an objection is made in respect of the acquisition by an owner, lessee or occupier of the land, and not withdrawn;
 - (b) an order which authorises the extinguishment of, restriction, or interference with a public right of way if there is an objection to the extinguishment, restriction or interference with a public right of way, which is not withdrawn;
 - (c) an order which authorises the acquisition, restriction or interference with a private right if there is an objection to the acquisition, restriction or interference with the private right by an owner, lessee or occupier of the private right which is not withdrawn,
- until it has considered the objection.

7. An Bord Pleanála has an absolute discretion under Section 218 of the Planning and Development Act 2000 (as amended) to hold an oral hearing.

8. Before making its decision on an application to confirm the Compulsory Purchase Order, the Board must consider any objection made and not withdrawn, any additional submissions or

observations made pursuant to a request by the Board under Section 217A of the Planning and Development Act 2000 (as amended) and any report of the person who held the oral hearing, if such an oral hearing takes place.

9. Any objection to the Order must state in writing the grounds of objection and be sent addressed to An Bord Pleanála (Strategic Infrastructure Division), 64 Marlborough Street, Dublin 1, D01 V902, so as to reach the said Board before 5:30pm on the 10th day of October 2023

10. An Environmental Impact Assessment Report, and a Natura Impact Statement have been prepared in respect of the development which it is proposed to carry out on the land for which separate public notice has been given. Copies of the Environmental Impact Assessment Report and a Natura Impact Statement are available for inspection at:

**National Transport Authority
Dún Scéine
Harcourt Lane
Dublin 2D02 WT20**

**Opening Hours
Monday to Friday 09:15 to 16:00**

**An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902**

**Opening Hours
Monday to Friday 09:15 to 17:30**

on working days during the opening hours listed above from **Tuesday 15th of August 2023 to Tuesday 10th of October 2023** and at the National Transport Authority website for the Bray to City Centre Core Bus Corridor Scheme at www.brayscheme.ie and can be purchased at the offices of the National Transport Authority at:-

National Transport Authority
Dún Scéine
Harcourt Lane
Dublin 2

Submissions or observations in relation to (i) the likely effects on the environment of the proposed development, (ii) the implication of the proposed development for proper planning and sustainable development in the area in which it is proposed to situate the proposed development and (iii) the likely significant effect of the proposed development on European Sites, may be made in writing to the Board before 5:30pm on the 10th day of October 2023

. Evidence in relation to (i) the likely effects on the environment of the proposed development, (ii) the implication of the proposed development for proper planning and sustainable development in the area in which it is proposed to situate the proposed development and (iii)

the likely significant effects of the proposed development on European Sites may be heard at any oral hearing, that may take place.

11. The Board has an absolute discretion at any time before making its decision to request further submissions or observations in relation to the proposed development and/or to hold meetings with the NTA in relation to the proposed development in accordance with Section 217A of the Planning and Development Act 2000 (as amended).

12. The Board, if it thinks fit, may confirm the compulsory acquisition or any part thereof, with or without conditions or modifications, or to annul the compulsory acquisition or any part thereof.

13. If no objection is received to the proposed compulsory acquisition of land, the objection is withdrawn or the Board is satisfied that the objection related exclusively to matters which can be dealt with by the arbitrator by whom the compensation may have to be assessed, the Board shall inform the NTA, which may then confirm the Order with or without modification, or refuse to so confirm it.

14. If land to which the order, as confirmed by either the Board or the NTA, relates is acquired by the NTA, compensation for the land will be assessed in respect of the acquisition as the value of the land at the date that the relevant notice to treat is served.

15. In the opinion of the NTA, no part of the land in which you have an interest consists of a house or houses which is/are unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense. If the land to which the Order relates is acquired by the NTA, compensation will be assessed in accordance with Part II of the Fourth Schedule to the Housing Act 1966, and the provisions of the Acquisition of Land (Assessment of Compensation) Act 1919 as amended by the Acquisition of Land (Reference Committee) Act 1925, the Property Values (Arbitrations and Appeals) Act 1960 and the Local Government (Planning and Development) Act 1963 (as applied by Section 265(3) of the Planning and Development Act 2000), subject to the modifications contained in the Third Schedule to the Housing Act 1966.

16. Any dispute in relation to compensation shall be referred to and be determined by a property arbitrator appointed under the Property Values (Arbitrations and Appeals) Act, 1960.

17. A claimant for compensation may, at any time after the expiration of fourteen days from the date on which the relevant notice to treat is served, send to the Secretary, the Reference Committee, Four Courts, Dublin, and application in writing for the nomination of a property arbitrator for the purpose of determining the compensation to be paid. The application should be made in accordance with the Property Values (Arbitrations and Appeals) Rules, 1961 (S.I. 91 of 1961).

18. An extract of the Compulsory Purchase Order Schedule and Map indicating lands in which you may have an interest is attached.

19. If you have any questions or queries in relation to the above or attached map, please contact us at 1800 303 653 or at property@busconnects.ie.

Dated this Thursday 10th August 2023.



Aidan Gallagher

Head of BusConnects Dublin Infrastructure
National Transport Authority

**SCHEDULE
PART I**

Lands Being Permanently Acquired

Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense

Number on map deposited at NTA	Quantity, Description, and situation of land	Owners or Reputed Owners	Lessees or Reputed Lessees	Occupiers
1059(1),1c	Area (Ha): 0.03610 Area (m ²): 361.0 Description: Commercial County: Dublin Address: Bray Windsor, Dublin Road, Bray, Co. Wicklow, A98 FC96	Windsor Motors, Unit 13, Joyce Way, Park West Business Park, Dublin 12, D12RW59	None	Bray Windsor, c/o Michael Dwyer, Dublin Road, Bray, Co. Wicklow, A98FC96 Electricity Supply Board, ESB Head Office, 27 Fitzwilliam Street Lower, Dublin 2, D02KT92 Windsor Motor Group, Windsor Belgard Nissan, Belgard Road, Dublin 24, D24FE84

**SCHEDULE
PART I**

Lands Being Permanently Acquired

Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense

Number on map deposited at NTA	Quantity, Description, and situation of land	Owners or Reputed Owners	Lessees or Reputed Lessees	Occupiers
1059(1),1c (cont'd)	Area (Ha): 0.03610 Area (m2): 361.0 Description: Commercial County: Dublin Address: Bray Windsor, Dublin Road, Bray, Co. Wicklow, A98 FC96			Windsor Motors Unlimited Company, C/O Core Real Estate Advisors, FAO: Brian Cooney, 27 Herbert Place, Dublin 2, D02DC97

**SCHEDULE
PART II**

Lands Being Temporarily Acquired

Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense

Number on map deposited at NTA	Quantity, Description, and situation of land	Owners or Reputed Owners	Lessees or Reputed Lessees	Occupiers
1059(2).2c	Area (Ha): 0.01171 Area (m ²): 117.1 Description: Commercial County: Dublin Address: Bray Windsor, Dublin Road, Bray, Co. Wicklow, A98 FC96	Windsor Motors, Unit 13, Joyce Way, Park West Business Park, Dublin 12, D12RW59	None	Bray Windsor, c/o Michael Dwyer, Dublin Road, Bray, Co. Wicklow, A98FC96 Electricity Supply Board, ESB Head Office, 27 Fitzwilliam Street Lower, Dublin 2, D02KT92 Windsor Motor Group, Windsor Belgard Nissan, Belgard Road, Dublin 24, D24FE84

**SCHEDULE
PART II**

Lands Being Temporarily Acquired

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National Transport Authority

Privacy Notice for BusConnects Dublin

This Privacy Notice is issued by the National Transport Authority of Dún Scéine, Iveagh Court, Harcourt Lane, Dublin 2 (“NTA”, “we”, “us”, “our”).

The BusConnects initiative aims to develop the current bus service network in Dublin to ensure that it can meet increasing public transport needs (“BusConnects Dublin”). In order to build the infrastructure which is required by BusConnects Dublin, it will be necessary for the NTA to acquire certain lands by agreement or by means of compulsory purchase order (“CPO”) under section 44(1)(c) of the Dublin Transport Act 2008, as amended.

The purpose of this notice is to inform you of the data relating to you that we may collect and use in connection with any acquisition or potential acquisition of land which is required to deliver BusConnects Dublin (an “Acquisition”) and the uses (including disclosures to third parties) we may make of such data.

If you have any questions about our use of your personal data, please contact us at privacy@nationaltransport.ie or you can contact our Data Protection Officer at privacy@nationaltransport.ie.

Personal Data that we Collect and Process

We will collect and process personal data relating to you that you or other people with an interest in the relevant lands provide to us in connection with an Acquisition. We will also collect and process personal data relating to you from publicly available sources such as the Property Registration Authority of Ireland, Land Registry and the Registry of Deeds.

This personal data may include:

- your name and contact details, including your address, phone number and email address;
- your interest in the lands which may be the subject of an Acquisition (the “Lands”) (e.g. owner, reputed owner, occupier, reputed occupier etc.);
- details of the Lands including, for example, spatial location, boundary details and folio number (where applicable);
- where applicable, details of any lease or any other interest in the Lands; and
- any other personal data relating to you that you provide to us or that we generate about you in connection with an Acquisition.

Purposes of Processing and Legal Bases

We will use personal data relating to you for the purposes of:

- a) compiling CPO documentation in order to make the CPO and submit same to An Bord Pleanála for confirmation, in which case the legal bases are that it is necessary:
 - i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended; and

- ii. for compliance with the legal obligation that applies to us under the Housing Act 1966 (as amended) and the Planning and Development Act 2000 (as amended) to detail the lands as well as the owners, lessees and occupiers of those lands in the CPO;
- b) publishing details relating to the relevant CPO in a newspaper, in which case the legal basis is that this is necessary to comply with a legal obligation that applies to us under Article 4(a) of the Third Schedule to the Housing Act 1966 (as amended);
- c) publishing the details relating to the relevant CPO on the NTA's website, in which case the legal basis is that it is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008 (as amended);
- d) processing submissions received by the NTA from impacted property owners during a consultation process with us, in which case the legal basis is that it is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008 (as amended);
- e) creating a database to log and manage details of Lands, owners, tenancies, and correspondence and transactions with owners and/or tenants, in which case the legal basis is that this is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
- f) making an Acquisition in which case the legal basis is that it is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
- g) corresponding with you, in which case that the legal bases are that it is necessary:
 - i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
 - ii. for the performance of our contract with you (in circumstances where an Acquisition will be effected by a contract);
- h) calculating and making payments to you in respect of an Acquisition in which case that the legal bases are that it is necessary:
 - i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
 - ii. for compliance with the legal obligations that applies to us under the Housing Act 1966 (as amended) and the Acquisition of Land (Assessment of Compensation) Act 1919 (as amended); and
- i) establishing, exercising or defending legal claims, in which case the legal bases are that it is necessary:
 - i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended
 - ii. to comply with our obligations under applicable law, including common law obligations regarding dealing with legal claims.

Recipients of Data

We may disclose your personal data to other people and organisations in connection with the above purposes, including:

- statutory agencies, where required or permitted by law as part of the statutory planning process, including An Bord Pleanála and relevant local authorities;
- outsourced property referencing providers, including the CIÉ Group Property Management department;
- other third parties who we engage to provide services to us, such as outsourced service providers, IT services providers, professional advisers and auditors;
- other public authorities and bodies where required or permitted by law, such as An Garda Síochána, for the purposes of the prevention, investigation or detection of crime; and
- members of the public where we are required to make information publicly available under applicable law.

Retention

We will not hold your personal data for longer than is necessary. We retain your personal data for as long as we need it for the purposes described in this Notice, or to comply with our obligations under applicable law and, if relevant, to deal with any claim or dispute that might arise between you and us.

The NTA has determined that:

- Compulsory Purchase Order documentation shall be retained for 3 years after completion of all Acquisitions for BusConnects Dublin;
- copies of contracts shall be retained up until all Acquisitions are complete and for 13 years from the expiration of the contract; and
- original contracts shall be retained indefinitely.

Requirement to Provide Data

You are not under a statutory obligation to provide us with personal data in relation to an Acquisition. However, there are some pieces of information that you must provide to us so that we can comply with our obligations for your benefit in connection with an Acquisition, such as your name, contact details and details of your interest in the Lands.

Where an Acquisition has taken place, you are under a contractual obligation to provide us with certain personal data. If you do not provide us with this personal data, you will be in breach of your contractual obligations and we may have such legal rights and remedies against you as are available under applicable law.

Transfers Abroad

In connection with the above, the NTA may transfer your personal data outside the European Economic Area (EEA) to the United Kingdom, which is a jurisdiction that is recognised by the European Commission as providing for an equivalent level of protection for personal data as is provided for in the European Union. This is solely for the purposes of the operation of the website www.clongriffinscheme.ie (and not for direct marketing purposes).

If and to the extent that the NTA transfers your personal data outside of the EEA to any jurisdiction which is not recognised by the European Commission as providing for an equivalent level of protection for personal data as is provided for in the European Union, we will ensure that appropriate measures are in place to comply with our obligations under applicable law governing such transfers. These may include entering into a contract governing the transfer that contains the 'standard contractual clauses' approved for this purpose by the European Commission. If you would like to receive further details of the measures that we have taken in this regard, please contact us at privacy@nationaltransport.ie.

Your rights

You have the following rights, in certain circumstances and subject to certain restrictions, in relation to your personal data:

- **Right to access the data** – You have the right to request a copy of the personal data that we hold about you, together with other information about our processing of that personal data.
- **Right to rectification** – You have the right to request that any inaccurate data that is held about you is corrected, or if we have incomplete information you may request that we update the information such that it is complete.
- **Right to erasure** – You have the right to request us to delete personal data that we hold about you. This is sometimes referred to as the right to be forgotten.
- **Right to restriction of processing or to object to processing** – You have the right to request that we no longer process your personal data for particular purposes, or to object to our processing of your personal data for particular purposes.
- **Right to data portability** – You have the right to request us to provide you, or a third party, with a copy of your personal data in a structured, commonly used machine readable format.

Please note that these rights are not absolute, and are subject to certain restrictions and exemptions. For example, the right to erasure of personal data will not apply where we have a legitimate interest to hold such data and we may continue to process your personal data, despite an objection by you, where we have compelling legitimate grounds for the processing which override your interests, rights and freedoms.

If you wish to exercise any of the rights set out above, please contact us at privacy@nationaltransport.ie or you can contact our Data Protection Officer at privacy@nationaltransport.ie.

Updates

We may occasionally update this policy. We encourage you to periodically review this policy for the latest information on our privacy practices at www.busconnects.ie.

Complaints

If you are not happy with the way we are using your personal data or how we facilitate your rights or comply with our obligations under applicable data protection law, you have the right to make a complaint to the Data Protection Commission by emailing info@dataprotection.ie.