

**EXPLANATORY MEMORANDUM TO
THE TRUNK ROAD T7, T17 AND T22 (LONDONDERRY TO DUNGIVEN)
ORDER (NORTHERN IRELAND) 2016**

S.R. 2016 No. 113

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department for Regional Development 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 purpose of the order is to allow for the upgrading, to dual carriageway of 30km from Londonderry to Dungiven, including a dual carriageway bypass of Dungivan.

3. Background

- 3.1. The A6 forms part of the Northern Western Key Transport Corridor and is the main road connecting the Belfast and Londonderry, the two main cities in Northern Ireland. It provides an important link for businesses, commuters, local residents and tourism. The rural sections of the existing A6 Glenshane and Foreglen Roads currently carry about 13,000 vehicles per day, 16,000 vehicles per day pass through Dungiven, about 14,000 vehicles per day pass through Drumahoe, increasing to 25,000 vehicles per day at Altnagelvin Roundabout. The A2 Clooney Road currently carries about 23,000 vehicles per day increasing to 27,000 vehicles per day at Caw Roundabout.
- 3.2. The proposed A6 Dualling scheme will provide approximately 34.7km of new dual carriageway between the A2 Clooney Road and the A6 Glenshane Road east of Dungiven; The new dual carriageway is a combination of online widening and new offline sections including a southern bypass of Dungiven and a north eastern bypass of Drumahoe through the Faugna Valley. It will also provide 1.3km of upgraded dual carriageway between Caw Roundabout and Maydown Roundabout. This improves the geometry of the eastbound (country bound) lane of the existing A2 Clooney Road dual carriageway and increases capacity on the west bound approach to Caw Roundabout
- 3.3. The new dual carriageway will have significant benefits to the road user and the main objectives of the scheme are to improve the road network in the north west of the province, to improve road safety, to improve journey time reliability, to separate strategic and local traffic, and to provide additional overtaking opportunities to assist in dispersing traffic platoons.

4. Consultation

- 4.1. Comprehensive public consultation was carried out during the development of the scheme and publication of draft Statutory orders.
- 4.2. Preferred Corridor—two-day exhibitions were held on the 17 & 18 September 2007 in The YMCA, 51 Glenshane Road, Drumahoe and on 19 & 20 September 2007 in The Sports Pavilion, 3 Chapel Road Dungiven. Personnel from The Department and their consultants were present to answer questions and to provide assistance to members of the general public. Comment sheets, made available to the public as part of the community information event, gave the local community and businesses an opportunity to express their views on the proposals.
- 4.3. Possible Routes within Preferred Corridor—two-day exhibitions were held on the 20 & 21 May 2008 in The Sports Pavilion, 3 Chapel Road Dungiven and on 27 & 28 May 2008 in The YMCA, 51 Glenshane Road, Drumahoe. Personnel from the Department and their consultants were present to answer questions and to provide assistance to members of the general public. Comment sheets, made available to the public as part of the community information event, gave the local community and businesses an opportunity to express their views on the proposals.
- 4.4. Announcement of Preferred Route—the then Roads Minister announced on 6 May 2009 that the preferred route had been selected for the 30 kilometre Londonderry to Dungiven dual carriageway. Two-day exhibitions were held on the 6 & 7 May 2009 in the Dungiven Community Hall, 3 Chapel Road Dungiven and on 12 & 13 May 2009 in the YMCA, 51 Glenshane Road, Drumahoe. Personnel from the Department and their advisors were present to answer questions and to provide assistance to visitors. Comments sheets, made available to the public as part of the exhibition, gave the local community and businesses an opportunity to express their views on the preferred route.
- 4.5. Improvement of A2 Clooney Road—a two-day exhibition was held 19 and 20 January 2010 in the North West Teachers' Centre, 24 Temple Road Strathfoyle. Personnel from the Department and their advisors were present to answer questions and to provide assistance to the public. Comments sheets, made available to the public as part of the exhibition, gave the local community and businesses an opportunity to express their views on the on the proposals.
- 4.6. Improvement of A2 Clooney Road—an exhibition was held on 29 November in the North West Teachers' Centre, 24 Temple Road Strathfoyle to provide an update on the proposals for the improvement of the Clooney Road between Caw Roundabout and Maydown Roundabout. Personnel from the Department and their advisors were present to answer questions and to provide assistance to the public. Comments sheets, made available to the public as part of the exhibition, gave the local community and businesses an opportunity to express their views on the on the proposals.
- 4.7. Dungiven East Roundabout—an exhibition was held on 15 December in the Dungiven Sports Pavilion, Chapel Road, Dungiven to provide an update

on proposals for access to Abbeyfields, Tracy's Way and Magherabuoy Terrace housing. Personnel from the Department and their advisors were present to answer questions and to provide assistance to the public. Comments sheets, made available to the public as part of the exhibition, gave the local community opportunity to express their views on the on the proposals.

- 4.8. Publication of Draft Orders—two two-day exhibitions held on 17 & 18 January 2012 in Dungiven Sports Pavilion, Chapel Road, Dungiven and 24 & 25 January 2012 in the YMCA, 51 Glenshane Road, Drumahoe, and a one day exhibition on 26 January 2012 in Strathfoyle Youth centre, 13 Deramore Drive, Strathfoyle. Personnel from the Department and their advisors were available to answer questions and provide assistance.
- 4.9. In addition to the above, personnel from the Department and their advisors have undertaken a comprehensive round of one-to-one consultation meetings with individual landowners to ensure specific concerns or comments are considered during the assessment process.
- 4.10. The Department published a draft Environmental Statement and draft Orders (Vesting Orders, Direction Order and Stopping-up of Private Accesses Order) in December 2011 for consultation. The consultation period for receipt of comment on the Environmental Statement and receipt of objections to the Direction Order, Stopping-Up Order and Vesting Orders ended 2 March 2012. The documents were made available for inspection at 7 deposit locations and on the Department's webpage.¹²² letters of objection and 11 representations were received by the end of the objection period. Having regard to the opinions expressed and the strategic importance of the scheme, the Department considered it appropriate to convene local public inquiries to examine the case for and against the scheme. Mr. Jim Robb was appointed as Inspector, assisted by Mr. Jeremy Mills as Assistant Inspector. The inquiries opened on 24 September 2012 and ended in the late afternoon of 2 October 2012, lasting a total of six days. The Inspector delivered his Report to the Department on 13 March 2013.
- 4.11. Having considered the Inspector's Report and all other representations made, the Department concurs with the Inspector's recommendation that the Orders for the A6 Londonderry to Dungiven Dual Carriageway should be made. The decision to proceed with 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 Statement, and those actions to facilitate the Inspector's recommendations.
- 4.12. Having regard to the Environmental Statement (ES) and the Statements to Inform the Appropriate Assessment (SIAA) and the consultation responses to these assessments, the Department is satisfied that the likely significant environmental effects of the proposed scheme have been assessed and have been sufficient to inform judgements to be reached with regard to the scheme. Accordingly, the Department (as the Competent Authority) is content that the construction and operation of the A6 Londonderry to Dungiven Dual Carriageway would not by itself or in combination with

other known plans or projects, adversely affect the integrity of the River Faughan Special Area of Conservation (SAC) and the River Roe and Tributaries Special Area of Conservation (SAC). Having caused an Appropriate Assessment to be carried out, the Minister accepts the Department's conclusions.

5. Equality Impact

- 5.1. The A6 Londonderry to Dungiven Dual carriageway scheme is identified as a strategic road improvement in the Regional Strategic Transport Network Transport Plan (RSTN TP) which was the subject of a full EQIA.
- 5.2. 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. The indicative allocations in the December 2015 Budget Statement for 2017/18 – 2020/21 period will fund construction of part of the A6 Londonderry to Dungiven dualling scheme. The Department is currently considering the extent of the scheme, including a bypass of Dungiven, that could be delivered. It is envisaged that priority will be given to construction from Dungiven towards Londonderry.

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