EXPLANATORY MEMORANDUM TO

The Trunk Road T4 (Loughbrickland to Hillborough) Order (Northern Ireland) Order 2021

S.R. 2021 No. 152

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Infrastructure to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under Articles 14(1), 68(1), (3) and (5) of the Roads (Northern Ireland) Order 1993 and is subject to the negative resolution procedure.

2. Purpose

2.1. The Order provides that 10353 metres of new and upgraded road shall become trunk road and be part of the Belfast to Newry Trunk Road T4.

3. Background

3.1. The scheme proposes road safety improvements along a 25.2km section of the A1 dual carriageway from Hillsborough Roundabout to Loughbrickland including: Closure of all gaps in the central reserve and provision of a continuous central reserve safety barrier between Hillsborough Roundabout and Loughbrickland. The grade separation of 4 junctions with new flyover-type junctions at the following locations:- Listullycurran Road; Gowdystown Road; Skeltons Road/Drumneath Road; Waringsford Road. A northbound on-slip to the A1 from Castlewellan Road, Banbridge. A new link road from the Milebush Road to the existing Hillsborough Road Junction at Dromore. Closure of 9 selected side roads with the remainder of side roads and private accesses operating as left-in / left-out (a number of private accesses will also be closed). Rationalisation / relocation of existing bus-stops from the mainline to adjacent junction locations. Provision of Intelligent Transport Systems including CCTV & Variable Message Signing..

3.2. This section of the A1 has lengths of poor horizontal and vertical alignment a narrow central reserve and 111 at-grade crossings and access crossing points across the central reserve. The presence of these gaps directly contributes to the high number and severity of accidents on this section of the A1 dual carriageway. In the period 2010- 2017 inclusive, there were a total of 195 accidents recorded within the 25.2km scheme extents which resulted in 9 No fatalities, 31 No serious injuries and 300 slight injuries. 45% of the 195 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.

4. Consultation

4.1. Comprehensive public consultation was carried out during the development of the scheme and publication of draft Statutory Orders.

4.2. The Environmental Impact Assessment Report (EIAR) and the draft Statutory Orders for the scheme were published on 25 March 2019 and comprise a Notice of Intention to Make a Direction Order, a Notice of Intention to Make a Vesting Order and a Notice of Intention to Make a Stopping Up (of Private Accesses) Order.

4.3. As a result of public consultation on the draft Statutory Orders and an Environmental Impact Assessment Report for the scheme, 98 substantive responses were received, the majority of which were supportive.

4.4. On consideration of the responses submitted, the Department determined it appropriate to convene a Public Local Inquiry to examine the case for and against the Proposed Scheme.

4.5. A Public Inquiry (PI) was held at the Belmont Hotel, Banbridge from 11 - 13 March 2020. At the end of the PI the Inspector indicated that he wished to undertake a number of site meetings to ensure that he gave full consideration to all the issues raised. Whilst these site meetings were delayed by the COVID19 restrictions, they were eventually completed on 27 August and the Inspector subsequently issued his report to the Department on 19 October 2020.

4.6. The Inspector's report makes 14 No. recommendations which relate to each of the objections raised and generally relate to local aspects of the scheme with the overarching recommendation "to expedite the proposals detailed in the scheme documents as quickly as possible.".

4.7. Having considered the Inspector's Report and all other representations made, the Department concurs with the Inspector's recommendation that the proposed A1 Junction Phase 2 scheme shall proceed and the necessary Orders made. The decision to proceed to progress the scheme and the making of the necessary orders will be subject to the requirement to carry out the mitigation and other works summarised in the Departmental Statement and described in detail in the Environmental Impact Assessment Report (EIAR) and those actions to facilitate the Inspector's recommendations.

4.8. Having caused the examination of the environmental information which includes the EIAR, the consultation responses to the EIAR, together with the recommendations of the Inspector, the Department is satisfied that the likely significant environmental effects of the proposed scheme have been assessed.

4.9. Following the examination of all of the environmental information, it is the Department's reasoned conclusion that the proposed scheme will not have any significant adverse impacts on the natural or human environment (including designated sites and protected species) that cannot be addressed by the measures set out in Annex A of the Departmental Statement.

5. Equality Impact

5.1. A relevant section 75 Equality of Opportunity Screening Analysis was carried out for this scheme. This determined that an Equality Impact Assessment was not required.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment was not considered necessary.

7. Financial Implications

7.1. Funding has not yet been made available beyond 2020/21 for any capital schemes including the A1 Junctions Phase 2 scheme. Future funding of this scheme will be considered in the context of the next Spending Review.

8. Section 24 of the Northern Ireland Act 1998

8.1. The scheme requires the vesting of land & property from private individuals, therefore, limiting their ability to enjoy/use their land or property. This engages Article 8, Right to respect for family life and Protocol 1, Article 1, Right to property. Articles 3, 110, 111, 112 & 113 of the Roads (Northern Ireland) Order 1993 provide the powers for the Department to acquire land or property through the vesting process. The road scheme will benefit society as a whole and is in the public interest to use the Department's powers to compulsorily purchase property/land for this scheme. Affected property owners will receive compensation in accordance with a series of Acts of Parliament, case law and established practice.

9. EU Implications

9.1. Not applicable

10. Parity or Replicatory Measure

10.1. None

11. Additional Information

11.1. Not applicable