

**EXPLANATORY MEMORANDUM TO  
THE TRUNK ROAD T1, T3 AND T7 (YORK STREET INTERCHANGE)  
ORDER (NORTHERN IRELAND) 2017**

**S.R. 2017 No. 31**

**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), 15(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 for a new grade separated junction at York Street to provide direct links between the Westlink and the M1 and M2 motorways. In addition to the construction of over and underpasses, landscaping will be carried out to improve the appearance of the road and lessen the visual impact of the proposed project.

**3. Background**

- 3.1. The York Street Interchange will replace the existing gyratory system which provides linkage between the Westlink and the M2, M3; M3 and the Westlink, and M2 to Westlink. The scheme will provide approximately 1.2km of new and upgraded road providing an extension of the M3 to facilitate direct linkage from the Westlink, for the M2, and for the local network; 4km of new and upgraded road providing an extension of the Westlink to facilitate direct linkage from the M2, from the M3 and for the local network; and 1.7km of new and upgraded road providing an extension of the M2 to facilitate direct linkage from the Westlink and for the local network.
- 3.2. The new interchange will have significant benefits to the road user and the main objectives of the scheme are to remove the bottleneck on the strategic road, to improve journey times and journey time reliability and to improve access to Belfast Harbour and Belfast City Airport.
- 3.3. The existing York Street junction is located on the Eastern Seaboard Corridor which is a part of the North Sea - Mediterranean Corridor, a Trans-European Network for Transport (TEN-T) route which runs down the eastern side of Ireland linking the ports of Belfast, Dublin and Cork.
- 3.4. The existing junction links the three busiest roads in Northern Ireland and provides access to the Port of Belfast from the Strategic Road Network and is the main access to Belfast from the north.
- 3.5. The current arrangement consists of a signalised gyratory "box" system with traffic signals at each corner, serving over 100,000 traffic movements per day. It is a source of traffic congestion and requires careful traffic

management, particularly in peak periods, to ensure that the gyratory system does not become blocked as this would result in significant traffic delays.

- 3.6. Strategic traffic will travel more safely on the proposed road as it will be constructed to provide segregation between local and strategic traffic with no interface with non motorised users. Local traffic and non motorised users will benefit from the removal of strategic traffic from the local network and the subsequent reallocation of road space.

#### **4. Consultation**

- 4.1. Comprehensive public consultation was carried out during the development of the scheme and publication of draft Statutory orders.
- 4.2. Public Consultation on Scheme Options - The public exhibition component of the consultation event ran on 1 June and 2 June 2011. Personnel from the Department and their consultants were present to answer questions and to provide assistance to members of the general public. Visitors attending the exhibition were invited to register their attendance, with a total of 174 names were entered over the two days..
- 4.3. Publication of Statutory Orders – Following a Ministerial Announcement on 27th January 2015, the publication of the draft Orders and Environmental Statement on 28th January and 4th February commenced the consultation period for the scheme which ran until 10th March 2015.
- 4.4. A total of 53 responses were received by TransportNI prior to the closing date and a further 6 were received after the closing date of 10th March 2015.
- 4.5. On consideration of the responses submitted to TransportNI and because of the high profile nature of the proposed scheme the Minister for Regional Development announced on 25th March 2015 his decision to hold a Public Inquiry.
- 4.6. The Department appointed Mr Jim Robb as Inspector to the Public Inquiry and Mr Jack Cargo as Assistant Inspector. A Pre-Inquiry meeting took place on Monday 5th October 2015, at which a number of administrative matters and other issues were discussed.
- 4.7. The Inquiry opened on Tuesday 10th November 2015 and closed on Thursday 12th November 2015, lasting a total of 3 days. During the Inquiry, the Inspector requested a preliminary technical assessment on the impact of realignment to the Westlink between North Queen's Street Bridge and York Street. This resulted in the production of 'The Westlink Realignment Assessment Summary' dated 20 November 2015.
- 4.8. Following the Inquiry, site visits between the Inspector and objectors took place at the request of a number of objectors on Monday 16th November 2015.
- 4.9. Having considered the Inspector's Report and all other representations made, the Department concurs with the Inspector's recommendation that the Orders for the York Street Interchange 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.

- 4.10. Having regard to the Environmental Statement (ES) and the Statement to Inform the Appropriate Assessment (SIAA) and the consultation responses to this assessment, 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 York Street Interchange scheme would not by itself, or in combination with other known plans or projects, adversely affect the integrity of Belfast Lough Special Protection Area (SPA) or Belfast Lough Open Water SPA, or indeed any other Natura 2000 site. Having caused an Appropriate Assessment to be carried out, the Minister accepts the Department's conclusions. As the scheme progresses towards construction, the Department will review its Environmental Statement and Habitats Regulations Assessment as necessary at the time and before making the Vesting Order.
- 4.11. The Notice of Intention to Proceed with the scheme was published week commencing 21 November 2016 and it is intended that the Notice of Making of the Designation Order will be published in December 2016. At a later date, when funding has been confirmed, the Notice of Making of the Vesting Orders (or parts of) will be made.

## **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 identified for the York Street Interchange. This scheme remains a high priority for the Department with a programmed construction period within the 2017/18 to 2020/21 financial years. This construction phasing maximises the opportunities to attract substantial EU funding and the Department continues to work within this timescale.

## **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