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0. Introduction.

I am Robbie Sinnott, a resident of James's Street, Dublin 8. I make this submission on my own behalf as an individual, and also as a member of the Blind Legal Alliance.

1. The Cycle Lane Through the Plaza.

Introduction:

DCC proposes: Two one-way cycle lanes on either side of Dame Street will join at the central turnaround and run along the south side of the plaza as a two-way dedicated cycle route that joins with the College Street route at the north-east end of Grafton Street. (EIAR, NTS 4) etc.

Objection:

I can't do much better than to quote the recent statement emanating from Dublin City Council's own PPN Disability Linkage Group:

The plan involves a pedestrianized zone in College Green, and a two-way cycle lane (at least 70 meters long) through this pedestrian area, meaning that the lane will be an uncontrolled crossing for pedestrians moving in the north-south direction etc. Given the lack of favourable research on the matter of cycle-lanes in pedestrian zones, one might have thought DCC's plan to be somewhat irresponsible with regard to the safety of cyclists and pedestrians in general.

However, when one factors in the significant minority of pedestrians who are vulnerable due to age or disability, an appalling vista emerges. Hitherto, such pedestrians have had their interactions with cyclists buffered by cyclists having to stop at controlled crossings (along with vehicular traffic); but in an uncontrolled environment, of bicycle lanes and pedestrians, vulnerable pedestrians (and those not quite paying attention because they're lulled into a false sense of security due to the pedestrian zone), are like moving skittles in a

bowling alley.

There are 54,000 people with a severe visual impairment in Ireland, and a quarter of a million with a visual impairment of some sort. Even apart from their difficulties in locating the cycle lane at all, people with a visual impairment cannot see the actual bicycles coming. There is no way around this basic salient fact.

In all, 13% of the Irish population has a disability, that is 643,131 people,. People with developmental disabilities, any cognitive or intellectual impairment and older people have much slower reaction abilities, and so if they see a bicycle at the last minute, they do not have time to react and take evasive action or even to know what evasive action to take or which way to turn. One might add to the latter group, children under seven and those with mobility impairments including wheelchair users and people using any type of mobility aid such as crutches/walkers etc. The potential injury toll adds up.

The principle of the aesthetic desire for a cycle-lane for the 70 metres through this pedestrian space has no equivalence to the immediate needs of vulnerable and other pedestrians to safety of life and limb. If people with disabilities, older people, younger people, do not perceive the public plaza to be a safe place then they will not use the space, instead they will remain isolated outside of their community which goes completely against the intent of a public plaza.

We firmly believe that this short section of cycle-lane in a pedestrianized zone is not only unnecessary, but dangerous. Cyclists should instead dismount and walk beside their bicycles while traversing the 'pedestrian' zone as is best practice in the USA. Cyclists are fit, but they themselves will be old some day or may be affected by disability later in life.

In future, too, we call on Dublin City Council's planners, architects, civil engineers etc. to engage in meaningful consultation with people with disabilities who tend not to be represented in those professions – for example there are few, if any, blind architects, or city planners or civil engineers with physical or cognitive disabilities.

So it would be unlikely that DCC staff in those professions can put themselves in the shoes of the people with different abilities who will be using the public spaces they design and construct.'

It is worth noting that one of the many NGO signators of this statement is the NCBI, which DCC has referred to throughout the IEAR as having been consulted about the project and implied that the NCBI has been generally supportive of it.

The situation (as deplorable as it would be) is added to by the facts that:

a). there are proposed a row of 20 trees immediately to the south of the cycle-lane, as well as various items of street furniture to the north (EIAR, RFI 3.8.2.2.), obscuring the cyclists' view of hapless pedestrians coming from the north.

b). there would be no curbs on the cycle-lane (ibid.), meaning that guide-dogs will not know to stop – as they do with normal traffic. British Guide Dog research shows that 60mm is the minimum height of a curb when it comes to a guide-dog knowing when to stop in front of a roadway...waiting for the owner to take the next decision.

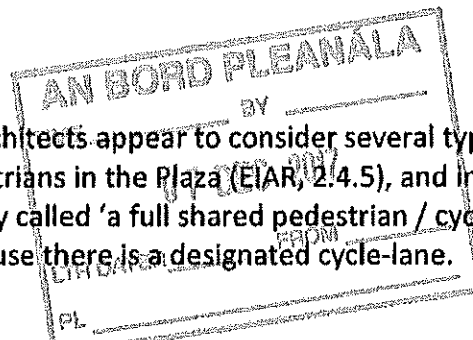
As a comfort to some (certainly not the blind), signs will be there to tell people where the cycle lane begins east and west in the pedestrianized areas (ibid.). If it is felt necessary to put signs there for the sighted (who have their sight), what do they think the blind are supposed to do without any perceptible indicators whatsoever? (see critique of tactile paving in Objection 2 of this submission).

c). 8% of the Plaza will be “dangerzone” area (my phrase for it) (EIAR 3.2.2.2).

d). this unnecessary conflict zone may actually be 148 metres from east to west, given that there are only uncontrolled crossings planned for the bus/cycle zone to the immediate west of the Plaza (EIAR 4.4.1 and elsewhere).

Discussion:

Paul Keogh Architects and Dixon Jones Architects appear to consider several types of shared space options between cyclists and pedestrians in the Plaza (EIAR, 2.4.5), and indeed the chosen option they describe is erroneously called ‘a full shared pedestrian / cyclist plaza’ (ibid.). It is obviously not full shared because there is a designated cycle-lane.



The actual full shared space mentioned in the design alternatives for cyclist movement through the Plaza were in Options 2, 5 and 6 respectively (ibid.), but bizarrely, none of them posited the idea of cyclists dismounting and walking through the pedestrianized space.

The nearest implication of this was in option 2, (i.e., no provision for cyclists [as in other pedestrianized areas of the city], but the conclusion is ‘The non-provision of a cycle route through the area would be contrary to the Greater Dublin Area Cycle Network Plan (NTA, 2013).

Option 5 was interesting, albeit vague... ‘A common shared space between pedestrians and cyclists was considered. However, the single entry point at the north-eastern corner of the plaza from the cycle track past Bank of Ireland would create an unacceptable single point unregulated conflict between the heavy north-south pedestrian flow and east-west cyclists’. But How about the unregulated conflict point between pedestrians coming and going to the west footway of Lower Grafton Street and the same cyclists coming into the two-lane cycle-way along the south of the Plaza (as in the current proposal) – why is that any less of a potential problem? If one is problematic, why isn’t the other?

Option 6 involves ‘cycle-weaving’ through pedestrians, and apparently it would be anathema to the same Plan, as well as the NTA Greater Dublin Area Transport Strategy 2016 – 2035. However, legal protections of public health and safety (such as in the Planning Acts) have far more weight than ‘strategy’, ‘plan’, or ‘policy’...otherwise what would be the point in putting such matters before an Bord Pleanála?

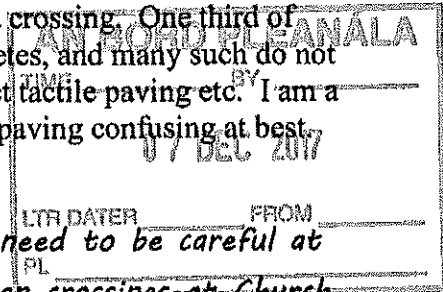
On the contrary, just as the recent necessity for DCC to put up ‘Dismount’ signs along

(Dawson Street etc.) what had been expected to be cycle-routes (in the interests of the cyclists' own safety), We say that this applies equally (for the safety of cyclists and pedestrians alike) in the College Green proposal.

Tactile Paving Not an Answer:

DCC claims 'The plaza design follows best international practice for the management of the needs of the various street users in a hierarchical order that places pedestrians first, especially the visually and mobility impaired who will have full freedom of movement on two routes at the eastern and western edges of the plaza without need to worry about conflicts with cyclists and traffic at these crossing points' (3.8.2.3).

In fairness, this is the closest DCC comes to trying to address disability issues in their entire application, but nothing in it holds water... it is void of substance (see Objection 2 of this submission... heading in this document). DCC is making one hell of an assumption that cyclists will stop at these non-descript pedestrian crossings, but more to the point, vips have no way of knowing that they are at such a crossing. One third of blind people in Ireland have lost their sight as a result of diabetes, and many such do not have good feeling in their extremities (e.g., their feet) to detect tactile paving etc. I am a blind person who does not have neuropathy, but I find tactile paving confusing at best.



However, the DCC thinks that even sighted people need to be careful at such courtesy crossings: 'Two uncontrolled pedestrian crossings at Church Lane and the western end of College Green. These will function as courtesy crossings but are no different to all uncontrolled crossings in regulatory terms where pedestrians will be crossing the "road" and will only gain priority once they have stepped onto the road surface with care. Buff dimple tactile paving to be provided.' (remember above point about inadequacy of tactile paving).

DCC then has the audacity to finish off with 'With these arrangements the requirements of the visually impaired pedestrian are fully catered for in compliance with all relevant regulations and best practice'. NOT SO on all counts.

Signal Crossings not an answer: There are more than twelve pedestrians to every cyclist in the area (RFI 3.8.4.2), and even if one were to double the ratio in favour of the cyclist (1 : 6), signaled crossings between pedestrians and cyclists would be unworkable (not least for the cyclist). DCC agrees with the unworkability of a signal crossing for pedestrians/cyclists at the Plaza cycle lane (EIAR, RFI 3.8.4.2).

Zig-zagging not an answer: DCC claims 'It is acknowledged that the proposed cycle route across College Green is indirect, especially in the west to east direction. There are also some sharp turns that will require cyclists to travel very slowly. This is deliberate for safety reasons, so that the various interactions between cyclists and pedestrians will occur at slow speed, with cyclists required to give priority to pedestrians as they filter

through the plaza' (EIAR, RFI, 3.8.2.5).

Firstly, there is no detail on where these sharp turns are to be located. A Senior Head of Traffic told the PPN Disability Linkage Group in October that the sharp turns will consist only of two 90 degree angles – one at either end of the Plaza (70 meters or 148 meters) apart. This provides more than ample distance for a cyclist to build up a dangerous speed.

Secondly, if a real zig-zag route were actually planned, vulnerable pedestrians would stand even less of a chance crossing, and for those who do find the tactile paving useful in normal circumstances...would be completely confused by this – remembering that many of them have no sight/vision.

Speed limit for cyclists not an answer:

The closest DCC appears to come to considering the 'Dismount' option (for the safety of vulnerable pedestrians), in is EIAR, RFI, 4.3.2 – but it just can't bring itself to make the final connection of logic. 'The choice in the design of the plaza layout was between rigidly delineated segregation of a cycle track that will require controlled crossing points for pedestrians, or a more flexible and accommodating shared space arrangement with pedestrian priority by default. It is envisaged that visually impaired pedestrians will be better accommodated in the shared space arrangement where the onus will be for cyclists to travel slowly and carefully through the plaza'.

Elsewhere DCC claims, 'The pedestrian priority zone of the College Green Plaza is only 60m long from west to east. Even though cyclists will be required to travel slowly at about 10 km/h or less through this space, it will take only half a minute of journey-time to get through from one side to the other (ibid.).

It cannot be credibly claimed that a cycling speed-limit in the Plaza would be in any way enforceable. If anything, a designated cycling space encourages speed, since the underlying message is that this is their space in which they have priority, and anyone else crosses at their peril.

Even if DCC were somehow able to enforce a speed limit of 10k/h in the cycle-lane, we ask what health and safety assessments have been done on the impact a bicycle going at that speed would have on a vulnerable pedestrian.

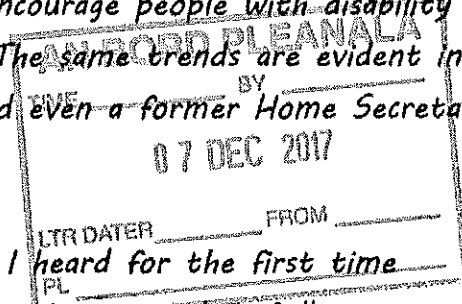
International Best Practice and Universal Design: DCC claims 'The proposed scheme at College Green is consistent with the best international practice for the incorporation of cycle routes within pedestrian-priority zones in city centres. Thus cyclists will be accommodated appropriately but without formal segregation in an arrangement that provides for pedestrian priority and safety' (EIAR, RFI, 3.8.2.6).

As already discussed, the very concept of 'the incorporation of cycle routes within pedestrian-priority zones' is at odds with 'pedestrian priority and safety'.

International best practice is, admittedly, a subjective notion, but on any health criteria, expecting cyclists to dismount and walk the 60 meters

would be safer than having them cycle through this pedestrian zone. Where cycle-tracks share pedestrian spaces in Europe, the few studies from the pedestrian perspective have not been favourable. A report on Amsterdam's two zones in 2016 found that the elderly in particular are prone to being knocked down when inadvertently straying onto the cycle-lanes...anecdotally, (but not surprisingly), independent blind pedestrians stay clear of these areas. Because of the Amsterdam report, Transport for London abandoned its plans for cycle-lanes through pedestrian zones in December 2016.

I cannot speak for the various blind NGOs in several European Countries, but I would contrast the 'international best practice' in the USA, which has the cyclist dismount and walk through pedestrian spaces. The EU has no over-arching disability legislation, but the USA has the Americans with Disabilities Act, and the culture there is to encourage people with disability to live independent and socially active lives. The same trends are evident in Britain, which also has several blind judges, and even a former Home Secretary (David Blunkett).



Enough Room for everyone: an argument I heard for the first time yesterday, expressed by DCC at a pre-PPN meeting, was that College Green/the Plaza is a very big area...with the implication being that there's enough space for everyone if we could only learn to compromise and get along.

Firstly, there is the false equivalence argument (dealt with elsewhere in this section).

Secondly, as mentioned above, according to the EIAR, the cycle-lane will take up 8% of the plaza-space. Now if this were somewhere like the Phoenix Park where blind people don't frequent by themselves (possibly at all) because it is not navigable independently for them, the College Green area, by contrast, is supposed to be the Civil Centre of the city. How are people who cannot see supposed to avoid 8% of this area? Moreover, to get from the southern edge of the area to the main Plaza itself (and to the Bank of Ireland etc.), pedestrians will have no realistic or practical option but to attempt to cross the cycle lane (regardless of the relative size of either it or the Plaza).

Conclusion:

The extent to which the health and safety of vulnerable adults has not been properly thought through in this plan is shocking. In mitigation, we might speculate that the planners are blinded by a Eurocentric Green groupthink that by its nature has no focus on disabled citizens. However, one might think that when these issues are presented to them as red flags, that they might even understand the problems from a cyclist's perspective. What cyclist wants to collide with hapless vulnerable pedestrians, after all? And yet, even in a section titled 'Cycle Conflicts', there is no acknowledgement whatsoever of the possibility of cyclist-pedestrian conflict anywhere, not least in the Plaza cycle-track.

False Binary: A binary is often painted between the cyclist and the car, and understandably so, since a car-driver cannot become a cyclist nor a cyclist a car-driver instantaneously. However, there needs to be no such binary between the cyclist and the pedestrian. The cyclist becomes a pedestrian as soon as s/he dismounts. If even pedestrians on respirators or callipers are expected to navigate this zone from now on (without the use of transport as done hitherto), it is not too much to expect the cyclist to dismount. In doing so, all the principles of the various plans, policies, and strategies, remain intact...but it just means that everyone is safer (a basic need that every citizen has the right to, equally).

False Equivalency: DCC have tried to depict this (to us) as an argument of diametrically opposed opinions of unequals...DCC's experts and the cycling lobby vs. people with concerns for pedestrian safety (primarily from a disability perspective). However, there is no equivalence in moral or legal weight between the aesthetic desire for a lifestyle improvement for cyclists (i.e., cycling the 70 metres instead of dismounting and walking), and the most basic need of the vulnerable pedestrian to health and safety. Such a false equivalence cheapens the safety, dignity, lives, and very equality of all pedestrians, not least people over 75, children under 8, people with mobility impairments, people with intellectual disabilities, the blind and partially sighted - and indeed all those 13% of the population who have a disability. For what price the green dream? Who could sign off on a measure if they have a doubt that lives could be lost as a result? The only guarantee of access for all is to expect cyclists to dismount (as they do in Grafton Street, Henry Street, Earl Street, and other pedestrian areas).

2. Curbs and Orientation

For guide-dogs and cane-users, curbs are the baseline method of orientation (often used when all else isn't working). However, as a sign that one is leaving a safe-zone into a non-pedestrian space, the curb works slightly differently for the cane-user and the guide-dog. For the cane-user, it is a cue detected with the cane about a meter before s/he comes to it, and the curb can be used with touch-technique for orientation and immediate navigation. This pedestrian can also decide immediately to cross the road (if there is no traffic light close and no traffic at night), or can wait until it is safe, or walk along the curb (using touch-technique until a traffic-signal is found).

Without a curb, a guide-dog will likely walk directly out in front of traffic. They are not trained to make decisions about crossing roads since it is beyond their canine ken and an action crucial enough to be the responsibility of the human part of the team. On reaching a curb, a guide-dog will sit, and wait for further instructions from its owner (e.g. to cross, or move along the edge until a set of lights are found). Guide-dogs depend 100% on the owners to know when to cross a road (or cycle lane), and they themselves have little or nothing to do with the decision. British Guide Dogs research shows that Guide Dogs need a minimum curb height of 60mm to operate dependably/safely.

Amazingly, according to the proposed project, there are to be no curbs anywhere from Trinity College to George's Street (EIAR, NTS 4, 2.4.5.2, design alternative 3 etc).

Bad enough that there will be no curbs to warn vulnerable pedestrians that they're about to take their life in their hands by attempting the uncontrolled crossing of a cycle lane, but worse still, there won't even be curbs to give the same warning to the same pedestrians regarding the cyclists, bus/taxi and luas lanes, respectively, in to the east.

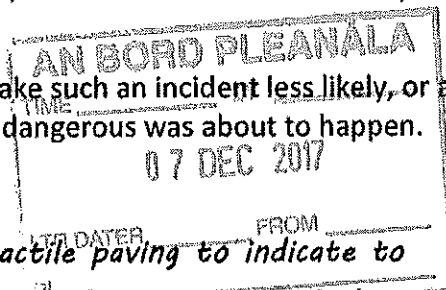
The impact is more complex to the west. A raised platform courtesy crossing for pedestrians is to mark the western boundary of the pedestrian plaza itself (EIAR, RFI, 3.6.2.2), which may be useful for cane-users and guide-dog users, respectively, depending on how raised it is. The existing set of lights across Dame Street from Trinity Street are to be maintained, primarily for the safety of the visually and mobility impaired (ibid.), but whereas a cane-user can hug the inshore to get to said lights, a guide-dog will

not know to do this, and is liable to walk out in front of the bikes and the buses in the vicinity of that signal-crossing...just because there are no curbs provided.

Indeed, the EIAR itself states, It is not possible to maintain pedestrian priority in a shared space with buses, this area would need to be controlled by traffic signals, and have a raised kerb in order to delineate it. (EIAR, RFI, 3.7.2.3).

Finally, lack of curbs on the east side also increases the chance of accidental and deliberate vehicle intrusion onto the pedestrian plaza. The EIAR states: 'the scenario which is considered to be the highest risk in terms of a major accident and/or disaster was identified as 'unpermitted vehicle on pedestrian plaza'. This risk includes the threat of vehicle related terrorist attacks. The outcome of the assessment identified that while this event would have 'very serious' consequences should it occur; the risk is considered 'unlikely.' (NTS 17).

Needless to say, introduction of curbs would make such an incident less likely, or at least give pedestrians more of an alert that something dangerous was about to happen.



Tactile Paving not an answer:

What is proposed, instead of curbs, is tactile paving to indicate to people with a visual impairment that they are at the perimeter of the pedestrian plaza. There are two major problems with tactile paving, and dependency on it:

1. For many non-diabetic blind people (including myself), tactile paving is just too confusing to read much by it...even when we're super-concentrating enough to know where it starts and ends etc. Tactile paving at its best seems to use the dictum 'less is more' (e.g., dimples at traffic-lights, and colour-contrasted linear ramp-style boundaries, such as used at Luas-stops (alongside the curbs).

DCC has shown no methodology into the reasoning for its tactile-paving choices, and has not clearly indicated these choices to non-visual citizens reading the EIAR.

2. However clearly the tactile paving was done, however, it would not be sufficiently safe (by itself). One third of blind people in Ireland have lost their sight because of diabetic retinopathy, and as with the rest of the diabetic population, a common feature of diabetes is neuropathy (reduced sensation in the corporal extremities). In other words, It should be

considered highly likely that anyone with diabetes (including the one third of blind people who have diabetes), cannot sense underfoot tactile pavings enough to use them as guides.

Trees not an Alternative to Curbs:

DCC proposes a row of 20 trees in the 60-70 metres along the south-side of the planned two-way cycle lane through the pedestrian Plaza. Trees are also proposed for both sides of Dame Street west of the Plaza.

Trees do not come near to simulating the utility of a curb. They are useful for marking a zone, perhaps, if one can see, but not if one can't (or in night-time confusion). A blind cane-user can easily go through this cordon (3 metres between each tree), and never know it. Anyway, what trees do not do is tell you you are on the precise edge of a cycle-lane or bus-lane. In the proposal, if a blind cane-user is lucky enough to detect a tree, it is not stated how the blind cane-user should know that this is a warning sign that there is a cycle-lane or bus-lane ahead (in particular strangers/tourists to the area). More to the immediate point, if the blind cane-user know that the trees indicate these traffic/cycle ways, they are still only giving me an approximation of the location of these routes...not a precise and immediate sign (as with a curb).

Where as cane-usage works by object-detection, guide-dogs work by object-avoidance, and so, the blind person will likely not know they have passed a tree, and is liable to stray into the path of buses/cyclists (as discussed above).

Street Furniture is not an alternative to curbs: the proposal has street furniture, at least, along the north-side of the two-way cycle-lane, and along the west of the Plaza near the turn-around circle.

This has the same problems as trees (above) in not coming anywhere near the functionality of a curb. And, again, if there's any gap at all in the street furniture, the guide-dog will go through it, happy as larry, into the cycle-lane in the turn-around circle.

It is disturbing that on the eastern edge of the Plaza, there doesn't seem to be anything at all (except for tactile paving planned)..not even the pretence

of decorative warning landmarks, and this is the busiest traffic section, with lanes of cyclists, taxi/bus and luas.

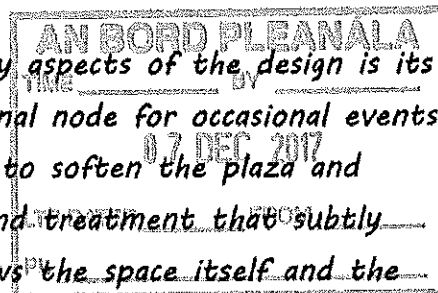
The cane-user might be able to approximate some of the distances, depending on the noise of the traffic, but since the cycle-lane will be in the foreground, this first gauntlet, in all its quietness, may be the most dangerous.

Again, the guide-dog, not finding a curb, will bring himself and his owner into grave danger in this scenario.

2b. Orientation in the Pedestrian Plaza:

Proposed:

The EIAR states: 'Indeed, one of the key aspects of the design is its simplicity, which allows it to be a multifunctional node for occasional events. There is minimal street furniture and planting to soften the plaza and facilitate its users as well as a consistent ground treatment that subtly defines areas of use. This design simplicity allows the space itself and the defining landmark buildings to be the key features, rather the elements that fill the plaza' (EIAR, 11.4.1.3).



As such, it would appear that the centre of the pedestrian plaza is planned to be relatively empty.

Objection:

A sighted person can look from Grafton Street over to the Bank of Ireland, and make a B-line for it, or indeed, going by sight, cross the plaza diagonally in any direction. For my own purposes, I will often need to go from anywhere in the College Green area to a set of traffic-signals to the east of the Plaza to cross to Trinity, but as with the previous examples (to varying degrees), this will be very difficult for someone who is blind.

Open spaces (such as that in front of Heuston Station) are extremely difficult for blind people to navigate, because there are not any or enough landmarks by which they can orientate themselves. Add to this the hustle and bustle of a busy crowd etc., and a blind person is even more disorientated.

Sometimes bollards are used to mitigate this, but for several reasons they are problematic...not good indicators of direction, too minimal so they

can be easily missed by the cane, and even collide with us as a result. I believe they also look boring.

But there is an excellent device which is used all too rarely and is great for orientation of an independent blind pedestrian, as well as potentially looking well...I suggest planters. If of reasonable length, they don't have to take up too much room, but are excellent at keeping a blind person (cane-user or guide-dog user) on the straight and narrow. Any imaginative configuration could be done for best effects (visually and orientation). Planters can also have nice-smelling seasonal plants, or light-patterns for night-time views.

: Conclusion:

Objection to absence of Curbs: Independent guide-dog users will be excluded, de facto from the proposal for a development area with no curbs. It appears the same will happen to many or most blind cane-users. People with developmental disabilities, and people over 75 would also be extremely unsafe in such a project. It doesn't end there though, the combination of the various mechanized and non-mechanized traffic-flows on three sides (one completely intersecting (to the south), and another confused area (to the west), it won't be just the vulnerable pedestrians under threat. Pedestrians lulled into security by the pedestrian atmosphere, and new visitors to the area will inevitably have accidents.

A 60mm curb is needed along the east side of the Plaza going all the way from the west footway of College Street to the westfootway of Lower Grafton Street. Curbs of equal dimension are needed on both sides of Dame Street going east from George's Street to the bus turnaround circle, where they should meet at the far side (demarcating the Plaza proper from the turnaround circle and cycle lane if it is still there). Finally if the travesty of the two-way cycle-lane going through the pedestrian plaza does somehow get the go-head, both sides of the cycle track would need the same 60mm curbs - 60mm is a minimum standard in all cases.

Planters for Orientation from Centre of Plaza out: the current proposal would not only look bleak enough, but it would be disorientating for blind pedestrians, with no 'landmarks' in it to orient themselves by. Planters can be a fun and imaginative way of rectifying this deficit and possible safety-hazard. Curbs are also excellent for orientation.

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3. Surface Colour and Finishing:

3a. Lack of Colour Contrast for Pedestrians with Low Vision:

Neither the Landscape Impact Assessment nor the Visual Landscape Assessments in Ch. 11 of the EIA examine impacts from a low vision perspective. For example, this sector is not included specifically in the category 'highly susceptible to visual change' (EIA, 11.4.2.1).

DCC does not appear to have adequately responded to CIE's question in the initial submissions (EIA, RFI, 4.3.2.1): 'Reid Associates raised concerns over the lack of coherence in considering the arrangement of contrasting surface materials and tonal colours (various shades of grey). It is their opinion that pedestrians with vision impairment who are able to discern shades and colours or surface materials are likely to experience difficulty in negotiating the plaza, particularly at the western end, despite the claims made in the Design Report (Section 4.06 Universal Access)'.

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Since there is no express mention of high contrast colour schemes, and since we have received no descriptions of the relevant figures (despite requests), we must rely on inferences from what is written in the EIA:

In reference to visualization, the EIA says: 'The granite paving, which stretches across the plaza, has only subtle variations in texture and tone to demark precincts and therefore seems to broaden College Green giving it a stronger sense of being an open space plaza than a street. This is aided by the removal of kerbs and other vertical delineation in the ground plane. (11.4.2.3 vp2).

The high quality stone paving will be a consistent pattern across the whole of College Green without kerbs or other vertical delineation (ibid).

The public transport corridor is apparent at the western end of the plaza, but is not strongly delineated at the ground plane giving a sense of continuity' (ibid, 11.4.2.3, vp1a).

Pedestrian and cycle movement areas will be generous in dimension and clearly presented in terms of directional movement to avoid confusion. (11.5).

'in terms of directional movement to avoid confusion' seems to operate on a presumption of the ground space itself only being 'subtly' differentiated - as

is stated above. Street furniture is not a reliable landmark for people with very low levels of vision, since they may find it difficult or impossible to see in some light conditions, and easier to see in others. Whereas trees may be a signifier to the northbound pedestrian that there is danger approaching (an uncontrolled crossing of a cycle lane), there is no such signifier for the southbound pedestrian going in the opposite direction.

The lack of colour contrasting at the eastern and western ends of the plaza where there is interface with varying degrees of traffic, is obviously hazardous.

3b. Surface Finishing:

More generally, we cannot be confident that the surface itself will facilitate the safe passage of vulnerable pedestrians, particularly since DCC appears not to have adequately answered questions put by Dublin Chamber and CIE in the initial submissions phase (EIAR, RFI 4.3.2.1:

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Dublin Chamber and Reid Associates (for CIE) raised some concerns about the proposed surface finishes for the civic plaza. It is the opinion of Dublin Chamber that in order to make College Green a success, the surface of the plaza should be as pedestrian-friendly as possible, that the civic space should be easily traversable from any angle and the pedestrians should not be disadvantaged on account of old age, disability, or wheelchair use. However, Dublin Chamber is concerned that the charcoal granite setts which have been chosen as the primary surface material appear to have a rough and uneven finish as depicted in the design report and non-technical summary. They believe that similar to cobble lock, the resulting surface may not be conducive to free and easy movement for all pedestrians.

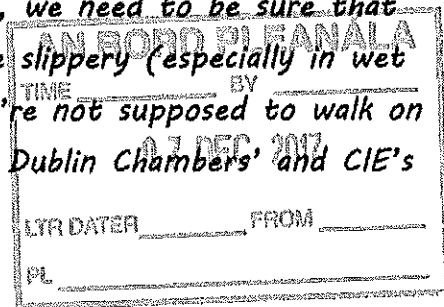
DCC's response: 'While the design provides for several narrow bands of smooth stone across the College Green, it is the opinion of Dublin Chamber that the elderly and disabled should not be crossing at these intervals'.

The concerns raised were not with the smooth surfaces, but actually with the apparently rough finish of the charcoal granite. However, given the above

problems, many vulnerable pedestrians will not even be able to distinguish where they are supposed to cross the uncontrolled crossings.

Rough surfaces are harder to walk on (just think of the sand when you're at the beach), but another matter arising from rough surfaces is the difficulties it might cause for the roller-tipped white cane usage. Smooth sweeps are necessary for the white cane trained techniques to work safely. Such safe technique is prohibitively difficult on the cobblestones of the Temple Bar area, currently - with the touch technique at least.

Conversely, also on the matter of charcoal granite, we need to be sure that the surface will not smooth over time and become slippery (especially in wet weather), as the already smooth patches that we're not supposed to walk on appear to be - as suggested in DCC's response to Dublin Chambers' and CIE's concerns.



3. Conclusion:

3a. Bland uniformity appears to be proposed, which is objectionable for safety reasons by people with low vision. Rather, high contrast surface colour-schemes on the ground would prevent many accidents.

3b. Questions remain over the granite surfaces proposed. It should be a prerequisite that any surface used will be safe for the elderly, wheel-chair users, and blind cane-users in particular.

4. Further to Walk

Proposal:

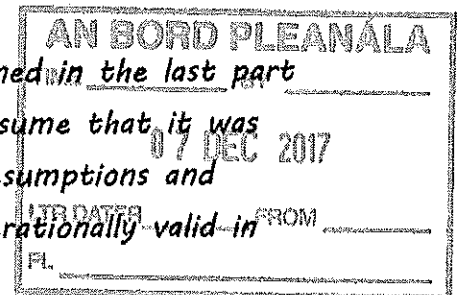
The EIAR states: Locally however, there will be some slight negative impact in terms of public transport accessibility by bus as a result of service diversions from College Green to the Liffey Quays in terms of bus stop locations and walking distances to some origin and destination locations. The additional walk time (between 4 and 5 minutes, depending on the bus stop location) will be offset by the improvements to journey time into and out of the City via the Quays, coupled with potential reductions in wait time likely to come about from the BusConnects project (EIAR, RFI: 3.2.5 Impact on Public Transport).

That the proposed project will have 'relatively short walking times to most city centre destinations (ibid., RFI 3.2.5

The re-routing of buses will result in the relocation of bus stops to alternative locations along the new bus routes. To assess the impact on bus passengers, a 5-minute walk catchment analysis was undertaken for existing routes passing through College Green and compared to the 5-minute walk catchments for the proposed alternative routes. Generally, this assessment showed that overall, a similar number of people would be served by the new routing as is currently served by existing (NTS 6).

Objection:

Since it has not been made clear that the analysis mentioned in the last part included analysis from disability perspectives, one must presume that it was carried out by able-bodied researchers using able-bodied presumptions and perspectives. How can the research and conclusions be operationally valid in the absence of these key perspectives?



5. Ignored and Excluded in Consultation

Since April 2016, myself and Pat McCarthy (both as members of the Blind Legal Alliance, and as individuals), as well as Barry O'Donnell of Headway), have attempted to use the non-statutory consultation processes to red flag the Plaza Cycle Lane issue. None of our observations and questions were considered worthy enough to make it into the summary of observations in Summer 2016 (arising from the April-May request for observations).

None of us was notified about the 'Imagine College Green Consultation Workshop' at the Mansion House in November 2016. The public notices were inaccessible to us because of our visual impairments. It is possible that the notice on DCC's own website may have been accessible, but it is not a website blind people would visit expected to visit regularly, since much of its content is completely inaccessible to their screen-reading technology.

I completed the Imagine College Green (online survey) in January, but obviously my cycle-lane point was deemed superfluous. Other members of BLA found this survey to be inaccessible.

Independently of official processes, I did the following:

May 10¹⁶: had the matter of the cycle-lanes raised at DCC's Transport SPC meeting, by Jane Horgan-Jones. I had contacted every single member of the committee by phone and email, so everyone was aware of our concerns.

July 2016: contact Terry Tchitombo, senior engineer of the project, to express our concerns. We are told that we (myself and Pat who also contacted him), that we needn't worry because a lot more consultation needs to be done before anything happens, and we would certainly be part of it.

January 2017: Both Pat and I contact Mary Hussey (head of DCC Transport Dept.) - by email, and Cillian Skea (head of Civic Plaza Project at the time) - by phone. Again we explain our concerns about the cycle lane, and he tells us that the cycle lobby is much stronger than us, and that the architects would be in touch with us.

March 2017: I write to DCC once more giving detailed account of issues. The email is initially ignored.

April 15th: attend DCC disability meeting at the Mansion House and bring up the difficulties we are having in being heard in the consultation process. My March meeting is then responded to by Frank Lamb, but ignoring all of the issues...sends both myself and Pat YouTube links to see what the Plaza will look like - it is clear that we are both blind.

In May, DCC published the EIS on May 7th, and on May 15th-June 30th the public were given a chance to make their observations on it to an Bord Pleanála...

On July 7th, I have a phone conference with the main players in DCC regarding the project...the more they explain, the more my concerns are verified. Hitherto, I had been thinking that the cycle-lane uncontrolled crossing would be at the front of Trinity College, but now I knew it was the south side of College Green (into Dame Street) - just as bad, since no matter where you put it, a cycle-lane through a pedestrianized area will endanger vulnerable pedestrians.

The initial consultations in particular, should have acted as preliminary screenings to inform further issues to be investigated for the EIS/EIAR. This did not happen.

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There have been ongoing accessibility problems with the EIS/EIAR documentation (meaning we did not have a chance to make a considered submission in the initial six week period), the details of which problems we are taking before another forum.

6. Consequences.

The EIAR states: 'The Proposed Project will therefore result in a substantial time saving to the large number of pedestrians passing through College Green as well as improve the general safety of pedestrians through the removal of traffic in the area' (NTS 6)

Having consideration to everything above, we beg to differ. The obvious risks that this proposal poses to vulnerable and other pedestrians will undoubtedly cause injury, and possibly fatality. The proposal actually makes journeys less safe for cyclists as well as pedestrians.

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The vulnerable Irish population will no doubt react by avoiding the area (anathema to DCC's claimed objectives) Those living in the vicinity or working there (such as myself currently researching from Trinity College) we face what any able-bodied person in our shoes would consider a nightmare.

7. Legal

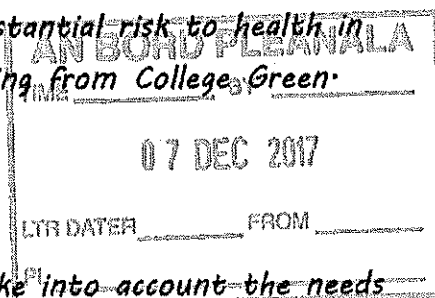
Apart from an Bord Pleanála's obligations under the Planning Acts to protect public health and safety, the following are some other legal grounds for objecting to the Plaza (as proposed) The list is not exhaustive. If each legal ground were to be fought separately after the fact, any remedy would certainly undoubtedly be too late for the dangers blind people will already have been exposed to, and short of an expensive post facto reversal of the plan, any remedy would certainly be too little. Hence the need for the precautionary principle - a stitch in time saves nine, so to speak.

Constitution of Ireland, Article 43.1: right to an environment consistent with with human dignity and well-being. (as recognized in recent case of Friends of the Irish Environment vs. Fingal County Council (2017)).

Building Regulations (1997, s.i. 497)

Part M1 of the Regulations: 'Reasonable provision shall be made to enable disabled people to have safe and independent access to a building...'

Although the Civic Plaza (as proposed) will not impact on the actual structures of buildings in the area, it will cause substantial risk to health in the event that a disability tries to access any building from College Green.



Equal Status Act (200, s.i. 84)

Reasonable accommodation (i.e., that DCC take into account the needs of vulnerable pedestrians, and in particular blind pedestrians such as my self, has been effectively denied, and as such, it appears it has discriminated against me on the grounds of my disability.

Disability Act (2005 s.i. 14).

Section 25 of the Act says that a public body shall ensure that its public buildings are, as far as practicable, accessible to persons with disabilities.

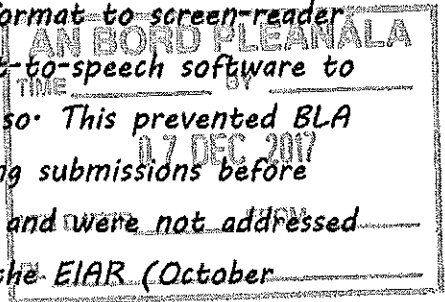
2f. a public body shall comply with an approved Code of Practice to such extent as is practical having regard to its resources and obligations, and in particular, shall do so...ii). If by doing so, access to public buildings would be a for greater number of persons with disabilities than would otherwise be the case'.

The public buildings we think will be made much more inaccessible to people with disabilities as a result of the planned Civic Plaza (for reasons mentioned above), are the Bank of Ireland, and the campus of Trinity College entering and exiting from the front gate.

Under S 27 of the Act, services provided by a public body (even where through a third party) have to be accessible to people with disabilities. We hold that planning itself is a service, and when DCC put contracts out to tender for various consultancies in the process of planning the Plaza, (e.g.,

Clifton Scannell Emerson Associates, CAAS Ltd., Paul Keogh architects, Future Analytics Consulting Ltd, Macro Works Ltd etc.), no specifications were provided to make sure that the planning would mean accessibility to those with a disability (including those with a visual impairment).

In violation of S28.1b of the Act, and S28.2, Dublin City Council did not publish the original EIS (May 2017) in an accessible format to screen-reader users (i.e., people with a visual impairment using text-to-speech software to access information digitally), even when asked to do so. This prevented BLA and many others with a visual impairment from making submissions before June 30th - also meaning that such concerns are not and were not addressed in the 'Responses & Further Information' section of the EIAR (October 2017).



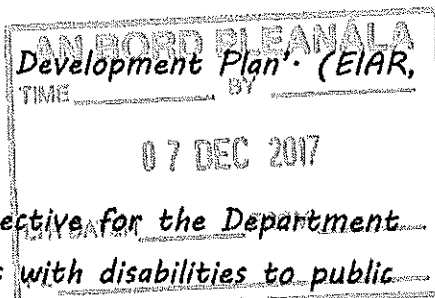
Furthermore, two chapters in the EIAR were not provided in an accessible format (as above), seriously impairing our ability to analyse the visualization and townscaping aspects of the project in particular, but probably other unknowns (to us at any rate) too.

S29.1a of the Act: 'the head of a public body shall as far as practicable ensure that the whole or a part of a heritage site in its ownership, management, or control, to which the public has access, is accessible to persons with disabilities. The same is said later for 'protected' buildings.

Although this section is qualified by S36 of the same Act (pending several sectoral reports by the Department of the Environment), we have here a case of a planned inaccessibility which is against the spirit and letter of the section (and the Sectoral Reports). (see EIAR Ch. 10, and throughout where the cultural heritage importance of the site is repeatedly vaunted).

According to the EIAR, 'The buildings that have been erected on either side of College Green mainly date from the 18th and 19th centuries and the majority of them are protected structures, as are several buildings in the project area in Dame Street, Foster Place, St. Andrew's Street and Grafton Street. The southern side of College Green, along with Trinity Street, St Andrew's Street and Church Lane, are also within an Architectural Conservation Area. The entire project area is within an area that is

designated as a Conservation Area within the City
NTS 10).



Under 536 b) of the Act, it is set out as an objective for the Department of the Environment to facilitate access by persons with disabilities to public roads and other public places, and c) for the Department of Transport to facilitate access to the vehicles providing the passenger services by such persons (those with disabilities) from a public road. 'Public places' is further defined (S 26.2) as a) street furniture, pavements, and pedestrian zones; b) signage; c) public parks and open spaces owned or maintained by a public authority; d) harbours, bus and light rail stops for which a local authority is responsible.

The Aarhus Convention (in Irish law under the Environment Act, 2011).

In the Aarhus Convention, if an NGO requests environmental information concerning a planned development, it must have a satisfactory response within two months. Members of the Blind Legal Alliance have been asking Dublin City Council since April 2016 how a blind pedestrian is supposed to see an oncoming bicycle at an uncontrolled crossing of a cycle lane, and in the absence of any coherent response, how could such a cycle lane be considered safe in the planned plaza. Our questions have been effectively ignored.

EU Planning Regulations (including 2014/52/EU).

DCC's failure to investigate the many red flags raised regarding this plan (in particular the safety of people with disabilities in attempting to cross an uncontrolled crossing of a cycle lane in a pedestrian area), any assertion that the EU planning regulations have been complied with cannot hold water.

Human safety is one of the prime tenets of the EU project, and we believe that the necessary preliminary screenings for health and safety analyses were inadequate (and effectively non-existent for vulnerable pedestrians).

