

# Written Ministerial Statement

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## Regional Development

### A5 WESTERN TRANSPORT CORRIDOR — CONSULTATION ON DRAFT STATUTORY ORDERS AND ENVIRONMENTAL STATEMENT

*Published at 11.15 am on Thursday 11 February 2016*

**Miss M McIlveen (The Minister for Regional Development):** Today I am announcing the imminent start of consultations by my Department on new draft Statutory Orders and a new Environmental Statement for the A5 Western Transport Corridor dual carriageway scheme.

This announcement will begin a consultation process which, subject to successful completion of statutory procedures, will see construction start next year on the £150million Newbuildings to north of Strabane section of this road.

The A5 dualling scheme is one of the Northern Ireland Executive's flagship projects and the start of construction of the first phase of the scheme is a commitment within 'A Fresh Start: the Stormont Agreement and Implementation Plan'. It is one of five key Transport Corridors in Northern Ireland. The proposed upgrade will improve links between urban centres in the west of Northern Ireland.

Members will recall that the Environmental Statement and draft Statutory Orders for the above scheme were initially published for consultation in November 2010, but after a High Court challenge the Statutory Orders were quashed by a Court Ruling in April 2013.

Since then work has been carried out to address the area of concern raised in the Court Ruling. I am pleased to say that my Department is now in a position to publish new draft Statutory Orders and a new Environmental Statement for consultation.

The proposed road is predominantly a high quality dual carriageway. There will be no direct private accesses or gaps in the central reserve and major road junctions will be kept to a minimum while providing connectivity to towns and communities along the route and to the existing road network. Many of the local roads will not be connected to the dual carriageway but will be taken over or under the new road or stopped up where appropriate.

The documents planned to be consulted on are:

- a) a new Environmental Statement;
- b) a new draft Direction Order for the length between Newbuildings and Ballygawley;
- c) three new draft Vesting Orders for the scheme between Newbuildings and Ballygawley; and
- d) a new Stopping-up of Private Accesses Order.

These documents have been prepared to reflect changes arising out of the original Public Inquiry process in 2011 and to take account of any interim changes in legislation and design standards.

Three new draft Vesting Orders have been prepared as follows:

- a) Phase 1a - from Newbuildings to north of Strabane;
- b) Phase 1b - from south of Omagh to Ballygawley; and
- c) Phase 2 - from north of Strabane to south of Omagh.

My Department accepted the Inspector's Report from the 2011 Public Inquiry, which recommended that the section south of the A4 at Ballygawley (Phase 3) should not be progressed until there was a firm commitment from the Irish Government in relation to the N2 improvement scheme; and certainty in relation to funding provision for the construction of the section of the scheme between Ballygawley and Aughnacloy. Therefore, any reference to the proposed dates for delivery of Phase 3 within the new Environmental Statement are purely indicative, as no firm commitment on delivery of Phase 3 can be given until the conditions relating to the N2 and funding are met.

The publication of the draft Orders and the Environmental Statement, which will take place during week commencing 15 February 2016, will be followed by a public consultation period during which a series of public exhibitions will be held at venues local to the scheme. The consultation period will start next week and run until 4 April.

The main objectives of the exhibitions are to present and explain the proposed scheme in detail; inform landowners and the general public of the lands included within the draft Vesting Orders; engage with a range of stakeholders; and increase public awareness of the scheme. Staff from TransportNI, their consultants Mouchel and the appointed contractors will be at these exhibitions and available to discuss any issues raised.

My Department recognises the considerable uncertainty that road schemes of this nature can cause and, working in partnership with Land & Property Services, and also with its project consultants, contractors and landowner agents, will seek to ensure that it meets the needs and expectations of all landowners affected by the proposed scheme.

The ownership of land vested for the scheme will not legally pass to the Department until the operative date of the vesting order, and for Phase 1A this will not be until autumn 2017 at the earliest. Landowners will receive the open market value of their property at that date. Given that this is still some time away, it is not possible to give future indications of value. However, it may be helpful to know that Land & Property Services in making budget estimates for the Department used current agricultural land values up to £12,000 / acre for good arable land, particularly in the northerly part of the scheme. Land & Property Services recognises that in some cases land would currently be worth in excess of that figure, and in contrast some could be worth £10,000 / acre.

Landowners' rights are protected under statute when property is vested, and will receive full compensation for their loss based on the principle of equivalence; this means that they should be no worse off in financial terms after the acquisition than before. No two properties are identical and there is a wide variation in the type and quality of the agricultural land and other property along the entire route of this scheme. Land & Property Services acting on behalf of my Department will carefully consider each individual claim for compensation and all evidence presented, and will seek to reach a settlement at the earliest possible opportunity. In default of an agreement, the Lands Tribunal for Northern Ireland will determine the fair and proper level of compensation, at no cost to the landowner.

There is clearly an anomaly in respect of compensation payments for property and landowners whose land or property is vested; for my Department, this is usually as a result of major road schemes. In England and Wales, property and landowners receive up to an additional 10% top up payment as compensation for the loss of their land or property but this does not apply in Northern Ireland.

That is why I am currently seeking accelerated passage for the Land Acquisition and Compensation Bill which would bring compensation levels for landowners in Northern Ireland affected by compulsory land purchase on a par with England and Wales.

Yesterday I received Executive agreement on the introduction of the Bill.

I have also written to the Speaker of the Northern Ireland Assembly seeking its introduction through accelerated passage with a view to it being debated in the Assembly. I would be hopeful that the Bill will complete its legislative process during this current mandate.

I welcome the progress on this important project which will not only have positive economic and construction industry benefits but will also help towards balancing regional infrastructure, while significantly improving road safety and journey times for all road users.

As well as providing much needed jobs within the construction sector, the proposed scheme should lead to an increase in demand for local suppliers of construction material as well as giving a significant boost to commercial trade in the surrounding area.

The publication of draft Orders and the Environmental Statement will commence a new formal consultation period for the project, following which, a decision will be made on the need for a new Public Inquiry on the scheme, currently tentatively programmed for autumn 2016.

I would encourage Members to attend the public exhibitions and view the documents that will be on display at a number of public offices over the next few months.

Please note the above statement is embargoed until 11.15am on 11 February 2016.