

**DEPARTMENT FOR REGIONAL DEVELOPMENT
THE ROADS (NORTHERN IRELAND) ORDER 1993**

**STATEMENT BY THE DEPARTMENT
ON
THE REPORT ON THE LOCAL PUBLIC INQUIRIES
INTO
THE ENVIRONMENTAL STATEMENT, DIRECTION ORDER AND
VESTING ORDER
FOR THE PROPOSED
T8 (A6) RANDALSTOWN TO TOOME
DUALLING SCHEME**

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1. Contents of Decision

- 1.1 The Department for Regional Development has decided to proceed with the proposed T8 (A6) Randalstown to Toome Dualling Scheme. The scheme is as described in the Environmental Statement, draft Direction Order and draft Vesting Order published by the Department in March 2007 with modifications as proposed by the Inspector.
- 1.2 This scheme will provide a 7.3 kilometre long Dual 2 Lane All Purpose (D2AP) dual carriageway constructed between Randalstown and Toome. A compact grade-separated junction will connect to the Moneynick Road at Randalstown and, as proposed by the Inspector, the Department intends to provide a compact grade separated junction at Drumderg subject to satisfactory outcome of the normal statutory process.
- 1.3 The scheme requirements will be as shown on the contract drawings, specification and associated documents.
- 1.4 Sections 2, 3 and 4 set out the considerations on which the decision to proceed with the scheme is based and Section 5 describes the measures that will be incorporated to mitigate the adverse effects of the scheme and the most significant impacts arising from the scheme.

2. Basis of Decision

2.1 *Need for upgrading*

- 2.1.1 The A6 is an important part of the North Western Key Transport Corridor, connecting Belfast and Londonderry via Toome, Maghera and Dungiven. The corridor is of strategic and economic importance within Northern Ireland, providing an essential road link between the Belfast Metropolitan Area and the North-West.
- 2.1.2 The existing Moneynick Road between Randalstown and Toome is a rural single carriageway trunk road, starting at M22 Junction 3 west of Randalstown and continuing west for about 7 kilometres to the Drumderg Roundabout east of Toome. It traverses an undulating drumlin landform at the eastern end of the route giving way to a flatter terrain east of Toome. East of M22 Junction 3 at Randalstown, the road continues as motorway to Belfast. West of the Drumderg Roundabout at Toome, the road continues as dual carriageway bypassing Toome to become a rural single carriageway to Londonderry.
- 2.1.3 Traffic surveys carried out in 2003 to establish traffic flows on the existing road network, recorded 17,300 vehicles per 12-hour weekday¹ east of Toome, increasing to 17,500 vehicles per 12-hour weekday at the start of the M22 at Randalstown.
- 2.1.4 Parts of the route have been improved over the last 4 decades or so. Bends at Derryhollagh were reconstructed in the 1960s to facilitate the then current plan to continue the M22 Motorway to Castledawson. The existing road at Clonboy was widened and strengthened following completion in 1973 of the Ballygrooby to Artresnahan part of the M22. The existing road at Drumderg east of Toome was widened and strengthened in the late 1970s. Improvements to the remainder of the road have been limited to minor junction improvements and routine maintenance resurfacing. Poor alignment combined with an increase in traffic volumes has reduced the number of safe overtaking opportunities for road users, resulting in increased journey times and increased risk of frustrated drivers attempting to overtake in unsafe circumstances.
- 2.1.5 The A6 and the local roads connecting to it service a scattering of hamlets, rural housing and commercial properties resulting in an unacceptable number of potential points of conflict between strategic traffic using the main road and traffic turning into the several side roads, domestic and commercial and field accesses along the main road. Excluding field accesses, the road is considered to have a medium access density between the M22 Junction 3 and Derryhollagh and low access density from Derryhollagh to Toome. Research indicates that accident rates can be related to the number and form of accesses along a route.

2.2 *Policy Context*

- 2.2.1 The Regional Development Strategy for Northern Ireland 2025 (RDS) guides the development of Northern Ireland up to 2025 and beyond. The importance of the RDS is

¹ Neutral month traffic volumes counted Monday to Friday between 7:00am and 7:00pm

underpinned by Article 5 of The Strategic Planning (Northern Ireland) Order 1999 and was recognised in the Northern Ireland Executive's Programme for Government.

- 2.2.2 The Regional Transportation Strategy (RTS) supports the RDS and makes a significant contribution towards achieving the longer-term transportation vision contained within the RDS. The strategic direction and underlying principles of the RTS were agreed by the Northern Ireland Assembly on the 3rd July 2002.
- 2.2.3 The Regional Strategic Transport Network Transport Plan 2015 (RSTN TP) sets out how the RTS will be implemented and confirms the individual schemes and projects to be implemented (subject to economic assessments, statutory processes and availability of resources) to support the RDS and RTS objectives and targets. The Regional Strategic Transport Network (RSTN) incorporates 5% of the road network, which carries around 37% of total road traffic movements, and all of the rail system. The top tier of the Region's long distance routes connecting the cities and main towns to the major regional gateways and the Belfast Metropolitan Area (BMA) are designated Key Transport Corridors.
- 2.2.4 Table 5.2 of the RSTN TP includes a proposal to upgrade the North Western Key Transport Corridor to dual carriageway standard between the western end of the M22 Motorway at Randalstown and the Castledawson Roundabout. The Randalstown to Toome Dual Carriageway is part of this proposal.

2.3 *Scheme Benefits and Objectives*

2.3.1 Construction of the Randalstown to Toome Dual Carriageway will deliver improved road safety and consistent journey times for strategic traffic and local road users, and will facilitate further expansion of local industry in the area.

2.3.2 The Department's objectives for the scheme are:

- To assist economic growth by reducing journey times.
- To conserve and enhance the environment.
- To reduce congestion and delays and accommodate increasing traffic flows.
- To improve safety by reducing the number and severity of accidents.
- To make best use of the existing strategic road network.

2.3.3 These objectives are in line with the Department's policy as set out in the "Regional Transportation Strategy for Northern Ireland 2002-2012".

2.4 *Scheme History*

2.4.1 In December 2003 a civil engineering consultant Scott Wilson was commissioned to assist Roads Service to examine the dual carriageway proposal. The scheme specific Project Brief required the consultant to:

- Identify a corridor where the construction of the road improvement would be least environmentally damaging.
- Assist with the selection of a preferred route alignment within this corridor.
- Prepare an Environmental Statement and to design mitigation measures to reduce the environmental damage of the preferred alignment.
- Support Roads Service to promote the scheme through public consultation and statutory procedures.

2.4.2 Stage 1 appraisal examined three distinct corridors – a north corridor lying largely to the north of the existing road, a central corridor largely straddling the existing road and a south corridor lying largely to the south of the existing road – between Randalstown and the Drumderg Roundabout. Comprehensive examination of the ten possible online and offline green field routes against the Government’s five objectives for transport concluded that the south corridor (encompassing three possible routes) a narrow northern corridor (encompassing one possible route) should be taken forward for further study.

2.4.3 Stage 2 appraisal examined these two corridors more deeply. The Minister for Regional Development announced the ‘preferred route’ for the scheme on the 28th September 2005. The preferred offline scheme starts at the western end of the M22 motorway at Randalstown and continuing offline to the south of the existing Moneynick Road to join the Toome Bypass at the Drumderg Roundabout, was selected as providing the best balance of limiting environmental impacts and good value for money.

2.4.4 Stage 3 appraisal comprehensively examined the ‘preferred route’ and included in-depth environmental, engineering, geotechnical, economic and traffic assessments. It also included a land assessment which examined the effects on agriculture of land take, type of husbandry and severance and considered the options for major accommodation works to provide access, water supply drainage etc.

2.5 *Alternative Schemes*

2.5.1 Several dual carriageway alternatives were studied, lying to north and to the south of the existing A6. Three route options were presented to the public and interested organisations during February 2005. One route option was part offline and lying south of the A6 between Randalstown and Drumaslough Hill, where it then continued as online dualling to Toome. The other two route options were entirely offline to the south of the A6.

2.5.2 Following on from the exhibition, additional options were considered and four route options – the original three and one additional route option – were presented to the public in June 2005. The additional route option was offline lying south of the existing A6 from Randalstown to west of Derryhollagh Cottages, where it crossed over the A6 and then continued north of the A6 to Toome.

2.6 *Statutory Procedures*

2.6.1 The statutory procedures governing the construction and improvement of trunk roads are contained in The Roads (Northern Ireland) Order 1993. These include the preparation of an Environmental Statement, a Direction Order describing the roads which are to become part of the trunk road network and a Vesting Order to acquire the land to facilitate construction of the road. The Roads (Amendment) (Northern Ireland) Order 2004 made provision for all or any of the above proceedings (so far as practicable) to be taken concurrently.

2.7 *Environmental Statement*

2.7.1 Part V of The Roads (Northern Ireland) Order 1993² sets out the statutory requirements for assessment of environmental impacts of road schemes. The Regulations require the Department to determine using the Annexes within EC Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended by EC Council Directive No. 97/11/EC and Directive No. 2003/35/EC of the European Parliament and Council, whether or not a relevant project should be made subject to an Environmental Impact Assessment, and to publish this determination. Notices were placed in the local press during weeks ending 23rd and 30th March 2007 stating that the Department had determined, after having regard to the selection criteria in Annex III that the T8 (A6) Randalstown to Toome Dualling Scheme fell within Annex II of the Directive and that the proposal should be made subject to an Environmental Impact Assessment in accord with the Directive.

2.7.2 Notices were placed in the local press during weeks ending 23rd and 30th March 2007 stating that the Department had prepared an Environmental Statement setting out the impact of the scheme and listing measures to mitigate those impacts. Copies of the Environmental Statement were circulated to 33 statutory bodies requesting their comments on the proposals and replies were received from 10 of these bodies.

2.8 *Direction Order*

2.8.1 Article 14 of The Roads (Northern Ireland) Order 1993 provides that “where the Department considers it expedient for the purpose of extending, improving or reorganising the trunk road system that any road should be designated as a trunk road; the Department may direct that (i) any existing road (ii) any road in the course of construction or (iii) any road proposed to be constructed shall become a trunk road and the trunk road system shall be modified accordingly”.

2.8.2 Notices were placed in the local press during weeks ending 23rd and 30th March 2007 stating that a draft Order entitled ‘The Trunk Road T8 (Randalstown to Toome) Order (Northern Ireland) 2007’ makes provision for additions to the trunk road network, alterations to the trunk road network and stopping-up of certain lengths of road to traffic.

²Part V was substituted by the Roads (Environmental Impact Assessment) Regulations (Northern Ireland) 1999, (S.R. 1999 No. 89) and amended by The Roads (Environmental Impact Assessment) Regulations (Northern Ireland) 2007 (S.R. 2007 No. 346)

2.8.3 The draft Order sets out in detail the following:

- The new roads to be constructed as trunk roads and part of Moneymore – Antrim – Moira Trunk Road T8.
- Roads to be stopped-up to road traffic.
- Roads to be abandoned.

2.8.4 The draft Order was also served on Antrim Borough Council and public utilities with an interest.

2.9 *Vesting Order*

2.9.1 Article 113 of The Roads (Northern Ireland) Order 1993 provides that “where the Department desires to acquire any land otherwise than by agreement; the Department may make an order vesting the lands in the Department”.

2.9.2 Notices were placed in the local press during weeks ending 23rd and 30th March 2007 stating that the Department for Regional Development proposed to make an order vesting certain lands in the townlands of Drumderg, Ballydugennan, Gortgarn, Drumcullen, Ranaghan, Moneynick, Derryhollagh, Greenan, Aghaloughan, Clonboy and Artresnahan, County Antrim in the Department under The Local Government Act (Northern Ireland) 1972 and The Roads (Northern Ireland) Order 1993. The order described the lands to be compulsorily purchased to facilitate construction of the scheme.

2.10 *Consultation and Public Inquiry*

2.10.1 The press notices announced (i) the time within which comment on the Environmental Statement could be made (ii) the time within which objections to the draft Direction Order and draft Vesting Order could be made (iii) the manner in which comments and objections could be made and (iv) where the Environmental Statement, draft Direction Order and draft Vesting Order could be inspected.

2.10.2 The consultation period for receipt of comment on the Environmental Statement and receipt of objections to the draft Direction Order and draft Vesting Order extended from the date of the first publication during weeks ending 23rd and 30th March 2007 until 30th April 2007.

2.10.3 Copies of the Environmental Statement, the draft Direction Order and the draft Vesting Order were made available for inspection at the following deposit locations.

- Department for Regional Development, Roads Service – Northern Division, County Hall, Castlerock Road, Coleraine BT52 3HS.
- Department for Regional Development, Roads Service – Northern Division, County Hall, 182 Galgorm Road, Ballymena BT42 1QG.

- Department for Regional Development, Roads Service – Northern Division, Antrim Section Office, Crown Buildings, 20 Castle Street, Antrim BT41 4JE.
- Department for Regional Development, Roads Service – Western Division, County Hall, Drumragh Avenue, Omagh BT79 7AF.
- Department for Regional Development, Roads Service – Western Division, Magherafelt Section Office, 30 Station Road, Magherafelt BT45 5DN.
- Department for Regional Development, Roads Service – Headquarters, Room 2-01, Clarence Court, 10-18 Adelaide Street, Belfast BT2 8GB.
- Antrim Borough Council, Antrim Civic Centre, 50 Stiles Way, Antrim BT41 2UB.
- Magherafelt District Council, 50 Ballyronan Road, Magherafelt BT45 6EN.

- 2.10.4 An 'Orders Exhibition' was held in the O'Neill Arms Hotel, Toomebridge on the 29th and 30th March 2007. Representatives from Roads Service and their consultants were present to answer questions and to provide assistance to members of the general public.
- 2.10.5 Thirty two letters of objection and seven letters of comment were received following publication of the Environmental Statement, draft Direction Order and draft Vesting Order.
- 2.10.6 Having regard to the nature of the opinions expressed and the strategic importance of the scheme, the Department considered it appropriate to convene a local public inquiry to examine the case for and against the scheme. Letters issued during September 2007 to the objectors and to Antrim Borough Council stating that the Department (i) had decided to hold a local public inquiry to consider the opinions expressed in relation to the proposal, and that objectors would have the opportunity to present their case and (ii) had appointed Mr J. A. Robb as Inspector and Mr D. L M^cAvoy as Assistant Inspector to hold the local public inquiry which would commence on 5th November 2007 in The Elk Inn, Toomebridge starting at 10.30am. Notices were also published in the local press informing the public at large of the Department's intention to hold a local public inquiry into the Environmental Statement, the draft Direction Order and the draft Vesting Order.
- 2.10.7 The Inspector reported to the Department in January 2008. A copy of the Inspector's report may be examined, free of charge, at the following deposit locations:
- Department for Regional Development, Roads Service – Northern Division, County Hall, Castlerock Road, Coleraine BT52 3HS.
 - Department for Regional Development, Roads Service – Northern Division, County Hall, 182 Galgorm Road, Ballymena BT42 1QG.
 - Department for Regional Development, Roads Service – Northern Division, Antrim Section Office, Crown Buildings, 20 Castle Street, Antrim BT41 4JE.
 - Department for Regional Development, Roads Service – Western Division, County Hall, Drumragh Avenue, Omagh BT79 7AF.

- Department for Regional Development, Roads Service – Western Division, Magherafelt Section Office, 30 Station Road, Magherafelt BT45 5DN.
- Department for Regional Development, Roads Service – Headquarters, Room 2-01, Clarence Court, 10-18 Adelaide Street, Belfast BT2 8GB.
- Antrim Borough Council, Antrim Civic Centre, 50 Stiles Way, Antrim BT41 2UB.
- Magherafelt District Council, 50 Ballyronan Road, Magherafelt BT45 6EN.

3. Main Conclusions and Recommendations of Inspector's Report

3.1 *Environmental Statement, Direction Order and Vesting Order*

Subject to the recommendations contained in the Inspector's Report paragraphs 11.1.2 (Drumderg Roundabout) (reproduced at paragraph 3.2 below), the Inspector is of the opinion that the Environmental Statement meets the provisions of Articles 67A and 130 of the Roads (Northern Ireland) Order 1993 and recommends that:

- The proposal to make the Trunk Road T8 (Randalstown to Toome) Order (Northern Ireland) 2007 ("the Direction Order") under Articles 14 and 68 of the Roads (Northern Ireland) Order 1993 should be confirmed.
- 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 the T8/M22 (A6) Randalstown to Toome Dualling Scheme should be implemented.

3.2 *Drumderg Roundabout*

The Inspector recommends that "Whilst recognising and accepting that new road construction is subject to cost constraints, it is recommended that the intention to simply alter Drumderg Roundabout should be reviewed and the possibility of creating a grade separated junction reassessed with a view to maximising traffic flows".

3.3 *Fencing*

The Inspector recommends that:

- Dialogue to take place with each affected landowner with the aim of reaching agreement on the location and type of fencing to be constructed on each side of the proposed dual carriageway and (where appropriate) on the location and type of fencing each side of all new private roads constructed to maintain access to severed portions of agricultural land.
- That Roads Service accepts full responsibility for the ongoing maintenance of *all* boundary fencing, both on each side of the proposed new road and also on each side of new access roads to severed portions of agricultural land. (The Inspector considers it unreasonable to refuse to do this on the technicality that the Department is planning to construct a high standard dual carriageway rather than a motorway.)

3.4 *Bio-Security on Shared Private Means of Access Roads*

The Inspector recommends that:

- A double stock proof fence with hedge in between, located on the side of the farm would appear to offer the best protection. This is specified by the Department of Agriculture and Rural Development in its Bio-Security Code.

- A concrete surface would have the longest life expectancy and be the easiest surface from which to clean faecal material by brush or mechanical means. However, this surface may not be acceptable in situations where the proposed laneway is steep and/or where it will be used by horses and riders. In these cases acceptable solutions would depend on a detailed assessment of usage, local ground conditions and in consultation with the landowner.
- Adequate drainage to be provided to enable any contaminated run-off to seep, or soak away. Acceptable solutions would depend on a detailed assessment of local ground conditions and in consultation with the landowner.

3.5 *Stock Handling Facilities on Private Access lanes and Underpasses*

The Inspector recommends that:

- Permanent stock handling facilities be constructed at the access points to all private access lanes and underpasses adjacent to each landowner's fields, the exact type and location agreed with each landowner.

3.6 *Professional Representation*

The Inspector recommends that:

- The Department reviews its policy of only paying reasonable costs incurred by an objector being represented at an Inquiry, when that person has the threat of compulsory acquisition removed from his or her land.
- If required, objectors should have access to appropriate professional support and that within the framework of a formalised procedure, which could include prior approval and other criteria, this support should be funded by the Department.

3.7 *Communications*

The Inspector recommends that:

- Though the design process has already reached an advanced stage, urgent action is required on this project to dramatically improve and maintain communications between the Department, its advisors and the eventual Contractor team and the land and property owners who are directly affected by the proposal to construct the Randalstown to Toome Dual Carriageway.
- Future Road Schemes should be progressed by working more closely in partnership with the community, as most landowners accept and recognise the greater social need served by the construction of new roads and want to help resolve associated issues. New procedures should be established by Roads Service as a matter of urgency to ensure that the communication gaps which were allowed to develop on this scheme are avoided in the future.

- Any action which will improve the processes involved in the design and construction of new roads has to be encouraged and I recommend that draft Model Code of Practice between the Ulster Farmer's Union and the Department should be agreed and finalised without delay. It will probably be too late to be of benefits to the Randalstown to Toome scheme but should be beneficial to future projects.

4. Departmental Comment on the Inspector's Report

4.1 The Department welcomes the Inspector's endorsement, subject to the recommendations contained in the Inspector's Report paragraph 11.1.3 (Drumderg Roundabout), of the Environmental Statement, Direction Order and Vesting Order for the Randalstown to Toome Dualling Scheme and, his conclusion that the Environmental Statement meets the provisions of Articles 67A and 130 of the Roads (Northern Ireland) Order 1993 and his recommendation that:

- The proposal to make the Trunk Road T8 (Randalstown to Toome) Order (Northern Ireland) 2007 ("the Direction Order") under Articles 14 and 68 of the Roads (Northern Ireland) Order 1993 should be confirmed.
- 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 the T8/M22 (A6) Randalstown to Toome Dualling Scheme should be implemented.

4.2 In continuing to progress the scheme the Department will take cognisance of the contents of the Inspector's Report and its recommendations. In this respect the Department makes the following comments.

4.3 *Inspector's Report paragraph 11.1.2 "Drumderg Roundabout"*

The Department accepts the Inspector's recommendations and intends to replace the Drumderg Roundabout with a grade separated junction subject to satisfactory outcome of the normal statutory process.

4.4 *Fencing*

The Department confirms that:

- It will continue to engage in dialogue with each affected landowner with the aim of reaching agreement on the location and type of fencing to be constructed on each side of the proposed dual carriageway and (where appropriate) on the location and type of fencing each side of all new private roads constructed to maintain access to severed portions of agricultural land.
- Boundary fences of whatever type erected to enclose third party retained lands or as accommodation works for a third party will transfer to the third party who will take on responsibility for maintaining the boundary fences thereafter.

4.5 *Bio-Security on Shared Private Means of Access*

The Department agrees with the Inspector's recommendations that:

- 'Bio-security' is a complex matter and co-ordination of bio-security measures between adjacent landowners is of great importance in order to minimize transfer risks.
- Where private means of access is being provided to adjacent separately owned retained lands, the provision of separate laneways within each private means of access would dramatically increase the land take and seem difficult to justify, since animals would in most cases be traversing the shared public road network.

Therefore, the Department agrees with the Inspector's tacit recommendation that where a private means of access is being provided to adjacent separately owned retained lands, a single laneway should be constructed within each private means of access with:

- A double stock proof fence with a hedge in between be erected on the farm side of the private means of access.
- A concrete surface shall be installed on the laneway for longevity and to facilitate easy removal of faecal material; unless a risk assessment and/or dialogue with the landowner indicates that other surfacing is more appropriate.
- Adequate drainage is installed to enable any contaminated run-off to infiltrate into the adjoining subsoil.

4.6 *Stock Handling Facilities on Private access Lanes and Underpasses*

The Department agrees with the Inspector's recommendation to provide proportionate stock handling facilities at all private means of access and underpasses; the type and location to be agreed through dialogue with the landowner.

4.7 *Professional Representation during Inquiry and after a Vesting Order has been made*

With regard to public inquiries, the Department confirms:

- Anyone who receives a personal notice of a Vesting Order may, if his income and capital are within certain financial limits, be able to get financial help towards the costs of employing a solicitor to help him prepare his case.
- A statutory objector who is successful following an inquiry will be awarded costs unless there are exceptional circumstances for not doing so. A successful statutory objector is one whose objection was sustained, such that the Vesting Order was not confirmed or the objector's land was excluded from the Vesting Order.

After the Vesting Order has been made, the Department confirms that it usually:

- Pays the reasonable fees of a surveyor retained by a landowner to negotiate claims.

- Pays reasonable legal fees for conveyancing.

4.8 *Communications*

Whilst noting the Inspector’s recommendation that ‘urgent action is required on this project to dramatically improve and maintain communications with the land and property owners directly affected by the Randalstown to Toome Dual Carriageway’, the Department is content that Roads Service and its consultant has carried out proportionate effort consultation on this project. Roads Service undertook a number of community information events to communicate the developing proposals to the public at large and to solicit comment. Following announcement of the ‘preferred route’ for the scheme, Roads Service carried out extensive dialogue with all landowners likely to be affected by the preferred route for the scheme. The Department confirms that dialogue will continue with all landowners losing land to the scheme to develop a proportionate package of accommodation works and that contract documents will contain prescriptive measures requiring the contractor to appoint an appropriately qualified ‘lands liaison officer’ as his interface with landowners.

The Department accepts that its communication strategy would have been greatly enhanced had information brochures been made available to explain road planning and land acquisition procedures. To address this shortcoming, the Department for Finance and Personnel’s Land & Property Services has developed three booklets which explain in simple terms, how the compulsory purchase system works. The Department will ensure such information brochures are available to the public when planning future strategic road improvement schemes.

The Department will continue to liaise with the Ulster Farmers Union to develop an agreement establishing additional arrangements and procedures, supplementary to those provided in legislation, to enable the Department to efficiently and cost effectively deliver the Government’s Strategic Road Improvement programme.

4.9 *Summary of Objector Specific Recommendations*

4.9.1 In continuing to progress the scheme the Department takes cognisance of the contents of the Inspector’s Report and its recommendations and, where appropriate, will continue to build on the extensive dialogue that has already taken place with landowners directly affected by the scheme. In this respect the Department makes the following comments and commitments.

4.9.2 *Henry, John, Paul and Isobel Gribbin*

The Department confirms that:

- In addition to the construction of a new laneway from the Ranaghan Road to provide access to Mr Gribbin’s retained lands south of the new dual carriageway, a reduced height cattle creep will be provided underneath the new dual carriageway to provide access from the farmyard north of the new dual carriageway to the retained lands south of the new dual carriageway.
- Dialogue will continue to explore opportunities to resolve bio-security issues.

4.9.3 *Duneane Presbyterian Church*

The Department confirms that:

- A new entrance will be constructed from the realigned part of the Ranaghan Road to maintain continued vehicular access to the Manse.
- The present access from the Ballynafey Road to the Manse will be reduced to a pedestrian access.
- The mature trees alongside the present access from the Ranaghan Road to the Manse will be retained.

4.9.4 *Brian Darragh*

The Department confirms that:

- The Ranaghan Road will be stopped up each side of the new dual carriageway.
- Dialogue will continue to explore (i) the possible provision of a reduced height cattle creep underneath the dual carriageway to provide access from the farmyard north of the new dual carriageway to the retained lands south of the new dual carriageway and (ii) a satisfactory solution to the crossing of the proposed new access lane south of the dual carriageway.

4.9.5 *Robert Allen*

The Department welcomes the Inspector's endorsement of the proposal to carry the Derrygowan Road over the new dual carriageway on an overbridge and the connection of two severed portions of the Aghaloughan Road to the northern and southern approach embankments of this new bridge.

4.9.6 *George Pearson*

The Department confirms that:

- A farm accommodation bridge will be constructed over the new dual carriageway to link retained lands north and south of the new dual carriageway.
- Dialogue will continue to resolve other accommodation works issues.

4.9.7 *John and Hilda Stewart (including Judith and Andrew Sossick)*

The Department confirms that:

- An accommodation underpass will be constructed underneath the new dual carriageway to link retained lands north and south of the new dual carriageway. The accommodation underpass will be aligned to follow the existing 'farm back lane' on the Stewart land. The internal dimensions of the accommodation underpass will be determined (i) to ensure the safety of both horses and their riders using this means of access and (ii) the provision of

natural gravity drainage of the underpass to the nearby Ivy Burn. The Department notes that these requirements conflict and may result in a compromise solution.

- The accommodation underpass will be constructed in the early part of the construction contract.
- Compensation will be made available to facilitate the Stewart's to build a proportionate all weather horse exercise area.
- Dialogue will continue to resolve other accommodation works issues.

4.9.8 *John Percy*

The Department welcomes the Inspector's endorsement of the proposal to carry the Derrygowan Road over the new dual carriageway on an overbridge and the connection of two severed portions of the Aghaloughan Road to the northern and southern approach embankments of this new bridge.

4.9.9 *Carson's of Duneane Limited*

The Department is not content to allow Carsons of Duneane to erect and maintain commercial signs at agreed locations on Roads Service land as it is contrary to current Roads Service policy.

4.9.10 *William and Sandra, David and Claire Ross*

The Department confirms that:

- The sustainable drainage detention pond shown in the draft orders will be moved elsewhere: the Inspector's comments regarding the new location will be taken into consideration.
- The lay-by shown in the draft orders will be moved elsewhere: the Inspector's comments regarding the new location will be taken into consideration.
- Dialogue will continue to resolve other accommodation works issues including (i) relocation of the sustainable drainage pond and lay-by (ii) mitigation measures to be provided to afford the highest practical levels of protection for the Ross dwelling from noise, litter, etc. (iii) the establishment of an effective soft landscaping visual screen between the farm buildings and the new dual carriageway.

4.9.11 *Norman Smyth*

The Department confirms that:

- The plot of land south of the dual carriageway (Plot 37) will be vested. This plot is required to maintain vehicular connection from the Moneynick Road via a new bridge over the dual carriageway to property south of the new dual carriageway.
- The proposed west to east private means of access laneway to facilitate Mr Cleary will be constructed. Access to this new laneway will be controlled by means of lockable gates at locations to be agreed with Mr Cleary, Messrs Norman and Adrian Smyth.

4.9.12 *Kerr, Richard, Nora and Trudy Woolsey*

The Department confirms that:

- Further dialogue will take place with the Kerr family to examine the opportunity of constructing the farm accommodation bridge towards the eastern side of the farm.
- Should the farm accommodation bridge be constructed at the location shown in the draft orders, columns will be used to support a substantial part of the approach ramps either side of the main span over the dual carriageway.
- Consideration will be given to reopening and reconstructing the former rear access lane from Mr Kerr Woolsey's dwelling to the Moneynick Road.

4.9.13 *Dr. R T William McCrea*

The Department confirms that guidance documents will be prepared for distribution to people who have property, farms or businesses directly affected by road schemes: the guidance documents will explain, in simple terms, how the compulsory purchase system works. The Department also confirms that Dr M^cCrea will be kept apprised of progress on the scheme.

4.9.14 *Antrim Borough Council and Councillor Stephen Nicholl*

The Department also confirms that Antrim Borough Council will be kept apprised of progress on the scheme. The Department will research the application of 'Health Impact Assessments' and their applicability to proposed road schemes and, if required, a proportionate effort retrospective health impact assessment will be prepared for the Randalstown to Toome Dualling Scheme.

4.9.15 *Fire and Rescue Service*

The Department confirms that requisite Fire and Rescue Service requirements will be implemented.

4.9.16 *Rivers Agency*

The Department confirms that requisite Rivers Agency requirements will be implemented.

4.9.17 *Leslie and Mary Bell*

The Department will adjust its records to correctly show the land owned by Mr and Mrs Bell.

4.9.18 *Patrick Cleary*

The Department confirms:

- The proposed west to east private means of access laneway will be constructed over third party land to facilitate access to Mr Cleary's farm yard south of the new dual carriageway.
- Access to this new laneway will be controlled by means of lockable gates at locations to be agreed with Mr Cleary, Messrs Norman and Adrian Smyth

5. Measures to Mitigate Adverse Effects

5.1 The proposed dual carriageway has been designed to reduce, as far as possible, damage to the environment whilst taking account of other factors, such as road safety, engineering design and cost. The route avoids as far as possible, areas most sensitive to changes in the environment. Measures proposed to limit the adverse environmental impacts of the scheme include:

- Extensive planting of native trees and shrubs at key locations to help re-assimilate the scheme into the existing landscape setting.
- Re-use of topsoil on new verges to ensure conservation of residual seed banks of locally occurring plant species.
- Provision of pollution control measures as part of the highway drainage system including the creation of detention ponds and swales which would provide additional wetland areas for wildlife.
- The route would only be lit at junctions to limit light pollution. The lighting units would be designed to minimise the spread of light to nearby properties.
- Use of low-noise surfacing which would reduce the level of traffic noise when compared to traditional forms of road surface.
- Slopes would be in keeping with the local landform and be either grassed or planted with a woodland mix.

5.2 No additional mitigation measures were identified arising from the local Public Inquiries and the subsequent Inspector’s Report.

5.3 The scheme and associated mitigation measures have been designed to minimise adverse environmental effects. Nonetheless, some impacts would arise from the proposals, the most significant of which are summarised below.

5.3.1 *Air Quality*

There would be no significant effect on either local or regional air quality as a result of the proposed scheme. Local air quality pollutant concentrations would remain well within the relevant Air Quality Standards and are forecasted to marginally decrease from existing levels at the majority of locations. With strategic traffic moving to the new dual carriageway, there would be a net benefit with improved air quality for the majority of properties between Randalstown and Toome. In terms of regional air quality, generally there would be an overall reduction in concentrations from existing levels.

5.3.2 *Cultural Heritage*

There would be no direct impacts on any Scheduled Sites or Listed Buildings. Whilst direct impact on known archaeological features is considered small, it is almost certain that some

archaeology would be encountered on such a large linear construction site. Topsoil stripping in advance of construction would be monitored by a qualified archaeologist and any uncovered remains would be excavated and recorded.

5.3.3 *Ecology and Nature Conservation*

The proposed scheme would not directly affect any of the designated ecological sites in the wider area around Toome. Mitigation measures such as roadside planting and the creation of sustainable drainage features would help reduce the residual impact on local habitats and their associated wildlife. A protected mammal and bird survey will be undertaken in the appropriate field season preceding construction.

5.3.4 *Landscape and Visual Amenity*

No Areas of Outstanding Natural Beauty would be affected by the scheme. The scheme would however introduce a new road into a tranquil rural landscape between Randalstown and Toome. Sensitive design and landscaping would gradually integrate the road into the surrounding landscape. Views from dwellings near the proposed dual carriageway would change. Mitigation of these impacts has been considered through the alignment of the road, the design of structures and planting to address residual impacts. The construction of grade-separated junctions with associated lighting and large bridge structures would be the most visually significant features of the scheme.

5.3.5 *Land Use*

There will be the loss of only one residential property. A significant number of agricultural landowners would be affected by the scheme, resulting in loss of land and farm severance. Accommodation crossings and alternative private means of access would, as far as possible, allow continued farming activity on retained lands.

5.3.6 *Traffic Noise & Vibration*

There would be fewer properties near the proposed dual carriageway than along the existing A6. Hence, there would be a net benefit with reduced noise levels for the majority of properties between the Randalstown West Junction and the Drumderg Junction. However, traffic noise from the new road would impact properties that are not currently subject to transportation noise, due to their existing rural location and low existing ambient noise levels.

5.3.7 *Pedestrians, Cyclists, and Community Effects*

Local vehicle movements will be significantly improved on the local road network, due to the removal of strategic traffic from the existing Moneynick Road between Randalstown and Toome. There will be improved and safer access across the strategic route, through the provision of several overbridges. Reduced traffic on the Moneynick Road, and on the existing local road network, would result in a safer environment for pedestrians and cyclists.

5.3.8 *Vehicle Travellers*

The new road would ensure more reliable and consistent journey times for strategic traffic. Local traffic would benefit greatly from reduced traffic levels on the Moneynick Road and the remainder of the local road network. New and interesting views would be opened up to the travelling public over the surrounding rural landscape to the south of Moneynick.

5.3.9 *Water Quality and Drainage*

The proposed scheme would drain into a segregated system of drainage basins and swales. These would control the rate of outfall into local watercourses, reducing possible flooding of surrounding lands. This drainage system would also be the basis for creating wet and marginal habitats and would help reduce pollutant levels in the highway runoff.

5.3.10 *Disruption due to construction*

Construction would take about 24 months. During construction, the Moneynick Road would remain open to traffic. Side roads, where they cross the new dual carriageway, would experience sporadic disruption; however the aim would be to minimise disruption to local residents and road users.

The detail construction sequence would be a matter for the Contractor, but certain principles would be stipulated. Such measures would include limiting disruption to existing patterns of movement and limiting the routes for construction traffic use. The Contract would include provision to minimise the effects of construction noise, temporary diversions, works access and working hours.

Construction methods would be closely monitored by both the supervisory staff and the Health & Safety Executive, to ensure compliance with current legislation. Routes to the construction site would be discussed and agreed with the Roads Service, although the existing A6 would be the main means of access. An archaeological watching brief would be maintained throughout construction, with excavation and recording of any finds.

6. Departmental Decision

6.1 Having considered the Inspector's Report and all other representations made, the Department concurs with the Inspector's recommendation that it should proceed with the proposed Randalstown to Toome Dualling Scheme.

6.2 *Inspector's Report paragraph 11.1.2 "Drumderg Roundabout"*

The Department propose to replace the Drumderg Roundabout with a grade separated junction subject to satisfactory outcome of the normal statutory process. Local public consultation will measure acceptability of the proposed modification to the scheme presented at the Inquiries.

6.3 *Environmental Statement*

The Department has decided to publish a Notice to Proceed with the scheme: the notice will be published after consultation on the acceptability of the revised junction arrangement at Drumderg (paragraph 6.2 above).

6.4 *Direction Order*

The Department has decided to make the Direction Order: the Order will be published after consultation on the acceptability of the revised junction arrangement at Drumderg (paragraph 6.2 above).

6.5 *Vesting Order*

The Department had decided to make the Vesting Order for the scheme: the Order will be published after consultation on the acceptability of the revised junction arrangement at Drumderg (paragraph 6.2 above).