

# **Minutes of Meeting of the Moore St Advisory Group (Online)**

**26<sup>th</sup> March 2021 @ 2.30 p.m.,**

Members in attendance were:

Tom Collins (Chairman),  
Thomas Holbrook,  
Catherine Kennedy,  
John Daly,  
Brian O'Neill,  
(Catherine) Carmel Smyth,  
James Connolly Heron,  
Aengus O'Snodaigh TD,  
Neasa Hourigan TD,  
Councillor Donna Cooney,  
Councillor Nial Ring,  
Nessa Foley,  
Coilín O'Reilly

Dave Farrell – Secretariat

Apologies: Senator Mary Fitzpatrick and Councillor Eimear McCormack

## **1. Minutes of 19<sup>th</sup> March 2021**

Minutes as circulated proposed Councillor Ring and seconded by Brian O'Neill.

## **2. Matters Arising**

Councillor Ring queried the membership and status of the Moore Street Trust. Sean Ó Muirí had advised the Group that the fuinneamh workshop had been engaged by the Trust to produce the alternative vision for Moore Street endorsed by Sinn Féin. The matter had been raised in previous meetings.

James Connolly Heron advised that his understanding is that the Trust is not formally registered as a Trust and that it has received preliminary funding from the Ancient Order of Hibernians.

The Chair pointed out that a Trust is a legal entity with strict governance requirements and it is serious issue of credibility if it has misrepresented itself to the MSAG.

James Connolly Heron queried when the Group will receive survey reports from Hammerson. Nessa Foley advised that she has queried this with Hammerson and it advised that it will make the reports available once completed for its planning application. The Group asked that a pdf of the Hammerson presentation from January be provided as it would be easier to work with. Nessa Foley requested same from Hammerson during the course of the meeting and was provided with a copy - secretary to circulate to the Group.

James Connolly Heron suggested it may be useful for the Group to have some professional guidance by an architect. Nessa Foley offered to see if one of the Department's architects could facilitate the request. The Chair suggested it may be useful to also ask the State's Chief Archaeologist for guidance and Nessa Foley said she would do so.

Nessa Foley advised that Transport Infrastructure Ireland (TII) is not available to present to the Group till after 19<sup>th</sup> April but that she has asked if it could present earlier or outline its plans in writing.

### **3. Draft report to Minister –the Market**

The Chair referred to the draft report to the Minister consisting of three elements; the market, the National Monument and the Hammerson proposals and, in light of Thomas Holbrook's email to the Group earlier in the week, suggested that the Group begin its discussions on the market.

Brian O'Neill pointed out that, regardless of who the developer is, construction on Moore Street will affect the market. He feels that it is important for the Group to include the issue of compensation in its report and suggested that compensation should be available to those traders who choose to give up their licences, relocate to another location temporarily or cease trading temporarily during construction. Councillor Ring supported this suggestion and emphasised that those who do relocate or cease trading temporarily should be allowed to return to the market on Moore Street once conditions are suitable.

Coilín O Reilly advised that DCC is not legally permitted to provide compensation for those who surrender their licence and won't be doing so but is able to look at relocation. The Chair referred to the compensation offered to draft net salmon fishermen to relinquish their licences to illustrate that licences have a value, albeit not always a legal one. Brian O'Neill clarified that he feels Hammerson should be the ones to pay the compensation, not DCC but that, ultimately this could possibly be a condition of planning permission.

Thomas Holbrook referred to an issue 13 years ago whereby storage units were removed and some traders received payment after giving up their licences. Coilín O

Reilly clarified that these payments were for property transaction and not to do with licences.

Thomas Holbrook said that it is impossible for the market to be vibrant, safe or healthy during the construction works entailed in the Hammerson proposals but that the visions presented by the Green Party and Sinn Féin appeared less intrusive. He clarified that the traders agree upgrade and investment is required but they know from experience the impact of construction works – Jury’s, Lidl etc. He advised that they met Hammerson last Monday who had advised the traders would have to stay there during construction. He proposed that the report to the Minister should state that any endorsement of the Hammerson plan by the MSAG is conditional on the traders being adequately compensated for temporary cessation or relocation of trading and that an ex gratia payment be made available to those who wish to relinquish their licences.

Catherine Kennedy made the point that there are a lot of different aspects to the incidents of disturbance that come with construction work which, combined, have huge impact. For example:

- dust will destroy produce
- construction traffic and associated diesel fumes will make it unsafe for customers and traders

Councillor Cooney sympathised with the position of the traders but expressed concern about making recommendations to the Minister about provision of compensation and drew attention toward the short and interim measures that need to be addressed. The Chair pointed out that there was a similar recommendation in Securing History 2 in relation to the provision of an ex-gratia payment.

Deputy O' Snodaigh agreed with a lot of what Brian O'Neill and Councillor Ring had said and what Thomas Holbrook had raised at this and the last iteration of the MSAG and pointed out that retailers will also be affected. He raised the prospect of development levies being used to fund compensation. He also agreed that the issue should be addressed in the report to the Minister. Coilín O Reilly clarified that development levies are used to fund parks, roads etc. – they cannot be used for paying compensation.

Deputy Hourigan suggested that the issue be raised in the report from a health and safety perspective and that if some traders wish to remain, they should also be accommodated.

The Chair queried if anyone was against including a recommendation as outlined in relation to compensation and there was no objection. Report to state:

“It is the clear wish of the MSAG that the market continues on Moore Street regardless of what happens during the construction phase. There is a strong view by

the traders that it is impossible to continue to trade during the construction phase for health and safety reasons. There should be compensation provided as follows:

1. To traders who leave the market during construction and return when works are complete.
2. To traders who relocate during construction and return when works are complete.
3. To traders who wish to relinquish their licence rather than continue to trade as a result of the construction works.

James Connolly Heron pointed out that the planning application may take one or two years to be processed and that sanitary facilities etc. should be provided in any case.

#### **4. Draft report to Minister – the National Monument**

Councillor Cooney queried if the Group would get a presentation on the National Monument. Nessa Foley advised that the IHT (Irish Heritage Trust) will have completed its report very soon. The monument will be refurbished and there will be a visitor centre at the back. She explained that the Department is dealing with the OPW and the CSSO on procurement matters at the moment and hopes that workers can be on site as soon as possible.

Deputy O' Snodaigh pointed out that the MSAG report is due next week so suggested an extension of approximately a fortnight to receive a final report from the IHT and hopefully a presentation from TII. He also queried if the MSAG could have more detail on the works OPW has planned for fitting out/securing buildings 14-17. Nessa Foley to follow up with OPW.

Next meeting Friday 9<sup>th</sup> April 2.30 pm.

