

EXPLANATORY MEMORANDUM TO

The Trunk Road T6 (A4 Enniskillen Southern Bypass) Order (Northern Ireland) 2021

S.R. 2021 No. 204

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 2100 Metres of new road (including two new roundabouts) shall become trunk road and be part of the Aughnacloy-Ballygawley-Enniskillen-Belcoo-Land Frontier T6.

3. Background

- 3.1. The scheme proposes to provide a direct link between the Dublin Road to the east of the town and the A4 Belcoo Road to the west via the A509 Derrylin Road, and onwards to Sligo including: construction of 2.1km of single carriageway with overtaking lanes provided at each end of the new road; construction of two roundabouts at the Dublin Road and Derrylin Road; construction of two new river bridges over the River Erne and River Sillees; provision of active travel along the full length of the Bypass and extending along the Dublin Road and Derrylin Road to connect into existing non-motorised user infrastructure; enhancement of non motorised user facilities to include the provision of a Puffin crossing on the Derrylin Road; and a feasibility study to develop proposals for complementary improvements to enhance and reshape Enniskillen Town Centre building on the decongestion benefits with a particular focus on promoting sustainable travel choices.
- 3.2. The A4 at Enniskillen forms part of the South Western Key Transport Corridor which provides a strategic link between the east of the Province, the Fermanagh Lakelands and cross border regions. The scheme will help significantly to alleviate traffic congestion in Enniskillen Town centre, reducing delays, improving average journey times by approximately 50% and improving road safety. It will also serve to enhance the town centre environment by improving air quality and noise levels and will provide the opportunity to introduce sustainable and active travel measures in the town centre.

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 28 March 2018 and comprised a Notice of Intention to Make a Direction Order, a Notice of Intention to Make a Vesting Order, The River Erne Bridge Order (Northern Ireland), The River Sillees Bridge Order (Northern Ireland) and The River Erne (Diversion of Navigable Watercourse and Extinguishment of Public Rights of Navigation) Order.
- 4.3. As a result of public consultation on the draft Statutory Orders and an Environmental Impact Assessment Report for the scheme, 21 substantive responses were received, the majority of which were supportive. Including 2 individual objections, 1 neutral response and 18 written expressions of support for the scheme.
- 4.4. The 2 letters of objection were carefully considered by the DfI Roads Divisional project team and further discussions and meetings were held with both parties over a three month period. Ultimately, both parties retained their objections and following established procedures, the Department decided to proceed with the scheme without recourse to a public inquiry. The objecting parties were informed of this decision in January 2019.
- 4.5. Having considered all other representations made, the Department concurs that the proposed A4 Enniskillen Southern Bypass 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 recommendations as set out in the Shared Environmental Services (SES) statement.
- 4.6. Having caused the examination of the environmental information which includes the EIAR, the consultation responses to the EIAR, together with the recommendations of the Shared Environmental Services, the Department is satisfied that the likely significant environmental effects of the proposed scheme have been assessed.
- 4.7. 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. The estimated cost of the scheme is in the range £25m - £30m.

8. Section 24 of the Northern Ireland Act 1998

8.1. The scheme requires the vesting of land 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 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

July 2021