



Department for

Infrastructure

An Roinn

Bonneagair

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A1 Junctions Phase 2 Road Improvement Scheme

Public Inquiry Report

October 2020



**The Roads (Northern Ireland) Order 1993 as Amended by The
Roads (Amendment) (Northern Ireland) Order 2004**

The Local Government Act (Northern Ireland) 1972

**Report on a Public Inquiry Held into The A1 Junctions Phase 2
Road Improvement Scheme and into Objections and Opinions
Expressed in Relation Thereto**

Dates of Inquiry: 11 - 13 March 2020

Appointed Inspector: S. Kevin Chambers

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1. INTRODUCTION

On the 4th of October 2019 I was appointed to conduct a Public Inquiry into the Department for Infrastructure Roads proposals for the A1 Junctions Phase 2 Strategic Road Improvement Scheme.

My terms of reference, detailed in my letter of appointment, were to hold inquiries into the Environmental Impact Assessment Report, the draft Direction Order, the Notice of Intention to Make a Vesting Order and the Draft Stopping-up of Private Accesses Order, prepared by the Department for the above proposals, and to prepare a report thereon and make recommendations to the Department.

Appended to my letter of appointment was a copy of “Seven Principles Underpinning Public Life” and an extract from the Department’s Policy and Procedures Guide on the role of the Inspector.

I responded to the Department’s letter confirming my acceptance of the appointment on the terms and conditions outlined and that there was no conflict of interest.

The scheme proposals included closure of all gaps in the central reserve, construction of four new Compact Grade Separated Junctions (CGSJ’s) incorporating new link and access roads, closure of selected minor roads and private accesses, closure of all mainline bus stops with new stops at the four main CGSJ’s and the provision of new signage, including a number of electronic signs.

The Draft Vesting Order for the scheme, Draft Direction Order, Draft Stopping Up of Private Accesses Order and an Environmental Impact Assessment Report (EIAR) were published in March 2019 with a 14 week consultation period which ended on the 28th of June 2019. As a result of the publication of these orders objections to the scheme proposals were submitted to the Department along with other comments and letters of support.

In total 130 separate responses were received by the Department, including 14 individual objections (2 subsequently withdrawn), 17 comments, 67 letters/emails expressing support for the scheme and 32 other minor queries. One of the emails of support received included a petition with over 12,000 signatures expressing support for the scheme proposals.

None of the objections received raised issue with the strategic validity of the project proposals, but rather related to individuals' (landowners or other stakeholders) concerns relating to certain specific aspects of the scheme.

A Pre-inquiry Meeting was held on the 6th of February 2020 in the Belmont House Hotel, Banbridge, involving matters of administration and procedures for the inquiries. A preliminary programme for the inquiries was arranged at this meeting. Subsequent to the Pre-inquiry Meeting, and prior to the commencement of the main Inquiry itself, a further number of objections and comments were submitted to the Programme Officer. I gave full consideration to each of these in turn and deemed it appropriate for the documents to be admitted to the Inquiry.

I carried out two pre-inquiry inspections of the proposed scheme locations, one unaccompanied on the 14th of February and one in the company of Ms Rhonda Greenaway, Programme Officer for the inquiries, on the 26th of February. I also made several unaccompanied site visits after the Inquiry had taken place.

I opened the Public Inquiry at 10.00 am on the 11th of March and heard representation from the Department. The Inquiry continued on the 12th and 13th of March with representation from the Department and objectors/respondents and supporters of the project. In addition to evidence and rebuttal statements presented prior to the commencement of the Inquiry, further documents were submitted at the Inquiry Hearing. In the interest of fairness to all parties I agreed to accept these.

Prior to and throughout the Inquiry process, and indeed subsequent to the Hearing, I understand negotiations continued between the Department and some objectors resulting in certain changes to the Department's proposals. I welcome these attempts to reach agreement.

During the Inquiry hearing a number of objectors/respondents requested an on-site meeting so that they might have an opportunity to explain in full detail their concerns relating to the effects of the proposed scheme on their lands/properties. I agreed to meet with all of those who requested an on-site meeting, on the basis that I would not be prepared to accept any evidence that had not already been presented at the Inquiry. The meetings were simply an opportunity for objectors/respondents to offer clarification and explain again at the relevant location their specific issues and concerns. The discussions that took place are briefly summarised in Chapter 5.

A complicating factor has been the difficulties that have arisen as a result of the Covid-19 emergency and the consequent delays to the Inquiry process as a result.

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As stated above, my remit included holding an inquiry into the The Private Accesses on the Trunk Road T4 (“A1 Junctions Phase 2 - Loughbrickland to Hillsborough”) (Stopping-Up) Order (Northern Ireland) 2019. I opened this Inquiry on the 13th of March 2020, immediately after closing the first Inquiry. All of the evidence presented to the first Inquiry was read into the record of the second Inquiry. As there was no further evidence submitted, I then closed the second Inquiry.

Finally, it is important to emphasise that an Inquiry report is not intended to be a verbatim record of the proceedings. My report is a summary only of the relevant written and oral statements presented, along with a brief description of the site location, the proposed junctions/environs and other relevant matters. However, I wish to stress that full and careful consideration was given to all evidence put to the Inquiry in each and every case.

The following report contains my consideration and analysis of the evidence presented and my recommendations to facilitate completion of the proposed A1 Junctions Phase 2 Road Improvement Scheme.



S. Kevin Chambers.

19th October 2020.

2. SITE DESCRIPTION AND SUMMARY OF PROPOSALS

The A1 is an all-purpose dual carriageway and forms part of the strategically important principal north-south arterial route linking the capital cities and principal gateway ports of Belfast and Dublin. It is identified within the Trans-European Transport Network and is classified as a Key Transport Corridor within the Regional Strategic Transport Network. The A1 acts as the key link between the towns and villages that lie within the corridor and, as well as being the primary road linking these towns and villages to Belfast, it also provides a key link for communities both east and west of the route corridor. As such it is considered to have economic and social importance both regionally and locally.

Currently between the Hillsborough roundabout and Loughbrickland there are a number of grade separated and at grade junctions as well as a significant number of private and farm accesses which have direct access onto the A1 dual carriageway. All of these have been designed and constructed to differing standards over a period exceeding forty years and they have characteristics which would no longer be considered desirable on very heavily trafficked dual carriageways. The significant number of access points and gaps in the central reservation have significantly compromised safety aspects for road users and have resulted in a large number of serious and fatal accidents since the road was first updated to dual carriageway standard. The lack of a central reserve barrier along much of the route has also resulted in multiple instances of errant vehicles crossing the central reserve. Recent accident records show 11 fatalities occurring during the years between 2012 and 2018.

There are currently 37 bus stops along the mainline within the scheme extents. The existing bus stop facilities range from a simple arrangement of paved area and flag post to covered bus shelters. Current bus stop usage figures provided by Translink would indicate that there are very low passenger numbers using the existing stops. There are some bus stops on the route that do not see any regular use.

There are a significant number of private and minor road accesses onto the A1 which represent major safety hazards on a strategic trunk road carrying substantial numbers of high speed vehicles. There are also currently a number of accesses where visibility is less than the current recommended standard as outlined in the Highways Agency Design Manual for Roads and Bridges.

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Currently the A1 caters for approximately 40,000 vehicles per day within the northern end of the proposed scheme. The southern stretch of this route, between Beech Hill and the border, has been previously upgraded to a high standard dual carriageway with access provided via grade separated junctions and no direct access to adjacent land or property. The A1 Loughbrickland to Beech Hill dual carriageway provides a central safety barrier with right turn crossing of the central reserve restricted to at grade junctions with the local minor road network. The section of the route within the proposed scheme limits between Hillsborough Roundabout and Loughbrickland generally runs in a south westerly direction from the southern outskirts of Lisburn and is 25.2km in length. This section of the route also serves as a bypass for several local towns and villages, including Hillsborough, Dromore, Banbridge and Loughbrickland. The existing road is a 2 lane dual carriageway with a central reserve of varying width and features gaps that permit crossing manoeuvres.

There are 36 minor road junctions along the 25.2km length of the scheme route and a total of 111 gaps in the central reservation serving minor roads, residences, commercial premises and agricultural accesses. The 111 gaps allow cross-carriageway access to the minor road junctions, 5 commercial premises, 22 residential properties, 31 agricultural accesses and 17 maintenance crossovers or other use accesses. The gaps are also used by vehicles performing u-turn manoeuvres in addition to right turn manoeuvres across the carriageway.

Most current junctions along the A1 operate as simple priority junctions with the exception of the 4 grade separated junctions constructed as part of the A1 Junctions Scheme (Phase 1) and 4 further grade separated junctions constructed under other development schemes.

There are hard shoulders to both carriageways along the majority of the route with the exception of the Banbridge Bypass section of the A1, which features a 1m hard strip only.

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The A1 has undergone a series of improvements over the past forty years commencing with the dualling of the A1 carriageway between Hillsborough and Dromore in 1971. The most recent improvements were undertaken in 2007-2008 with the construction of the four new compact grade separated junctions mentioned above, of which two were underpass type junctions and the other two flyover type junctions. The four new junctions are as follows from north to south:

- Dromore Road, Hillsborough;
- Banbridge Road, Dromore;
- Dromore Road, Banbridge; and
- Dublin Road, Loughbrickland.

The 4 other grade separated junctions are located at:

- Hillsborough Road, Dromore;
- connector to A1 northbound carriageway at Lurgan Road, Dromore;
- Rathfriland Road, Banbridge; and
- Newry Road, Banbridge.

The national speed limit for dual carriageways applies along the A1 except within the environs of Banbridge and Dromore where speed is restricted to a maximum of 60mph.

The A1 Junctions Phase 2 project proposals include closure of all gaps in the central reserve between Hillsborough and Loughbrickland, the provision of a continuous central reserve safety barrier, the construction of 4 new Compact Grade Separated Junctions (CGSJ's), provision of new on-slip and link roads, closure of selected side roads and private accesses, closure of all mainline bus stops and the provision of Intelligent Transport Systems (ITS). The project proposals are described in more detail in Chapter 3.

3. THE CASE FOR THE DEPARTMENT

3.1 Background

The background to the Inquiry was the Department's commitment to improve the A1 from Sprucefield to the border. The improvements to the A1 have been ongoing for a period of over 40 years and have been conducted in phases. This scheme is the second phase of a junction improvement scheme intended to improve road safety and provide greater consistency of journey times. The first phase, completed in 2010, resulted in the construction of 4 grade separated junctions between Hillsborough and Loughbrickland. Other construction projects have added a further 4 grade separated junctions.

The A1 Junctions Phase 2 Road Improvement Scheme involves the construction of 4 new compact grade separated junctions along with other improvements (see Section 3.4). The most southern stretch of the A1, between Beech Hill and the border, has been upgraded to a high standard dual carriageway, with access provided via grade separated junctions and no direct access to adjacent land or property. By contrast, the northern section of the A1, between the Hillsborough Roundabout and Loughbrickland, has been designed to much older highway standards. The proposed scheme covers this 25.2km section of the A1 between Hillsborough and Loughbrickland. The existing road is a 2 lane dual carriageway with a central reserve of varying width, which includes many gaps that provide opportunities for right turns and crossing manoeuvres. The presence of these gaps directly contributes to the high number and severity of accidents on this section of the dual carriageway.

The proposed scheme is intended to improve safety for all users of the A1. The scheme's specific objectives are to:

- Improve safety for all road users;
- Provide a standard of route appropriate to its strategic function;
- Be affordable and provide value for money; and
- Improve journey times and journey time availability for strategic A1 traffic.

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The oral and written presentation of evidence on behalf of the Department for Infrastructure - Roads was led by Mr Andrew McGuinness, Barrister-at-Law. The Department was also represented by:

Mr Liam McEvoy - Project Sponsor, Department for Infrastructure, Roads.

Mr Brian McClelland - Project Manager, DfI, Roads

Mr Arnold Hamilton - Senior Responsible Owner, DfI, Roads

Mr Conor Doonan - Project Manager, RPS-Sweco (Project Consultants)

Mr Brendan Daly - Framework Manager, RPS-Sweco

Mr Raymond Holbeach - Environmental Lead, RPS-Sweco

Mr Ross Coulthart - Traffic & Economics Lead, RPS-Sweco

Mr McGuinness outlined his role, introduced the Department representatives and initially asked for a visual presentation of the scheme (along with commentary) to be shown to the Inquiry.

3.2 Policy and Procedure

Mr McEvoy outlined the policy context in which the scheme had been developed and summarised the statutory procedures relevant to the scheme proposals.

The development of the road transport network in Northern Ireland is guided by the Regional Development Strategy, NI 2035 (published in 2012), the Regional Transportation Strategy NI, 2002-2012, and the Regional Strategic Transport Network Transport Plan, 2015. A document 'Expanding the Strategic Road Improvement Programme 2015', published in July 2006, proposed additional Strategic Road Improvement Schemes - subject to consultation. A revised strategy document, 'Ensuring a Sustainable Transport Future - A New Approach to Regional Transportation', was published in 2012. The A1 Junctions Phase 2 Scheme (which proposed '4 additional junctions and central safety fence to upgrade the A1 between Sprucefield and Loughbrickland to a higher standard dual carriageway with no at-grade crossings') has been developed within the context of the above strategy and policy documents.

The A1 is an all-purpose dual carriageway which caters for both strategic and local traffic movements. It forms part of the strategically important principal north-south arterial route linking the capital cities and principal gateway ports of Belfast and Dublin. It is identified within the Trans-European Transport Network

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on the North Sea-Mediterranean Core Network Corridor. The A1 is classified as a Key Transport Corridor within the Regional Strategic Transport Network.

It also acts as the key link between local towns and villages and the city of Belfast. It is thus considered to have economic and social importance both regionally and locally.

The Roads (Northern Ireland) Order 1993 defines the procedures to be followed when the Department proposes to build a new trunk road or carry out improvements to a road within the trunk road network. Key documents, policies and strategies which have been devised as a result of this legislation include:

- Shaping Our Future: the Regional Development Strategy for NI 2025 - September 2001;
- Regional Transportation Strategy for NI 2002 - 2012 - July 2002;
- Regional Strategic Transport Network - Transport Plan 2015 - March 2005; Investment strategy for NI 2005-2015 - December 2005;
- Expanding the Strategic Road Improvement Programme 2015 Consultation Document - Mid-2006;
- Chancellor Announcement - Economic Prosperity and Stability in Northern Ireland - 22 March 2007;
- North/South Ministerial Council, Plenary Meeting, Armagh, 17 July 2007, Joint Communiqué - 17 July 2007;
- Investment Strategy for NI 2008 -2018 - 2008;
- Investment Delivery Plan for Roads 2008 - 2008;
- Programme for Government 2008 -2011 - 2008;
- Programme for Government 2011-2015 - 2011;
- The Regional Development Strategy 2035 - 15 March 2012;
- Ensuring A Sustainable Transport Future: A New Approach to Regional Transportation (A New Approach) - 28 March 2012;
- Investment Strategy for NI 2011 - 2021 - 2012;

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- A Fresh Start: The Stormont Agreement and Implementation Plan - November 2015;
- Draft Programme for Government Framework 2016 - 2021 - May 2016;
- NI Executive's Outcomes Delivery Plan 2018 - 19 June 2018.

The consistent vision of these strategies is, "to have a modern, sustainable, safe transportation system which benefits society, the economy and the environment and which actively contributes to social inclusion and everyone's quality of life". The A1 scheme meets this vision by upgrading a strategically important route and improving safety along this 25.2km stretch of road. Specific references to junction improvements/upgrades on the A1 (which includes this scheme) are included within the following documents:

- Regional Strategic Transport Network - Transport Plan 2015;
- Expanding the Strategic Road Improvement Programme 2015 - Consultation Document; and
- Investment Delivery Plan for Roads.

The appraisal of proposals for road improvement and major infrastructure works is assessed against the Government's five criteria of Environment, Safety, Economy, Accessibility and Integration. The appraisal is also assessed against the following regional objectives:

- To improve health, safety and security;
- To support the spatial development in the Regional Development Strategy;
- To develop and maintain the Regional Strategic Transportation Network for all users;
- To protect the natural and built environment;
- To support sustainable and economic growth; and
- To improve access to regional gateways.

3.3 Development of the Scheme

Both Mr McEvoy and Mr Doonan presented the Department's evidence on the development and assessment of the proposed scheme.

The assessment procedure for strategic road improvements is outlined in the Highways Agency Design Manual for Roads and Bridges and is defined as a three-stage process:

- Stage 1 Scheme Assessment: Preliminary Option Assessment;
- Stage 2 Scheme Assessment: Preferred Option Assessment;
- Stage 3 Scheme Assessment: Proposed Option.

Major construction projects in Northern Ireland are now also normally subject to the Office of Government Commerce (OGC) Gateway Review process. The process consists of independent peer review and examines major construction programmes and projects at key decision points in their lifecycle. It looks ahead to provide assurance that the projects can progress successfully to the next stage; it is regarded as best practice in local and central civil government. There are five stages (Gateways) to the process.

In 2009 the then Department for Regional Development Roads Service (now DfI) commissioned AECOM consultants to provide consultancy services in connection with the A1 Junctions Phase 2 Road Improvement Scheme, for Stages 1 and 2. RPS-SWECO was commissioned by the Department in September 2015 to carry out the Stage 3 Scheme Assessment. The development of this scheme has been carried out in accordance with the Department's procedures set out in the Roads Policy and Procedure Guide (RSPPG E030) - 2019, and the requirements of the Design Manual for Roads and Bridges.

A Preliminary Options Report was published in October 2011. The Stage 1 Assessment took account of earlier studies that identified the preferred strategy for this scheme which involved the closure of all central reserve gaps within the scheme extents and the provision of compact grade separated junctions to accommodate any displaced movements. The Stage 1 Preliminary Options Report was formally approved by the Investment Decision Maker (IDM) in the form of the then Roads Service Board and was published in October 2011. This was RSPPG Gateway 0 Approval.

The project then progressed to Stage 2: Preferred Option Assessment. The options being considered during Stage 2 were exhibited at a non-statutory public

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consultation event in three locations (Hillsborough, Dromore, Banbridge) during November 2013. The Stage 2 Report was approved by the IDM in March 2014 and subsequently published in December 2015. This was Gateway 1 Approval. The project was then further developed as part of the Stage 3 Scheme Assessment process into the Proposed Option. This development work included completing a full Environmental Impact Assessment examining the impacts of the scheme under a range of headings and detailing the factors that would be put in place to mitigate the impact of the proposed changes.

During the Stage 3 Scheme Assessment (Proposed Option) process two further non-statutory community consultation events were convened in June 2017 and February 2018 at the same locations as above. The purpose was to offer further opportunities for the public to engage in the design process (so that their issues and concerns could be considered by the Project Team) and to keep stakeholders informed of any developing design rationale.

Further documents were published for statutory public consultation during weeks commencing 25th March 2019 and 1st April 2019. These included the:

- Environmental Impact Assessment Report;
- Notice of Intention to Make a Direction Order;
- Notice of Intention to Make a Vesting Order; and
- Notice of Intention to Make a Stopping Up (of Private Accesses) Order.

The documents were made available for inspection at six locations during the Statutory Consultation period which ran from the 25th of March 2019 until the 28th of June 2019. The published documents were also available to view online. The Department also stated that, in addition to the consultation events highlighted above, there have been meetings with interested parties and key stakeholders to allow the Department to consider stakeholder concerns and possible mitigation measures during the development of the Proposed Scheme. These meetings took place before and after formal objections to the scheme had been lodged.

After consideration of the responses submitted to the statutory consultation process the Department decided that it would be appropriate to convene a Public Inquiry to examine the case for and against the Proposed Scheme.

3.4 The Proposed Scheme

The project documents include a detailed description of the the scheme proposals in Stage 1, Stage 2 and Stage 3 Scheme Assessment (most recent) Reports. The proposed scheme relates to a 25.2km stretch of the A1 dual carriageway between the Hillsborough roundabout and Loughbrickland.

The scheme proposals include:

- Closure of all gaps in the central reserve between Hillsborough Roundabout and Loughbrickland and the provision of a continuous central reserve safety barrier;
- The construction of 4 new Compact Grade Separated Junctions (CGSJ) at:
 - Listullycurran Road
 - Gowdystown Road
 - Skeltons Road/Drumneath Road
 - Waringsford Road;
- A northbound on-slip to the A1 from Castlewellan Road, Banbridge;
- Provision of a link road between Milebush Road and the Hillsborough Road underpass, Dromore;
- Closure of 9 selected side roads with improvements to the remainder of side roads which will operate as left-in/left-out only;
- Closure of a number of private accesses along the route with the remainder operating as left-in/left-out (LILO) only;
- Closure of all mainline bus stops with new bus stops provided at the 4 new compact grade separated junctions;
- Provision of Intelligent Transport Systems (ITS) proposals including Variable Message Signs (VMS), Closed Circuit Television (CCTV) and Auto Number Plate Recognition (ANPR).

Drainage is to be provided by means of Sustainable Drainage Systems (SUDS). This provision will allow for surface water draining from the new road to be treated before continuing to existing watercourses and will also ensure that the

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flow into the watercourse is no greater than the existing flow. Retention ponds will be provided within the connector road footprint at each of the 4 compact grade separated junctions. Attenuation of the run-off at the proposed LILO junctions will be provided by online storage within pipes and manholes, with treatment being provided by infiltration ditches where required.

The scheme has a DfI approved Estimate Range of £65-£75 million and a Benefit to Cost Ratio of 2.11 under the predicted traffic growth forecast over the 60 year design life of the scheme.

3.5 Road Safety

Traffic surveys carried out in 2016 showed that the A1 carried approximately 26,000 vehicles per day around Loughbrickland increasing to approximately 37,000 vehicles per day along the northern stretch close to Hillsborough. Statistics for the period 2010-2017 show that there were a total of 195 personal injury accidents on the 25.2 km stretch of the A1 between Hillsborough and Loughbrickland. The accidents include a total of 25 serious accidents and 7 fatal accidents. There were a total of 9 fatalities, 31 serious injuries and 300 slight injuries recorded along the study area. Forty-five per cent of the accidents occurred at or adjacent to a gap in the central reserve where manoeuvres such as right turns, u-turns, slowing down for private accommodation gaps or vehicle overhang are possible.

During the above period there were 7 recorded crossover incidents. The overall percentage of recorded central reserve crossover incidents on this stretch of the A1 is 3.9% compared to 2.2% for the annual average recorded central reserve crossover incidents (as a total of the total annual accidents on dual carriageways) within Northern Ireland during the period 2011-2016.

Road traffic accident statistics were supplied by the Police Service of Northern Ireland

3.6 Traffic and Economics

Mr Coulthart presented the Department's evidence on the Traffic and Economics aspects for the proposed scheme.

The design and economic assessment of the proposed scheme was undertaken using a design model developed to take account of the existing road network and the new scheme proposals. The assessment contained a detailed and sophisticated modelling analysis. The model was used to assign forecasts of travel demand to determine the effects of the proposed scheme compared to a do-minimum scenario, with an assumed 2021 year of opening for the scheme, and

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a 2036 design year (15 years post-opening). The model was used to inform the design of the proposed scheme, and to undertake operational, environmental and economic assessments.

Journey time measurements and surveys were taken in order to validate a Cost Benefit Analysis model. Measurements were undertaken along the A1 between the Hillsborough Roundabout and the Loughbrickland grade separated junction. The journey time data collected was compared to the journey time outputs from a Cost Benefit Analysis model for the same sections of the road. The Cost Benefit Analysis programme is an economic assessment tool which can be used to assess the Transport Economic Efficiency, and Accident and Greenhouse Gases impacts of proposed projects.

Analysis of the data collected and the modelling surveys have indicated that the improvements to the A1 and its junctions will improve junction capacity and the reliability and safety of the strategic transport network in the area. The scheme should provide a more consistent route and improved safety by closing gaps in the central reserve to ban right turn and u-turn manoeuvres. Provision of a central reserve barrier along the length of the corridor will improve safety as errant vehicles will no longer be able to drift across the central reserve towards oncoming traffic. The scheme should also result in more reliable journey times.

A degree of re-routing will occur as a result of the improvements leading to increases in flows in some sections and longer journey times and distances travelled for some trips. However, it has been assumed that the operational effect of this will be minimal with affected traffic exiting at the closest available junction and performing a u-turn, and traffic from side roads re-routing to the nearest available junction. Any increase in traffic due to this re-routing has been anticipated to be well within the operating capacity of the local road network. Journey times and network reliability is expected to be improved by a reduction in the number of collisions, which will in turn reduce the number of major incidents requiring partial or full closures of the A1.

The Stage 3 Preferred Option report provided estimates for the cost of the scheme. The overall cost estimate, based on 2018 prices, was £73M (including construction stage inflation), with a Benefit Cost Ratio of 2.11, based on core (medium) traffic growth scenarios for the 60 year economic life of the scheme. The results of the Traffic and Economics assessments have indicated that the scheme would contribute positively to transport economic efficiency and thus represents value for money. The assessment studies have also concluded that the proposed scheme would improve road safety and operating conditions on the A1.

3.7 Department's Conclusions

Based on their analysis of the options for the Proposed Scheme, including a full Environmental Impact Assessment, DfI Roads has concluded that implementation of the Proposed Scheme would greatly benefit both strategic and local road users by improving safety and improving journey time reliability on the 25.2 km stretch of the A1 from the Hillsborough Roundabout to Loughbrickland.

As the **Environmental Impact Assessment** was a very detailed study it is dealt with separately in Chapter 4.

Statutory orders relating to the scheme and project documents are listed in Appendix 2 and 3 respectively.

4. THE ENVIRONMENTAL IMPACT ASSESSMENT

Under the terms of existing Roads and Planning Legislation, and Regional and Local Planning Policies and Plans, there is a statutory requirement for the Department for Infrastructure to carry out an Environmental Impact Assessment for all planned major or strategic road schemes. The A1 Junctions Phase 2 Junction Improvement Scheme falls into this category. The Department commissioned the consultants RPS-Sweco to carry out the assessment.

The Environmental Impact Assessment Report (EIAR) was published in March 2019.

Mr R Holbeach presented the Department's evidence to the Inquiry on the Environmental Impact Assessment for the proposed scheme.

What follows is my brief summary of the key evidence presented to the Inquiry and contained in the assessment report, along with some matters that I felt should be highlighted.

VOLUME 1

CHAPTER 1. INTRODUCTION

Chapter 1 provided details of the scheme objectives and proposals, the need for an Environmental Impact Assessment, the report structure, content, methodology and assessment of effects.

CHAPTER 2. DESCRIPTION OF THE PROPOSED ROAD DEVELOPMENT

Overview of Scheme Proposals

Listullycurran Road CGSJ

Attenuation ponds will be constructed to collect and treat rainfall captured. Surface run off collected will be treated during the retention period and released at a controlled rate into existing watercourses.

Milebush Link Road

Existing watercourse will require culverting. Three separate plots of land will be severed but with access arrangements. The road, for most of its length, will be on a raised embankment but will be landscaped to minimise impact on adjacent properties.

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Gowdystown Road CGSJ

The proposed junction will include a 'flyover' type CGSJ with merge and diverge lanes both on the north and southbound arms of the junction. It will occupy two fields on the north and one on the southbound side of the carriageway. The existing farm entrance south of the junction will be closed and the existing lane serving 2 houses and fields north of the junction on the southbound side will be aligned to provide suitable access. Existing private properties and commercial premises will be served off the side roads from the connector road - the latter will also serve fields south west of the junction.

The path north of the proposed bridge will not be directly impacted. Design at the earthworks will avoid any impact of the badger sett identified west of the proposed junction.

Attenuation ponds will be constructed to collect and treat rainfall captured. Surface run-off collected will be treated during the retention period and released at a controlled rate into existing watercourses.

Skeltons Road/Drumneath Road CGSJ

This will be a 'flyover' type CGSJ with merge and diverge lanes on the north and southbound arms of the junction. It will require a considerable volume of excavation predominantly within two fields. Three agricultural accesses and one private dwelling access will be relocated. Halfway Road will be closed with Skeltons Road connected to a new CGSJ and a new access lane will be provided for 2 residential properties and the fields to the north. The section of realigned Tullyhenan Road will be within 50 metres of a scheduled monument, though impact is likely to be slight or negligible, due to the proximity of existing roads. A badger sett east of the junction will require relocation - a new site has been identified.

Attenuation ponds will be constructed to collect and treat rainfall captured. Surface run off collected will be treated during the retention period and released at a controlled rate into existing watercourses.

Waringsford Road CGSJ

This will be a 'flyover' type CGSJ with diverge and merge lanes on both the north and southbound arms of the junction. This junction will include agricultural fields and a portion of existing commercial premises and will result in closure of one access to the Tullyraine Quarry. The realignment of Quarry Road will improve access to the surrounding fields and commercial premises.

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The construction of the merge and diverge lanes will result in the closure of one private access road leading onto the Graceystown Road, which serves residential properties and agricultural lands. Access to 7 residential properties, 1 commercial property and agricultural lands will require to be closed and relocated. Each will be accessed from one access road and the connector road.

Attenuation ponds will be constructed to collect and treat rainfall captured. Surface run off collected will be treated during the retention period and released at a controlled rate into existing watercourses.

Castlewellan Road Junction

The proposed junction will require a slip road with retaining walls to cater for level differences and reconfiguration at the existing entrance into Chinauley Park. Existing vegetation will require removal and mitigation measures will be employed. A noise barrier will be constructed.

Intelligent Transport Systems (ITS) Proposals

These will include Variable Message Signs, Closed Circuit TV and Automatic Number Plate Recognition.

Signage Strategy

New direction signage will be provided at Junctions 3, 4, 5 and 6, which will require the clearance of vegetation.

Accommodation Works

These will involve the construction of new farm lanes and residential accesses. Some properties will require a new entrance to roads. Where the A1 forms a new junction, or at an existing side road, or where gateways and private entrances are affected, they will be replaced on a like for like basis.

Proposed Structures

This section gives a brief description of the proposed Junctions 1 to 6 and additional structures.

Watercourses and Drainage

The proposed junctions will require the construction of a new surface water drainage system and realignment and culverting of minor watercourses. These have been designed within the Water Framework Directive (WFD NI, 2003) regulation. Testing will be undertaken and the water quality testing results will determine whether mitigation measures are necessary.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

The proposed design includes measures to minimise the risk of accidental spillage and to cater for removal of suspended solids and other contamination. A variety of treatment systems such as attenuation ponds, oil separations, filter drains, etc, have been incorporated into the design. During the construction phase contractors and subcontractors will be required to introduce and maintain suitable pollution control measures to ensure water quality and ecological receptors are not affected. New culverts will be designed to accommodate the 1 in 100 year flood flow rate within the upstream catchment of existing watercourses, with an increase of 20% to allow for climate change.

Climate Adaption

The proposed road has been designed to ensure resilience to future climate changes and in consultation with DfI Rivers.

Landtake Requirements

The proposed project will involve a landtake at 134.2 hectares (including 106.9 hectares of road bed and 27.3 hectares of private land) and the vesting and demolition of one residential property on Gowdystown Road East and a dwelling and outbuildings at the junction at Milebush Road.

Service and Utility Diversions

These are to be agreed in liaison with NI Electricity, NI Water, BT, Phoenix and Firmus Gas.

Street Lighting

The proposed CGSJ's will be lit within the confines of each junction and subject to analysis and mitigation where required, based on identified environmental and social constraints. Lighting will be maintained at left in/left out junctions where it is currently provided.

Construction Management

Overall construction period is anticipated to be around three years to construct the entire A1 Phase 2 works, but if the works were to be delivered in a phased manner the work could extend to ten years. Presently, it is assumed the project will not be phased. It is anticipated that some Pre-Main construction works may be undertaken. An outline Construction Environment Management Plan (CEMP) has been provided to minimise or mitigate any effects on the environment.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Main Construction Work

Prior to construction on site, the contractor and client will be required to ensure the environmental guidance and recommendations within the EIAR are adhered to.

Environmental Management

During construction the contractor will ensure full compliance with the legislation relating to disposal of hazardous and non-hazardous waste.

Post Construction

AMEY NI will be responsible for the operation and maintenance of the additional mainline roads infrastructure delivered under the A1 Junctions Phase 2 scheme, as part of their Design Build Finance and Operate (DBFO) contract. Maintenance of adjacent side roads will be undertaken by DfI Roads.

CHAPTER 3. SCOPING AND CONSULTATION

EIA Screening

An Environmental Screening Report was prepared and published in January 2018 in accordance with legislative requirements and it concluded that the A1 Junctions Phase 2 proposed development fell under Annex II of the EIA directive and should be subject to an EIA.

EIA Scoping

RPS-Sweco undertook a consultation exercise with relevant statutory and private sector consultees. An Environmental Scoping Report was prepared and circulated to consultees and feedback was requested for all relevant environmental matters to be included in the EIAR. A list of topics were confirmed for inclusion.

Community Consultation

The EIA process was supplemented by an associated community consultation exercise. This process had two intense periods of consultation from the 5th of June 2017 to the 14th of July 2017 and from the 2nd of February 2018 to the 16th of March 2018.

CHAPTER 4. ALTERNATIVES

Assessment Methodology

Stage 1 Scheme Assessment

This included a series of preliminary feasibility studies investigating a number of different strategies to provide intervention on the A1 and resulted in the current proposed development. This Stage 1 Scheme Assessment Report (SAR) was published by AECOM consultants in 2011.

Stage 2 Scheme Assessment Report

The Stage 2 SAR was published in March 2014. At Stage 2 assessments were carried out on the Stage 1 proposals to consider the likely environmental, engineering, economic and traffic advantages and disadvantages of potential options. The recommendation was that 8 out of the 36 minor roads within the scheme were to be closed and 22 to be retained operating as left in/left out (LILO) only junctions. The remainder were to be incorporated into the proposed CGSJ's and a link road should be provided between Milebush Road and the Hillsborough Road CGSJ, Dromore.

Stage 3 Scheme Assessment Report

Due to concerns raised by the public, the decision was made to increase the number of merge lanes, where it was possible to do so. Also, the Backnamullagh Road would be closed and connected directly at the proposed new Listullycurran CGSJ. The final recommendations included:

- 21 Junctions to remain open and operate on a left in/left out basis (LILO).
- Provision of 16 merge lanes.
- The closure of 9 minor road junctions.
- Construction of the Milebush Link Road.

The report also considered that 'Do Nothing' and 'Do Minimum' scenarios were not acceptable long term.

CHAPTER 5. POLICIES AND PLANS

Assessment Methodology

- Site visits and surveys.
- A review of other EIAR chapters to establish an understanding of the predicted impacts of the proposed development.
- A review of approved and current planning applications within 500 metres of the proposed development to inform on any potential conflict with existing or approved land uses and/or further considerations including the cumulative effects of this proposal with other development projects.
- An extensive community consultation.
- An EIAR scoping exercise to assist in the establishment of baseline conditions and key environmental considerations.
- Analysis of prevailing roads and planning legislation

Policy Review

This included all the Area Plans and Planning Policy Statements with summaries of effects from the different chapters of the EIAR and compliance.

CHAPTER 6. LANDSCAPE AND VISUAL IMPACT

Agricultural Landscape

Direct impacts would arise from the physical construction of Junctions 1 to 5, such as new bridges, embankments, cuttings, road linkages, bus stop facilities, Sustainable Drainage Systems (SUDS) ponds and associated loss of vegetation. There would also be impacts from the construction of the new LILO junctions. Construction equipment and activities would be localised in effects and the topography and vegetation of the area would quickly absorb such features. Indirect effects beyond the proposed site boundary predicted impacts were often negated by vegetation and topography.

The Landscape Character Assessment (LCA) was considered to have a medium sensitivity to change. The considered impacts within the proposed site boundary were considered to be of temporary duration and the remaining parts of the LCA were beyond the proposed site boundary and predicted to experience no significant effects.

Urban Landscape

Limited sections of the proposed development would be located within the urban LCA. Direct effects would be associated with the construction of the new site road at Junction 6 and associated realignment works of existing junctions in close proximity to the existing urban form and there would be associated loss of existing vegetation forming a visual screen of the existing A1. The LCA was considered to have low sensitivity to change.

The predicted magnitude of impact of the proposed new link road at Junction 6 was considered to be localised and large within the site boundary and directly adjacent. The predicted impact of the realigned existing junctions was considered to be localised and small. Remaining portions of the LCA were predicted to experience no significant impact due to screening effects. The predicted impact of the new slip road at Junction 6 was considered to be localised, minor to moderate and short term direct. Localised negligible to minor direct, and not significant, effects associated with the construction of the LILOs were considered to be temporary. Remaining portions of the LCA outside of the development area were predicted to experience no significant effects.

Summary of Impacts

Maypole Hill was predicted to experience indirect effects associated with LILo Junction 13 construction. Table 6.6 provided a summary of the construction phase landscape impacts and Table 6.7 provided a summary of operational stage landscape impacts.

Visual Impacts

Twenty three viewpoints were selected and Tables 6.8 and 6.9 provided summaries of the visual impacts.

Mitigation and Enhancement Measures

The details of these measures were provided in Volume II of the EIAR (Figures 6.73 - 6.93). The general objectives of proposed mitigation measures, planting specifications and predicted residual impacts were all provided in the EIAR. The EIAR considered that the proposed development would not result in long term significant adverse effects upon the site itself or wider landscape.

Visual Effects

A summary of Residual Visual Impacts was provided in Table 6.10. Post mitigation, of the 276 property groups assessed 234 were predicted to have no effects as a consequence of the proposed development, 7 were predicted to have moderate to major negative visual impact and 35 - minor to moderate negative visual impact.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

(Further information was provided in Volume II, Figures 6.51 - 6.56 and 6.65). With mitigation, none of the 23 viewpoints were predicted to have significant impacts.

CHAPTER 7. SOIL, GEOLOGY, CONTAMINATED LAND (INCLUDING WASTE)

During the construction phase impacts on soils, geology and hydrogeology were considered to be moderate/adverse and short term. Following development and mitigation measures the operational impact was predicted to be neutral.

CHAPTER 8. WATER ENVIRONMENT

Flood Risk

The results of the flood risk assessment showed the significance of the effects of the proposed project on flood risk to be neutral.

Fisheries Assessment

In general watercourses were described as low quality. At the locations of Junction 2 and Junction 3 electro fishing to relocate any resident trout or other fish was deemed to be necessary mitigation before construction works commence at the watercourse.

The overall sensitivity of the receiving environment has been deemed medium due to the distance from the downstream sensitive areas of Belfast Lough and Lough Neagh with their designations under EU Directives. Local site sensitivity was considered to be low but where there was a potential for salmonid habitat a site sensitivity of medium has been assigned. Due to the scale the development was considered unlikely to have a significant impact in the wider context of the river water bodies but could significantly impact on individual water bodies in close proximity to the site. Consequently, each of these water bodies was considered when determining the sensitivity.

The pollution assessment established that the risk associated with the discharge to water courses was low and predicted impacts were deemed to be acceptable, thus no mitigation was required. The incorporation of SUD's (attenuation ponds) should provide slight water quality benefits.

Mitigation for Habitat Loss

Provided pollution control measures are fully implemented and the realignment of the channels are carried out in accordance with best practice there should not be an adverse effect on the downstream qualifying interests of Belfast Lough, Lough Neagh and Carlingford Special Protection Areas (SPA's).

Water Quality Impact Summary

Provided the mitigation measures proposed are implemented the residual impacts from the construction stage were considered to be negligible to slight adverse and short term and for the operational stage and neutral/negligible over the long term.

CHAPTER 9. BIODIVERSITY

Ecological Impact Assessment

Initial Habitats Regulations Assessment (HRA) screening concluded that potential significant effects in the absence of mitigation could not be ruled out on major watercourses and coastal areas in and around NI. The proposed development was taken forward for a Stage 2 HRA. Appropriate assessment of the relevant sites identified a number of potential pathways for a significant effect to arise in both the construction and operational phase, including sediment release, side casting of materials, oil or chemical spillage, effects of routine run-off and accidental spillage.

Habitats

Pre-construction site clearance works would require the removal of all habitats at junctions and road closures with a Significant Negative Effect (Moderate Adverse) with short term loss in the absence of mitigation. Hedgerows would be directly impacted with a Significant Negative Effect (Moderate Adverse) with short term loss of NI Priority Habitats of regional ecological value in the absence of mitigation measures. During the operational phase no expected change from the current situation, and therefore no additional effects on habitats, was predicted.

Bat Roosts

The assessment stated there were no confirmed bat roosts within the scheme.

Otter Holts

The assessment stated there were no confirmed otter holts or couches in the scheme or within 30 metres.

Badger Setts

Pre-construction site clearance would result in permanent destruction and damage to 7 badger setts, temporary disturbance to foraging habitat and disturbance from noise. This would have a significant negative effect (moderate/adverse) in the absence of mitigation. Operational maintenance of the road was not expected to change the current situation, so no additional effects were predicted.

Birds

Pre-construction site clearance would have a significant negative effect (moderate/adverse) short term on breeding bird species in the absence of mitigation. During the operational phase no change and no additional effects were predicted.

Invasive Species

Pre-construction site clearance would have a significant negative effect (minor/adverse) due to the potential spread of non-native species in the absence of mitigation.

Mitigation and Monitoring

With appropriate mitigation the Stage 2 HRA concluded that there would be no adverse effect upon the integrity of any European site or ecological features and would not warrant a refusal of planning.

CHAPTER 10. AIR QUALITY

With effective mitigation measures for fugitive dusts implemented by the appointed contractor, including a Dust Management Plan (DMP), assessment has shown that any off-site impacts during the construction phase would not be significant. There were no predicted significant residual impacts from construction dust. As the operational phase assessment has concluded, there would be no significant local air quality impacts at either human exposure locations or ecological receptors.

CHAPTER 11. CLIMATE AND GREENHOUSE GASES

The Climate Change Act (2008) set out a legally binding target of 80% reductions in greenhouse gas emissions (GHG's) from 1990 to 2050, with 5 yearly target budgets: 2018 to 22 - 35% below 1990 levels, 2023 to 2027 (June 2011) - 50% reduction. The emissions for the scheme were forecasted to increase by 4% (2021 to 2036). The predicted changes were not considered to be significant in terms of GHG's and the impact on regional climate.

CHAPTER 12. NOISE & VIBRATION

Construction Phase

Mitigation measures would be necessary to reduce worst case construction noise to as low a level as feasible, including a temporary noise barrier (2 metres high) between construction activities and all properties in close proximity.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Operational Phase

All properties modelled would experience a minor or negligible impact from the proposed development but noise levels at none satisfy conditions for compensation Noise Insulation Regulations (NI) 1995.

Residual Impacts

There was no predicted operational noise impact as a result of the proposed development - all properties modelled would experience a minor or negligible impact.

CHAPTER 13. TRAFFIC AND TRANSPORTATION

Construction Phase

The effects were considered to be temporary moderate/adverse.

Operational Phase

The effects were considered to be permanent moderate/adverse for re-routed traffic and, with navigation of road signal and lighting, negligible adverse. The other effects were permanent and minor to moderate/beneficial in journey times and safety respectively.

CHAPTER 14. CULTURAL HERITAGE

Cumulative Impacts

It was deemed that the proposed development would not be detrimental to the Cultural Heritage Landscape.

Residual Impacts

No further Residual Impacts were identified in addition to those identified for the operational phase.

Conclusions

At the construction phase the proposed development was deemed to have the potential to have a direct impact slight/moderate significance on three recorded archaeological sites and potentially direct impact of moderate significance on previously unrecorded sub-surface archaeology.

At the construction and operational phases there would be indirect visual impacts on a listed building (Tullyhenan House) and a scheduled rath. With mitigation implementation no significant effects were predicted.

CHAPTER 15. POPULATION AND HUMAN HEALTH

During construction temporary change in localised air quality and noise could have a potential adverse effect. At the operational stage the change is expected to be neutral in air quality and noise but beneficial in facilitating long term improvements in road safety.

Mitigation

An outline Construction Environmental Management Plan (CEMP), from which a final CEMP would be developed, provides a framework to minimise or mitigate any construction effects on the environment. No further mitigation was deemed necessary during the operational stage.

Conclusions

Overall, the improved safety of the A1 during operation would be beneficial. Construction activities in a worst case scenario would cause intermittent impacts limited to annoyance at residential receptors. There would be minor benefits in construction related employment.

CHAPTER 16. LAND USE

Topics covered included existing environment, private properties listed within development, open space, sport and recreation, development land, impact assessment and construction. Several properties would require to be demolished before construction.

At the beginning of construction agricultural land would be affected at the five new proposed junctions (including the Milebush Link Road junction) - 21.6 hectares affected permanently and 2.5 hectares temporarily. No substantive buildings would be affected and access to land would be maintained. Work around existing junctions would permanently affect 5.1 hectares. The significance overall was assessed as slight adverse.

There would be no impact on outdoor space, sport recreation or development land, as a result of the proposed development. During construction there would be a long term slight adverse effect on private property, land quality and farm holdings, but there would be no physical impacts on land use during operation.

CHAPTER 17. PEDESTRIANS, CYCLISTS, EQUESTRIANS AND COMMUNITY EFFECTS

Community Consultation

During the community consultation process a list of issues were raised including existing access to bus stops, existing pedestrian practice, cycling, and severance issues.

Impact assessment

The Accident Statistics Analysis Report, submitted as part of the EIAR, identified the A1 as an unsafe road due to poor alignment, high profile road accidents, private house and field entrances and the presence of gaps in the central reservation.

Use of Community Facilities

In consultation with Translink it was proposed that all bus stops currently located along the mainline would be replaced with bus stops with park/drop-off facilities at the four proposed CGSJ's.

Community Severance

The overall effect was considered to be negligible in respect of pedestrians, cyclists, and equestrian users and minor adverse in respect of local traffic.

Conclusions

No existing pedestrian facilities would be removed as part of the project. Where CGSJ's were proposed pedestrian facilities would be an integral part of the design at bus stop facilities. Cycling along the mainline would be a safer experience with the prevention of right turnings and the provision of LILLO junctions. The proposed alternative bus stop provision would have the potential to increase public transport patronage and increase accessibility.

Severance - the provision of a continuous central barrier would have severance implications for bus stop users - the number affected would be small but mitigated by the provision of new facilities at the CGSJ's.

All impacts should be contextualised against the overarching objective of the proposed scheme to reduce accidents.

CHAPTER 18. MATERIAL ASSETS

Pre-mitigation the predicted magnitude of impact to utility services was stated to be major adverse. Post mitigation the predicted impacts were stated to be negligible/minor adverse/minor beneficial.

CHAPTER 19. VEHICLE TRAVELLERS

The proposed development was predicted to have a large or very large beneficial effect for vehicle travellers. Driver stress was expected to reduce as frustration, fear of potential accidents and uncertainty were anticipated to greatly reduce. Journey reliability was expected to increase due to the safety improvements providing a large or very large beneficial significant effect.

CHAPTER 20. INTERACTIONS

Tables included showed a matrix of the inter-relationships and summaries of interactions and combination effects.

CHAPTER 21. SCHEDULE OF ENVIRONMENTAL COMMITMENTS

The table included in this chapter (Table 21.1) showed a gathering of mitigation measures identified in previous chapters. **These provide a record of commitments and must be followed throughout the contract. If commitments need to be revised, agreements must be made between the contractor and other relevant bodies.**

VOLUME 2.

Contains relevant maps, diagrams and figures.

VOLUME 3.

Contains further relevant maps, diagrams, figures, photographs and tables.

5. OBJECTORS/RESPONDENTS SUBMISSIONS AND PRESENTATIONS

5.1 Objection by the Mackey Family

INQUIRY REFERENCE: OB1

Summary of Objection

See also Objection OB13 (Jordan Family)

Mr Richard Mackey objected to the Department's scheme proposals on behalf of his father, Mr Fred Mackey, his mother Mrs. M. E. Mackey and his brother Mr Robert Mackey, insofar as they affected the Mackey family farm business. The main basis of the objection was that road safety would be compromised due to the volume and nature of traffic using the proposed accommodation lane.

The Mackey family were represented by Mr Colin Lindsay at the Inquiry Hearing and Mr Lindsay presented a written submission in support of the Mackey family objection.

Mr Fred Mackey's farm is located on Mackey's Lane, south of Dromore, Co. Down. Mr Mackey's main farm complex is located on the west side of the A1 dual carriageway, with a smaller portion of land on the east side. This requires Mr Mackey to make cross carriageway movements between Mackey's Lane and Boal's Lane in the expedition of his farming activities. There is an existing underpass to allow this to happen but it is not suitable for large agricultural vehicles or equipment. Closing the A1 central reserve will require future farm traffic movements to use an alternative route.

The Department proposed 4 options for consideration to facilitate cross carriageway movements of farm traffic. These were considered and evaluated in the Mackey's Lane Accommodation Lane Option Appraisal. The Department also commissioned an Agricultural Impact Assessment for the Mackey farm business. The Department's Preferred Option (Option 1) was to construct an accommodation lane running parallel to the A1 connecting Mackey's Lane to the proposed cul-de-sac end of the old Banbridge Road, Dromore. This would in turn connect to the proposed Gowdystown Road Compact Grade Separated Junction.

Mr R Mackey proposed an alternative solution to close Mackey's Lane and to use an abandoned railway cutting for all traffic to and from the Mackey farm accessing the proposed Gowdystown Road Junction.

Department Response

The Department responded to Mr R. Mackey's letter of objection on the 29th of January 2020. The Department's response included a detailed statement outlining the policies and strategies used in the development of the proposed scheme. The response also contained a detailed description of the scheme proposals, including a summary of the Preferred Route Appraisal Procedure. The Department cited its reasons for closing the central reserve gaps as part of the main scheme proposals.

In the case of Mackey's Lane the Department stated that it proposed to convert the existing junction with the A1 to a left in/left out (LILLO) arrangement. The effect of this on the Mackey family activities was considered to be moderate, as the Department noted that the existing underpass would be retained. The Department also stated that the planned accommodation lane would provide an alternative vehicular access to the proposed new Gowdystown Road Junction. The Department stated that the proposed accommodation lane would be designed to ensure the safe movement of both vehicles and livestock and considered that the new arrangements would not have an increased detrimental effect on animal welfare issues.

The Department's response to Mr Mackey included extracts from the Mackey's Lane Accommodation Lane Option Appraisal. This extract provided a comparison of the 4 options considered and detailed the reasons why the Department chose Option 1 as their Preferred Option. Mr Mackey was also provided with a redacted copy of the full option appraisal report. The report acknowledged that the closure of the central reserve gaps without mitigation would result in increased journey lengths marginally greater than the recommendations contained in the Department's Road Service Policy and Procedure Guide (E038). In broad terms, the guide proposes that where a road user can no longer make a right turn to gain access to land/property he/she should not be required to make a journey in excess (approximately) of 5km more than the length of travel prior to the new journey arrangements.

The Department's reason for selecting Option 1 as their preference included less serious environmental impacts than the other options, no significant engineering difficulties for the creation of an agricultural lane, no vesting of third party land, suitable alternatives to existing accesses onto the A1 and more favourable land and construction costs. Consequently, the Department considered that Option 1 was the most economically viable and appropriate solution for mitigating the impact of the proposed scheme on the Mackey farm.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

The Department also commissioned an Agricultural Impact Assessment. The report set out the procedures and methodology used when assessing the impact of the proposed project on the Mackey farm in relation to environmental value, magnitude, significance, duration and land classification. The report stated that any residual impacts which could not be mitigated would be dealt with by way of statutory compensation. The report considered the effect of the land take to be slight in terms of the effect on the farm's activities. The report also acknowledged that the practice of seeking safe and appropriate gaps in traffic flows at this section of the A1 dual carriageway can prove challenging particularly for slow moving vehicles. The report further stated that the proposed accommodation lane option would ensure that increased journey lengths would fall within the Department's recommended maximum of approximately 5 kilometres. This was considered to be a betterment from the current arrangement where any slow moving vehicles accessing lands on the opposite side of the carriageway have to interact with high speed traffic on the A1 mainline.

Consideration

During the Inquiry hearing a number of objectors requested an on-site meeting so that they might have an opportunity to explain in full detail their concerns relating to the effects of the proposed scheme on their lands/properties. Mr Lindsay requested a site meeting on behalf of the Mackey family. I agreed to meet with Mr Richard Mackey on the 28th of July 2020. Mr Mackey did not attend the meeting but was represented by Mr Lindsay. I also spoke briefly to Mr Robert Mackey. The meeting was also attended by Mr L McEvoy, Mr B McClelland (DfI, Roads) and Mr C Doonan (RPS - Sweco).

During the meeting, Mr Lindsay re-iterated the Mackey family concerns that road safety could be compromised due to the volume of traffic using the proposed new accommodation lane and associated public road network and suggested again that use of the old railway cutting would be a better option. However, it is the Department's stated position that the proposed accommodation lane would be used only by traffic to and from Mackey's farm. Mr McEvoy also stated that there were environmental concerns in relation to using the railway cutting as it would involve the removal of natural habitat.

Mr Lindsay expressed concerns that cattle might gain access to the carriageway, even though the separating hedge would be retained and a new fence would be erected. Mr McEvoy stated that a walkover survey had been carried out for the railway cutting (which had been abandoned in the 1960's) and that there may be possible soil contamination, although no soil samples had been tested. I subsequently asked the Department if they were any proposals to carry out soil testing in the vicinity and I was informed that the Department was reviewing plans for possible soil tests to be carried out.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

The Mackey farm is a very significant dairy farming business comprising owned land of approximately 106 hectares and a further area of land held in conacre of approximately 283 hectares. As stated above, the Department has assessed the effect of the proposals to close the central reservation on the A1 and to construct the nearby Gowdystown Road Compact Grade Separated Junction (CGSJ) to be moderate on the Mackey family farming activities. I accept that the evidence submitted to the Inquiry supports this assessment.

The Department's proposals to construct an accommodation lane to allow the farm to access the Gowdystown Road Junction and hence provide access to farm lands on the east side of the carriageway is a fair and reasonable solution, bearing in mind the fact that some of the activities associated with the farming business can still be carried out using the existing underpass. However, I consider that it would still be useful for the Department to carry out soil sampling activities to make a determination on whether or not the ground and land fill in the area of the railway cutting is in fact contaminated.

On the basis of the evidence provided by Mr Lindsay and Mr R Mackey I am not persuaded that their alternative proposals to use the abandoned railway cutting to link Mackey's Lane to the proposed Gowdystown Road junction would be a better solution. The Department raised a number of concerns in the Mackey's Lane Option Appraisal report relating to all the alternative options. These included disturbing natural habitat used by protected species, evidence of badger activity, risk of contaminated ground along the disused railway cutting, potential issues with sightlines, the need to maintain the existing field access along the A1 mainline, the need to vest third party land and the likely higher costs of the alternative options.

There is also the possibility that the ground associated with and adjacent to the disused railway cutting may be contaminated and this could result in significant extra costs if the proposed accommodation lane were to be sited in this location. Although I note that the Department's proposal (Option 1) was still based on the assumption that the area of ground at and close to the railway cutting was not contaminated, I nevertheless consider that it would be useful for the Department to carry out soil sampling activities to make a determination on whether or not the ground and land fill in the area of the disused railway cutting is in fact contaminated.

In the circumstances, therefore, I accept that the Department's proposal to construct an accommodation lane running parallel to the A1 connecting Mackey's Lane to the proposed cul-de-sac end of the old Banbridge Road, Dromore, and then to the proposed Gowdystown Road Compact Grade Separated Junction, is the appropriate solution.

5.2 Objection by Reverend Shaw Thompson

INQUIRY REFERENCE: OB2

Summary of Objection

In correspondence with the Department through their solicitor, Mr D. Holley (Johnson Solicitors), Reverend Shaw Thompson and Mrs E Thompson indicated that they supported the need for the A1 to be upgraded, but objected to the design of the Milebush Link Road because of the potential impacts this may have on their property, including land take, traffic, headlight glare, safety, air pollution, noise and blight.

The Department engaged in discussion with Reverend Thompson during the consultation process and carried out a Milebush Link Road Option Appraisal process. The Option Appraisal process proposed and considered 4 options. The Department's initial proposals would have involved land take from Reverend Thompson's property and after discussion with Reverend Thompson alternative proposals were offered by the Department which did not involve any land take.

In his letter of objection Mr Holley stated that agreement had been reached on the siting of the link road junction 90 metres from the Thompson property boundary, in a position which was accepted by the Department. Mr Holley's letter stated that agreement had been reached on a siting of the link road junction and that the Department's consultants, RPS-Sweco had resiled from that position (Option 3). However, the Department's position is that no final agreement had been reached as it considered further development work was required before a final decision could be made.

The Option Appraisal Report made a final recommendation for the proposed link road junction to be sited at a distance of 64.7 metres from the Thompson dwelling (Option 4).

Reverend and Mrs Thompson have objected to this on the basis that it substantially blighted their property and asked that the Department re-consider the siting of the link road junction.

In particular, Mr Holley questioned the rationale behind moving the link road, how the additional traffic would impact on the property, whether a Road Safety Audit had been undertaken, whether there were any proposals to acquire any part of his client's property, what research had been carried out in relation to the effect that lights from traffic would have on the property and whether better sight lines would be achieved by moving the junction further south and away from the property.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Mr Holley raised the issue of blight in his letter of objection but the matter falls outside the remit of this Public Inquiry process and should be dealt with under the terms of the Blight Planning Regulations (NI), 1989.

At the Inquiry Reverend Thompson questioned the Department's traffic survey methodology and timing and felt that the survey figures produced were not accurate as they were not recorded at appropriate periods. His view was that there would be much higher vehicle numbers using the Milebush Road and the proposed new link road than the Department had predicted, as a result of the scheme proposals.

Department Response

The Department responded to Mr Holley's letter of objection on the 29th of January 2020.

The Department's response included a detailed statement outlining the policies and strategies used in the development of the proposed scheme. The response also included a detailed description of the scheme proposals, including a summary of the Preferred Route Appraisal Procedure. The Department further cited its reasons for closing the central reserve as part of the main scheme proposals.

In relation to Reverend Thompson's objection, the Department stated that the primary purpose of the Milebush Link Road was to facilitate closure of the Milebush Road South junction with the northbound carriageway of the A1. This would facilitate the removal of conflict points and traffic weaving associated with the existing junction. The Department's response outlined the chronology of meetings and events that led to their present proposals for the Milebush Link Road. This summary included a statement that the Department would consider the concerns raised by the Reverend and Mrs Thompson, including the possibility of moving the Milebush Link Road Junction to a position preferred by the Thompsons (55 metres further south than originally proposed). The Department's written response also stated that it "did not guarantee that it (the position of the junction) would be changed" as a significant amount of development design and assessment work needed to be carried out before a final proposal could be confirmed.

As a result of further detailed design considerations, which included an option appraisal for the link road location (Milebush Link Road Option Appraisal) the Department concluded that the preliminary alternative alignment did not provide a safe junction arrangement due to the steep longitudinal profile of the Milebush Road. In relation to concerns expressed regarding increased traffic volumes and speed on the Milebush Road the Department provided current and predicted

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

traffic flow rates and stated it did not anticipate that the scheme proposals would induce new traffic passing the Thompson residence.

The Department confirmed that a Stage 1 Road Safety Audit had been carried out for the proposed scheme and that the audit did not raise any particular concerns relating to the Milebush Link Road proposals.

The Department also confirmed that no part of the Thompson property would be acquired in line with the owner's request and that it considered that safety of access to the Thompson property would not be altered by their proposals. It further stated that the effect on landscape and visual amenity had been assessed as minor to moderate and not significant following the implementation of mitigation measures. In relation to the issue of glare from traffic lights the Department confirmed that RPS-Sweco carried out an assessment to identify if there was potential for headlight glare on the objector's residence. The assessment indicated that there was potential for impact for approximately 1.2 seconds with traffic travelling at the road design speed of 60 kilometres per hour. To mitigate this impact the Department has proposed the installation of a close boarded fence and landscape planting. At the Inquiry Mr Holbeach provided details of the mitigation measures to be provided by the Department and stated that he believed that these would provide an "effective screen for any headlights" whatever levels of traffic might use the road.

Consideration

During the Inquiry Hearing Reverend Thompson requested an on-site meeting. I agreed to meet with Reverend Thompson on the 30th of July. The meeting was also attended by Mr Liam McEvoy and Mr Brian McClelland (DfI, Roads) and Mr Conor Doonan (RPS-Sweco).

At the meeting Reverend Thompson re-iterated his belief that moving the Milebush Link Road Junction to the south would greatly alleviate potential impacts on his property, including in particular the possibility of intrusive headlight glare. He stated he believed it would be feasible to satisfactorily re-grade the Milebush Road to accommodate movement of the junction. Reverend Thompson stated he would be happy to permit acquisition of some of his land, if required, to facilitate the regrading. However, it was the Department's position that initial surveys and investigations indicated there could be difficulties with achieving the gradient/sightlines required to comply with design standards. Reverend Thompson also stated that there were periods (for example when harvesting winter barley) when agricultural traffic increased significantly on the Milebush Road. This in turn produced an increase in traffic passing the Thompson residence.

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The Department has taken the position that Option 4 in the Milebush Link Road Option Appraisal Report is the optimum solution for technical and safety reasons. Reverend Thompson has indicated clearly that Option 3 is his preference as he feels the Department's preferred option would result in intrusive glare at his residence from night time traffic on the Milebush Link Road. He is not satisfied by the results of the Department's assessment to identify the potential for headlight glare on his residence. Reverend Thompson also felt the problem would be exacerbated by new traffic using the Milebush Link Road during periods of summer and winter harvesting. He also felt that traffic surveys carried out by the Department did not accurately capture periods when agricultural traffic would be busy and was further clearly concerned that noise generated by this traffic could be intrusive, but his primary concern was the effect of headlight glare. I agree with his assertion that glare from car headlights can be an invasive disturbance on residential living accommodation, even if the events are intermittent and occur only for short periods.

It is clear that detailed discussions have taken place between the Department and Reverend Thompson on the viability of Option 3 as the preferred option and Reverend Thompson formed the impression that the Department was willing to progress the design for the Milebush Link Road Junction on the basis of Option 3. Mr Doonan did state at the Inquiry that he had asked Reverend Thompson if Option 3 was something he would be willing to consider. However, as the Department progressed their design considerations it became evident that Option 3 would result in a junction intersection connecting to a point on the Milebush Road where the gradient is very steep - at or around 10%. This would have resulted in a departure from the standards set out in the Design Manual for Roads and Bridges, and as a result Option 4 became the preferred solution, where the gradient was less steep (7.5%).

I subsequently asked the Department to consider a variant option to Option 3 and to indicate whether there would be any significant difference in landtake for regrading the Milebush Road to accommodate the proposed junction at the 7.5% graded section or the 10% section. From the information provided to me, it would seem possible that there could be minimal construction cost savings, but that these are likely to be outweighed by new landtake compensation costs. The land required is not in the current draft Vesting Order and would therefore have to be acquired by agreement. The Department has indicated that one relevant landowner has raised significant concerns about this potential new proposal. Some of this landtake would also either include a portion of Reverend Thompson's land or a large retaining wall to mitigate the extent of the landtake. It is the Department's view that the alternative proposal would have a significant physical impact on Reverend Thompson's property. At this stage, without a full detailed design assessment of the variant option having been carried out, it is unclear whether or not potential safety concerns might rule the option out.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Consequently, I concur with the Department's proposal that Option 4 is the most appropriate solution in the circumstances. I also note the Department's assurance (from Mr Holbeach) to the Reverend and Mrs Thompson that the proposed alignment of the Milebush Link Road would not allow approaching vehicle headlights to impinge on any way on their property, once full mitigation measures have been completed. If the assurance given turns out to be incorrect then the Department will be obligated to introduce appropriate measures to resolve this problem.

I have read and considered the Stage 1 Road Safety Audit Report and agree with the Department's statement that the report did not raise any particular concerns relating to the Milebush Link Road proposals.

5.3 Objections by the McCauley Family

INQUIRY REFERENCES - OB3, OB4, OB5, OB6

Summary of Objections

Letters of objection were submitted to the Inquiry by Mr Herbie McCauley (OB3), Mr David McCauley (OB4), Ms Claire McCauley (OB5) - son and daughter of Mr H McCauley, and Mrs Caroline McGrath (OB6) - niece. The letters of objection raised the same substantive issues and accordingly I have dealt with these objections together.

The McCauley family objections related to the Department's proposal to close the direct access lane for 98 Halfway Road onto the A1 (an existing farm access) and re-route this lane parallel to the A1 and past Mr H McCauley's property on the Halfway Road. Mr McCauley's concern was that heavy agricultural traffic would be re-routed past his home, at a distance of approximately 20 feet, causing him disturbance and disruption due to noise and vibration. He was also concerned that it would introduce a safety hazard to his family and grandchildren who were frequent visitors to his home.

Mr D McCauley presented a number of photographs to the inquiry to illustrate the potential hazards associated with large agricultural traffic using a narrow carriageway with vehicles often parked on both sides of the road in the vicinity of the Halfway House restaurant.

The alternative proposal made by the McCauley family would mean the existing access to 98 Halfway Road (the Mitchell farm) would remain open and this, for example, would always allow milk tankers and other heavy agricultural vehicles to stay on the A1 mainline "until the last minute". The alternative proposal would also allow tractors and field cultivating machinery to stay almost entirely on farmland by using the Edenordinary Road as access.

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The objections raised by Ms C McCauley and Mrs Caroline McGrath mirror those raised by Mr H McCauley and his son. I am therefore treating these as the same substantive objections.

Department Response.

The Department responded to the four members of the McCauley family on the 29th January 2020. The Department's response was substantively similar to each of the four objectors.

The response included a detailed statement outlining the policies and strategies used in the development of the proposed scheme. The response also included a detailed description of the scheme proposals, including a summary of the preferred route appraisal procedure. It further cited its reasons for closing the central reserve gaps as part of the main scheme proposals.

In consideration of the objections raised by the McCauley family and also in relation to a new proposed route access for the neighbouring Mitchell farm (98 Halfway Road), the Department commissioned the Halfway Road Accommodation Lane Option Appraisal. The options considered included:

Option 1 - provide a new access lane from the cul-de-sac end of the Halfway Road to the existing access lane of the neighbouring landowner, running generally in parallel to the existing A1;

Option 2 - provide a new access lane from the neighbouring landowner's farmyard to the Edenordinary Road, following field boundaries where possible and making use of an existing field access onto the Edenordinary Road.

The appraisal report concluded that Option 1 was the most economically viable and appropriate solution for mitigating the impact of the project on the Mitchell farm. The report took into account estimated land compensation amounts prepared by Land and Property Services. On request the Department provided me with a copy of the above cost assessments.

The appraisal report further proposed that Option 1 was more favourable than Option 2 as it reduced the amount of slow moving agricultural traffic using the A1 mainline, had less environmental impact, avoided the use of the Edenordinary road, which is very narrow with substandard horizontal and vertical geometry, and facilitated the closure of a private access onto the A1.

In relation to noise associated with Option 1 the Department stated that surveys indicated properties along the route would experience a minor or negligible

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impact. It also stated that residual effects of vibration, dust and odours would be minimal with the mitigation measures proposed. In relation to safety for pedestrians the Department's position is that the proposed development would be unlikely to reduce pedestrian safety on the basis that future traffic volumes would remain low, with good visibility to oncoming traffic, appropriate carriageway widths and a footway on the western side.

The Department's response included a reference to entitlement to compensation (Part 2 Claim - Land Acquisition and Compensation NI Order, 1973) where a land or property owner may have an entitlement as a result of depreciation, caused by noise, vibration, smell, fumes, smoke, artificial light or discharge of any solid or liquid substance.

The Department's response referred in detail to the Environmental Impact Assessment Report (EIAR), Chapter 12 (Noise and Vibration) and traffic noise modelling carried out under this guidance. In relation to Option 1, while the Department acknowledged that the number of vehicles accessing Halfway Road would increase, predicted traffic noise was so far below that coming from the A1 mainline that there would be no significant increase in overall noise levels. It further stated that the three conditions necessary for noise insulation treatment under the Noise Insulation Regulations NI (1995) would not be met.

Consideration.

I met with Mr Herbie McCauley and his son David on the 29th July 2020, along with Mr L McEvoy, Mr B McClelland (DfI Roads) and Mr C Doonan (RPS-Sweco).

At the meeting Mr D. McCauley reiterated the concerns expressed by members of the family in their statements to the Inquiry and stated that milk tankers would be routed past his father's house as early as 6.00 am daily. He also stated that the silage season would cause severe difficulties for his father due to noise, vibration and odours. He further stated concern that future large scale events at the Mitchell farm could pose serious inconvenience for his father and the family. Mr McCauley cited a number of reasons why the Department's preferred option should be re-considered including noise, vibration, dust, odour and pedestrian safety. He also requested details of costing for both proposals for comparison. Finally, he asked for details of mitigation measures the Department would provide in the event that their preferred option was implemented, including electric gates, noise abatement, fencing, road re-surfacing and environmental impact assessments.

I have considered carefully all the evidence produced in relation to this objection. I am persuaded by the body of evidence submitted by the Department that

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Option 1 remains the most economically viable and appropriate solution for mitigating the impact of the project on the Mitchell farm. The Department has provided me with cost estimates that show Option 1 to be approximately 26% cheaper than Option 2. However, I am also persuaded that the proposals may have a significant effect on Mr H McCauley's property at 83 Halfway Road.

I accept that the Department has fulfilled its statutory duty to examine the effects their proposals will have on this and adjacent properties. The noise surveys carried out have been done so in line with the guidance provided in the UK Highways Agency, Design Manual for Roads and Bridges and the results obtained do not justify the provision of sound insulation treatment under the terms of the Noise Insulation Regulations.

However, I do not agree with the statement in the Department's evidence that it requires a 3dBA increase in sound levels to be audible. In certain circumstances, and depending on the frequency band involved, a 3dBA increase can be perceived as a doubling in noise level (Reference: A Guide to Exposure to Noise in the Entertainment Industry - Health and Safety Authority). I also consider that the current Noise Regulations do not make adequate provision for noise disturbance where it may be intermittent and of short duration, but high level. I accept, therefore, that at certain times, even if for only short periods, noise levels at Mr McCauley's home could be very intrusive. I therefore recommend that the Department installs suitable noise insulation treatment to Mr McCauley's bedroom windows.

A second concern I have is pedestrian safety. Mr McCauley has indicated that he is visited regularly by members of his family, including young children. As the cul-de-sac will become open to through traffic, the Department should consider the provision of entrance gates to Mr McCauley's home.

Due to the current state of the Halfway Road cul-de-sac, I recommend that the Department considers re-surfacing the whole area from the cul-de-sac end to the Halfway House restaurant. This would have the effect of significantly reducing vehicle tyre noise and vibration as vehicles pass residential properties along this stretch of the road.

5.4 Objections by Mr David McCauley - OB4 - see 5.3

5.5 Objection by Ms Claire McCauley - OB5 - see 5.3

5.6 Objection by Mrs Caroline McGrath - OB6 - see 5.3

5.7 Objection by Mrs J Kirk - OB7 (withdrawn)

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Mrs Kirk initially objected to the scheme proposals on the basis that it would mean the reopening a section of the old disused A1, permitting farm vehicles to pass close to her property. After discussions with Department representatives Mrs Kirk formally withdrew her objection by letter on or around the 5th of September 2019 (letter undated).

5.8 Objection by Mr David McKinney - OB8 (withdrawn)

Mr McKinney initially objected to the scheme proposals on the basis that he currently had sole access to his property, but scheme proposals meant that he would have to share future access to his home via a laneway that would also be used by livestock and agricultural traffic.

After discussions with Department representatives Mr McKinney formally withdrew his objection by email on the 15th of September 2019.

5.9 Objection by Mr Jonathan and Mrs Lynne McCabe

INQUIRY REFERENCE - OB9

Summary of Objection

Mr and Mrs McCabe objected to the Department's scheme proposals on the basis that a large number of trees on the south side boundary of their property were to be removed. The McCabe's stated that they had no objection to the vesting of the verge and hedge along the east facing boundary of the property, but strongly objected to the vesting of the area along the Listullycurran Road. The reasons they gave were loss of mature trees, noise pollution and visual impact as a consequence, loss of amenity and shelter, impact on their property as tourist accommodation, impact on local wildlife and effect on their property's value.

Department Response

The Department responded to Mr and Mrs McCabe's letter of objection on the 29th January 2020. The Department's response included a detailed statement outlining the policies and strategies used in the development of the proposed scheme. The response also contained a detailed description of the scheme proposals, including a summary of the Preferred route Appraisal Procedure. The Department cited its reason for closing the central reserve gaps as a part of the main scheme proposals.

The Department's response stated that assurances were never given that there would be no need to vest the existing boundary. However, through the scheme consultants, the Department held discussions with Mr and Mrs McCabe and confirmed it was likely that a small number of trees would be removed close to

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the back and front entrances to the property, along with the hedgeline along the A1, due to the need to realign the Listullycurran Road. The Department also stated that the proposed realignment would offer safer access and egress to and from the McCabe property.

The Department commissioned a tree survey to inform its decisions on mitigating the effects of removal of mature trees as a result of the Listullycurran Road realignment. The report detailed the actions to be taken to afford as much protection as possible to existing mature trees during the construction process and considered options for the removal of specific trees to facilitate completion of the road realignment. Notably, the report stated that it could only be confirmed at construction stage which specific trees would require to be removed.

The Department's response stated that trees are not considered to be an effective noise barrier. The response also highlighted those sections of the Environmental Impact Assessment Report which related to Landscape and Visual Impact effects both during construction and operation.

The Department acknowledged that the proposed development could cause either a deterioration or improvement to landscape and visual amenity. The predicted Residential Visual Impact within the Environmental Impact Assessment (EIAR, Vol 1) assessed the impact as major to substantial adverse before mitigation and moderate to major after mitigation. The Department has also accepted that the proposed scheme would result in the loss of a range of local animal habitats. However, with mitigation and enhancement measures it proposed the residual impact on local habitats should be minimised.

In relation to the effect of the proposed scheme on property value the Department stated that compensation matters are dealt with through Land and Property Services or, in the case of appeal, by the Lands Tribunal. I accept that compensation issues lie outside the scope of this Inquiry.

Consideration

Mr and Mrs Mc Cabe requested a site meeting to explain in detail their concerns relating to the effects of the proposed scheme on their land/property. I agreed to meet with them on the 27th July 2020. The meeting was also attended by Mr L McEvoy, Mr B. McClelland (DfI, Roads) and Mr C. Doonan (RPS-Sweco).

At the meeting Mr and Mrs McCabe made it clear that their primary concern was the removal of mature trees on the boundary of their property. Mr McEvoy made it clear that the Department would try to ensure that as few trees as possible would be removed during the construction process. It was also suggested that it would be useful to have a qualified arborist on site at this time.

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In relation to a potential increase in noise pollution, I agree with the Department's statement that trees are not considered to be an effective noise barrier.

I recommend the Department takes all reasonable precautions to protect as many mature trees as possible on or near the boundary of Mr and Mrs McCabe's property and that a qualified arborist be present onsite during the process to remove any such trees. I further recommend that the guidance provided in the tree survey report for A1 Junctions Phase 2 scheme be followed closely.

5.10 Objection by Mr Carl Ward on behalf of Mr James Ward and Sons

INQUIRY REFERENCE - OB10

Summary of Objection

Mr C. Ward attended the Inquiry on the 13th of March 2020 and was also represented by Mr S. Irvine (J.A. McClelland & Sons, Auctioneers).

Mr Ward's objection related to the effects the Department's proposals would have on his family's farming business and the impact on the value of their property/lands. To mitigate the effect of the Department's proposals Mr Ward requested that the Department provide an overbridge from the highest point on their property at Glen Road, Dromore, to their lands and property on the opposite side of the carriageway. Mr Irvine's letter of objection referred to precedent for this in earlier road improvement schemes, including on the A26 near Glarryford, the A6 at Toome and the M1 near the Tamnamore Park and Ride facility. Mr Irvine referred to the fact that the Ward farmlands were split approximately 60/40 by the A1 dual carriageway and that journeys were made across the carriageway on a daily basis - approximately 1000 trips per annum. The Ward family felt that closing the central crossing point would result in longer journey times, increased fuel expenditure, extra machinery maintenance and higher labour and enterprise costs. Another important aspect they felt was that the current scheme proposals would do little to reduce the amount of slow moving agricultural traffic using the mainline A1, particularly in relation to silage harvesting, slurry spreading and cropping.

Mr Ward's objection and concern also related to increased levels of noise pollution at or close to his current dwelling and asked that the Department carry out noise surveys at the property both prior to and post construction. Mr Ward further felt that the proposed scheme would have a substantial effect on the value of his dwelling, the current level of privacy enjoyed at his property and result in travel inconvenience to and from his property due to the proposal to make the junction with the Glen Road left in left out only.

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Mr Ward also felt that the proposed left in/left out slip road would create problems for slow moving farm machinery attempting to merge with high speed oncoming mainline traffic. He felt that the proposed junction arrangement would lead to mainline traffic attempting to use the existing underpass causing a further safety hazard.

Mr Ward expressed concerns that he had not been given any details as to the type and specification of the proposed accommodation road link and whether it would be available for the use of other land/property owners in the area. He also described the difficulties he had in accessing the A1 from the Glen Road while driving slow moving farm traffic and attempting to merge with fast moving mainline traffic. He also asked if there was any information relating to predicted future traffic flows on the A1 and Department representatives agreed to provide him with the relevant information on predicted traffic flows which had been presented to the Inquiry on the opening day. Finally, Mr Ward requested that the current mainline speed limit of 70mph in the vicinity of the Glen Road junction be reduced to below 70mph for this stretch of carriageway to reduce the risk of collision with slow moving vehicles.

Mr Irvine presented a written statement to the Inquiry (on the 13th of March) further outlining the main tenets of the Ward family objection. The statement described the nature of the Ward family farming enterprise and the activities associated with the business. It drew specific attention to the numerous journeys undertaken by large agricultural machinery and the effects closure of the central reserve gap would have on these journeys and the day to day management of the farm business. The statement went on to detail the reasons why the Ward family preferred the construction of an overbridge to the Department's proposals, including shorter journey times and safety concerns relating to mixing slow moving and high speed traffic. The statement also asked why cost comparisons for various types of over bridge referred to in the Option Appraisal Report had not been made public and why possible compensation amounts considered by Land and Property Services had not been publicised. The question was raised of how reliable these figures could be when there had not been any engagement with the objectors/agent to fully understand the effect the scheme would have on the business. The statement raised a number of queries in this regard.

The statement also questioned whether maintenance costs for the proposed access lane might in the long term be greater than the construction cost of a suitable overbridge (in view of the potential use by other land and property owners). The Department's assertion that all journey detours resulting from the closure of the central reserve would be mitigated to comply with the increase in journey lengths specified in the Roads Service Policy and Procedures Guide (EO38) was also questioned in the paper. Several scenarios were considered

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to demonstrate how this compliance with the guidance might not be achieved. Finally, the paper referred to an accident on the A1 involving members of the Ward family and proposed that an overbridge to facilitate carriageway crossing would be the safest option.

Department Response

The Department responded to the Ward family objection on the 29th of January 2020.

The Department's response included a detailed statement outlining the policies and strategies used in the development of the proposed scheme. The response also included a detailed description of the scheme proposals, including summary of the Preferred Route Appraisal Procedure. It further cited its reasons for closing the central reserve gaps as part of the scheme proposals.

In consideration of the objection raised by Mr C Ward it commissioned an Accommodation Lane Option Appraisal and also an Agricultural Impact Assessment. The Department further stated in its written response that the inability to access lands directly across the central median and requirements for increased journey lengths for landowners had been considered and assessed in the Environmental Impact Assessment Report.

The Department's response included the statement that "the provision of the proposed accommodation lane...will have the added benefit of providing an alternative route which avoids the A1 for slow moving agricultural traffic" and considered this to be a betterment from the current arrangement. The response also provided information on how to seek guidance on matters of compensation. Compensation matters lie within the remit of the District Valuer (Land and Property Services) and the Lands Tribunal.

The Department's response acknowledged that the Ward farm operations would be impacted by increased journey lengths and times as a result of the closure of the central median. The response stated that a number of options to mitigate increased journey lengths had been considered and assessed. The Department's contention was that overbridge options were significantly more expensive than the proposed accommodation lane option and that this fell within the guidance stated in the Roads Service Policy and Procedures Guide (E038).

In response to the objectors' statement that there was precedent for constructing an overbridge in other road improvement schemes the Department stated these only related to farm lands where severance had not previously occurred. Whereas in this case the Department considered that the Ward farm had already been severed by an earlier improvement scheme, when the A1 was upgraded to dual

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carriageway status. A cattle underpass had been provided in mitigation at that time.

On the matter of noise and vibration the Department stated a noise survey carried out during scheme development had indicated that the Ward family property would experience a negligible change in noise levels as a result of the scheme proposals.

The Department's evidence acknowledged that the scheme proposals would inevitably result in a short increase in journey length for some road users, but stated that the proposed accommodation lane connecting the farm to the Ballygowan Road would have the added benefit of providing an alternative route which would allow slow moving agricultural traffic to avoid using the A1 when accessing lands on the opposite side of the carriageway. The Department's statement confirmed that it would wish to discuss proposed boundary treatment options with Mr Ward.

In his statement to the Inquiry, Mr Doonan provided an overview of the options considered in the Glen Road Accommodation Lane Option Appraisal and outlined again the reasons why overbridge options were ruled out on the basis of economic viability. He indicated also that the cost of traffic management when building a bridge over an existing dual carriageway (as opposed to a green field site) needed to be taken into account and was generally very expensive. Mr Doonan further stated that the Department's proposals included the provision of a merge and diverge lane to the Glen Road (a public road). The radius of the curve on the proposed diverge lane would be constrained by the position of the existing Ward farm underpass.

Finally, Mr Doonan stated that the proposed accommodation lane would provide the Ward farm business with the opportunity to keep agricultural traffic off the A1 mainline for the majority, if not all, of their journeys. There would still be the option to use the A1 for cross carriageway journeys utilising the CGSJ's, if that was the preference of the farm owners.

Ms. Michelle Henry outlined the role that Land and Property Services had in dealing with all matters relating to compensation where land/property owners would be injuriously affected by scheme proposals. In the case of the Ward farm the estimated compensation levels for the various options proposed in the Accommodation Lane Option Appraisal were all estimated and included in the overall cost estimates for the construction processes involved.

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Mr Holbeach stated that noise levels in the vicinity of the Glen Road junction would be surveyed pre and post scheme completion, but it was his view that existing noise levels would not be altered significantly by the scheme proposals.

Finally, the Department's evidence stated that the determination of speed limits on the A1 was a matter for the PSNI, but that there would be the potential for review of the speed limits following completion of the proposed development.

Consideration

Mr Carl Ward requested during the Inquiry hearing that I visit the site of his family's farm business to see at first hand the potential effects that the proposed scheme might have. I agreed to do this and met with Mr Ward on 28th July, along with Mr L McEvoy, Mr B McClelland (DfI Roads) and Mr C Doonan (RPS-Sweco).

At the meeting, Mr Ward reiterated his concerns that the current scheme proposals would have a very disruptive effect on his family's farming enterprise and activities, in particular, the effect on increased journey lengths and times when attempting to access lands on the opposite side of the carriageway. Mr Ward requested that I accompany him on a typical journey to experience the effects for myself. Due to restrictions in place because of the COVID-19 pandemic I declined to do this. He then made a request to submit dash cam footage of the journeys involved to illustrate his point. I agreed to this request and representatives from the Department had no objection.

I have reviewed this footage several times and I agree with Mr Ward's assertion that the current scheme proposals will have a significant effect on his family's farming activities, especially in relation to increased journey lengths and times. The disruptive effect will be all the more noticeable due to the frequent number of cross carriageway journeys associated with the work carried out on this farm. The scheme proposals include a new accommodation lane to allow the Ward farm traffic to access the existing Pantridge Link CGSJ. This will involve an increase in journey lengths and times, as I have stated. Mr Irvine, in his submission to the Inquiry, posed reasons as to why farm traffic would be more likely to continue to use the A1 even though this would result in longer journey lengths (but fewer junction movements). It may be therefore possible that post scheme completion slow moving Ward farm traffic might choose to continue to use sections of the A1. This would not be an ideal outcome as one of the main safety objectives of the scheme is to reduce the number of slow moving agricultural vehicles using the A1 mainline.

I have reviewed the options considered in the Glen Road Accommodation Lane Option Appraisal and note that the Department's preferred option is to construct an accommodation lane that will link the Ward farm facility to the Ballygowan

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Road. It is the Department's conclusion that the increased journey lengths that will result fall within the constraints of the Department's guidance as outlined in the Roads Service Policy and Procedure Guide - i.e. "a maximum extra round trip distance of approximately 5 kilometres". The table shown in the Options Appraisal Report shows that the maximum extra journey distance will in fact be 5.42 kilometres when accessing the Ward farm sheds at McKee's Dam. However, the guide also states that "In exceptional circumstances compliance with the guidance may result in journey lengths above the desired 5 kilometres" and it is the Department's position that this is the best mitigation option that can be provided in the circumstances.

At the Public Inquiry on the 12th of March 2020 I asked that the Department provide me with further information relating to considerations given to existing overbridges provided on other strategic road improvement schemes in Northern Ireland. I have been provided with this information and have reviewed it in full. During the Inquiry Mr Ward made reference to an existing farm overbridge located west of Junction 14, M1, at the Tamnamore Roundabout. This bridge was constructed in the 1960's, during the construction of the M1 motorway, to provide mitigation to a farm which was to be severed by the construction of the motorway.

In more recent strategic Strategic Road Improvement (SRI) schemes farm overpasses have been constructed on offline sections of the scheme but not on any online sections. In a number of cases overpasses were requested by landowners, but not provided due to what the Department considered to be insufficient justification and/or physical constraints. It is also clear from the information I have reviewed that the provision of a certain type of accommodation works on one major road improvement scheme may not be appropriate on another. All accommodation works must take into account all pertinent site specific issues and conditions.

Where overbridge structures have been constructed in offline green field situations this has typically reduced the complexity, cost and inconvenience of the construction process as compared to constructing online with consequent requirements for complex and careful, but potentially disruptive, traffic management procedures. In the case of the A1 any proposed overbridge construction would be required to tie-in to existing topography and carriageway levels, or it may even require alteration to existing road surface levels. The latter is certainly likely to be the case if existing underpass alterations were to be considered on the A1.

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Mr C Ward and Mr S Irvine made clear both at the Inquiry and the subsequent site meeting their preference for the provision of an overbridge to mitigate the effects of the closure of the central reserve on the A1 on the Ward family farm business. I thus asked that the Department provide me with costing details and a review of all the options that had been considered during the appraisal process, including the provision of an overbridge.

From the information provided to me by the Department it is clear that the cost of a single or two span overbridge would be very significantly greater than the proposed accommodation lane. (The Department has asked that the information that has been provided remains confidential due to its sensitive nature and the fact that it contains information relating to landowners.) However, I can state that the cost of a single or two span overbridge would be in the region of double that of the proposed accommodation lane. In such circumstances I am unable to recommend that the provision of an overbridge would be the most economically acceptable solution, even after factoring in the estimated costs of compensation.

I note the Department's position that it has no legal obligation to carry out accommodation works. However, where such works are provided by the Department the effect is to mitigate the compensation payable in respect of land taken and injurious affection to land retained by the owner. Due to the significant effect the proposed scheme will have on the Ward family farm business it is my view that significant compensation is likely to be payable and I note that the Department has provided advice to the farm owners on how a claim for compensation can be progressed. I would also remind the farm owners of a case, referred to at the Inquiry as the 'Killen Case', where there was a dispute by the landowner regarding compensation levels determined by Land and Property Services in relation to severance of the farmer's land. The farmer was unhappy with the initial determination and the case was then referred to the Lands Tribunal. The Lands Tribunal member determined that a higher value of compensation was due to farms severed by the proposed road scheme. The Ward family farm is not severed by proposals for this scheme, as it had already been severed when the dual carriageway was initially constructed, and an underpass was provided at that time. I nevertheless feel that the 'Killen Case' may have certain relevance to the circumstances that pertain to the Ward family business now. I understand that the level of compensation offered in the Killen Case led the Department to review its proposals for accommodation works. The findings in the 'Killen Case' are a matter of public record.

At the meeting on the 28th of July further consideration was given to upgrading an existing farm lane to cater for larger vehicles to allow Mr Ward to access facilities at Mc Kee's Dam. The Department subsequently carried out a cost appraisal of this option and it has included the costs with those for the preferred option.

Consequently, I accept that the Department's proposal to provide an accommodation lane to facilitate areas to the Ward farm holdings on the eastern side of the A1 dual carriageway, along with the provision of an additional access lane to McKee's Dam, is the most appropriate and economically viable in the circumstances and recommend that this proposal be progressed.

5.11 Objection by Mr M Dodds on behalf of MLC Trustees

INQUIRY REFERENCE - OB11

Summary of Objection

Mr Dodds (MacCorkell Legal and Commercial Solicitors) submitted the objection on behalf of the Hugh Hamilton Trust's Land/MLC Corporate Trustees. The Trust's legal representatives are MacCorkell Legal and Commercial Solicitors. The Trust's objection related to the location of the bus stop on the eastern exit from the approach to the proposed Listullycurran Road Junction.

Mr John Hamilton and Mr Mark Dodds represented the Trust at the Inquiry on Friday 13th March 2020. Mr Hamilton stated that initially he asked the Department to look at siting the bus stop at a lower elevation than the chosen location but that this was not considered to be a feasible site. He stated that he had not been consulted on the provision of parking areas at the proposed bus stop, but that his objection was also for engineering reasons. Mr Hamilton further stated that the site he proposed could be developed as a Park and Ride facility that could cater for up to 100 cars. He cited traffic delays at the Hillsborough Roundabout as an example that could persuade travellers to use a Park and Ride facility were it to be provided, especially if the facility were to be placed on the same side as the direction of vehicle travel and suggested that a large Park and Ride facility could be easily developed at the location he had proposed.

Mr Hamilton provided photographs to the Inquiry in support of this proposition. He also stated that he had asked for vertical alignment - sections of the proposed link roads as he believed that these would support his objection, but, at the time of the Inquiry, he had not been provided with these. He considered that the bus stop would be better sited at the western approach to the junction and it appeared to him that future development of bus services did not appear to have been fully taken into account. Mr Hamilton provided a plan diagram to illustrate his proposals. He questioned why the bus stop was proposed to be sited on the steep upper side of the new link road and not on the flat ground on the other side of the road. He further questioned why there were only 6 parking spaces, stating that if the area were to be used as a "park and ride facility" and thus required extending there would be no convenient land area available to facilitate this.

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Mr Hamilton referred to the level of traffic congestion that currently exists in the areas around Hillsborough, Sprucefield and the M1 and stated that the "Belfast commuter transport strategy" recommended that commuters who travel by car transfer to higher capacity transport systems where the traffic congestion arises. He also suggested the strategy should include bus lanes on the hard shoulder of the A1 and Park and Ride facilities on the Dromore side of Hillsborough. Mr Hamilton suggested that there was adequate land to provide extra parking on the opposite side of the carriageway and a full Park and Ride facility, should it be required in the future. A further advantage, he suggested, was that provision of the bus stop facility in this area would not require extensive cut and fill as part of the construction process.

Department Response

The Department responded to Mr Hamilton's letter of objection on the 29th of January 2020. The Department's response included a detailed statement outlining the policies and strategies used in the development of the proposed scheme. The response also contained a detailed description of the scheme proposals, including a summary of the Preferred Route Appraisal Procedure. The Department cited its reasons for closing the central reserve gaps as part of the main scheme proposals.

The Department's response listed 8 reasons for the proposal to site the bus stop on the eastern side of the A1 carriageway, including safety of access/egress to/from the junction with the mainline, minimising impact on nearby residencies, suitable visibility, turnaround efficiency for bus services, landtake, engineering considerations and potential environmental effects.

The Department acknowledged that the site chosen would require earthwork cuttings but was of the view that road safety would be compromised at the alternative locations considered.

The Department held a number of meetings with Mr Hamilton between February 2018 and March 2019. The Department's response also stated that Translink had confirmed that the proposed bus stop would serve only the local area and was designed for that purpose and not as a park and ride facility. It was not to be used for arterial services between Belfast and Dublin. The Department further stated that a Park and Ride strategy was under development to cater for Translink Goldline Services using the A1. This, however, was outside the scope of the A1 Junctions Phase 2 Road Improvement scheme.

In the Department's view siting the proposed bus stop as shown in the sketch provided by Mr Hamilton would shift traffic movements closer to the mainline

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junction and this could lead to conflicting hazardous manoeuvres between vehicles exiting the mainline and those using the bus stop. The Department thus considered that the site proposed for the bus stop was the optimum location.

Mr Mc Guinness stated at the Inquiry that what was being proposed at the bus stop was not a formal park and ride facility, but rather a “drop-off” facility, and that the issue of park and ride facilities was outside the scope of the Inquiry.

Mr Mc Evoy stated that the Department had consultations with Translink and they had confirmed their Goldline Services stopped relatively infrequently at only strategic locations and that they had no proposals to service the proposed new bus stops with other than the local services that were currently using the existing stops.

Mr Doonan emphasised the Department’s concerns that in the location proposed by Mr Hamilton large, slow moving buses would be required to merge with A1 traffic at a point close to the mainline which could create a conflict point. He felt that the Department’s preferred solution offered a safer alternative. In response to a question from Mr Hamilton, Mr Doonan stated that there were no technical reasons why the bus stop could not be located at the other side of the road, but reiterated the point he made earlier relating to safety aspects and also that it was the Department’s preference to try to minimise land take from existing properties. Mr Hamilton stated his disagreement.

Finally, Mr Hamilton stated again his opinion that 6 parking spaces may not be sufficient to cater for potential demand, as parents who currently take their children to school might use the facility if there was sufficient parking. Mr Mc Evoy stated that the proposed design for bus stop facilities at the new junctions were very similar to those which had been provided at other recent dual carriageway upgrade schemes.

The Department also carried out an Agricultural Impact Assessment for the land held in trust by the MLC Trustees and managed by Mr Hamilton. The assessment considered the impact the proposed scheme could have on the above lands and the farm enterprises being carried out therein. The lands in question are currently all leased in conacre to a third party. They were deemed to be suitable for growing a wide range of agricultural and horticultural crops. They are currently harvested 2 to 3 times per year and grazed subsequent to harvesting operations. The assessment report concluded that landtake as a result of scheme proposals was considered to be moderate in significance and the overall effect on the farm deemed to be slight. The landtake would be dealt with by way of compensation.

Consideration

Mr Hamilton requested an on-site meeting to discuss further the main details of his objection and to help him illustrate his points in full. I agreed to this and met with Mr Hamilton on the 27th of July. Mr L McEvoy, Mr B McClelland (DfI Roads) and Mr C Doonan (RPS-Sweco) also attended the meeting.

Mr Hamilton reiterated the concerns he had raised at the Inquiry and pointed out how the amount of cut and fill would be much more significant with the Department's proposal than the alternative he had suggested.

Mr Hamilton had asked the Department to provide him with further information relating to the vertical and horizontal alignment of the proposed link road, details of design standards and 3D software used in the design process. I understand Mr Hamilton has been provided with the alignment details and the relevant design standards, but the Department has stated that it is not in a position to release the full digital models.

I agree with Mr Hamilton's assertions relating to the cut and fill issue, but I also share the Department's concerns that the location proposed by Mr Hamilton could compromise safety in relation to slow moving buses creating points of conflict when merging with high speed mainline traffic. I also agree with Mr Hamilton's point that there is potential for greater usage of the bus stops as these would provide safer access and egress for public transport users. I further consider that as 37 mainline existing bus stops are to be replaced with 4 at the proposed grade separated junctions, there is some potential for greater passenger usage as a result. I would ask the Department, therefore, to give some further thought, during the final design process, to whether increasing the number of parking spaces at each bus stop, within the proposed vested area, might be a worthwhile consideration. Clearly, during any such considerations, the Department and its consultants would need to again consider carefully the data and evidence which would be required to support an increase in the proposed number of parking spaces before coming to a final decision. Further consultation with Translink should take place on this matter before any final decision is made.

In relation to Mr Hamilton's suggestion that a full park and ride facility should be provided to service the bus stop at the proposed Listullycurran Road Junction, I cannot give consideration to this matter as provision of full park and ride facilities are clearly outside the scope of this Inquiry. Mr McGuinness, on behalf of the Department, stated at the Inquiry that there was important ongoing work in respect of the development of a spatial and regional response to an identified need and that was being considered in a parallel process. I am aware of this and I would refer interested parties to the Department for Infrastructure document

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“Belfast Metropolitan Transport Plan, Sections 5.72 - 5.90” which deal specifically with policies and proposals for the establishment of strategic park and ride facilities in the greater Belfast area, but it also establishes principles for the consideration and development of strategic park and ride sites.

I recommend, therefore, that the Department proceeds with its proposals in relation to the new Listullycurran Road Compact Grade Separated Junction, but that it also gives some further consideration to the possibility of increasing the number of parking spaces at the proposed off-line bus stops, within the proposed vested area.

5.12 Objection by Ms Julia Farkas

INQUIRY REFERENCE - OB12

Summary of Objection

Ms Farkas attended the Inquiry on Thursday the 12th of March 2020 and also made a written submission to the Inquiry. Ms Farkas stated that her objection related specifically to the overall safety of the road in the Dromore area. She stated that she did not believe the plans, as submitted by the Department, were suitable. She also expressed the concern that she felt the Department had not considered the feedback she had provided in her letter of objection.

Ms Farkas objected to the scheme proposals on the basis that the current slip roads on the A1 mainline are not long enough to allow for a safe merge onto, or exit from the A1 carriageway. She cited, as an example, the Boulevard Centre at Banbridge where southbound traffic merges onto a 70 miles per hour zone with initially no slip road available and no sight line to account for the short length involved. Ms. Farkas also raised concerns about the effect that the closure/ stopping up of side roads would have on Dromore village. Ms Farkas had raised this at the consultation events but stated that she had not been given any assurances that the village would benefit from new infrastructure to help manage and control the flow of traffic. Ms Farkas also stated that the closure of the side roads completely, rather than just the closure of the central reservation, would cause further congestion problems in the village. She further stated that the length of cars queuing, and the time taken to exit onto the Banbridge Road from Meeting Street resulted in the junction being blocked due to the lack of a yellow box covering both sides of the road.

Ms Farkas objected to the closure of the Lower Quilly Road as a left in/left out junction in favour of keeping Maypole Hill open to act in the same way. She felt that keeping Lower Quilly Road was a better option as it was the easiest road to take to avoid the village square. She also considered that Maypole Hill led

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down to a dangerous junction with restricted sightlines and that the gradient on Maypole Hill could be problematic in adverse weather conditions. Lower Quilly Road, on the other hand, benefited from a much lower incline/decline. Ms Farkas was also of the opinion that keeping Lower Quilly Road open, as opposed to Maypole Hill, would result in lower congestion in the centre of Dromore. It would also be more convenient for many road users wishing to access the south side of Dromore. She referred to the high levels of congestion in the town that occurred frequently due to roadworks and felt that keeping Lower Quilly Road open would help to alleviate these effects. Finally, Ms Farkas raised the issue of speed on the A1 and expressed concern that many vehicle drivers were not obeying the speed limits set for the A1 dual carriageway.

Ms Farkas summarised her concerns as follows:

1. The length of the existing slip roads not being extended.
2. The lack of new traffic control/calming infrastructure commitment to the villages affected by road closures.
3. The selection of Maypole Hill versus Lower Quilly Road as a left-in/left-out only access to the A1 mainline (southbound).
4. The lack of provision of speed cameras.

Department Response

The Department responded to Ms Farkas' letter of objection on the 29th January 2020. The Department's response included a detailed statement outlining the policies and strategies used in the development of the proposed scheme. The response also contained a detailed description of the scheme proposals, including a summary of the Preferred Route Appraisal Procedure. The Department cited its reasons for closing the central reserve gaps as part of the main scheme proposals.

The Department's response stated that the proposed scheme did not include all inherent road design along the A1 route, nor potential modification to existing grade separated junctions. The Department also confirmed that the existing slip roads referred to by Ms Farkas largely complied with the current Design Manual for Roads and Bridges standards. It also stated that the proposed junctions, including merge and diverge lanes, were being developed in accordance with the above standards. However, following public consultation, and taking account of traffic flows and speeds on the A1, it was decided to increase the length of the merge lanes from 170 metres to 225 metres.

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The Department acknowledged that the scheme proposals would result in a short increase in journey length for some road users, but considered this impact to be minor (if not negligible) when compared to the safety benefits to be gained by the closure of the central reserve gaps and nine minor road junctions. The Department stated that as a result of community consultation, the updated scheme proposals have limited the number of minor road closures to those where it was deemed there were suitable alternatives.

On the matter of closing the Lower Quilly Road, the Department stated that alternative access to the village was available at Banbridge Road Junction and via other routes through Dromore. The Department's decision to retain and upgrade the Maypole Hill Road Junction was made on the basis that the location of this junction complied with relevant standards for merge and diverge lanes and "weaving" distances ("where vehicles leaving the mainline have to cross the paths of vehicles that have joined the mainline"). Retention of the Lower Quilly Road Junction would not have complied with these standards. It was the Department's position that retention of the Lower Quilly Road Junction would introduce substandard features on the A1 mainline. The Department stated that if Lower Quilly Road were to be retained and upgraded it would have a greater impact on adjacent third party properties, given that the road is tightly constrained between existing properties in close proximity to the main line. The Department also stated that if the Maypole Hill Road was closed traffic that currently uses it could endure a potential increased journey length in excess of guidance given in the Roads Service Policy and Procedure Guide (E038), i.e. a maximum excess round trip of approximately 5 kilometres.

Mr Doonan referred to the fact that it was policy and practice not to have junctions within a kilometre of each other because that might contribute to weaving traffic and result in conflicts within mainline traffic. He stated that leaving Lower Quilly Road open would have had this effect. Mr Doonan referred to the fact that there were currently 5 connection points along the 3 kilometre stretch passing Dromore and it was the Department's position that 5 were not necessary, given that there were 2 grade separated junctions serving both the northern and southern ends of the town. He also referred to the gradients of the Maypole Hill Road and stated that the **Road Safety Audit** recommended that high friction surfacing and warning signage be provided where appropriate.

Mr Doonan confirmed that as a result of public consultation the number of merge lanes to be provided at slip roads on the A1 had been increased from 5 to 16. He also stated that the number of proposed road closures had been increased from 8 to 9 and he considered these to be substantive changes brought forward as a result of public consultation carried out since 2017.

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In his oral evidence Mr McEvoy referred to the issue of the length of existing slip road access to the A1 and stated that, although this matter would not be taken forward as part of the proposed scheme, it did not mean that it would not be taken forward as part of other future schemes.

In relation to traffic congestion issues within Dromore village centre, it was the Department's view that any illegal parking causing congestion issues was a parking enforcement matter and outside the scope of the project. Ms Farkas' concerns relating to vehicles travelling at excessive speeds on the A1 was also an enforcement issue and again outside the scope of the project.

Consideration

Subsequent to the Inquiry hearing, Ms Farkas requested an on-site meeting and this took place on 29th July 2020 in Dromore centre. The meeting was also attended by Mr L McEvoy, Mr B McClelland (DfI Roads) and Mr C Doonan (RPS-Sweco).

Ms Farkas re-iterated the concerns she raised at the Inquiry, most specifically relating to the choice of Maypole Hill Road rather than Lower Quilly Road to access the town centre. Ms Farkas outlined again the reasons why she felt leaving Lower Quilly Road open would be a better choice. She also stated that the Department had not committed to any sort of infrastructure change to Dromore village itself and felt that the proposed scheme to upgrade the A1 should include upgrade improvements to traffic routes leading to and from the village so that traffic flow in the village would not be adversely impacted. In relation to use of Gallows Street (Maypole Hill) to access the village Ms Farkas expressed her concern there were no adequate sight lines nor traffic lights.

At the time of the meeting the centre of Dromore was very heavily congested. There were public utilities streetworks being carried out and these had been ongoing for some time. It is clear that there are issues of serious traffic congestion in the centre of Dromore and it seems this is often the case even when there are no roadworks in operation. I visited the town of Dromore again on the 18th of September and found that traffic congestion in the town centre was still evident. This is a matter that is worthy of further road survey investigation by the Department, but I accept that it lies outside the remit of this Inquiry.

I share Ms Farkas' concern relating to the lack of traffic calming infrastructure in Dromore village, but this again is an issue that lies outside the remit of the Inquiry and I am thus not in a position to make recommendations on the matter.

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On the question of whether to close the Lower Quilly Road in favour of leaving Maypole Hill Road as a main access to the town, I agree with the Department's conclusion that the issue is primarily one of safety and that leaving Lower Quilly Road open would introduce potential safety hazards on the A1 mainline itself due to the potential for "weaving" traffic to cause problems. I do accept, however, that the gradient on the Maypole Hill could be a potential safety hazard and I am happy to note it is the Department's intention to provide high friction surfacing where necessary along with appropriate signage. I note that car parking can cause constrictions where Maypole Hill Road leads on to Gallows Street and I recommend that the Road Safety Audit report be reviewed to give consideration as to whether double yellow lines might be appropriate on both sides of the street where it meets with the town square. Consideration should also be given to the installation of traffic light controls where Gallows Street meets the town square.

On the matter of the existing slip roads in the Dromore region referred to by Ms Farkas, the Department's position is that the scheme proposals do not include for making any improvements to the existing CGSJ's on-slips or off-slips and this is a matter that should be taken up directly with the Department as it lies outside the remit of the Inquiry.

I also note and welcome the Department's assertion that, as a result of public consultation, the number of merge lanes to be provided at minor road junctions has been increased from 5 to 16. I recommend that the Department continues to consider the issue of minor roads currently without suitable merge/diverge lanes during the final design process and provide as many merge/diverge facilities as possible within the guidance recommended in the Design Manual for Roads and Bridges.

In relation to the provision of speed cameras on the A1 mainline, I accept that this is an enforcement matter to be considered by the PSNI and again outside the remit of the Inquiry.

I therefore recommend that the Department proceeds with its proposals to close the Lower Quilly Road and make the Maypole Hill Road a left in/left out junction as detailed in the scheme documents.

5.13 Objection by Mrs Laura Jordan

INQUIRY REFERENCE - OB13

Summary of Objection

See also Objection OB1 (Mackey Family)

Mrs Jordan objected to the departments proposals on the basis that the proposed accommodation lane to allow the neighbouring Mackey farm to access the new Gowdstown Road Junction would pass close to her home and that this would adversely affect her husband's business.

Mrs Jordan attended the Inquiry on Wednesday the 12th of March 2020 along with Mr Colin Lindsay, who made a presentation to the Inquiry on behalf of the Jordan and Mackey families. Mrs Jordan also attended on the 13th of March 2020.

The Jordan family run a vehicle recovery business operated from a yard adjacent to their home. Vehicles are currently loaded and unloaded onto recovery trucks and there is no through traffic as the road is currently a cul-de-sac. Department proposals mean that this cul-de-sac would be open to through traffic. Mrs Jordan felt that this could affect their business at times when the neighbouring farmer is transporting silage, etc, as the contractors carrying out the work continue to do so for several days at a time. She was concerned that the accommodation lane would be used by many large agricultural vehicles, including milk tankers, tractors and silage trailers. She stated that her grandchildren currently play in the cul-de-sac and feared for their safety if the Department's proposals for the accommodation lane went ahead.

Mrs Jordan voiced her concerns that during periods when silage was being gathered contractors would work all day and through the night and questioned the reason for it now proposed to be directed past her home, or any residential area. She stated her belief that the Mackey family were also opposed to the Department's proposals for the new accommodation lane. Mrs Jordan also suggested that, in the interests of Road Safety, consideration might be given to closing Mackey's Lane instead of leaving it as a left in/left out junction. Mrs Jordan stated her belief that only members of the Mackey family used this lane and that they would have the use of the new proposed accommodation lane.

In his presentation to the inquiry (which included a written statement) Mr. Lindsay summarised the nature of the Jordan family business and illustrated his points with the aid of photographs which included the old Banbridge Road, the Jordan's business and the disused railway cutting. He made the point that the cul-de-sac was part of the old Banbridge Road and had been closed off approximately 40 years ago. The Department has proposed to re-open this cul-de-sac and this

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will cause difficulties for the Jordan and Mackey families due to the amount and speed of farm traffic that will need to use the road. The farm traffic will be coming through an area where children are playing. Mr Lindsay stated that both the Jordan and the Mackey families preferred a route to join the proposed Gowdystown Road Junction that used the old railway line cutting. He stated that both families had concerns about the amount of farm and residential traffic that would use the proposed accommodation lane.

Mr Lindsay also expressed concern about the gradient of the access ramp which slow moving farm traffic would be required to use to access the proposed Gowdystown Road junction under the Departments proposals and he felt that the alternative option proposed would be safer. Also, with the Department's proposals the old railway bridge would require strengthening. Mr Lindsay further stated that the Mackey family did not want to cause disruption to their neighbours or threaten their safety.

Mr. Lindsay referred to the issue of farm traffic with roof mounted lights using the proposed accommodation lane at night. He felt that even with a safety fence the lights would have the potential to blind northbound traffic on the A1 mainline. He also stated that the Jordan's did not want traffic moving past their premises both for safety considerations and the likelihood of disruption to their business.

Mr Lindsay's paper stated that over the years the Jordan business had expanded to use both sides of the road and that currently, heavily loaded vehicles could be unloaded safely. The area could also be used as a safe children's play area. The paper also described the current situation at Mackey's Lane (Objection OB1) where the Mackey Farm business is located. It also stated that the Mackey and Jordan families preferred Option 3, which followed the old railway line and which travelled well away from existing business and dwellings, to emerge at a safer point on the Gowdystown Road (the Department had carried out an option appraisal process - Mackey's Lane Accommodation Lane Option Appraisal - see below). The paper went on to state that the Departments proposals meant that a substantial proportion of good agricultural land would be lost and that it involved a road being built parallel to the A1. This would result in farm traffic facing on-coming traffic and there would be potential for confusion to northbound motorists, even if a high separating fence were to be constructed. It would also mean farm traffic using the old railway bridge, which was currently is a state of disrepair. Redirected traffic would be forced past the Jordan business, with potential disruption and the threat of damage or injury. Finally, the paper made the statement that the "proposed Option 1 did not take into account the very personal aspects of their lives (the Jordans) and businesses that would be seriously disrupted if this option goes ahead".

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Mr. Lindsay referred to the amount of wildlife activity in the area and stated that the effects on wildlife would be the same for either option and also raised the issue of possible flooding at the junction of the A1 with the old Banbridge Road, stating that he had been informed by Mr Jordan that regular flooding occurred at this point.

Department Response

The Department responded to Mrs Jordan's letter of objection on the 29th of January 2020. The Department's response included a detailed statement outlining the policies and strategies used in the development of the proposed scheme. The response also contained a detailed description of the scheme proposals, including a summary of the Preferred Route Appraisal Procedure. The Department cited reasons for closing the central reserve gaps as part of the main scheme proposals.

The Department's written response also stated that, although the existing old Banbridge Road was a cul-de-sac, it was still a public road and members of the public were still entitled to use it. Neighbours of the Jordan family still currently used this road to access their properties, which required passing the Jordan business. The Department stated that it did not consider overall traffic volumes would be excessive along the upgraded connector road and it would be predominantly only be used by families in the location. The Department's proposals included closing the existing access to the old Banbridge Road and providing an alternative access to the proposed Gowdystown Road Junction, which would provide safer access to and egress from the A1 mainline.

The Department's response to Mrs Jordan included extracts from the Mackey's Lane Accommodation Lane Option Appraisal. This extract provided a comparison of the 4 options considered and detailed the reasons why the Department chose Option 1 as their preferred option. Mrs Jordan was also provided with a redacted copy of the full options appraisal report. The report acknowledged that the closure of the central reserve gaps without mitigation would result in increased journey lengths marginally greater than the recommendations contained in the Department's Road Service Policy and Procedure Guide (E038). In broad terms, the guide proposes that where a road user can no longer make a right turn to gain access to land/property he/she should not be required to make a journey in excess (approximately) of 5km more than the length of travel prior to the new journey arrangements.

The Department's reason for selecting Option 1 as their preference included less serious environmental impacts than the other options, no significant engineering difficulties for the creation of an agricultural lane, no vesting of third party land,

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suitable alternatives to existing accesses onto the A1 and more favourable land and construction costs. Consequently, the Department considered that Option 1 was the most economically viable and appropriate solution for mitigating the impact of the proposed scheme on the Mackey farm.

Responding on behalf of the Department, Mr McGuinness stated that the Department was not proposing to close Mackey's Lane but rather to change the existing access to left in/left out only. Mr McEvoy confirmed that, with the proposed closure of the central reservation, there would no longer be the facility to turn right into Mackey's lane from the A1 mainline. He also stated that the proposed new Mackey's Lane accommodation lane would not be a public road, but simply for the use of the landowner in the pursuit of his farm business (Mackey farm). Provision of the accommodation lane would also facilitate the closing of a number of existing field accesses and one residential access onto the A1 mainline.

Mr Doonan, on behalf of the Department, stated that initial consideration was given to using the old railway cutting to provide the Mackey farm accommodation lane, but this option was ruled out for a number of reasons, including that it would impact on one residential property, it would have several environmental impacts, and in-fill material in the railway cutting could be potentially contaminated. The railway cutting option would also be 77 metres longer than the Department's preferred option so there would be cost and construction implications. The Department had estimated the preferred option (Option 1) to be 70% of the cost of the railway cutting option (Option 3). Mr Doonan also stated that a close boarded fence would be constructed to prevent farm traffic headlights from potentially dazzling traffic on the A1 mainline and that the proposed accommodation lane would remove agricultural vehicles from the A1 mainline.

Mr Holbeach, on behalf of the Department, stated that the proposed option (Option 1) would have a minor environmental impact, whereas the railway cutting proposal would impact on mature woodland, shrub and hedgerows.

Mr Doonan and Mr Coulthart also presented traffic flow information in support of the Department's contention that existing traffic volumes accessing and using Mackey's Lane were considered to be low. On the matter of silage traffic proposed to be directed past the Jordan residence, Mr Doonan stated that with the alternative Option 3 traffic would be required to pass about 14 other dwellings and that, taking this and all the other issues into consideration, Option 1 was the most preferable. In response to Mr Lindsay's expressed concern relating to the access point to the proposed overbridge, Mr Doonan stated that the accommodation lane had been designed in accordance with the appropriate

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standards and gradients. He also stated his opinion that visibility would not be an issue.

In relation to the issue of traffic associated with silage cutting, Mr Doonan stated that the traffic surveys had been carried out to assess typical average daily traffic flows rather than to focus on short periods where there was brief increased intensity and that the surveys had been carried out in accordance with the guidance in the Design Manual for Roads and Bridges.

Mr McEvoy confirmed that the reason for closing the old Banbridge Road was its proximity to the proposed onslip at the new Gowdystown Road Junction. The distance between the onslip and the old Banbridge Road would mean that there could be conflict between vehicles coming on to the A1 mainline at Gowdystown Road and vehicles potentially going off at old Banbridge Road.

In her evidence to the Inquiry Mrs Jordan also raised the question of why the Mackey farm traffic could not use the existing underpass to gain access to their lands on the opposite (eastern) side of the carriageway. Mrs Jordan was not referring to the Mackey's Lane underpass but rather the public underpass at Rowantree Road, Dromore. Mrs Jordan had stated that she did not consider that the journey distances involved would be excessive. On this matter Mr Doonan stated that the journey distance required would be considered excessive, as it would be greater than the maximum acceptable distance specified in Department guidelines.

Consideration

Mrs Jordan and Mr Lindsay requested a site meeting at the Inquiry so that they might have an opportunity to explain in full their concerns relating to the effects of the proposed scheme on their lands/properties. I agreed to meet with Mrs Jordan and Mr Lindsay on the 28th of July 2020. The meeting was also attended by Mr L McEvoy, Mr B. McClelland (DFI, Roads) and Mr C Doonan (RPS-Sweco).

At the meeting Mrs Jordan and Mr Lindsay reiterated the concerns they had raised at the Inquiry. Mr Lindsay also questioned why no soils investigation had been carried out in the vicinity of the railway cutting. He also referred again to environmental and flooding issues

At my request the Department forwarded a technical note detailing the flood risk at the Gowdystown Road Junction. In summary, the assessment concluded that there is currently a flood risk to the old Banbridge Road near the Gowdystown Road Junction. Although no works are being proposed in this specific location, there are proposed works nearby. However, the technical note stated that "no increase in flood risk is estimated as a result of these nearby works."

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On the matter of closing Mackey's Lane, Mr McEvoy stated that further consultation would be required with the residents. It would also require a new stopping up order, which would mean a separate legislative process.

The Department's proposals to construct an accommodation lane to allow the Mackey farm to access the Gowdystown Road Junction and hence provide access to farm lands on the east side of the carriageway is a fair and reasonable solution, bearing in mind the fact that some of the activities associated with the farming business can still be carried out using the existing underpass.

On the basis of the evidence provided by Mrs Lindsay and Mr R Mackey I am not persuaded that their alternative proposals to use the abandoned railway cutting to link Mackey's Lane to the proposed Gowdystown Road junction would be a better solution. The Department raised a number of concerns in the Mackey's Lane Option Appraisal report relating to all the alternative options. These included disturbing natural habitat used by protected species, evidence of badger activity, risk of contaminated ground along the disused railway cutting, potential issues with sightlines, the need to maintain existing field access along the A1 mainline, the need to vest third party land and the likely higher costs of the alternative options.

I also consider that the ground associated with and adjacent to the disused railway may be contaminated and this could result in significant extra costs if the proposed accommodation lane were to be sited in this location. I asked the Department if there were any proposals to carry out soil testing in the vicinity of the disused railway cutting and I was informed that the Department was reviewing plans for possible soil tests to be carried out.

In the circumstances, therefore, I accept that the Department's proposal to construct an accommodation lane running parallel to the A1 connecting Mackey's Lane to the proposed cul-de-sac end of the old Banbridge Road, Dromore and to link to the proposed Gowdystown Road Compact Grade Separated Junction, is the appropriate solution. I consider that it would still be useful for the Department to carry out soil sampling activities to make a determination on whether or not the ground and land fill in the area of the railway cutting is, in fact, contaminated. Although I note that the Department's proposal (Option 1) was still based on the assumption that the area of ground at and close to the railway cutting was not contaminated.

5.14 Objection by Mr Philip Shields

INQUIRY REFERENCE - OB14

Summary of Objection

Mr Shields submitted a letter of objection to the scheme proposals on the 26th of June 2019. However, due to an email address error the letter was not received by the Department. Mr Shields then re-submitted his letter of objection shortly before the Inquiry was due to take place and I agreed to accept the submission.

The main concerns described in Mr Shields' letter of objection related to the Department's proposal to provide an accommodation lane to facilitate farm traffic from the farm owned by Mr G Mitchell accessing the cul-de-sac end of the Halfway Road. This would mean farm traffic would pass directly in front of a restaurant owned by Mr Shields.

Mr Shields' concerns were that this traffic would include slurry tankers, giving rise to odours and pollution. The traffic could also be a threat to pedestrian safety.

Mr Shields preference was for the farm traffic to access the Edenordinary Road via the farmer's own lands and from there carry on to the proposed new junction. He requested details of costings of the proposals considered and also that a full environmental health assessment be carried out.

Mr Shields also stated in his letter that full planning consent had been given to convert his restaurant to a hotel.

Department Response

The Department responded to Mr. Shields' letter of objection on the 6th of March 2020. The Department's response included a detailed statement outlining the policies and strategies used in the development of the proposed scheme. The response also included a detailed description of the scheme proposals, including a summary of the preferred route appraisal procedure. It further cited its reasons for closing the central reserve gaps as part of the main scheme proposals.

In consideration of the objections raised by Mr Shields and others (see Objections OB3, OB4, OB5, and OB6) and also in relation to a new proposed route access for the neighbouring Mitchell farm, the Department commissioned the Halfway Road Accommodation Lane Option Appraisal. The options considered included:

Option 1 - provide a new access lane from the cul-de-sac end of the Halfway Road to the existing access lane of the neighbouring landowner, running generally in parallel to the existing A1;

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Option 2 - provide a new access lane from the neighbouring landowner's farmyard to the Edenordinary Road, following field boundaries where possible and making use of an existing field access onto the Edenordinary Road.

The report took into account estimated land compensation amounts prepared by Land and Property Services. On request the Department provided me with a copy of the cost assessments. Cost comparison of the two options showed that Option 1 was approximately 74% of the cost of Option 2. The appraisal report concluded that Option 1 was the most economically viable and appropriate solution for mitigating the impact of the project on the Mitchell farm.

The report further proposed that Option 1 was more favourable than Option 2 as it reduced the amount of slow moving agricultural traffic using the A1 mainline, had less environmental impact, avoided the use of the Edenordinary road, which was very narrow with substandard horizontal and vertical geometry, and facilitated the closure of a private access onto the A1.

On the matter of odours/slurry/pollution the Department's response stated that agricultural vehicles using the Edenordinary Road already passed the Halfway House. Any additional traffic accessing the Mitchell farm from the A1 mainline would do this from a safer access arrangement. It was also the Department's view that smell/odours associated with existing farm traffic would not be likely to change significantly as a result of any proposed road alterations. Further, the effects were transient and only associated with movement of agricultural traffic at certain times of year. Any traffic spilling dirt or slurry on the road would be an enforcement issue. The Department further considered that adult pedestrian safety would not be negatively impacted by the proposals for the new accommodation lane.

Finally, the Department's response referred to Chapter 15 of the Environmental Impact Assessment Report, which provided a description of how population and health is assessed within the regulatory planning process.

Consideration

I have considered carefully all the evidence produced in relation to this objection. I am persuaded by the body of evidence submitted by the Department that Option 1 remains the most economically viable and appropriate solution for mitigating the impact of the project on the Mitchell farm. The Department has provided me with cost estimates that show Option 1 to be approximately 26% cheaper than Option 2.

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On the issue of smell/odours I accept the Department's assessment that the associated traffic movements would be seasonal and transient and that the effects of this are not likely to change significantly as a result of the scheme proposals. On the matter of slurry/silage spillage by passing farm traffic I accept that this is an enforcement issue and thus outside the remit of the Inquiry. However, I have visited the site and I do recommend that the Department considers re-surfacing the old Banbridge Road from the existing cul-de-sac end to the Halfway House restaurant to mitigate the effects of traffic noise and vibration.

I agree with the Department's view that adult pedestrian safety in the vicinity of the Halfway House restaurant is not likely to be significantly compromised by the scheme proposals.

I thus recommend that the Department proceeds with the proposal to provide an accommodation lane running parallel to the A1 and connecting to the Halfway Road (Option 1).

5.15. Submission by Mr B Clarke on behalf of Mr G and Mrs L Mitchell

INQUIRY REFERENCE - COM1

Summary of Submission

Mr Clarke expressed his clients' concerns about the impact of the proposed scheme on their farm and it was their view that the farm would be harshly affected. He explained that 3% of the holding would be involved in landtake affecting 7 fields and that this would have a significant effect on the farm business. This would lead to an inevitable reduction in herd size. The Mitchells requested details of the proposed access to their fields at the old Banbridge Road and also details of the attenuation proposals for increased run-off from the new works.

Mr Clarke expressed concern about drainage on the western side of the A1 and requested that drainage here be adopted by the Rivers Agency or maintained as part of the scheme since periodic flooding had occurred at this junction in the past. The Mitchells also requested the relocation of the proposed bus stop to the opposite side of the new Gowdystown Road Junction as this would reduce landtake of good agricultural land. They further requested the Department to consider the provision of a private access off the Gowdystown Road comparable to that facilitating the Lotus Heights housing development.

Department Response

The Department acknowledged landtake of approximately 1.8 hectares at the Mitchell farm and stated that the proposed route was the most equitable in the wider context for all the landowners likely to be affected by the scheme. It explained that where land was vested it may carry out accommodation works to join small field remnants with fields and remove redundant lanes. The details of this would be agreed with the landowners as part of the works. It also stated that where the removal of mature boundaries was considered necessary it would be minimised through discussion with the landowners.

In relation to the Mitchell fields at the old Banbridge Road, the Department stated that access would be in a similar position as currently but would come off in a proposed turning head. This would be located in a cul-de-sac created where the existing old Banbridge Road would be closed to the mainline. With respect to drainage the Department stated that discharge rates would be attenuated to an appropriate level and that should run-off cause problems in the future it had statutory powers to take appropriate remedial action. It also stated that designation of watercourses was outside the scope of the project.

The Department stated that there would not be a park and ride facility at the Gowdystown Road Junction, but rather a bus stop with a number of parking bays. It also explained that the proposed location for the bus stop was considered to be the best option on the basis of proximity to the existing bus stop and involved less landtake than other options considered.

The Department stated that, in the interests of road safety and due to topographical constraints, it was not possible to provide a private access for Mr Mitchell's father's residence to the junction connector road. The Department reiterated that accommodation works could only be carried out by agreement with the landowner and that it was keen to continue dialogue with the Mitchells to discuss such works and possible mitigation measures.

The Department also carried out an Agricultural Impact Assessment for the Mitchell farm. The impacts of the scheme included potential disturbance to the business due to increased travel distances for farm traffic which, would be mitigated by the new bridge at the Gowdystown Road Compact Grade Separated Junction. The long term effects of the proposed scheme on the lands and property were assessed to be minor in magnitude and slight/moderate in terms of significance.

The Department stated that compensation was a matter for Land and Property Services.

Consideration

Mr and Mrs Mitchell requested an on-site meeting so that they might have an opportunity to explain in full their concerns relating to the effects of the proposed scheme on their lands/properties. I agreed to this and met with Mr and Mrs Mitchell and Mr Clarke on the 27th of August 2020. At the meeting they reiterated their concerns and pointed out the details of how they felt they would be affected by the scheme proposals.

I note and welcome the Department's statement that it would be keen to continue dialogue with Mr and Mrs Mitchell in relation to accommodation works. I hope that mutually satisfactory solutions can be found. Otherwise, I accept that the Department's response is reasonable and appropriate in the circumstances.

5.16 Submission by Mrs J McComb

INQUIRY REFERENCE - COM2

Summary of Submission

Mrs Mc Comb expressed concern about the closure of the first junction/entrance into Loughbrickland village where she was a resident. She posed the question of provision for the bus service to enter the village and stated that she could not find reference to this in the proposals and that the any people using this bus route would be likely to be inconvenienced by the proposals for this junction.

Department Response

The Department stated that the proposed scheme was a safety driven one with the main objective of closing all gaps in the central reserve. It acknowledged that the proposals would result in an additional journey length of approximately 2 kilometres for the southbound bus service but would have no impact on northbound bus services. It considered that was a relatively minor inconvenience when compared with the safety benefits of the proposed scheme. The Department also stated it was continuing to engage with Translink to consider alternative arrangements to the southbound bus service access to Loughbrickland.

Consideration

I accept that the Department's response is reasonable and appropriate in the circumstances.

5.17 Submission by Mr I Ward (on behalf of Mr M. Fegan)

INQUIRY REFERENCE - COM3

Summary of Submission

Mr Ward (Gillen & Co, Solicitors) submitted a letter of objection on Mr Fegan's behalf. Mr Fegan has a long established farm shop business off the A1. Mr Ward expressed Mr Fegan's concerns about the closure of the first entrance of the A1 from the Banbridge side and the proposals for a new slip road past his business which would result in clients travelling back to his premises and using some form of turning circle there.

Mr Ward submitted a further letter to the Inquiry on the 11th of March 2020, asking for the Department to consider the construction of a new slip road on the Banbridge side of his client's property which would allow drivers to re-join the A1 on the Newry side. The letter also requested enhanced signage indicating the location of his client's business.

Department Response.

The Department stated that it did not favour Mr Fegan's preference to have a diverge exiting the A1 north of his farm shop and a merge at the existing location. It stated that this was on the grounds of safety and cost. The minimum Stopping Sight Distance SSD was only achievable with the southern junction with the Banbridge road. To provide a diverge or new left in/left out with full SSD would be more expensive and would still be downstream of the farm shop. The Department also stated that two separate connection points within a short distance would be at odds with its aim of route consistency. It also added that subsequent to a meeting with Mr Fegan it had allowed for increased geometry to the proposed cul-de-sac end to cater for larger vehicles at the cul-de-sac end of the Banbridge Road.

The Department responded to Mr Ward's letter of the 11th of March on the 12th of May 2020, indicating that it would not be in favour of a slip road on the Banbridge side of Mr Fegan's business and reiterated its concerns in relation to safety, route consistency and cost. On the matter of enhanced signage, the Department's letter stated that, subject to discussion with Mr Fegan, it would be prepared to consider the provision of a temporary sign for a defined period only.

Consideration.

I accept that the Department's response is reasonable and appropriate in the circumstances.

5.18 Submission by Mr S Jemphrey on behalf of Mr. E. Watterson

INQUIRY REFERENCE - COM4

Summary of Submission

Mr Watterson's existing entranceway will be blocked up and a new one created to the side of his property. Mr Jemphrey sought clarification on queries in relation to the removal of trees, adoption of the new road, landscaping to the front of his client's garden, the boundary wall and compensation for land to be vested.

Department Response

The Department stated that following engagement with Mr Watterson the existing laneways to his property and two others will be stopped up and replaced with a single new access lane which will connect to the existing lane and this connection will require the removal of existing trees. The Department explained that a portion of the existing lane close to the existing access with the A1 will be under Mr Watterson's ownership and the remainder together with the new laneway will be adopted by the Department. The Department stated that mitigating any impact on existing landscape and on the existing red brick boundary wall would be considered and agreed with Mr Watterson during the accommodation works. It confirmed that Mr Watterson will be entitled to seek compensation.

Consideration

I accept that the Department's response is reasonable and appropriate in the circumstances.

5.19 Submission by Mr B Patterson

INQUIRY REFERENCE - COM5

Summary of Submission

Mr Patterson requested specific details for pedestrians, cyclists and those using public transport on how to get across the carriageway - particularly from the Old Hillsborough Road and to the Grove Road - when the scheme is completed

Department Response

The Department directed Mr Patterson to sites where the proposed development documents were published. It stated that it was not considered appropriate to encourage any further pedestrian and cycling activity on this route and that construction of the new junctions would provide safer crossing points with new overbridges and paths. Following consultation with Translink and reviewing usage figures, the Department explained that the proposal was to remove bus stops

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along the mainline and replace these with facilities at the CGSJ's. It also provided the website details of Dial-a-Lift.

Consideration

I accept that the Department's response is reasonable and appropriate in the circumstances.

5.20 Submission by Mr B Clarke on behalf of Mr G and Mrs R Wilson

INQUIRY REFERENCE - COM6

Summary of Submission

Mr Clarke (Best Property Services) requested, on Mr and Mrs Wilson's behalf, detailed drawings at a reduced scale to see the full impact on a number of houses, including their own residence. The Wilson's have accepted that the house at Milebush Road will require to be demolished but requested that as much of the garden as possible be retained. They asked that the Department provide details of the land to be returned and the proposed boundary treatment for the returned area. They also requested details of how private land at their residence, with significant planting, would be affected and how their sites would be accessed post scheme. The Wilsons further wished to know why the area needed to be vested and what the sewerage and run-off arrangements would be.

In respect of Backnamullagh House, the Wilsons requested a separate access to the house with accommodation works to include electric gates, lights, tarmac drive and landscaped design at the new entrance. They requested confirmation that the new access would be adopted by DfI and asked for appropriate drainage for the carriageway as currently there was flooding on adjacent agricultural lands. Finally, the Wilsons requested details of proposed security fencing at their business, details of direction signage, septic tank proposals and an assurance that soakaways would not affect their proposed coffee shop.

Department Response.

The Department stated that the land to be vested was identified on plans published in March 2019 and identified by letter sent to the Wilsons at that time. It confirmed that a portion of the garden at Milebush Road would be retained by the landowner. The type of boundary treatment to be used has been detailed in the Environmental Impact Assessment Report. The loss of trees would be minimised through design amendments following extensive discussions with the landowner, but some minor encroachment might be necessary to provide access to the business. The Department also stated that a strip of land along the Milebush Road would be required to ensure appropriate visibility could be

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provided for the proposed access. Post construction access to proposed building sites would be identified on approved planning drawings and proposed sewerage for these sites would include septic tank arrangements. All accommodation works would be agreed with the landowner.

The Department stated that the issue of Backnamullagh House had been previously discussed with the Wilsons and reiterated that a private access was proposed onto the new access road. This road would be maintained by the Department. It confirmed that the new entrance to the property from the public road would be private and under the Wilsons' ownership. The Department further stated that the option proposed by Mr Wilson to provide a private access in a northerly direction from the house to connect at a closer point to the proposed Listullycurran Junction was not possible due to prohibitive cost. It also stated the road drainage would be provided as necessary.

The Department stated that it was keen to continue dialogue with the Wilsons to discuss a comprehensive schedule of accommodation works and mitigation measures where possible and appropriate. It also stated that it would consider the provision of a temporary sign for the Wilson, business but that permanent signage could not be erected, as this would contravene current Department policies. The Department noted that any direct access points which could be removed from the mainline would result in improved safety for all road users, including customers to the Wilson business.

Consideration

Mr and Mrs Wilson requested an on-site meeting so that they might have an opportunity to explain in full their concerns relating to the effects of the proposed scheme on their lands/properties. I agreed to this and met with Mr Wilson and Mr Clarke on the 27th of August 2020. At the meeting they reiterated their concerns and outlined again their requests for various accommodation as described above.

I note and welcome the Department's statement that it would be keen to continue dialogue with Mr and Mrs Wilson in relation to accommodation works. I hope that mutually satisfactory solutions can be achieved. Otherwise, I accept that the Department's response is reasonable and appropriate in the circumstances.

5.21 Submission by Mr B Clarke on behalf of Mrs M Graham

INQUIRY REFERENCE COM7

Summary of Submission

Mr Clarke, on Mrs Graham's behalf, queried why the Department required his client to share an access with other users, mostly agricultural. He requested that his client's access branch-off immediately after a paired access onto the public road, so that contact with agricultural users would be kept to a minimum. He stated that even this would affect the mortgage availability of his client's property.

Department Response

The Department stated that it was not possible to provide a private access lane similar to existing arrangements on Mrs Graham's land, as this would result in a very steep gradient on the access lane and this would pose serious safety concerns. It also stated that providing an access onto the proposed junction would create a safety hazard on the new connector road due to the close proximity to the A1 mainline, creating potential conflicts between vehicles using the access lane and vehicles either accessing or leaving the A1.

The Department carried out an option appraisal process - the Drumneath Road Access Lane Option Appraisal. Of the 4 options considered the report proposed that Option 4, a shared accommodation lane serving several property owners, would be the most suitable. The Department stated that there was no suitable design option which would maintain the current access arrangements. It also explained that, since the two neighbouring agricultural holdings and Mrs Graham would all require access from the Drumneath Road, the proposed access road would provide a safer arrangement, minimising third party landtake and presenting best value for money. The Department confirmed that it would be responsible for future maintenance of the road.

Consideration.

I accept that the Department's response is reasonable and appropriate in the circumstances.

5.22 Submission by Mr F Davidson

INQUIRY REFERENCE - COM8

Summary of Submission

Mr Davidson asked that the Department to consider vesting the remainder of his land (400/500 square metres) on the Drumneath Road in addition to that already

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vested, since then he would not require access to the land and this would avoid the necessity of any new entrance being constructed.

Department Response.

The Department stated it was willing to acquire the remainder of Mr Davidson's land by way of land transfer.

Consideration.

I accept that the Department's response is reasonable and appropriate in the circumstances.

5.23 Submission by Mr F A Orr on behalf of Mrs M Webster

INQUIRY REFERENCE - COM9

Summary of Submission

Mr Orr requested the relocation of an existing hawthorn hedge and replanting some hedge along new boundaries for his client, Mrs Webster. He also requested access for his client to land following vesting and for the Department to confirm that the Royal Society for Protection of Birds (RSPB) had or would be consulted.

The Department Response

The Department stated that due to high risk of plant failure it was considered appropriate to replace existing hedging with new and that maturity of new hedging could be considered at detailed design stage. It confirmed that access would be retained/provided to any remaining parcels of land under private ownership and that the RSPB had been consulted as part of the EIA process.

Consideration

I accept that the Department's response is reasonable and appropriate in the circumstances.

5.24 Submission by Ms S McEvoy

INQUIRY REFERENCE - COM10

Summary of Submission

Ms McEvoy inquired from the Department how the Annaghbane and Tullymore Roads would be impacted by the proposed scheme.

Department Response

The Department stated that the current junction arrangements with the Annaghbane and Tullymore roads and the A1 would not be impacted by the proposed scheme.

Consideration

I accept the Department's response.

5.25 Submission by Mr F A Orr on behalf of Mr A Heslip

INQUIRY REFERENCE - COM 11

Summary of Submission

Mr Heslip stated that water meter was in the area of land to be vested. Mr Orr, on his client's behalf, informed the Department that should there be any bursts or leaks during construction works he would seek reimbursement.

Department Response

The Department noted the information and stated that it would be given due consideration.

Consideration

I accept that the Department's response is reasonable and appropriate in the circumstances.

5.26 Submission by Mr Kevin Lynas on behalf of DAERA

(Department of Agricultural, Environment and Rural Affairs)

INQUIRY REFERENCE - COM 12

Summary of Submission

Mr Lynas provided comments and advice on the key environmental considerations for the Marine and Fisheries Group within DAERA in response to the Department's request.

In relation to the Habitat Regulations Assessment, the NI Environment Agency (NIEA), Natural Environment Division (NED), noted that the mitigation measures as set out were best practice and given the distances involved to the Natura 2000 (N2K) sites stated that there would be no likely significant effects on any European site. It also noted that proposed landscaping plans had been submitted which proposed planting would be likely to compensate for the loss of

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woodland blocks and hedgerows provided areas would be managed appropriately. NED advised that the development would be unlikely to significantly impact the foraging behaviour of bats in the long term provided that appropriate compensation for the removal of habitat features as suggested would be undertaken and that any additional lighting be bat sensitive and advised that further information would be sought regarding proposed lighting plans. It also advised that all trees identified as having bat roost potential should be surveyed by an experienced bat worker/surveyor within 48 hours prior to removal or demolition. If any evidence of bat activity is found they advised that work should cease and advice be sought from the Wildlife Team.

NED stated it was content that the proposed scheme would be unlikely to impact badgers at Castlewellan, Waringsford and Milebush Road Junctions nor at Connellystown Road LILO.

It advised that, in addition to the fenced buffer zone, further permanent fencing should be added at Gowdstown Road to minimise interaction between the road and badgers. NED expressed concerns about setts at Skeltons/Drumneath Road Junction and Listullycurran Road Junction and the impact of the development on them. It advised a Wildlife Licence would be required for any work impacting on any badger sett under the Wildlife Order (NI), 1985.

NED noted that no indicators have been provided from the results in the Habitat Survey to support the potential for breeding newts and also that the proposed development would be unlikely to significantly impact other protected species.

NED noted that Japanese knotweed had been located at Listullycurran and Gowdstown Road Junctions and stated that under the Wildlife (NI) Order, 1985 it was an offence to introduce this plant into the wild or to cause it to spread. It also referred the Department to the Wildlife and Natural Environment Act (WANE) NI, 2011, and to its website for relevant guidance.

NED, Conservation Designations and Protection (CDP) stated they had no concerns regarding the proposed development but stated that the final CEMP must be submitted to the Department prior to works commencing and adhered to and implemented throughout construction.

NIEA, Water Management Unit (WMU) stated they were content in principle with the water quality section of the EIA but that the following statutory permissions would be required:

- A Discharge Consent for discharges to the aquatic environment and separate Discharge Consents for those not directly related to construction.

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- An appropriate abstraction/impoundment licence.

WMU also recommended the following conditions:

- A CEMP be submitted to the Department 8 weeks before construction commencement for consultation with NIEA and WMU.
- A site specific Methods of Works Statements (MWS) for non-standard works not covered by the CEMP also to be submitted 8 weeks before construction commencement.
- An environmental manager with contact details submitted 8 weeks before pre-construction or construction works.

DAERA Inland Fisheries pointed out that there were several waterways located near to or affected by the proposed development and as a statutory consultee stated that they looked forward to working with the developers and drew attention to Section 47, Fisheries Act (NI), 1966 re penalties for pollution and Section 48 re protection of young and breeding fish.

Comments were made about significant inaccuracies identified in RPS-Sweco EIAR identified by the Regulatory Unit's (RU) review and it was suggested that they be amended:

1. Capacity at Blackmountain and Macosquin landfill - figures reported were inaccurate.
2. Two waste sites identified at Magherglass and Tullyvar were now closed and not viable for waste from the project.
3. The hazardous waste site PO186/07A SITA was also now closed and not viable for waste.

The RU also noted a number of informatives which should be taken on board by the project team in relation to risk assessment, management of waste materials, contamination and the production of a System Wide Monitoring Program (SWMP). It recommended consultation with WMU in the NIEA and directed the team to a series of relevant websites.

In the final correspondence from DAERA, NED's recommendations in relation to badgers were that no light be directed towards areas of habitat with bat roosting potential, no development activity be commenced until a competent ecologist be appointed and that no development activity take place until protection zones had

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been provided around each badger sett entrance. Within these protection zones no works were to take place without the consent of the Planning Authority or unless an appropriate Wildlife Licence had been obtained from the NIEA.

Department Response

The Department stated that all these comments had been noted and that permanent badger fencing would be installed at Gowdystown Road Junction. It also stated that the ecological clerk of works would work closely with NIEA Wildlife Licensing Officers in advance of construction to close setts temporarily rather than permanently, where feasible to do so, at Listullycurran Road Junction and in preparation for the creation of artificial setts at Skeltons/Drumneath Road Junction.

It stated that RPS-Sweco would confirm that all lighting would be prepared cognisant of DAERA correspondence. It confirmed that no historical records of smooth newt within 500m of the proposed scheme had been found.

Consideration

I recommend that the Department gives full, thorough and detailed consideration to all the matters raised in the Environmental Impact Assessment Report and follows closely the recommendations made therein. I also recommend that the inaccuracies in the EIAR noted in Mr Lynas' submission above be corrected and that the advice and guidance provided be followed closely during pre-construction, construction and post construction processes.

5.27 Submission by Mr C McKay

INQUIRY REFERENCE - COM13

Summary of Submission

Mr Mc Kay expressed support for the closure of the gaps in the central reservation but expressed concern that the A1 upgrade was not to motorway standard and that there were still many junctions on the road.

Department Response

The Department stated the proposals for the A1 were assessed against set government objectives at both a local and regional level, but that there may be additional opportunities in the future to introduce further safety measures. Six of the existing 36 side roads would be incorporated into the proposed new CGSJ's, 9 could be closed permanently and 21 converted to LILO only.

Consideration

I accept that the Department's response is reasonable and appropriate in the circumstances.

5.28 Submission by S McGimpsey on behalf of Mr D Wilson (MRP Land Ltd)

INQUIRY REFERENCE COM14

Summary of Submission

Mr Mc Gimpsey expressed a desire to meet with the development team to ensure that the already approved access off the Moira Road into land owned by Mr Wilson would not be compromised by the proposed scheme.

Department Response

The Department confirmed that plans to realign the junction at Moira Road Hillsborough Road would not adversely impact on the entrance to the proposed development site. It stated that it would be happy to engage with Mr M Gimpsey further as he and his client developed revisions to minimise any potential conflict between the access proposed and the scheme.

Consideration

I accept that the Department's response is reasonable and appropriate in the circumstances.

5.29 Submission by Mr T Hughes (Sinn Fein)

INQUIRY REFERENCE - COM15

Summary of Submission

Mr Hughes expressed concerns about drainage on the A1 and the dangers of standing water following heavy rainfall.

Department Response

The Department stated that the scheme would include upgrades to the existing infrastructure in the vicinity of the proposed work zones along the scheme length. If existing drainage issues were identified at these locations they would be addressed during construction. It also informed Mr Hughes that any existing drainage issues were a maintenance issue and the responsibility of the Design Build Finance and Operate (DBFO) company contracted to maintain the highway infrastructure on the A1. Concerns specific to that matter should be addressed to the Public/Private Partnerships Unit in the DfI Headquarters, Belfast. It also

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added that in 2017 a drainage issue in the vicinity of the Gowdstown Road had been addressed and was resolved.

Consideration

I accept that the Department's response is reasonable and appropriate in the circumstances.

5.30 Submission by Mr B Clarke on behalf of Mr Kennedy Browne

INQUIRY REFERENCE - COM16

Summary of Submission

Mr Browne was represented at the Inquiry by Mr Brian Clarke, Best Property Services. Mr Kennedy Browne and Mr Ryan Browne also attended the Inquiry.

Mr Browne owns a farm of approximately 45 acres, 25 acres on the eastern side of the A1 and 20 on the western side. There are a further 5 acres taken in conacre. In his submission Mr Clarke stated that the proposed closing of the central reserve on the A1 would make it extremely difficult to access the lands on the western side of the carriageway. This would lead to longer journeys by slow moving farm vehicles which would pose even more of a health and safety risk and slow down traffic on the A1 mainline.

Mr Clarke requested that a cattle underpass or overbridge be provided to facilitate cross carriageway movements. He also stated that cattle underpasses had been provided to landowners in similar circumstances under the A1 at Loughbrickland (Beechill), which was only a few miles down the road.

Mr Clarke further requested that the Department consider providing drainage to an area of low lying land on the western side of the A1 which was prone to flooding. He made this request as proposed land take for the scheme would require vesting over an acre of good farming land. He stated that this area of drainage could be designated by Rivers Agency.

On the issue of the conacred land, Mr Clarke stated that Mr Browne would require a new access between the two plots and cattle handling facilities as post scheme access would be restricted between the various plots. He requested the relocation and rebuilding of a cattle crush. Mr Clarke also questioned the ownership of the land at the weighbridge.

Mr Clarke referred to the issue of compensation and stated that the current principles were based on archaic case law and legislation and he felt that simple financial compensation did not always fully reflect the disadvantage to the land/

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property owner. He also felt that Mr Browne was never adequately dealt with by way of compensation in previous schemes.

Mr Clarke referred to the Newry Road Farm Access Option Appraisal document. He felt it did not adequately deal with the costs and risks imposed on the Browne family taking agricultural machinery onto the A1 mainline. He stated that health and safety should be paramount. He also referred to earlier schemes where underpasses were provided to allow access to farmlands.

Mr Ryan Browne stated that a local access overbridge would benefit not only his farming business but also a local fruit and vegetable business and various other residential properties. He also stated that transporting various classes of cattle stock meant different trailers needed to be used and this involved extra journeys.

Department Response

The Department responded to Mr Clarke by letter on the 9th of March 2020. The Department's response acknowledged that closing the gap on the A1 would lead to additional journey lengths for the Browne farm traffic, and that the journey lengths would be greater than the 5 kilometres excess specified in the Roads Service Policy and Procedure Guide. The maximum excess journey length would be approximately 5.7 kilometres.

At the Inquiry Mr McEvoy responded on behalf of the Department and stated that it was important to set in context the works for this scheme, as on other schemes the works involved green field sites -perhaps creating severance issues. He stated that in this case the Department was proposing upgrades to an existing dual carriageway. The existing A1 dual carriageway had already created farm severance which would have been dealt with through previous scheme delivery options.

Mr Doonan summarised, with the aid of photographs, the cross-carriageway movements currently made by the Browne farm traffic using existing gaps in the central reserve.

The Department carried out an option appraisal process - the Newry Road Farm Access Option Appraisal - to consider the most favourable options to mitigate the effects of the scheme on the Browne farm lands. The appraisal process considered 5 options - (Option 0, do nothing), an agricultural overbridge connecting the Banbridge Road to the Browne farm lands (Option 1), an agricultural underpass (Option 2), an accommodation lane (Option 3), an accommodation overbridge directly connecting the Browne farm lands (Option 4). Options 1,2 and 4 were estimated to be considerably more expensive than

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Option 0 and hence not economically viable when both construction and land compensation costs were taken into account. Option 3 (accommodation lane) was estimated to be almost three times the cost of Option 0 and did not provide a significant reduction in journey distances. On this basis it was the Department's view that Option 0 was the most economical and appropriate solution.

The Department also commissioned an Agricultural Impact Assessment. The conclusion of the assessment was that the proposed scheme would have a slight effect on the operation of the Browne farm business. The assessment report stated that "proposed accommodation lanes will provide new access to remove those closed as part of the project. These will be located on both the east and west sides of the A1 carriageway."

At the Inquiry Mr Doonan described in detail how each of the proposed options had been considered and ultimately discounted on either the basis of excessive cost or, in the case of the accommodation lane, insufficient mitigation benefit. Mr Doonan stated that the Department did not see a level of justification (or economic viability) for bringing forward any of the four accommodation works options considered. He also stated that for the Browne farm traffic to use the mainline would provide added safety benefits, in that it would no longer make right turn manoeuvres across the carriageway.

On the issue of field drainage raised by Mr Clarke, Mr Doonan stated that this was an existing issue and that any extra run-off resulting from the scheme proposals would be attenuated to green field run-off rates. He felt that the existing problem was outside the scope of the project. On the matter of providing a new field access, the Department stated, in its letter to Mr Clarke, that this would require unnecessary vesting of additional land and it did not consider it appropriate to do so. On the requested provision of a new cattle crush, the Department confirmed that this would be considered during accommodation works discussions. The Department's letter also stated that the land at the weighbridge remained in its ownership and that any dispute on this matter would be resolved during compensation negotiations.

Mr McGuinness confirmed that the Department had no statutory obligation to provide accommodation works to mitigate the impacts of the proposed scheme and that, in this case, it may not be cost effective to do so. The mechanism for mitigating the impact would thus be through the compensation process. Ms Michelle Henry (Land & Property Services), explained how the compensation process worked. Ms Henry cited the 'Killen Case' as an illustrative example.

Mr Mc Guinness added that issues in respect of previous inquiries were outside the scope of this Inquiry and ought not to be considered.

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Mr McEvoy stated that although a primary purpose of the proposed scheme was to remove as much slow moving agricultural traffic as possible from the A1, there would inevitably still be some farm traffic that needed to continue to use the road.

Consideration.

Mr Brian Clarke, representing the Browne family, asked for an on-site meeting so that they might get an opportunity to explain in full their concerns relating to the effects of the proposed scheme on their farm business. I agreed to meet with Mr K and Mr R Browne and Mr Clarke on the 30th of July 2020. Mr L McEvoy, Mr B McClelland (DfI, Roads) and Mr C Doonan (RPS-Sweco) also attended the site meeting

Mr R Browne reiterated the family's concerns about the effects of the proposed scheme on their business and summarised the number and nature of journeys that would be required to access their lands on either side of the carriageway. He also stated that they had been assured during past upgrade schemes on the A1 that they would always be afforded full access to all parts of their lands. He was now also concerned about what might happen if the road was upgraded to full motorway status at some time in the future.

Mr Clarke stated that he still felt an overpass was the best option to solve the problem and that compensation itself could not resolve the issues. He also stated again that underpasses had been recently constructed further down the road.

Mr McEvoy pointed out that costs for overpasses/underpasses were generally greater on an existing road scheme than for a new build, as was the case referred to by Mr Clarke.

I have studied in detail the information provided in the Agricultural Impact Assessment report and the Newry Road Farm Access Option Appraisal. I note that the impact assessment report proposed accommodation lanes where existing field accesses would be affected by proposed new LILLO junctions. However, the 1,136 metre long accommodation lane running parallel to the A1 southbound carriageway (Option 3) considered in the options appraisal report was not judged to be cost effective and did not provide a significant reduction in journey distances. The option appraisal report included comparison of cost percentages for the options considered and came to the conclusion that none of the options were economically viable or appropriate.

It is clear that the costs to provide either an overpass or underpass (including estimated compensation costs) are very considerable. It is also evident that an accommodation lane (the cheapest of the cost options, other than simply

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accepting to travel on the A1 mainline) provides only a minimal mitigating effect and was thus deemed by the Department not to be cost effective or appropriate.

I do accept, however, that requiring slow agricultural traffic from the Browne family farm to use the A1 mainline to access lands on the opposite side of the carriageway somewhat obviates one of the primary objectives of the scheme - to remove, as far as possible, slow moving farm traffic from the main carriageway. Nevertheless, it seems all possible options have been fully explored by the Department and there does not seem to be a more acceptable outcome. I fully appreciate how much the Browne family will be disappointed, but I have to agree with the Department's assessment that Option 0 is the most economically viable and appropriate option and should be brought forward under this scheme. I would also ask that the Department works closely with the Browne family to find optimum solutions for the accommodation lanes proposed in the Agricultural Impact Assessment report.

I note the Department's position that it has no legal obligation to carry out accommodation works. However, where such works are provided by the Department the effect is to mitigate the compensation payable in respect of land taken and injurious affection to land retained by the owner. Due to the effect the proposed scheme will have on the Browne family farm business it is my view that significant compensation is likely to be payable and I note that the Department has provided advice to the farm owners on how a claim for compensation could be progressed. I would also remind the farm owners of a case, referred to at the Inquiry as the 'Killen Case', where there was a dispute regarding compensation determined by Land and Property Services in relation to severance of the farmer's land. The farmer was unhappy with the initial determination and the case was then referred to the Land's Tribunal. The Land's Tribunal member determined that a higher value of compensation was due to farms severed by the proposed road scheme. Although the Browne family farm is not severed by proposals for this scheme, as it had already been severed when the dual carriageway had initially been constructed, I nevertheless feel that the 'Killen Case' may have certain relevance to the circumstances that pertain to the Browne family business. I understand that the level of compensation offered in the Killen Case led the Department to review its proposals for accommodation works. The findings in the 'Killen Case' are a matter of public record.

5.31 Submission by Mrs Emerald McKnight

INQUIRY REFERENCE - COM17

Summary of Submission

Mrs McKnight asked to submit a letter to the Inquiry on the 12th of March 2020. After consideration I decided to accept the letter. The letter expressed Mrs McKnight's concerns relating to safety issues at the entrance to her property, which was situated on the northern carriageway of the A1. The letter referred to the difficulties she and her husband experienced when attempting to gain access to her home from the A1. There was no merge/diverge lane at the entrance to her property and thus the only method of exit from the A1 was to slow down and use the hard shoulder. In Mrs McKnight's opinion this gave rise to serious safety issues, especially at night, with fast moving traffic approaching from behind.

Mrs McKnight's letter stated that both of her sons had died at the age of 16 and that she had witnessed several serious accidents on the A1 and, as a nurse, had provided first aid.

Mrs McKnight also stated she had previously made requests to DfI Roads for the provision of a merge/diverge lane at the entrance to her and her husband's property. This had not been provided and Mrs McKnight asked for the matter to be considered at the Inquiry.

Department Response

As Mrs McKnight's letter was submitted to myself on the 12th of March there was not an opportunity for the Department to make a direct response.

Consideration

I firstly wish to offer my most sincere condolences to Mr and Mrs McKnight on the loss of her sons.

I have given most careful consideration to the matter raised in Mrs McKnight's letter but, unfortunately, have come to the conclusion that it lay outside the remit of the Inquiry. However, I also wrote to the Department asking for Mrs McKnight's concerns to be given some consideration if possible.

6. Statements of Support

6.1 Submission from Ms Ciara Sands

INQUIRY REFERENCE - SU01

Ms Sands attended the Inquiry on the 11th of March and also made a written submission.

Ms Sands expressed strong support for the proposed scheme and referred to a number of fatal accidents that had occurred including one in which her partner, Mr Karl Heaney, had been killed. Ms Sands and Mr Heaney's mother, Ms Monica Heaney, have been strong campaigners for safety improvement to be made to the A1.

Ms Sands and Ms Heaney initiated a petition in support of safety upgrades. At the time of the Inquiry there had been over 12,000 signatures to the petition. Ms Sands, Mrs. Heaney and Mr Charles Mc Cafferty made verbal statements to the Inquiry in addition to submitting written statements and Mr Mc Cafferty also made reference to and questioned items of evidence submitted by some objectors.

The loss of life as a result of any road accident is a tragic occurrence and I offer my sincere sympathy to Ms Heaney, Ms Sands and all those families who have lost loved ones as a result of fatal accidents on the A1 dual carriageway.

Department Response

The Department responded by offering sympathy to the Heaney and Sands families and stated that it was keen to deliver the proposed road improvements as soon as practically possible.

6.2 Submission from Councillor Brian Pope

INQUIRY REFERENCE - SU02

Councillor Pope submitted a written statement to the Inquiry in support of the proposed scheme and expressed concern about the length of time taken to bring forward the scheme. Councillor Pope asked that the work be progressed as urgently as possible. He also raised a number of queries and asked the Department to respond.

Department Response

The Department welcomed Councillor Pope's support and referred to consultation meetings which had taken place with him. It also confirmed that it would continue to liaise with all affected parties to discuss localised or property mitigation measures where relevant.

6.3 Submission from Mr John Jordan on behalf of AMEY Highways

INQUIRY REFERENCE - SU03

Mr Jordan submitted a written statement in support of the proposed scheme and asked to be notified regarding detailed design progress and timescales. AMEY Highways will be responsible for maintaining the new structures - pavement, central barrier and other associated works.

Department Response

The Department welcomed Mr Jordan's support for the proposed scheme and agreed to involve AMEY in detailed design discussions.

6.4 Submission from Ms J Falconbridge on behalf of Translink

INQUIRY REFERENCE - SU04

Ms Falconbridge expressed support for the proposed scheme and with the principle to provide new park/drop-off facilities at the four proposed Compact Grade Separated Junctions. She expressed some concerns about the junction arrangement at the northern end of Loughbrickland and about impact on bus passengers. Ms Falconbridge expressed an interest in meeting to discuss design and mitigation measures and requested an opportunity to review the contractor's traffic management plan.

Department Response

The Department welcomed Translink's support for the proposed scheme. It stated that it would continue its ongoing consultation with Translink as the project progresses and would endeavour to set up meetings to discuss detailed design and traffic management plans. It confirmed that the design of the junction at the northern end of Loughbrickland was consistent with the overall route where all gaps in the central reserve were to be closed.

6.5 Submission from Mr H Thompson

INQUIRY REFERENCE - SU05

Mr Thompson expressed support for the proposed scheme. He also expressed a concern about cyclists, lack of cycle lanes and about time delays to the scheme.

Department Response

The Department welcomed Mr Thompson's support. It reiterated that the primary objective of the proposed scheme was to close all central reserve gaps, but the scope of the project did not include cycle facilities along the A1. The Department's response stated that it was doing everything it could to progress the project and that there was scope to deliver the proposed works in a phased manner.

6.6 Submission from Ms A Owens

INQUIRY REFERENCE - SU06

Ms Owens expressed support for the proposed scheme and as a frequent user of the A1 acknowledged the importance of the improvement scheme.

Department Response

The Department welcomed Ms Owens' support and stated that it was doing everything it could to progress the project.

6.7 Submission from Ms A O'Hagan

INQUIRY REFERENCE - SU07

Ms O'Hagan expressed support for the proposed scheme and as a regular user of the A1 acknowledged the importance of the scheme.

The Department Response

The Department welcomed Ms O'Hagan's support and stated that it was keen to deliver the proposals as soon as is practically possible.

6.8 SUBMISSION FROM MS B MC ARDLE

INQUIRY REFERENCE - SU08

Ms Mc Ardle expressed strong support for the proposed scheme. Sadly, she had been at the scene of many accidents on the A1, including two fatal ones where she rendered first aid.

Department Response

The Department welcomed Ms McArdle's support. The Department expressed sorrow for Ms Mc Ardle's tragic experiences when attending traffic accidents on the A1, particularly those where fatalities occurred. It stated that it was keen to deliver these proposals as soon as possible as safety is a paramount objective of the scheme, but that traffic calming measures raised by Ms Mc Ardle were outside the remit of the Inquiry.

I also offer my sincere sympathy to Ms McArdle for the sad and tragic circumstances she has experienced.

6.9 Submission from Ms B Feehan

INQUIRY REFERENCE - SU09

Ms Feehan expressed strong support for the proposed scheme and the importance of the upgrades.

Department Response

The Department welcomed Ms Feehan's support and stated it was keen to deliver the proposals as soon as possible.

6.10 Submission from Ms C Mc Cafferty

INQUIRY REFERENCE - SU10

Ms Mc Cafferty expressed strong support for the proposed scheme having been devastated by the loss of a loved one in the last year on the A1. Her husband spoke at the Inquiry in memory of Karl Heaney.

Department Response

The Department offered sympathy to Ms Mc Cafferty on her tragic loss. The Department welcomed Ms McCafferty's support and stated that it was keen to deliver the proposed scheme as soon as practically possible.

The loss of a life as a result of any road accident is a tragic occurrence and I offer my sincere sympathy to Ms Mc Cafferty and all those families who have lost loved ones as a result of fatal accidents on the A1.

6.11 Submission from Mr C Doran

INQUIRY REFERENCE - SU11

Mr Doran expressed support for the proposed scheme as a very frequent user of the A1 citing his experience of the dangers of the gaps in the central reserve and the crossings on the A1.

Department Response

The Department welcomed Mr Doran's support and reiterated the important objective of safety in the improvement scheme and stated that the scheme would be delivered as soon as practically possible.

6.12 Submission from Mr C McGrath MLA

INQUIRY REFERENCE - SU12

Mr McGrath expressed his support for the proposed scheme and the current consultation.

Department Response

The Department welcomed Mr McGrath's support for the proposed scheme and expressed its desire to deliver the proposals as soon as practically possible.

6.13 Submission from Mr C Murphy MLA

INQUIRY REFERENCE - SU13

Mr Murphy expressed his support for the proposed scheme and urged the Department to deliver it as soon as possible.

Department Response

The Department welcomed Mr Murphy's support for the proposed scheme and stated that it was doing everything it could to progress the project.

6.14 Submission from Ms D Kennedy

INQUIRY REFERENCE - SU14

Ms Kennedy expressed her strong support for the scheme having tragically lost her father in a fatal accident at the Moneymore Road Junction in 2010. She explained that she crossed this junction daily and consequently was aware of the dangers of the A1. She expressed concern about signage and lighting on the A1. She felt the scheme should be extended beyond Loughbrickland towards Newry.

Department Response

The Department offered sympathy to Ms Kennedy on her tragic loss. It welcomed Ms Kennedy's support and stated that it was keen to deliver the proposed scheme as soon as possible. It stated that the current scheme proposed Intelligent Transport Systems to alert drivers and street lighting at all four Compact Grade Separated Junctions. It noted that the Moneymore Road Junction and the Beechill Junctions were beyond the extent of the proposed scheme, but that draft proposals for further improvement on the A1 were among a number of priorities for future road development which would be presented to the Minister in the coming months (January 2020 onwards).

I offer my sincere sympathy to Ms Kennedy on the loss of her father. The loss of a life as a result of any road accident is a tragic occurrence and I again offer my condolences to all those families who have lost loved ones on the A1.

6.15 Submission from Ms E. Wallace

INQUIRY REFERENCE - SU15

Ms Wallace expressed strong support for the scheme and asked for its urgent completion. With family living off the A1, and personal experience of using the A1 very frequently when leaving and returning to her former family home, she outlined the dangers of driving on and crossing the A1.

Department Response

The Department welcomed Ms Wallace's support for the proposed scheme. It stated that to improve safety and consistency was one of the main objectives of the proposals for the A1 and that it was keen to deliver the scheme as soon as practically possible.

6.16 Submission from Mr A Toner on behalf of First Derivatives (FD)

INQUIRY REFERENCE - SU16

Mr Toner expressed strong support for the A1 improvement scheme. With its headquarters in Newry, and offices in Belfast and Dublin, many of FD's workforce used the A1. He expressed hope that plans to improve the A1 towards Newry would be included and also plans for the proposed M1/A1 Sprucefield bypass.

Department Response

The Department welcomed the support of Mr Toner and FD. It stated that it was currently developing proposals for a new Regional Strategic Transport Network Plan which would set out priorities for future development. The plan would then be presented to the Minister in the coming months (January 2020 and onwards).

6.17 Submission from Ms J Bunting MLA

INQUIRY REFERENCE - SU17

Ms Bunting expressed support for the scheme, although it lay outside the boundaries of her constituency. Karl Heaney's mother had contacted her to express concern that Karl's death on the A1 in May 2018 need not have happened had proposals to upgrade the A1 been implemented. She urged completion of the proposals as soon as possible before other lives were lost.

Department Response

The Department acknowledged Ms Bunting's response was in relation to the tragic death of Mr Heaney and expressed sincere sympathy to the families who had lost loved ones on the A1. It welcomed Ms Bunting's support and stated it was keen to deliver these proposals as soon as practically possible.

Again, I offer my own sincere sympathy to Ms Heaney and her family and to all those who have lost ones as a result of accidents on the A1.

6.18 Submission from Mr J. Mc Garrity

INQUIRY REFERENCE - SU18

Mr Mc Garrity expressed strong support for the proposed scheme and urged that construction begin as soon as possible. He indicated that he was a regular A1 user and felt the Department had made great efforts to accommodate the concerns of local residents.

Department Response

The Department welcomed Mr Mc Garrity's support and stated that it was doing all it could to progress the project.

6.19 Submission from Ms K Lamont

INQUIRY REFERENCE - SU19

Ms Lamont tragically lost her uncle on the A1 in December 2015, which devastated the entire family. She explained she felt strongly that without the option to cross the A1, the accident could have been prevented.

Department Response

The Department expressed sorrow and offered sincere sympathy to Ms Lamont on her tragic loss and to all those families who have lost loved ones on the A1. It welcomed her support for the proposed scheme and stated that it was keen to deliver the scheme as soon as practically possible.

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Again, I offer my sincere sympathy to Ms Lamont and her family on the tragic loss of her uncle and to all those families who have lost loved ones on the A1.

6.20 Submission from Mr K. Monaghan

INQUIRY REFERENCE - SU20

Mr Monaghan offered his wholehearted support for the proposed scheme.

Department Response

The Department welcomed Mr Monaghan's support and stated it was doing everything it could to progress the scheme.

6.21 Submission from Ms L. Spiers

INQUIRY REFERENCE - SU21

Ms Spiers tragically lost her father in December 2015 on the A1 and explained how his death had utterly devastated her family. She felt his death could have been avoided had safety improvements been implemented. As a twice daily user of the A1 she expressed support for the completion of the scheme to prevent further tragedies.

Department Response

The Department expressed sincere sympathy to Ms Spiers on the tragic loss of her father. It welcomed her support, stating that safety of all road users was a priority for the Department and it was keen to deliver the project as soon as possible.

Again, I offer my sincere condolences to Ms Spiers and her family and to all those families who have lost loved ones as a result of accidents on the A1.

6.22 Submission from Ms L Giles

INQUIRY REFERENCE - SU22

Ms Giles expressed support for the proposed scheme as a frequent A1 road user and attended the community consultation in Dromore.

Department Response.

No response was provided as Ms Giles asked to be taken off the Department's emailing list.

6.23 Submission from Ms L Magee

INQUIRY REFERENCE - SU23

Ms Magee tragically lost her father in December 2015 as a result of a road traffic accident on the A1. She expressed strong support for the proposed scheme and appealed to the Department to ensure the scheme would remain at the top of its priorities and be expedited as soon as possible. She also made a very moving verbal submission to the Inquiry.

Department Response

The Department expressed sincere sympathy to Ms Magee on the devastating loss of her father. It welcomed Ms Magee's support and stated that one of the key elements of the scheme was to close all gaps in the central median and install a central median safety barrier along the route. It also stated that it was doing everything it could to progress the project.

Again, I offer my sincere condolences to Ms Magee and her family and to all those families who have lost loved ones as a result of accidents on the A1.

6.24 Submission from Ms L. O'Hare

INQUIRY REFERENCE - SU24

Ms O'Hare expressed her support for the proposed scheme as a daily traveller on the A1.

Department Response

The Department welcomed Ms O'Hare's support and stated that it was keen to deliver the scheme as soon as practically possible.

6.25 Submission from Ms M. Manley

INQUIRY REFERENCE - SU25

Ms Manley expressed her support for the proposed scheme as a daily commuter on the A1.

Department Response.

The Department welcomed Ms Manley's support and stated that it was doing everything it could to progress the project.

6.26 Submission from Ms M McGivern

INQUIRY REFERENCE - SU26.

Ms McGivern expressed her support for the proposed scheme as a daily commuter on the A1.

Department Response

The Department welcomed Ms McGivern's support for the proposed scheme and stated that it was keen to deliver the proposals as soon as practically possible.

6.27 Submission from Ms M McDonald

INQUIRY REFERENCE - SU27

Ms Mc Donald expressed her support for the proposed scheme having been devastated by the unnecessary death of Karl Heaney.

Department Response

The Department acknowledged Ms McDonald's response, which was related to the tragic death of Karl Heaney, and expressed its sincere sympathy. It welcomed Ms Mc Donald's support and stated that it was doing everything it could to progress the scheme.

Again, I offer my sincere condolences to Ms McDonald and her family and to all those families who have lost loved ones as a result of accidents on the A1.

6.28 Submission from Mr M Brady MP, Sinn Fein

INQUIRY REFERENCE - SU28

Mr Brady expressed his full support for the proposed scheme and urged that it be completed as quickly as possible. Mr Brady made a verbal statement to the Inquiry on the 12th of March 2020 in support of the scheme. A colleague of Mr Brady's, Ms Liz Kimmons MLA, also made a verbal submission to the Public Inquiry in support of the proposed scheme.

Department Response

The Department welcomed Mr Brady's support for the proposed scheme and stated it was doing everything possible to progress the project.

6.29 Submission from Ms M Heaney

INQUIRY REFERENCE - SU29

Ms Heaney tragically lost her son, Karl, in May 2018 as a result of a road traffic accident on the A1. She expressed her devastation at the loss of her son and referred to the number of fatalities on the A1 since 2000. Ms Heaney has campaigned with Ms Sands (SU01), who was Karl's partner, for safety improvements on the A1. To date over 12,000 signatures have been received to the petition initiated by Ms Heaney and Ms Sands. Ms Heaney made a very moving submission to the Inquiry in addition to written statements. She expressed strong support for the proposed scheme.

Department Response

The Department offered sympathy to Ms Heaney on the tragic loss of her son. It welcomed Ms Heaney's support and stated that it was keen to deliver the scheme as soon as practically possible.

Again, I offer my sincere condolences to Ms Heaney and her family and to all those families who have lost loved ones as a result of accidents on the A1.

6.30 Submission from Mr N Brady

INQUIRY REFERENCE - SU30

Mr Brady lost his good friend Karl Heaney as a result of an accident on the A1. He expressed his strong support for the proposed scheme.

Department Response

The Department offered sympathy to Mr Brady on the loss of his friend. The Department welcomed Mr Brady's support for the proposed scheme and stated that it was keen to deliver the scheme as soon as is practically possible.

Again, I offer my sincere condolences to Mr Brady and to all those families who have lost loved ones as a result of accidents on the A1.

6.31 Submission from Mr Nigel Dodds, DUP

INQUIRY REFERENCE - SU31

Mr Dodds had been emailed by a mother whose son was tragically killed in May 2018 on the A1. He expressed his full support for the scheme and his desire to see it completed as soon as possible.

Department Response

No response was provided as Mr Dodds asked to be taken off the Department's emailing list.

6.32 Submission from Ms P Ruddy

INQUIRY REFERENCE - SU32

Ms Ruddy expressed her support for the proposed scheme having been devastated by the unnecessary death of Karl Heaney on the A1.

Department Response

The Department acknowledged Ms Ruddy's response which was related to the tragic death of Mr Heaney and expressed sincere sympathy. It welcomed Ms Ruddy's support and stated that it was is doing everything it could to progress the scheme.

Again, I offer my sincere condolences to Ms Ruddy and to all those families who have lost loved ones as a result of accidents on the A1.

6.33 Submission from Mr P. Campbell

INQUIRY REFERENCE - SU33

Mr Campbell expressed his support for the proposed scheme as a regular user of the A1.

Department Response

The Department welcomed Mr Campbell's support and stated that it was doing everything it could to progress the project.

6.34 Submission from Mr P Rice

INQUIRY REFERENCE - SU34

Mr Rice expressed strong support for the proposed scheme. His girlfriend's family lost a brother and son, Conall Haven, in an accident on the A1, which had a major impact on the family and their community. He urged the implementation of the scheme as soon as possible.

Department Response

The Department expressed sympathy to Mr Rice on the tragic loss of his girlfriend's brother. It welcomed Mr Rice's support and assured him it was doing everything it could to progress the project.

6.35 Submission from Mr P Givan MLA , DUP

INQUIRY REFERENCE - SU35

Mr Givan expressed support for the proposed scheme and encouraged the Department to work proactively to reach accommodations with all those affected by the scheme proposals.

The Department Response

The Department welcomed Mr Givan's support and stated that it had already and was continuing to engage with stakeholders impacted by the scheme to reach agreement. It stated that it was keen to deliver the proposals as soon as practically possible.

6.36 Submission from Mr P Stamp

INQUIRY REFERENCE - SU36

Mr Stamp expressed his support for the proposed scheme as a regular user of the A1.

Departmental Response

The Department welcomed Mr Stamp's support and stated that it was keen to deliver the project as soon as possible.

6.37 Submission from Ms R Bentley

INQUIRY REFERENCE - SU37

Ms Bentley tragically lost her partner, John Paul in 2014 on the A1. She described the devastation on her life and the lives of their children. She expressed her strong support for the proposed scheme.

Department Response

The Department offered sympathy to Ms Bentley on the tragic loss of her partner. It welcomed her support and stated that it was keen to deliver the proposals as soon as possible.

I offer my sincere sympathy to Ms Bentley on the tragic loss of her partner, John Paul and to their children. The loss of a life in such tragic circumstances is devastating and heartbreaking. I also offer my condolences to all those families who have lost loved ones on the A1.

6.38 Submission from Reverend R Harte

INQUIRY REFERENCE - SU38

Reverend Harte is a local minister who expressed his fears for some of his congregation who cross the A1 to attend Church. He expressed his strong support for the proposed scheme.

Department Response

The Department welcomed Reverend Harte's support and stated it was keen to deliver the proposals as soon as possible.

6.39 Submission from Mr S Caughey

INQUIRY REFERENCE - SU39

Mr Caughey tragically lost his brother, Cormac, his sister-in-law, Theresa, and his baby niece, Siobhan, in March 1989 at Loughbrickland. He expressed strong support for the proposed scheme to save any more families suffering the grief his family has endured.

Department Response

The Department expressed sympathy to Mr Caughey on the tragic loss of his brother, his wife and his baby niece. It welcomed Mr Caughey's support for the proposed scheme and assured him that the safety of road travellers was a priority for the Department and that it was doing everything it could to progress the project.

I offer my sincere sympathy to Mr Caughey on the tragic loss of his brother, Cormac, his wife, Theresa, and baby daughter, Siobhan. The loss of three members of his family in such tragic circumstances must have been absolutely heartbreaking. I also offer my sincere condolences to all the other families who have lost loved ones on the A1.

6.40 Submission from Ms T McCabe

INQUIRY REFERENCE - SU40

Ms McCabe expressed her strong support for the scheme having been devastated by the unnecessary death of her friend, Karl Heaney, on the A1.

Department Response

The Department offered sympathy to Ms McCabe on the tragic loss of her friend. It welcomed her support and stated that it was keen to deliver the proposals as soon as practically possible.

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Again, I offer my sincere condolences to Ms McCabe and to all those families who have lost loved ones as a result of accidents on the A1.

6.41 Submission from Mr T Sands

INQUIRY REFERENCE - SU41

Mr Sands' daughter Ciara suffered the devastating loss of her boyfriend, Karl Heaney, in May 2018 on the A1. He expressed his family's and the Heaney family's devastation and heartache at Karl's unnecessary death. He offered his strong support for the proposed scheme and urged its early completion.

Department Response

The Department offered sympathy to Mr Sands on the tragic loss of his daughter's boyfriend. It welcomed his support and stated that it was doing everything it could to progress the project.

Again, I offer my sincere condolences to Mr Sands and his daughter, Ciara, and to all those families who have lost loved ones as a result of accidents on the A1.

6.42 Submission from Ms V Lennon

INQUIRY REFERENCE - SU42

Ms Lennon expressed her support for the scheme. She stated she was a regular commuter on the A1 and lived on the road at Beech Hill. She expressed her concerns about safety on this road.

Department Response

The Department welcomed Ms Lennon's support and stated that to improve safety and consistency was one of the main objectives of the proposed scheme and that it was keen to deliver the 25.2 kilometre stretch of upgraded dual carriageway as soon as practically possible.

6.43 Submission from Ms P Bradshaw MLA

INQUIRY REFERENCE - SU43

Ms Bradshaw offered her support for the proposed scheme and urged its completion as a matter of the utmost priority.

Department Response.

The Department welcomed Ms Bradshaw's support for the proposed scheme and stated that it was keen to deliver the proposals as soon as practically possible.

6.44 Submission from Mr S Leheny FTA

INQUIRY REFERENCE - SU44

Mr Leheny stated that he represented over 17,000 companies through the Freight Transport Association (FTA). He offered his strong support for the proposed scheme citing the many dangers and difficulties freight transport encounters on the A1 at present. Apart from safety considerations he outlined the economic and environmental benefits of safe and consistent speed for freight traffic and looked forward to the improvements on this strategically important route.

Department Response

The Department welcomed Mr Leheny's support and that of the FTA. It stated that one of the main objectives of the proposed scheme was to improve safety and consistency on the A1 and that it was keen to deliver the scheme as soon as practically possible.

6.45 Submission from Ms M Lucas

INQUIRY REFERENCE - SU45

Ms Lucas tragically lost her cousin, Karl Heaney, on the A1 and also her sister and another cousin were injured in separate accidents on the road. She expressed her family's devastation at Karl's tragic death.

Department Response

The Department offered sympathy to Ms Lucas on the tragic loss of her cousin. It welcomed her support for the proposed scheme and stated that it was doing everything it could to progress the project.

Again, I offer my sincere condolences to Ms Lucas and to all those families who have lost loved ones as a result of accidents on the A1.

6.46 Submission from Mr P McMahon

INQUIRY REFERENCE - SU46

Mr Mc Mahon's daughter was involved in an accident on the A1 seven years ago. He expressed his strong support for the proposed scheme.

Department Response

The Department welcomed Mr Mc Mahon's support and stated that it was doing everything it could to progress the project.

6.47 Submission from Mr W Johnston

INQUIRY REFERENCE - SU47

Mr Johnston offered his strong support for the scheme and while outside the scope of this Inquiry, urged the Department to consider further improvements to the A1 and the A26.

Department Response

The Department welcomed Mr Johnston's support and stated that further improvements on the A1 are among a number of priorities for future road development, which would be presented to the Minister in the coming months (January 2020 onwards).

6.48 Submission from Mr K McManus

INQUIRY REFERENCE - SU48

Mr Mc Manus expressed his support for the proposed scheme as a daily commuter on the A1.

Department Response

The Department welcomed Mr Mc Manus' support and stated it was keen to deliver the proposals as soon as practically possible.

6.49 Submission from Ms G Morgan

INQUIRY REFERENCE - SU49

Ms Morgan expressed her strong support for the proposed scheme.

Department Response

The Department welcomed Ms Morgan's support and stated it was keen to deliver the proposals as soon as practically possible.

6.50 Submission from Ms A Murray

INQUIRY REFERENCE - SU50

Ms Murray stated that both she and her loved ones were regular users of the A1 and she expressed her strong support for the scheme.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Department Response

The Department welcomed Ms Morgan's support and stated it was keen to deliver the proposals as soon as practically possible.

6.51 Submission from Ms S. Talbot

INQUIRY REFERENCE - SU51

Ms Talbot stated she knew Karl Heaney and as a daily commuter on the A1 had witnessed some of the dangers of the right turns on the route. Although outside the scope of this Inquiry, she urged consideration of another junction at Loughbrickland near Dask and appealed for wildflower meadows instead of grass verges along the route.

Department Response

The Department offered sympathy to Ms Talbot on the tragic loss of her friend, Karl. It welcomed Ms Talbot's support and acknowledged that certain sections to the south and north of the current scheme still required further upgrade. A number of priorities for future development would be presented to the Minister in the coming months (January 2020 onwards). It stated that wildflower meadows would be considered within verges where appropriate.

Again, I offer my sincere condolences to Ms Talbot and to all those families who have lost loved ones as a result of accidents on the A1.

6.52 Submission from Mr A and Mrs R Kerr

INQUIRY REFERENCE - SU52

Mr and Mrs Kerr expressed strong support for the proposed scheme. As daily commuters on the A1 they discussed how they had witnessed the dangers of the route especially at crossings and urged the Department to expedite the improvements without delay. They referred to the tragic death of Karl Heaney and the campaign to upgrade the A1.

Department Response

The Department welcomed Mr and Mrs Kerr's support for the proposed scheme and stated that it was keen to deliver the project as soon as practically possible.

6.53 Submission from Ms M Niriabhaigh-O'Duill

INQUIRY REFERENCE - SU53

Ms Niriabhaigh - O'Duill expressed her support for the proposed scheme as a frequent traveller on the A1.

Department Response

The Department welcomed Ms Niriabhaigh-O'Duill's support for the proposed scheme and stated that it was doing everything it could to progress the project.

6.54 Submission from Mr G Mulgrew.

INQUIRY REFERENCE - SU54

Mr Mulgrew expressed his support for the proposed scheme as a frequent traveller on the A1.

Department Response

The Department welcomed Mr Mulgrew's support for the proposed scheme and stated that it was doing everything it could to progress the project.

6.55 Submission from Mr J Mc Ateer

INQUIRY REFERENCE - SU55

Mr Mc Ateer stated he had been devastated by the tragic death of his friend and work colleague, Karl Heaney, in May 2018 on the A1. He expressed his unease when travelling this route daily and his awareness of its dangers. He expressed strong support for the proposed scheme.

Department Response

The Department offered sympathy to Mr Mc Ateer on the tragic loss of his friend. It welcomed Mr McAteer's support for the proposed scheme and stated that it was doing everything it could to progress the project.

Again, I offer my sincere condolences to Mr McAteer and to all those families who have lost loved ones as a result of accidents on the A1.

6.56 Submission from Ms G Agnew

INQUIRY REFERENCE - SU56

Ms Agnew expressed her strong support for the proposed scheme as a daily commuter on the route and described how she escaped thankfully with minor injuries from an accident on the route in November 2018. Ms Agnew stated that she had witnessed many unnecessary accidents and thanked the Department for its efforts to improve the route.

Department Response

The Department welcomed Ms Agnew's support for the proposed scheme and stated that it was keen to deliver the proposals as soon as practically possible.

6.57 Submission from Ms L Sands

INQUIRY REFERENCE - SU57

Ms Sands stated she had been devastated by the tragic loss of a close friend and family member on the A1. As a daily commuter on the route she expressed her strong support for its upgrade.

Department Response

The Department offered sympathy to Ms Sands on the tragic loss of her friend and family member. It welcomed her support and stated that it was doing everything it could to progress the project.

Again, I offer my sincere condolences to Ms Sands and to all those families who have lost loved ones as a result of accidents on the A1.

6.58 Submission from Ms T. Sands

INQUIRY REFERENCE - SU58

Ms Sands' daughter tragically lost her partner, Karl Heaney, on the A1 in May 2018. She described the devastation of Karl's death on her family and her strong support for the proposed scheme.

Department Response

The Department offered sympathy to Ms Sands on the tragic loss of her daughter's partner. It welcomed Ms Sands' support and stated that it was keen to deliver the project as soon as practically possible.

I offer my sincere condolences to Ms Sands and to her family on the tragic loss of her daughter's partner and also to all the families who have lost loved ones on this route.

6.59 Submission from Ms M Gorman

INQUIRY REFERENCE - SU59

Ms Gorman expressed her support for the proposed scheme.

Department Response

The Department welcomed Ms Gorman's support and stated that it was keen to deliver the proposals as soon as practically possible.

6.60 Submission from Mr C Sands

INQUIRY REFERENCE - SU60

Mr Sands stated he had been devastated by the tragic loss of a close friend and family member on the A1. As a daily commuter on this route he expressed his strong support for its upgrade.

Department Response

The Department offered sympathy to Mr Sands on the tragic loss of his friend and family member. It welcomed his support and stated that it was doing everything it could to progress the project.

I offer my sincere condolences to Mr Sands on the tragic loss of his friend and family member and to all the families who have lost loved ones on the A1.

6.61 Submission from Mr J O'Dowd MLA, Sinn Fein

INQUIRY REFERENCE - SU61

Mr O'Dowd expressed his support for the proposed scheme and urged further measures to improve safety on the A1 to be taken without delay.

Department Response

The Department welcomed Mr O'Dowd's support and stated that it was keen to deliver the project as soon as practically possible.

6.62 Submission from Mr C McShane

INQUIRY REFERENCE - SU62

Mr McShane expressed his support for the proposed scheme, citing dangerous incidents he had witnessed on the A1 at crossings.

Department Response

The Department welcomed Mr Mc Shane's support for the proposed scheme and stated that it was doing everything it could to progress the project. It acknowledged that there was scope to deliver the works in a phased manner, which would have the advantage of allowing the commencement of some sections and delivering these as discrete works packages.

6.63 Submission from Ms S Wade

INQUIRY REFERENCE - SU63

Ms Wade expressed her strong support for the proposed scheme.

Department Response

The Department welcomed Ms Wade's support for the proposed scheme and stated that it was keen to deliver the project as soon as practically possible.

6.64 Submission from Mr J McGilly on behalf of Newry, Mourne and Down District Council

INQUIRY REFERENCE - SU64

Mr McGilly (Assistant Director Enterprise, Employment & Regeneration) submitted a statement of support for the scheme by email on the 24th of February 2020 on behalf of NMDDC. The email confirmed that at the council meeting in February 2020 a notice of motion was tabled and there was unanimous agreement that the Council should support the upgrade of the road as per the proposals presented by DfI. The email stated that the A1 was a critical link in the road network between Dublin and Belfast and provided vital access for the region and its businesses to the economies of Dublin and Belfast and beyond. The route was described as a key driver for the maintenance and development of the local economy and its external linkages for access to markets, people, etc. The statement went on to say that the strategic route had developed both North and South at varying paces and to varying standards. However, the section in question had experienced the least investment and as a result of this safety of travel had been an ongoing issue for many years. During this time there had been much devastation to families, many local to the area, due to accidents that had resulted in serious injury and/or loss of life.

The Council fully supported the proposals presented by the Department and hoped that every effort would be made to ensure the proposed improvements would be implemented as quickly as due process could allow.

Department Response

The Department has indicated to me that it welcomed the Council's support for the proposed scheme and that it was keen to deliver the project as soon as practically possible.

6.65 Submission from Mr Roger Wilson on behalf of Armagh City, Banbridge and Craigavon Borough Council

INQUIRY REFERENCE - SU65

Mr Wilson (Chief Executive, ABCBC) submitted a formal letter of support for the scheme on behalf of the Council on the 10th of March 2020. The letter stated that the Council wished to make a formal submission to the Inquiry in support of the urgent need to improve and upgrade safety on the road. It stated that members supported the Inquiry process and asked that urgent consideration be given to addressing safety issues. It requested the erection of a central barrier and associated warning signs. The Council asked that the submission be considered at the Public Inquiry in full support of an urgent upgrade to the A1 as per the Department for Infrastructure's proposals.

Department Response

The Department has indicated to me that it welcomed the Council's support for the proposed scheme and that it was keen to deliver the project as soon as practically possible.

6.66 Submission from Mr G and Mrs T Farrington and Mr G Loan

INQUIRY REFERENCE - SU66

Mr and Mrs Farrington and Mr Loan expressed their strong support for the proposed scheme and for proposals to close the A1 median crossings. They also expressed support for a new link road to the proposed Listullycurran Road Junction

Department Response

The Department has indicated to me that it welcomed Mr and Mrs Farrington's and Mr Loan's support for the proposed scheme and that it was keen to deliver the project as soon as practically possible.

6.67 Submission from the McCrum Family

INQUIRY REFERENCE - SU67

Members of the McCrum family stated that they supported the proposed scheme without reservation and urged the Department for Infrastructure to complete the proposed works without delay.

Department Response

The Department has indicated to me that it welcomed the support of the McCrum family and that it was keen to deliver the project as soon as practically possible.

7. CONCLUSIONS AND RECOMMENDATIONS

It is clear from the evidence presented to this Inquiry that there is very significant support for the proposed scheme from the community, from political representatives of all shades of opinion and from both business and public/private sector organisations. Significantly, I did not receive a single statement or submission of evidence that objected to the scheme in principle. Even those who did raise concerns and objections made clear their support for the broad principles detailed in the scheme proposals. Objections, where they have been raised, related to scheme proposals as they affected local land and property owners, or related to issues of local access.

Indeed, some of those who presented evidence to the Inquiry felt that the scheme proposals did not go far enough. Some felt that the A1 should now be upgraded to full motorway status, to include bus lanes or cycle lanes, and even that full park and ride facilities should be included as part of the scheme. These are valid and worthy aspirations. However, my remit as Inspector for Public Inquiries, is to carefully consider and examine the evidence presented to me within the context of the proposals pertaining to the scheme. It is my duty to be familiar with and consider the implications of all relevant guidance, legislation and regulations as they apply to the scheme and to make observations and recommendations on the basis of a fair and balanced consideration of the evidence presented. I am not at liberty to give consideration to matters raised that lie outside the scope of the scheme or remit of the Inquiry.

The A1 dual carriageway is one of the busiest arterial routes in Northern Ireland, carrying up to approximately 40,000 vehicles per day. A busy roadway of such strategic importance will always be prone to the occurrence of serious accidents, but the serious and fatal accident statistics for this road show that the proposed improvements are an urgent requirement. I offer my most sincere sympathy to all those who have suffered bereavement or loss as a result of accidents on the A1.

Over the past 40 years upgrades to the road have been carried out not just with the intention of improving travel comfort and journey times, but with the most important objective of making the road as safe as possible for all users. The A1 Junctions Phase 2 Road Improvement Scheme includes the latest proposals to achieve this objective.

I recommend to the Department, therefore, to expedite the proposals detailed in the scheme documents as quickly as possible.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

After due and careful consideration of all the evidence presented to the Inquiry, I also make the following recommendations.

1. In relation to the objection raised by the Mackey family (OB1), I accept that the Department's proposal to construct an accommodation lane running parallel to the A1 connecting Mackey's Lane to the proposed cul-de-sac end of the old Banbridge Road, Dromore and then to the proposed Gowdystown Road Compact Grade Separated Junction, is the appropriate solution and should thus be progressed. Although I note that the Department's proposal (Option 1) was based on the assumption that the area of ground at and close to the railway cutting was not contaminated, I nevertheless consider that it would still be useful for the Department to carry out soil sampling activities to make a determination on whether or not the ground and land fill in the area of the railway cutting is in fact contaminated. See also Recommendation 8.
2. In relation to the objection raised by Reverend and Mrs Thompson (OB2), I concur with the Department's proposal that Option 4 is the most appropriate solution in the circumstances and should thus be progressed. I ask that the Department carries out a post scheme survey to ensure that Reverend Thompson's concerns relating to headlight glare have been fully addressed. If not, appropriate remedial measures should be taken to ensure that glare from vehicle headlights on the Milebush Link Road does not impinge on the Thompson residence.
3. In relation to the objections raised by the McCauley family (OB3, OB4, OB5, OB6), I recommend that the Department installs suitable noise insulation treatment to Mr H McCauley's bedroom windows. I also recommend that the Department considers the provision of suitable entrance gates to Mr McCauley's home. Thirdly, I recommend that the Department considers re-surfacing the whole road surface area from the cul-de-sac end of the Halfway Road to the Halfway House restaurant.
4. In relation to the objection raised by Mr Jonathan and Mrs Lynne McCabe (OB9), I recommend that the Department takes all reasonable precautions to protect as many mature trees as possible on or near the boundary of Mr and Mrs McCabe's property and that a qualified arborist be present onsite during the process to remove any such trees. I further recommend that the guidance provided in the tree survey report for the A1 Junctions Phase 2 Project be followed closely.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

5. In relation to the objection raised by Mr Carl Ward (on behalf of Mr James Ward and Sons - OB10), I accept that the Department's proposal to provide an accommodation lane to facilitate access to the Ward farm holdings on the eastern side of the A1 dual carriageway, along with the provision of an additional access lane to McKee's Dam, is the most appropriate and economically viable solution in the circumstances and I recommend that this proposal be progressed.
6. In relation to the objection raised by Mr M Dodds and Mr J Hamilton (on behalf of MLC Trustees - OB11), I recommend that that the Department proceeds with its proposals to construct the new Listullycurran Road Compact Grade Separated Junction, but that it also gives some further consideration to the possibility of increasing the number of parking spaces at the proposed off-line bus stops at all of the new compact grade separated junctions, within the proposed vested area.
7. In relation to the objection raised by Ms Julia Farkas (OB12), I recommend that the Department proceeds with its proposals to close the Lower Quilly Road and make the Maypole Hill Road a left in/left out junction (LILO) as detailed in the scheme documents. I also recommend that the Road Safety Audit Report be reviewed to give consideration as to whether double yellow lines might be appropriate on both sides of Gallows Street where it meets with the town square. Consideration should be given to the installation of traffic light controls where Gallows Street meets the town square. I also recommend that the Department continues to consider the issue of minor roads currently without suitable merge/diverge lanes during the final design process and provide as many merge/diverge facilities as possible within the guidance recommended in the Design Manual for Roads and Bridges.
8. In relation to the objection raised by Mrs Laura Jordan (OB13), I recommend that the Department's proposal to construct an accommodation lane running parallel to the A1 connecting Mackey's Lane to the proposed cul-de-sac end of the old Banbridge Road, Dromore, and then to the proposed Gowdystown Road Compact Grade Separated Junction, should be progressed. Although I note that the Department's proposal (Option 1) was based on the assumption that the area of ground at and close to the railway cutting was not contaminated, I nevertheless consider that it would be useful for the Department to carry out soil sampling activities to make a determination on whether or not the ground and land fill in the area of the disused railway cutting is in fact contaminated. See also Recommendation 1.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

9. In relation to the objection raised by Mr Philip Shields (OB14), I recommend that the Department proceeds with the proposals to construct an accommodation Lane (Option 1) to facilitate access by the Mitchell farm traffic to the Halfway Road. I also recommend that the Department considers re-surfacing the whole road surface area from the cul-de-sac end of the Halfway Road to the Halfway House restaurant.
10. The Environmental Impact Assessment Report includes many recommendations for the implementation of mitigation measures both during and post construction phase and I recommend that these are expedited in full in close liaison with the relevant statutory and advisory bodies. I would ask that the Department pays particular attention to the matters raised in his submission by Mr K Lynas (COM12) on behalf of DAERA and that the inaccuracies in the EIAR noted in his submission be corrected. I further recommend that the advice and guidance provided be followed closely during the pre-construction, construction and post-construction processes.
11. In relation to the matters raised by Mr B Clarke (Best Property Services) on behalf of Mr Kennedy Browne (COM16), I agree with the Department's assessment that Option 0 is the most economically viable and appropriate option and should be brought forward under this scheme. I would also ask that the Department works closely with the Browne family to find optimum solutions for the accommodation lanes proposed in the Agricultural Impact Assessment report.
12. Although not specifically part of my remit, prior to the Inquiry Hearing I inquired of the Department if project management and development was operating under the guidance of the Office of Government Commerce Gateway Review process. I received an assurance that it was and I recommend that the Department continues to follow the Gateway process closely to help ensure the achievement of a successful and timely outcome to the project.
13. In relation to all other matters raised at the Public Inquiry into the A1 Junctions Phase 2 Road Improvement Scheme, I recommend that the Department implements in full the proposals as detailed in the scheme documents.

8. ACKNOWLEDGEMENTS

I wish to take the opportunity to thank all those who prepared for and took part in the Inquiry.

The hard work carried out by all parties concerned helped make my job of understanding the paperwork and very complex issues involved a great deal more manageable. I also thank everyone for the considerate and cordial way in which they conducted themselves and behaved towards each other.


I wish to place on record my appreciation to Ms Rhonda Greenaway, the Programme Officer for the Inquiry, for the excellent service and support she provided before, during and after the Inquiry. Ms Greenaway is to be commended for the logistical production of this report and for all the help with the desk top publishing process. I also wish to thank Mr Brian McCarron for agreeing to take on the responsibilities of Programme Officer when Ms Greenaway was on leave. His willing help and assistance during those periods was both professional and vital.

I wish to thank Ms Ellen Ward, the stenographer, who carried out a difficult job with great competence and efficiency and who provided very accurate and timely transcripts of the proceedings.

I would like to extend my gratitude to the staff of the Belmont House Hotel, Banbridge, for their friendly support and for providing a very comfortable and agreeable venue for the Inquiry.

Finally, I wish to thank all those who took part in the Inquiry process for the courtesy and consideration extended to myself throughout the process.

APPENDIX 1 NOTICE OF PUBLIC INQUIRY



Department for
Infrastructure
An Roinn
Bonneagair
www.infrastructure-ni.gov.uk

Public Inquiries

A1 Junctions Phase 2 Strategic Road Improvement Scheme

**Local Government Act (Northern Ireland) 1972
Roads (Northern Ireland) Order 1993
Roads (Amendment) (Northern Ireland) Order 2004**

Notice is hereby given that local public inquiries will be held in the Belmont House Hotel, Banbridge, Co Down starting at 10.00 am on 11 March 2020 into the proposals of the Department for Infrastructure (the Department) listed below.

Under the provisions of Article 130 of the Roads (Northern Ireland) Order 1993 the Department has appointed Mr Kevin Chambers as Inspector to hold inquiries to consider-

1. the Environmental Impact Assessment Report prepared by the Department for the proposed A1 Junctions Phase 2 Strategic Road Improvement Scheme, together with opinions expressed in relation to it under the provisions of Articles 67A(3) and (9) of the Roads (Northern Ireland) Order 1993;
2. the proposal to make The Trunk Road T4 (Loughbrickland to Hillsborough) Order (Northern Ireland) 2019 under Articles 14(1) and 68(1), (3) and (5) of the Roads (Northern Ireland) Order 1993;
3. the proposal to make an order under Article 113 of the Roads (Northern Ireland) Order 1993 and Schedule 6 to the Local Government Act (Northern Ireland) 1972 for the purpose of acquiring compulsorily the lands for the construction of improvement works along 25.2 kilometres of the A1 dual carriageway between Hillsborough Roundabout and Loughbrickland; and
4. the proposal to make The Private Accesses on the Trunk Road T4 (The A1 Junctions Phase 2 - Loughbrickland to Hillsborough) (Stopping-Up) Order (Northern Ireland) 2019 under Article 69 of the Roads (Northern Ireland) Order 1993.

Proceedings on items 1, 2 & 3 are being taken concurrently in accordance with Article 133A of the Roads (Northern Ireland) Order 1993 and proceedings into item 4 will be held at the conclusion of the initial inquiry.

Documents and maps relating to the proposals may be inspected during office hours, until the commencement of the inquiry, at:

- Roads' offices – Southern Division, Marlborough House, Central Way, Craigavon BT64 1AD;
- DfI Headquarters, Room 201 Clarence Court, 10-18 Adelaide Street, Belfast BT2 8GB;
- The offices of Armagh Banbridge and Craigavon District Council, Civic Building, Downshire Road, Banbridge BT32 3JY;
- The offices of Lisburn & Castlereagh City Council, Civic Headquarters, Lagan Valley Island, Lisburn, BT27 4RL;

or viewed online at:- <https://www.infrastructure-ni.gov.uk/articles/a1-junctions-phase-2-overview>

During this period, further information relating to the proposals may be obtained from Roads' offices – SRI Team, Southern Division, Marlborough House, Central Way, Craigavon BT64 1AD and on the Roads' website at:- <https://www.infrastructure-ni.gov.uk/articles/a1-junctions-phase-2-overview>

All persons interested in the proposals and such other persons as the person appointed to hold the inquiry in his discretion thinks fit to allow, may attend and be heard.

APPENDIX 2 LIST OF OBJECTORS/ RESPONDENTS AND SUPPORTERS.

OBJECTORS	
OB01	Richard Mackey
OB02	Reverend Shaw & Mrs E Thompson
OB03	Herbie McCauley
OB04	David McCauley
OB05	Claire McCauley
OB06	Caroline McGrath
OB07	Mrs J Kirk (Withdrawn)
OB08	David McKinney (Withdrawn)
OB09	Jonathan & Lynne McCabe
OB10	Carl Ward (Ward Family) - S Irvine
OB11	John Hamilton (MLC Trustees)
OB12	Julia Farkas
OB13	Laura Jordan (Colin Lynsey)
OB14	P Shields, Halfway House

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

RESPONDENTS	
COM01	Gordon & Lynda Mitchell - B Clarke
COM02	Mrs J McComb
COM03	Mervyn Fegan
COM04	Ernie Watterson
COM05	Barry Patterson
COM06	Geoff & Rosie Wilson - B Clarke
COM07	Maureen Graham - B Clarke
COM08	Freddy Davidson
COM09	Melanie Webster
COM10	Sinead McEvoy
COM11	Alan Heslip
COM12	DAERA Kevin Lynas
COM13	Christopher McKay
COM14	David Wilson (Wilmar) - S McGimpsey
COM15	Tomas Hughes - Sinn Fein
COM16	Kennedy Browne - B Clarke
COM17	Emerald McKnight

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

SUPPORTERS	
SU01	Ciara Sands
SU02	Brian Pope (Cllr) Alliance
SU03	John Jordan - AMEY
SU04	Translink - J Faulconbridge
SU05	Harry Thompson
SU06	Amy Owens
SU07	Attracta O'Hagan
SU08	Berni McArdle
SU09	Bronagh Feehan
SU10	Carmel McCafferty
SU11	Chris Doran
SU12	Colin McGrath, MLA SDLP
SU13	Conor Murphy MLA Sinn Fein
SU14	Deborah Kennedy
SU15	Emily Wallace
SU16	First Derivatives PLC - A Toner
SU17	Joanne Bunting MLA DUP
SU18	John McGarrity
SU19	Kayley Lamont
SU20	Kevin Monaghan
SU21	Laura Spiers
SU22	Linda Giles
SU23	Linzi Magee

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

SUPPORTERS	
SU24	Louise O'Hare
SU25	Margaret Manley
SU26	Meghan McGivern
SU27	Michelle McDonald
SU28	Mickey Brady MP Sinn Fein
SU29	Monica Heaney
SU30	Niall Brady
SU31	Nigel Dodds OBE MP DUP
SU32	Patricia Ruddy
SU33	Patrick Campbell
SU34	Patrick Rice
SU35	Paul Givan MLA DUP
SU36	Paul Stamp
SU37	Rita Bentley
SU38	Ross Harte
SU39	Sean Caughey
SU40	Teresa McCabe
SU41	Tommy Sands
SU42	Vicki Lennon
SU43	Paula Bradshaw MLA Alliance
SU44	Seamus Leheny, FTA
SU45	Marie-Claire Lucas
SU46	Pat McMahon

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

SUPPORTERS	
SU47	Wesley Johnston
SU48	Kevin McManus
SU49	Grainne Morgan
SU50	Aoife Murray
SU51	Seána Talbot
SU52	Alan & Rachel Kerr
SU53	Maighread Niriabhaigh-ODuill
SU54	Gerry Mulgrew
SU55	John McAteer
SU56	Gillian Agnew
SU57	Laura Sands (Devine)
SU58	Teresa Sands
SU59	Majella Gorman
SU60	Conor Sands
SU61	John O'Dowd MLA Sinn Fein
SU62	Conor McShane
SU63	Sheila Wade
SU64	Newry, Mourne, Down Council
SU65	Armagh, Banbridge, Craigavon Council
SU66	Mr G & Mrs T Farrington and Mr G Loan
SU67	McCrum Family

APPENDIX 3 LIST OF KEY SCHEME DOCUMENTS

- A1J2 - Composite Notice
- A1J2 - Notice of Intention to Make a Vesting Order - Vesting Order Schedule 2019
- A1J2 - Notice of Intention to Make a Vesting Order - Maps 1 to 12
- A1J2 - Notice of Intention to Make a Vesting Order - Maps 13 to 24
- A1J2 - Notice of Intention to Make a Vesting Order - Maps 25 to 36
- A1J2 - Notice of Intention to Make a Direction Order (T4 Loughbrickland to Hillsborough Order (NI) 2019) (incl Schedule)
- A1J2 - Notice of Intention to Make a Direction Order - Maps 1 to 11
- A1J2 - Notice of Intention to Make a Direction Order - Maps 12 to 22
- A1J2 - Notice of Intention to Make a Stopping Up (of Private Accesses) Order 2019 (incl Schedule)
- A1J2 - Notice of Intention to Make a Stopping Up (of Private Accesses) Order - Maps
- A1J2 - Record of Determination
- A1J2 - Environmental Impact Assessment Non-Technical Summary
- A1J2 - Environmental Impact Assessment Report - Volume 1 Chapters 1 - 21
- A1J2 - Environmental Impact Assessment Report - Volume 2 Figures
- A1J2 - Environmental Impact Assessment Report - Volume 3 Appendices
- A1J2 - Stage 1 Scheme Assessment Report
- A1J2 - Stage 2 Scheme Assessment Report

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

- A1J2 - Stage 3 Scheme Assessment Report
- A1J2 - Notice of Pre-inquiry Meeting
- A1J2 - Notice of Public Inquiry
- A1J2 - Departmental Statement for the Public Inquiry
- A1J2 - Submissions Received to the Draft Orders
- A1J2 - Responses to the Submissions to the Draft Orders
- A1J2 - Proof of Evidence - Background Policies and Procedures
- A1J2 - Proof of Evidence - Scheme Development
- A1J2 - Proof of Evidence - Environmental Impact Assessment Report
- A1J2 - Proof of Evidence - Traffic & Economics
- A1J2 - A1 Junctions Phase 2 Visualisation

APPENDIX 4 ABBREVIATIONS

A1J2	- A1 Junctions Phase 2
AADT	- Average Annual Daily Traffic
AIA	- Agricultural Impact Assessment
ANPR	- Automatic Number Plate Recognition
AONB	- Area of Outstanding Natural Beauty
BCR	- Benefit to Cost Ratio
BMAP	- Belfast Metropolitan Area Plan
CCTV	- Closed-circuit Television
CEMP	- Construction Environmental Management Plan
CGSJ	- Compact Grade Separated Junction
COBA	- Cost Benefit Analysis
CRTN	- Calculation of Road Traffic Noise
DAERA	- Department of Agriculture, Environment and Rural Affairs
DBFO	- Design Built Finance and Operate Package
Dfi	- Department for Infrastructure
DMRB	- Design Manual for Roads and Bridges
EIA	- Environmental Impact Assessment
EIAR	- Environmental Impact Assessment Report
GHG	- Green House Gases
IHR	- Industrial Heritage Record
ITS	- Intelligent Transport Systems
KTC	- Key Transport Corridor
LI/LO	- Left in/Left out
LPS	- Land and Property Services
LVIA	- Landscape and Visual Impact Assessment

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

NIE	- Northern Ireland Electricity
NIEA	- Northern Ireland Environment Agency
NIW	- Northern Ireland Water
NPV	- Net Present Value
NTS	- Non-Technical Summary
OS	- Ordnance Survey
PVB	- Present Value of Benefits
PVC	- Present Value of Costs
RDS	- Regional Development Strategy
RSC	- RPS-SWECO Consortium
RSPPG	- Roads Service Policy and Procedure Guide
RSTN	- Regional Strategic Transport Network
RSTN TP	- Regional Strategic Transport Network Transport Plan 2015
RTS	- Regional Transport Strategy
SAR	- Scheme Assessment Report
SRI	- Strategic Road Improvement
SSD	- Stopping Sight Distance
SUD's	- Sustainable Urban Drainage Systems
TEMPRO-NI	- Trip End Model Presentation Programme - Northern Ireland
TUBA	- Transport Users Benefit Appraisal
VMS	- Variable Message Signs
WFD	- Water Framework Directive
WHO	- World Health Organisation
WHS	- World Heritage Site

ANNEX 1 Appearances and Attendance Record

Mr Kevin Chambers
Inquiry Inspector (Chair)

Ms Rhonda Greenaway
Programme Officer

DEPARTMENT FOR INFRASTRUCTURE ROADS

Mr Andrew McGuinness
Lead Counsel, on behalf of DfI Roads.

Mr Liam McEvoy
Strategic Roads Improvements Manager, Southern Division, DfI Roads.

Mr Brian McClelland
Project Manager, DfI Roads.

Mr Arnold Hamilton
Senior Responsible Owner, Divisional Manager (Acting), Southern Division,
DfI Roads.

CONSULTANTS - RPS-SWECO

Mr Conor Doonan
Project Manager, RPS.

Mr Brendan Daly
Framework Manager, RPS.

Mr Raymond Holbeach
Environmental Lead, RPS.

Mr Ross Coulhart
Traffic & Economics Lead, RPS.

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

RECORD OF ATTENDANCE

A1 Junctions Phase 2 - Public Inquiry:

Belmont House Hotel, Wednesday 11th March 2020

Name	Details	Reason for Attendance
Kevin Chambers	Inquiry Inspector	Inquiry Inspector and Chair
Rhonda Greenaway	Programme Officer	Programme Officer - Inquiry Administration
Brian McCarron	Dept for Infrastructure	In attendance
Brian McClelland	Dept for Infrastructure	Scheme Project Manager
Brendan Daly	RPS-Sweco	Scheme Framework Manager
Dimitrios Paraskevakis	RPS-Sweco	Scheme Development Team
Ross Coulthart	RPS-Sweco	Scheme Traffic & Economics Lead
Grainne McQuaid	RPS-Sweco	Inquiry Administration
Phillip Newell	RPS-Sweco	Inquiry Administration
Andrew McGuinness	Lead Counsel	Lead Counsel for the Dept
Conor Doonan	RPS-Sweco	Project Manager Development Team
Liam McEvoy	Dept for Infrastructure	Scheme Project Sponsor
Stephen McAfee	RPS-Sweco	Scheme Development Team
Conrad Wilson	RPS-Sweco	Scheme Development Team

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Name	Details	Reason for Attendance
Raymond Holbeach	RPS-Sweco	Scheme Environmental Lead
Julia Grimley	Dept for Infrastructure	In attendance
David Millar	Dept for Infrastructure	In attendance
Ellenmarie Ward	TASNI	Stenographer
Arnold Hamilton	Dept for Infrastructure	Scheme SRO
Jean Webb	Dept for Infrastructure	Inquiry Administration
Frank Loan	Public	In attendance
Gerry Farrington	Public	In attendance
M. Brown	Public	In attendance
D. Moffit	Banbridge Chronicle	Press
B. Hooks	Banbridge Chronicle	Press
P. Huddleson	Public	In attendance
Mrs Huddleson	Public	In attendance
R.G. Chambers	Public	In attendance
Colin Byrne	Public	In attendance
Anne Herdman	Public	In attendance
Wesley Sawyers	Public	In attendance
Simon Le Blevec	Public	In attendance
Mervyn Fegan	Public	Respondent
Emerald McKnight	Public	Respondent
Irwyn McKibbin	Outlook Newspaper	Press
B Boyd	Outlook Newspaper	Press

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Name	Details	Reason for Attendance
Brian Clarke	Lands Agent	Representing Mr Kennedy Browne
John Hamilton	Public	Objector
Brian Pope	Councillor - ABC	In attendance
Barbara McCann	UTV	Press
Rosalind Wilson	Public	In attendance
Jonathan McCabe	Public	Respondent
Martin Jamison	Public	In attendance
Elaine Mc Crum	Public	In attendance
Lynne Mc Cabe	Public	Respondent
George Mitchell	Public	In attendance
David Mc Cauley	Public	Objector

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

RECORD OF ATTENDANCE

A1 Junctions Phase 2 - Public Inquiry:

Belmont House Hotel, Thursday 12th March 2020

Name	Details	Reason for Attendance
Kevin Chambers	Inquiry Inspector	Inquiry Inspector and Chair
Rhonda Greenaway	Programme Officer	Programme Officer - Inquiry Administration
Brian Clarke	Lands Agent	Representing Mr Kennedy Browne
David Mc Cauley	Public	Objector
Bryan Hooks	Banbridge Chronicle	Press
Andrew Halliday	AECOM	In attendance
Alexander Shaw Thompson	Public	Objector
Laura Jordan	Public	Objector
Colin Lindsay	Public	Representing R Mackey and L Jordan
Edward Jordan	Public	Objector
Herbie McCauley	Public	Objector
Mervyn Fegan	Public	Respondent
Garrett Chambers	Public	In attendance
John Hamilton	Public	Objector
Bia Nehoz	Public	In attendance
Shaun Irvine	Public	Representing Carl Ward
Patrick Irvine	Public	Representing Carl Ward
Julia Farkas	Public	Objector

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Name	Details	Reason for Attendance
Harry Mitchell	Public	In attendance
Tom Fairly	Public	In attendance
Herbie Ward	Public	In attendance
Ryan Browne	Public	Respondent
Kennedy Browne	Public	Respondent
James Allen	Public	In attendance
Emerald McKnight	Public	Respondent
Tannis Waring	Public	In attendance
Monica Heaney	Public	Supporting scheme
Ciara Sands	Public	Supporting scheme
Michael Heaney	Public	Supporting scheme
Linzi Magee	Public	Supporting scheme
Eamon Magee	Public	In attendance
Charles Mc Garrity	Public	In attendance
Mickey Brady	Sinn Fein	Supporting scheme
Jim Rowntree	Public	In attendance
A Loughran	Dept for Infrastructure	In attendance
D. Bryans	Public	In attendance
Wilson McKnight	Public	In attendance
Brian McCarron	Dept for Infrastructure	In attendance
Demitrios Paraskevakis	RPS-Sweco	Scheme Development Team

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Name	Details	Reason for Attendance
Liam McEvoy	Dept for Infrastructure	Scheme Project Sponsor
Conor Doonan	RPS-Sweco	Project Manager Development Team
Grainne McQuaid	RPS-Sweco	Inquiry Administration
Philip Newell	RPS-Sweco	Inquiry Administration
Ross Couthart	RPS-Sweco	Traffic & Economics Lead, RPS
Brendan Daly	RPS-Sweco	Framework Manager, RPS
Andrew McGuinness	Lead Counsel	Lead Counsel for the Dept
Brian McClelland	Dept for Infrastructure	Scheme Project Manager
Raymond Holbeach	RPS-Sweco	Scheme Environmental Lead
Stephen McAfee	RPS-Sweco	Scheme Development Team
Julia Grimley	Dept for Infrastructure	In attendance
Jenn Webb	Dept for Infrastructure	Inquiry Administration
Ellenmarie Ward	TASNI	Stenographer
Fionnuala Farrell	LPS	In attendance
Michele Henry	LPS	Appearance on behalf of Dept
Lois Allister	Dept for Infrastructure	In attendance

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Name	Details	Reason for Attendance
Conrad Wilson	RPS-Sweco	Scheme Development Team
David Millar	Dept for Infrastructure	In attendance
D. Ewing	Dept for Infrastructure	In attendance
G. Hamilton	Dept for Infrastructure	In attendance
Andrew Halliday	AECOM	In attendance

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

RECORD OF ATTENDANCE

A1 Junctions Phase 2 - Public Inquiry:

Belmont House Hotel, Friday 13th March 2020

Name	Details	Reason for Attendance
Kevin Chambers	Inquiry Inspector	Inquiry Inspector and Chair
Rhonda Greenaway	Programme Officer	Programme Officer - Inquiry Administration
Conrad Wilson	RPS-Sweco	Scheme Development Team
Lara Carlin	Dept for Infrastructure	In attendance
Kieran McQuaid	Dept for Infrastructure	In attendance
Fionnuala Farrell	LPS	In attendance
Eileen McMullan	Dept for Infrastructure	In attendance
Pauline McCabe	RPS-Sweco	Scheme Development Team
Stephen McAfee	RPS-Sweco	Scheme Development Team
Gerald Morley	Dept for Infrastructure	In attendance
Brian McCarron	Dept for Infrastructure	In attendance
Dimitrios Paraskevakis	RPS-Sweco	Scheme Development Team
Ross Coulthart	RPS-Sweco	Scheme Traffic & Economics Lead

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Name	Details	Reason for Attendance
Phillip Newell	RPS-Sweco	Inquiry Administration
Grainne McQuaid	RPS-Sweco	Inquiry Administration
Conor Doonan	RPS-Sweco	Project Manager Development Team
Liam McEvoy	Dept for Infrastructure	Scheme Project Sponsor
Brendan Daly	RPS-Sweco	Scheme Framework Manager
Ellenmarie Ward	TASNI	Stenographer
Andrew McGuinness	Lead Counsel	Lead Counsel for the Dept
Brian McClelland	Dept for Infrastructure	Scheme Project Manager
Julia Grimley	Dept for Infrastructure	In attendance
Raymond Holbeach	RPS-Sweco	Scheme Environmental Lead
John Hamilton	Public	Objector
Michelle Henry	LPS	In attendance
Jean Webb	Dept for Infrastructure	Inquiry Administration
Laura Jordan	Public	Objector
Conrad Wilson	RPS-Sweco	Scheme Development Team
Brian Pope	ABC Council	In attendance
Alison McCully	Banbridge Chronicle	Press
Helena Young	Alliance Party	In attendance

A1 JUNCTIONS PHASE 2 ROAD IMPROVEMENT SCHEME

Name	Details	Reason for Attendance
Patrick Irvine	Public	Representing Carl Ward
Shaun Irvine	Public	Representing Carl Ward
Carl Ward	Public	Objector
John Ward	Public	In attendance
Bruce Montgomery	AECOM	In attendance
Alexander Shaw Thompson	Public	Objector
Liz Kimmins	Sinn Fein	Supporting scheme
Meabh Morgan	Sinn Fein	In attendance



Department for

Infrastructure

An Roinn

Bonneagair

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