

**PUBLIC INQUIRY INTO
THE DEPARTMENT FOR REGIONAL DEVELOPMENT'S
PROPOSAL FOR THE A24 BALLYNAHINCH BYPASS**

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PUBLIC INQUIRY INTO THE BALLYNAHINCH BYPASS HELD AT 10.00AM ON TUESDAY 26TH JANUARY 2016 AT THE MILLBROOK LODGE HOTEL, BALLYNAHINCH

INTRODUCTION

In a letter dated 18th September 2015 I received an appointment from the Department for Regional Development (DRD) as Inspector to hold a Public Inquiry into the proposed Ballynahinch Bypass. The notice of appointment contained terms of reference which stated I should hold the Inquiry into the Environmental Statement, the Direction Order and the Vesting Order prepared by the Department and that I should prepare a report thereon and make recommendations to the Department. Details of the scheme were delivered to me on Thursday 22nd October 2015.

I was then contacted by **Miss Claire McGeown** who was appointed Programme Officer to assist me with the Inquiry. I met with her on Tuesday 10th November 2015 to discuss our working arrangements, and again in Ballynahinch on Tuesday 1st December 2015 to inspect the premises at the Millbrook Lodge hotel reserved for the Inquiry and agree the programme approach. I visited the route of the proposed bypass with Miss McGeown and TransportNI representatives to assimilate the nature of the proposals.

I decided to convene a Pre-Inquiry meeting and this was held on Wednesday 16th December 2015. Notices were sent to all those who had shown a formal interest in the scheme. A proposed timetable for the Public Inquiry was prepared and distributed by the Programme Officer after the Pre-Inquiry and is attached as Appendix A.

I subsequently received copies of submissions from some forty parties containing support for and objections to the proposed scheme, together with Departmental responses. All of these contributors are listed with the appropriate reference numbers at Appendix B.

THE PROPOSAL

The subject of the Public Inquiry is a proposal for the construction of a 3.1 kilometre bypass to the East of Ballynahinch commencing with a new roundabout at the A24 Belfast Road/A21 Saintfield Road junction and terminating with a new roundabout at the A24 Drumaness Road/ B2 Downpatrick Road junction. It includes a compact grade-separated junction at the B7 Crossgar Road.

Details of the scheme are contained in documents and plans prepared by TransportNI (TNI) and their consultants, Aecom. The Departmental Policy documents, Direction Order, Environmental Statements and vesting plans which form the basis of the proposal were given to me before the Public Inquiry. A list of documents prepared for the Inquiry and used directly in evidence is attached at Appendix C.

PRE-INQUIRY

The Pre-Inquiry took place at 11.00am on Wednesday 16th December 2015. The purpose of the Pre-Inquiry was to assess the level of representation for the supporters and objectors, to agree the outline programme for the Inquiry, and to agree arrangements and timescales for the exchange of documents to be used in evidence. The opportunity was taken for the Inspector to set out his approach to the Inquiry and to request that objectors and their representatives discuss with the Programme Officer availability and timescales for presenting evidence. Although the meeting was short, it provided a clear way forward for the conduct of the Public Inquiry.

PUBLIC INQUIRY - DAY 1

The Public Inquiry commenced at 10:00am on Tuesday 26th January 2016. A list of those who attended on each day is attached at Appendix D. Not all of the attendees were present all day.

The Inquiry was opened by the Inspector who introduced himself, welcomed those present and read out from the published notices the details of his appointment. He outlined briefly his professional career and experience. He then described the overall nature of the proposal and went on to introduce the Programme Officer Miss Claire McGeown. Referring to the proposed timetable, he asked anyone who wished to make representations to make sure the Programme Officer was informed. He reminded everyone that the Inquiry would resume at 10:00am on Wednesday 27th January and if necessary at the same time on Thursday 28th January.

The Inspector asked if those present were content with the arrangements. There was no comment and this was taken as assent.

Department's (TransportNI) Case

In his opening address, **Mr O'Reilly**, a barrister instructed by the Department on behalf of TNI, explained that TNI was the successor to the former Roads Service. He went on to mention the background to the development of the scheme and the support it had received from individuals and public representatives. The two main purposes of the scheme were to provide a safer driving route on the A24 and to relieve congestion in the town of Ballynahinch. The off-line proposal inevitably involved the acquisition of land and there were some casualties in terms of residences and businesses affected by the scheme.

TNI and its consultants, Aecom, had met with interested parties to address these issues. He pointed out that compensation matters would not be addressed by the Inquiry, but would be dealt with in due course by Land and Property Services (LPS). Mr O'Reilly explained that Aecom was a successor to two former firms, Scott Wilson and URS, and that some documentation would bear their names.

Mr O'Reilly went on to identify the four witnesses who would give evidence respectively as **Mr Eoghan Daly**, Project Sponsor for TNI; **Mr George Kissick**, Project Manager with Aecom; **Mr Russell Bissland**, transport and economics specialist with Aecom; and **Mr Gareth Coughlin**, Environmental Coordinator with Aecom.

Each witness then read from a summary of the written evidence in the Departmental Statement and the relevant consultant's reports. The summary of evidence is listed in Appendix C. I will not reproduce the evidence in this report. It is a matter of record.

After the witnesses had given evidence there was an opportunity for those present to seek clarification or ask questions. **Mr Mark Murnin**, a Councillor and local businessman, asked about town centre traffic management after the scheme was in place, and in particular if the one-way system would be retained. Mr Daly, on behalf of TNI, replied that whilst it was too early to say what changes might be made it would be kept under review.

Supporters of the Scheme

The Inquiry then heard from individuals and public representatives who wished to speak in favour of the scheme. The first to speak was **Mr Mark Gould**, a local resident and commuter. Mr Gould spoke strongly in favour of the proposal, citing problems of traffic congestion in the town centre, accidents (leading in some instances to the deaths of pedestrians), difficult lane changes, and school drop-offs. The benefits to commuters travelling to and from Belfast and tourists travelling to Newcastle and the Mournes would be significant. He concluded his evidence by expressing the hope that after such a long wait the project would progress swiftly to construction.

The next speaker was **Councillor Garth Craig**. He stated that he lived two miles outside the town and had campaigned for many years at Council for the bypass. The proposal would reduce journey times, improve journey time reliability and greatly improve safety for pedestrians in the town. It would also boost economic development. He congratulated the professional team for advancing the scheme to the present stage. In responding, Mr O'Reilly asked Councillor Craig if in his opinion his views were shared by his fellow councillors on the newly formed District Council. Mr Craig stated that there was all party support, carried through from the old Down District Council into the new super Council of Newry Mourne and Down.

Councillor William Walker then came forward to speak. He assisted Jim Shannon MP and wished to relay his support along with his own. He gave the reasons for his support which centred on safety and economic benefits for the people of the town. He believed the scheme would be a win-win situation for the general public and the residents and business people. Mr O'Reilly asked Councillor Walker if he gathered the views of local people when in the constituency office in the town, and to confirm that his statement reflected the views of the Westminster MP for the area. Councillor Walker stated in

response that everyone who had expressed a view in the constituency office supported the scheme, and that his views were shared by the sitting MP.

The Inquiry then heard from **Councillor Mark Murnin**, who stated that he agreed totally with the views expressed by his colleagues on Council. He added that the Council held tourism to be a key priority and the bypass would greatly assist the passage of tourists from the population centre of Belfast to Newcastle, Tollymore Forest Park and the wider Mourne area.

Mr Melvin Carser, former managing director of the company Walter Watson Limited, spoke next. Although retired, he was still involved with the company, which employs some 250 people and has 25 lorries on the road. Some days there could be 24 lorries passing through the town, with loads up to 16 metres long, travelling to ferries in Belfast and Larne for deliveries throughout the UK. The tight turns required to negotiate the town centre made the journey very difficult. It was his view that the scheme would be beneficial to the whole community and the sooner it was completed, the better.

The next person to speak was **Mr Geoffrey Perrin**, a retired civil and highways engineer resident in the Ballynahinch area and a regular traveller through the town. He made four points in support of the proposals, namely that it would:-

- Improve traffic flows and reduce congestion
- Improve the environment in terms of safety and air quality
- Reduce conflict between through traffic, local traffic and pedestrians
- Improve reliability of journey times and reduce driver frustration

He went on to comment on the risks associated with the use of Carlisle Park as an alternative to the town centre and the frequency of traffic tailbacks north and south of Ballynahinch.

The Inspector reported that he had received a letter from **Councillor Terry Andrews**, who was unable to attend the Inquiry due to a family bereavement. The Inspector then read out the letter, which reiterated points already made by others in support of the scheme. These related to pedestrian safety and traffic congestion, and stated his firm belief that the proposed bypass would be of huge benefit to the area, commuters, residents and businesses.

There being no further representations in support of the scheme, the Inspector drew this phase of the Inquiry to a close.

Objectors to the Scheme

This part of the Inquiry was devoted to people who wished to object to the scheme, or to the effects of it on their property, livelihood or quality of life. They are dealt with in order of appearance at the Inquiry. Seven of these were represented by **Mr Brian Clarke**, an associate with Best Property Services, a firm of chartered surveyors, property consultants and estate agents. Mr Clarke initially read from a written statement when presenting the case for each of his clients. Copies of these statements were made available in advance to all parties. He outlined his qualifications and previous experience before

introducing his first case. He also made it clear that his statements to the Inquiry should be heard and considered along with written submissions already made, which he understood were now on record.

Mr Clarke stated that **Mr William Bell** ran an intensive pig production business on a small farmyard adjacent to his home off the Ballylone Road. The scheme would remove all of his farm buildings, a mix of old and new purpose built units. It was Mr Clarke's opinion that the right to compensation, and the system for making payment, were in this case inadequate. He considered that LPS should be brought into the debate at a much earlier stage to allow his client to source and build a new pig facility in the knowledge that the costs would be covered by compensation. He also took issue with the findings of the Agricultural Impact Assessment (AIA) which concluded that the overall impact of the scheme on the farm business would be slight and that mitigation measures were adequate. Mr Clarke concluded by stating that his client did not object to the new road in general, but he felt that there was a strong possibility that the scheme would proceed without addressing adequately his individual needs.

In responding, Mr Daly suggested that there might be a possibility that LPS would enter negotiations at an early stage, although he cautioned that they did not tend to be overly receptive to such an approach. He also entertained the thought that, subject to any recommendations emerging from the Inquiry, the Department might consider compensating Mr Bell for the time involved in seeking an alternative facility which would allow the business to continue.

Mr Clarke suggested that there were precedents where replacement facilities had been provided as part of the accommodation works. Mr Daly undertook to investigate any evidence produced to support this view. The Inspector intervened to summarise the debate and both parties agreed their understanding of the way forward.

Mr Bell then spoke about the possible effect on him, his wife and family, and the business. He wished to be left alone or to be in the position that he could draw the same income from his business.

Mr Clarke then introduced **Mr Compton Bell**. Mr Clarke stated that Mr Bell ran a mixed pig and beef farm on an 82 acre farm which included land taken on conacre. The proposal would take most of his farm buildings and sever his farmland making access to the severed land very difficult. Mr Clarke repeated the arguments he had advanced in the earlier case of Mr William Bell related to compensation and accommodation works. In addition, his client required a cattle underpass to connect to his severed land.

In response, Mr O'Reilly referred to the Department's earlier submission which re-affirmed that the Department would prefer to offer compensation for the loss of animal facilities as the landowner might be best positioned to assess his future requirement regarding the type and location of yard buildings and cattle handling facilities.

Mr Daly responded on the issue of a cattle underpass, stating that recent negotiations had brought forward the prospect that, in principle, this might be provided as a shared facility with adjoining landowners. The underpass would cater for cattle and small machinery, and its provision would be subject to confirmation of benefits and resolution of any technical issues. Mr Clarke welcomed the prospect of an underpass for his client.

Mr Compton Bell then spoke about the basis of compensation, pointing out that the value of his farm buildings was in their usefulness to the business and this was nothing to do with age. He would like to be left in a way that he was not out of pocket. Mr O'Reilly then stated that the matter of entitlement to compensation didn't arise until the land was vested and this was enshrined in law. Mr Daly commented that the full set of accommodation works would not normally be agreed at this point in the proceedings and there would be further consideration given to these after a successful conclusion to the Inquiry.

Mr Clarke then introduced the **Bell Family**. The main issue brought forward by Mr Clarke was the provision of an underpass to connect land which would be severed by the proposed bypass. The proposal discussed earlier in the case of Mr Compton Bell for a shared underpass would meet this need. It was confirmed that, subject to reservations recorded earlier, the underpass would be provided as part of the accommodation works.

There followed a brief explanation for the benefit of the Inspector and others, with the aid of maps and plans, of the proposals for the underpass and its position relative to the farms which would share it.

Mr Clarke, representing **Mr Edwin and Mrs Pamela Smyth**, was accompanied by Mr Edwin Smyth. The Smyth family were a third generation dairy farming family with over 185 milking cows. They owned 53 hectares and took an additional 70 hectares on conacre. Although most of the land they would lose if the scheme was to proceed was taken on lease, the impact would threaten the future of their farm business. Mr Clarke took issue with the AIA, which did not consider conacre or leased land, and concluded that mitigation measures were adequate. Mr Clarke went on to say that, whilst he appreciated that compensation was not normally considered at an Inquiry, compensation did not always put the landowner back in the position he was in prior to the scheme. In this case he doubted if it would.

Mr Clarke suggested that the Department should pay for the erection of cattle housing which would allow the Smyth family to keep their cattle indoors for a greater part of the year. This would be in keeping with modern farming methods and would have the potential to reduce any claim for loss of profits, or indeed to avoid total extinguishment of the business.

Mr O'Reilly commented that the vexed question of land taken in conacre had arisen frequently at public inquiries and the Department's attitude had been that the loss of conacre land was not compensatable. This might even have been referred to Land's Tribunal but he was not aware of any change in the Department's attitude. This would mean that the prospect of provision of

buildings in accommodation works would be greatly reduced. Mr Clarke pointed out that some of the land had been taken by the Smyths from the same landowner for 23 years, and part of the land take was on a five year agreement which he felt might change the eligibility for compensation. In response to a request from the Inspector, Mr Daly pointed out, with the aid of maps on display, the boundaries of the Smyth's land and the land taken in conacre or leased.

Before presenting his next case, Mr Clarke asked if the Inspector would visit his clients' premises before making his report. The Inspector confirmed that he would, and that arrangements would be made by the Programme Officer.

Mr Clarke then turned to his next client, **Geraldine Feighan**, who did not appear at the Inquiry. Mr Clarke described the effects of the scheme on his client's home at 4 Drumaness Road. She would lose part of her garden, she would have a major roundabout beside her property, and Crabtree Road would be realigned to enclose her garden with roads on all sides. He went on to say that the scheme would reduce privacy, increase noise and air pollution and street and vehicle lights would create further intrusion. Treatment of boundaries would not solve these problems, and in any event would take years to take effect. Finally, Mr Clarke suggested that, bearing in mind the adverse effect of the scheme on the value of his client's home, the Department should acquire the property.

Mr Daly responded by stating that the Vesting Order could not at this stage be increased in scope to include Ms Feighan's property. The Department would not normally consider a purchase prior to the Vesting Order, so this left the possibility of action through the blight process. He would be happy to discuss further with Mr Clarke and his client, and in the meantime he suggested that the Department respond to the specific areas of concern.

Mr Coughlin then dealt with each of the issues raised, namely noise, air quality and visual impact. In the case of noise he contended that, as set out in his earlier proof of evidence, the noise levels due to traffic would reduce. He also stated that the air quality, for both nitrogen dioxide and particulates, would change imperceptibly and would be well below the limits required. In the case of visual impact it was readily accepted that there was a very large adverse effect on the visual impact from her property. This would be mitigated by the proposed boundary treatment, hedgerows and associated planting and these measures would be further developed should Ms Feighan decide to remain in the property. On further questioning by Mr Clarke, Mr Coughlin confirmed that the noise calculations took into account the particular effects of the roundabout on traffic noise. Mr Clarke concluded by saying that he felt his client did not want to continue at the property. However, he would accept the offer of further discussion with the Department on all the accommodation works available.

Mr Clarke then presented the case for **Ballynahinch United Football Club** (BUFC). Mr Clarke first referred to earlier submissions made by the BUFC, which were a matter of record. He went on to say that the BUFC was a cross-

community club catering for over 230 individuals, including males, females, youth and senior football. The club had developed over thirty years and now had two pitches, changing rooms and a car park. The proposed scheme would take their training pitch, part of their entrance and car parking area. The Department had offered no mitigation measures, and his clients felt that, bearing in mind the cross-community and non-profit nature of the organisation, more should be done to restore the amenities which would be lost. He was aware that the prospect of returning adjacent land for the Club's use was discussed with the Department.

The BUFC were also concerned that there might be an increased risk of flooding if the proposals went ahead. They would have to hire training facilities during construction and would like this additional expense to be paid for. In addition, temporary fencing and screening would be required during construction in order to comply with IFA standards. In conclusion, Mr Clarke suggested that accommodation works should include replacement facilities in the immediate area, or if not available adjacent to the existing grounds, the Department should pay for replacement facilities elsewhere. In addition, the Department should detail temporary arrangements for the access to and use of the ground during construction. Finally, he stated that BUFC were not objecting to the proposed bypass, but that at Inquiry stage they did not know what mitigation measures or accommodation works would be provided and what facilities they would be left with after the scheme was completed.

Mr Daly, with the aid of maps on display, described the boundaries of the land being acquired for the proposed scheme. He pointed out that a significant area would not be required post scheme and would be returned. There was the possibility that engagement with an adjoining landowner might allow the BUFC to make use of this. The Department would be happy to facilitate any such initiative if this would be helpful. Mr Clarke commented that the problem for BUFC was that they would have great difficulty entering a league without certainty about their facilities.

Mr Clarke then asked Mr Gilbert Cromie, Chairman of BUFC, to speak. Mr Cromie added background information about the BUFC, its funding and expenditure, and the requirements laid down for membership of the Intermediate League. He also commented on dealing with spectators, amounting to 300 to 400 people for big matches, and the car parking required. Mr Clarke closed by seeking special consideration for the BUFC for use of the adjoining land owned by a third party.

Mr Clarke then presented the case for **Maguire Hotels**. The Millbrook Lodge Hotel employed around 75 staff. A major expansion was taking place, with the addition of 16 bedrooms, spa and conference centre. This might double the number of staff employed. Because the hotel is primarily an event hotel, with large numbers of guests arriving at the same time, they wished to have access from the main road improved by the addition of a right hand turn lane. Mr Clarke also commented on the adequacy of sightlines at the entrance. He added that, with reference to the Inspectors' report on the A5 WTC, financial support should be available to his client for the retention of architects or

others to prepare proposals. Mr Clarke stated that his client did not object to the provision of the bypass in principle, but requested that the proposals for improved access to the hotel be incorporated in the design.

Mr Daly commented briefly on the development of the right hand turn proposal and then asked his colleagues to respond to the specific issues. Mr Kissick confirmed that the visibility at the entrance to the hotel was in accordance with current design standards. Mr Bissell stated that detailed traffic counts indicated that queuing of traffic from the roundabout at the hotel entrance would not be significant and would not reach the roundabout. There was a further discussion about the workings of a cycle lane at the roundabout, which was clarified by reference to the drawings on display.

PUBLIC INQUIRY - DAY 2

The Inquiry resumed at 10:00am on Wednesday 27th January. The Inquiry continued with representations from people who wished to object to some aspect of the proposed scheme.

Mr Shane Martin spoke first. He spoke on behalf of himself and his mother, **Mrs Alexandra Martin** both of whom live at 85 Crossgar Road. Their home lies directly in the path of the proposed scheme and will be subject to vesting by the Department. He posed two questions to the department; first, when will the proposed bypass go ahead? Mr Daly said this would ultimately be down to funding by the Assembly. He estimated the earliest date would be towards the end of 2017 or early 2018. In response to a follow up question from Mr Martin, he stated that the construction would take 18 months to two years to complete. The second question Mr Martin raised was when, in relation to the construction timetable, would the vesting take place? Mr Daly was unable to give a definitive answer to this question; however, in response to a follow up query, Mr O'Reilly outlined the process which would take place under vesting and the procedure involved in a blight situation. He advised Mr Martin to seek immediate legal advice on this matter. The Inspector commented that Mr Martin and his mother appeared to have a very clear understanding of their plight, and asked if he was content with the answers received from the Department. Mr Martin replied that his questions had been answered.

The next contributor was Mr Ryan McBirney, presenting the case for **Messrs David and William Carlisle**. Mr McBirney explained that he was a planning consultant with Strategic Planning, a private company based in Holywood, County Down. He referred to earlier correspondence from Mr Ewart Davies, responses from the Department and further submissions from Strategic Planning. He intended to present to the Inquiry a summary of some of the written evidence already on record, and to assert his clients' continued objections to the scheme.

The Carlisles own 9.15 hectares of farmland adjoining the proposed route of the Ballynahinch Bypass. Of this, 5.78 hectares lie inside the development limit, with 3.36 hectares in the countryside. The draft Vesting Order indicates land take of approximately 4.5 hectares from the Carlisles' land, of which 1.6

hectares is located inside the development limit. The land to be acquired includes additional lands beyond the immediate route of the bypass to provide a flood compensation area to offset the loss of flood plain displaced by the proposed new road. The remodelling of this land to create a flood plain will render the lands unsuitable for future development. Mr McBirney went on to explain that the proposed new bypass would sever his clients farm, creating problems with access and farm management.

The Carlisles also own a filling station and shop at 105 Belfast Road, north of Ballynahinch. It employs 95 people. The new road would enable motorists to bypass the town, impacting directly on the viability of the business and the future of its employees.

Mr McBirney then suggested a number of approaches to deal with the issues identified. In relation to the flood compensation proposals, the Carlisles did not dispute that flood compensation was required, they objected to the use of lands that should be retained for urban development. They suggested that flood compensation should be provided on the country side downstream of the new road, and pointed out a suitable area along the Downpatrick Road. Free flow to this floodplain could be ensured if the bridge was extended towards the roundabout. If the flood compensation area was retained in its current position, the Carlisles would request compensation at development land values rather than agricultural land values.

In earlier written submissions Mr Ewart Davies had proposed two options for alternative filling station locations near to the Downpatrick road roundabout. The Department had responded to these suggestions by stating that policy would restrict direct access from the bypass. Mr McBirney argued that these were exceptional circumstances and that a "left in, left out" access should be facilitated.

With respect to agricultural operations, Mr McBirney recommended that sufficient width and headroom be allowed between the southern bank of the river and the closest bridge structure to permit the passage of modern farm machinery. This would prevent the need to use the Downpatrick Road to access the eastern portion of his clients' lands. Accommodation works would also need to be agreed.

Finally, Mr McBirney stated that in his clients' view the provision of the proposed bypass was contrary to Policy Con 2 Local Landscape Policy Areas (LLPA) with respect to the character of the river corridor.

Responding for the Department, Mr Kissick stated that it was preferable in all circumstances that the area to be used for flood compensation purposes should be upstream of the obstruction. The area suggested by the Carlisles was downstream and therefore not suitable. In response to further questioning about this from the Inspector and Mr McBirney, Mr Carl McCusker expanded upon the reasons for providing the floodplain upstream of the bypass and confirmed with the aid of plans on display the nature of the Department's proposals.

Mr Kissick then addressed the suggestion that the bridge be extended thus providing freer flow beneath the bypass in flood conditions. Pointing out that it was necessary to maintain a 600mm freeboard between the flood level and the underside of the structure, this would entail raising the level of the carriageway and the roundabout and the adjoining roads which would be prohibitively expensive. There would also be environmental issues associated with lifting the road. He went on to state that the access through the bridge would not be full height access. It was later confirmed that the headroom would be 2.7 metres allowing access for people, livestock and small farm machinery.

The question of the LLPA was then addressed by Mr Coughlin, with reference to the Environmental Statement. He argued that, taking into account the Department's comprehensive landscape mitigation proposals, there would be no significant effect on the LLPA. The question of maintaining a riverside link suitable for walkers had already been addressed.

Mr Daly then spoke about the restrictions on direct access from the new bypass. He considered that this would be a matter for the Carlises to take up with the Planning Department of the Council. TNI would be a consultee to that process. On the question of compensation, this would be assessed by LPS at the appropriate time. He confirmed that the Department would be happy to continue discussions about any other outstanding issues.

Mr McBirney raised the question of reimbursement of fees associated with the Inquiry. It was confirmed that his understanding of the situation was correct; that is fees could be recouped for dealings with LPS over compensation, or at this stage if as a result of submissions land was removed from the Vesting Order.

On completion of his evidence Mr McBirney made available to all parties copies of his initial submission to the Inquiry and these became a matter of record.

Mr McBirney then sought to make representations on behalf of **ANNS7 Ltd**. Mr O'Reilly interrupted to state that a Departmental search had revealed that the land in question was not owned by Mr McBirney's client. The land was still listed by estate agents as being for sale. He pointed out that unless Mr McBirney produced proof of ownership he was not entitled to make an objection at the Inquiry. In further discussions, and following a brief recess, the Inspector ruled that Mr McBirney should proceed on the understanding that he would produce proof of ownership to the satisfaction of the Inspector after the Inquiry. This was later provided and accepted by the Inspector and TNI.

Mr McBirney outlined the background to the area of land in question, which was within the development limit. Subject to compensation based on the application of appropriate land values, his client had no objection in principle to the loss of 0.76 hectares of land to facilitate the proposed bypass. The

problem arose with providing suitable access to the remaining land for residential development, which risked being landlocked. The Department was proposing to provide a laneway to the land within the vesting schedule which was suitable for agricultural purposes only. Mr McBirney conceded that the land within the vesting boundary might be sufficient to provide a road access of the standard required to serve a housing development. However he requested that the Department should set aside sufficient land along the proposed laneway to enable the future provision of an adoptable standard of road suitable for residential development.

Mr Daly responded by stating that the land currently had agricultural access and the Department would replace this on a like for like basis. It would not vest third party land to provide a higher standard of access. If there was surplus land it would normally be offered back to the landowner from whom it was vested in the first instance. Mr McBirney argued that since the land was identified for housing it would be in the public interest to facilitate access for housing. Mr Daly expressed the view that this would be straying into the realm of private interests for Mr McBirney's client and the adjacent landowner.

This concluded the evidence scheduled for presentation at the Inquiry. The Inspector asked if anyone present wished to make a statement or further contribution. Since there was no response he then proceeded to bring the Inquiry to a close by thanking all of those involved for allowing the Inquiry to be conducted in a proper and courteous way.

ACCOMPANIED SITE VISITS

On Friday 5th February I travelled independently to meet with a number of objectors on site in company with their agent Mr Brian Clarke. Mr Daly of TNI and Mr Turley of Aecom also attended. The programme of site visits is attached at Appendix E. In each case I was shown the alignment of the proposed route, the required landtake and the effects on residential and farm buildings. I was also given an indication of proposed levels, and inspected the location of proposed structures. This served to illustrate for me the physical nature of the impact on landowners and to better understand their objections. There was no discussion on the merits or otherwise of the proposals or the objections.

CONSIDERATION

I have examined the proposed scheme, studied the Direction Order, Environmental Statement and Vesting documentation, and listened to the presentations by the Department's officials and consultants. I am of the opinion that the Department has built a comprehensive case for the Ballynahinch bypass and that it carried out a thorough examination of alternatives using the established Scheme Assessment procedure before settling on the proposed route.

It was significant that many of those with objections to elements of the scheme did not argue against the provision of a bypass for Ballynahinch.

Indeed many objectors stated at the outset that they accepted the need for a bypass and agreed in principle with its provision. As had been pointed out at the Inquiry by Mr O'Reilly in his opening remarks for the Department, the off-line proposal inevitably involved the acquisition of land and there were some casualties in terms of residences and businesses affected by the scheme. In terms of buildings, the scheme required the demolition of two residences in the vicinity of the Crossgar Road junction, and agricultural buildings and facilities related to two farms to the North of Ballylone and Crossgar Roads.

Prior to the Inquiry I had received some forty written submissions, mostly with written responses from the Department. At the Inquiry I heard in addition submissions from four Newry Mourne and Down District Councillors and from Mr Melvin Carser, a semi-retired businessman. Many of these, including all of the public representatives and Mr Carser, were fully in support of the scheme.

Others provided qualified support. Submissions from statutory undertakings might be considered neutral in that they expressed no view on the merits of the scheme but sought simply to protect their interests. The remainder objected to the scheme or the effects of it on their property, livelihood or quality of life. I will deal with each of these groups in turn.

It should be noted that in three cases, two separate submissions were received which dealt with the same property and/or issues. These were from DARD (Fisheries, rivers etc); E & P Smyth (letters from solicitor and land agent); and S & A Martin.

There was one further submission from the Bank of Ireland concerning a particular mortgage arrangement but as this referred to individual financial affairs it is not considered here.

Support for the scheme

Supporters of the scheme generally argued that the saving in travel times, improvement in reliability of journey planning, safety in the town and reduction in traffic intrusion, noise and pollution fully justified the scheme. Many pointed out that it had taken decades to reach this stage. I have already mentioned the four Councillors and Mr Carser who spoke at the Inquiry. Mr Mark Gould and Mr Geoffrey Perrin, who had made written submissions prior to the Inquiry, also took the opportunity to speak at it. Written submissions in favour of the scheme were also received from **Mr James Robb, Mr Mark Heathwood, Mr Philip Crawford, Mr Marc McIveen** and from the **Confederation of British Industry NI**.

In addition to supporting in principle the Ballynahinch bypass, **Mr Trevor Girvan** commented that the bypass should be dual carriageway to future proof the road should traffic volumes increase. He also made suggestions about upgrading the approach roads to the roundabouts, and providing 2+1 lanes to Carryduff. He requested that TNI consider realigning Spa road to join the Downpatrick road roundabout, and improvements to the lighting at junctions and along the current route of the A24 through the town.

The Department dealt with the suggestion of a dual carriageway by quoting the Design Manual for Roads and Bridges (DMRB) and predicted traffic growth, which did not justify a dual carriageway. Upgrading approaches to the roundabouts had been considered but rejected because required standards were not met. The road onwards to Carryduff lay outside the current scheme. Although the change to a five arm roundabout to accommodate the Spa road was viable, it was the Department's view that the additional investment cost could not be justified by the predicted level of benefit to strategic road users. The Department stated that it was its policy to provide LED lighting for the scheme; however the lighting of the existing A24 lay outside of the scope of the scheme.

It is my view that the comments and suggestions made by Mr Girvan were adequately answered by the Department in its responses.

Mr Michael Adams, having lived at the same address in the Spa for 38 years, stated he was in total favour of a bypass for Ballynahinch. However he disagreed with the provision of a compact grade separated junction at the Crossgar road. Of the three junctions proposed, this required the greatest disruption, vesting and demolition. In his opinion the junction was not justified and the bypass should pass over the Crossgar road with no direct access from one to the other.

The Department in its response set out the reasons for the junction as proposed. It had carried out a detailed traffic and economic assessment into the proposed scheme in accordance with the DMRB and declared that the results showed an overall benefit to cost ratio of 2.146.

In my view the Department demonstrated that the junction as proposed was justified.

Mr Chris Hunter agreed that the bypass was needed. However, he commented on the need for the Crossgar road junction and speculated on the effects that the provision of the bypass might have on the wider traffic pattern in the area and the ability of the new road and roundabouts to cope.

The Department in its response referred to the use of industry standard computer models to assess traffic at roundabouts. These indicated that the proposed roundabouts had sufficient capacity to accommodate the predicted traffic volume. The reasons for the junction at Crossgar road, already mentioned by another objector, were restated.

It is my view that the comments made by Mr Hunter were adequately answered by the Department in its responses.

Statutory Undertakings

Written comments were received from a group of statutory undertakings. They were the **Department of Environment Air and Environmental Quality**

Team; the Geological Survey NI; Northern Ireland Electricity Ltd; Department of Agriculture and Rural Development; NI Water; NI Fire and Rescue Service.

In each of these cases the concerns expressed were in relation to compliance with statutory requirements, safeguarding the environment and protection of services. The department gave assurances that in all cases risks would be thoroughly assessed and avoided or mitigated against, and the necessary action would be taken to comply with the stated requirements.

It is my opinion that the Department has responded to each of these submissions constructively and with sufficient assurances to satisfy the statutory undertakings.

Objections to the scheme

There were 20 written objections submitted prior to the Inquiry. Of these, 10 appeared or made representations at the Inquiry; a summary of their evidence and responses is recorded under the record of the Inquiry set out above. I have considered these cases first, followed by the remaining 10 objectors, and set out my opinions below.

Mr William Bell

There is no doubt that Mr Bell's pig production business would be severely affected by the proposed scheme. He felt that if the scheme went ahead as planned he should be compensated so that he could maintain the business as a going concern and draw the same income from it. The Department, whilst pointing out the position with LPS in relation to compensation, was prepared to continue negotiations in order to seek out a possible solution through provision of accommodation works, or to explore the prospect of assistance with finding alternative facilities.

Mr Bell makes a strong case. The Department has made it clear that there is a limit to the support that it can offer and that the extent of their assistance is defined by legislation. However, in their response at the Inquiry the representatives undertook to investigate all possible ways of assisting Mr Bell.

As stated earlier in this consideration, I believe that the Department has made its case for the scheme as proposed. Mr Bell and his farming enterprise are unfortunately casualties of the proposal. I would urge the Department to do everything within its power to lessen the potential damage to Mr Bell's business.

Mr Compton Bell

Once again it was clear that the completion of the road as proposed would have a profound effect on Mr Bell's pig and beef business. He did not want to be left out of pocket. The Department were negotiating on the provision of a

shared underpass and would address other accommodation works later in the process.

Mr Bell and his farming enterprise are unfortunately casualties of the proposal. I believe the Department is committed to mitigating the effects of the scheme on Mr Bell's business through negotiation and agreement on accommodation works. I have no further comment on this case.

The Bell Family

The undertaking by the Department to consider the provision of a shared underpass went some considerable way towards meeting the Bells' objection. I have no further comment on this case.

Mr Edwin and Mrs Pamela Smyth

Most of the land lost to the dairy farm was taken on lease. The Department had stated that this would not qualify for compensation. It was most unlikely that the additional cattle housing suggested by Mr Clarke could be provided by the Department under accommodation works.

There was no argument advanced for changes to the proposed scheme. The matters of concern to Mr and Mrs Smyth fall into the realm of compensation which will be subject to consideration in due course by LPS. I have no further comment on this case.

Ms Geraldine Feighan

The Departmental representatives had made it clear that they would be happy to continue discussions with Ms Feighan and Mr Clarke about accommodation works and about possible action should Ms Feighan decide not to stay at the property. I believe that Ms Feighan has a difficult decision to make and am encouraged by the Department's willingness to continue negotiations. I have no further comment on this case.

Ballynahinch United Football Club

It seems to me that the best way forward is for the Club to enter discussions with the adjoining landowner with a view to replacing the practice pitch which will be lost if the proposed scheme goes ahead. The Department in its evidence has indicated that it would facilitate such an arrangement. I have no further comment on this case.

Maguire Hotels

The central request by Maguire Hotels was for a right hand turn lane at the hotel entrance. The need for this was disputed by the Department and evidence was submitted to the Inquiry which supported this view. I accept the Department's view and have no further comment to make on this case.

Mr Shane and Mrs Alexandra Martin

It was clear from Mr Martin's contribution to the Inquiry that he and his mother had accepted the inevitability of their house being lost if the scheme went ahead. His concerns focused on timescales for vesting and construction and these were answered by the Departmental officials. I have no further comment to make on this case.

David and William Carlisle

Effects on existing business

Responding to a written submission regarding the adverse effect that the proposed bypass would have on trade at the Carlisles' Belfast Road filling station, the Department stated its understanding that statutory roads legislation did not make provision for a right to compensation for economic loss where it exercised its duty to repair or improve the public highway. In my opinion this was not effectively challenged and I accept the Department's position.

Floodplain

The Carlisles' representative, Mr McBirney, put up a strong case for an alternative to the proposed location of the floodplain in the vicinity of the Downpatrick Road roundabout. This alternative would, in his view, release land presently above the design flood level for development. The Department argued that the alternative proposed ran counter to best practice and raised many technical and cost issues. I accept the Department's position.

New filling station

The Department took the view that it would be up to the Carlisles to decide whether to identify a new filling station site and to seek planning approval for it. Compensation for land lost to the proposed bypass would be a matter for LPS. I consider the Department's position on this to be reasonable and have no further comment.

Farm severance

Regarding the severance of the Carlisles' farm, Mr McBirney sought assurances that access would be possible through the bridge structure. This was confirmed by the Department, although headroom would be limited to 2.7 metres. At the Inquiry Mr Daly for TNI confirmed that there would be further discussions about any other outstanding issues, including accommodation works. I consider that the Department's response on this issue is reasonable and have no further comment.

LLPA

The question of the effects of the proposed bypass on the LLPA was answered with respect to continuous riparian access for walkers and the comprehensive landscape proposals contained within the plans. I am satisfied that these responses are reasonable and have no further comment.

Fees

At the Inquiry, Mr McBirney sought confirmation of his understanding of the arrangements for the reimbursement of professional fees and this was given. I have not given this matter further consideration.

ANNS7 Ltd

I accept the Department's view that access to the land in question beyond the standard of the laneway for agricultural use which is proposed is a matter for the respective landowners and cannot be resolved by the Department as part of the scheme.

The following ten objectors did not appear at the Inquiry and my opinion is based on written evidence submitted to me.

Mr and Mrs Cyril McKee

The McKees' main concern was about the devastation that would be caused to their mature garden if the scheme went ahead as proposed. Options which might reduce the damage had been discussed, including the upgrading of a culvert which runs through their garden, and negotiations were ongoing. Other issues concerning the need to take so much of their garden and the impact of traffic noise, loss of privacy, diminished visual enjoyment and risk of flooding were also raised.

In my opinion the Department responded clearly and comprehensively to these points and I have nothing more to add. The Department has indicated a willingness to continue to work towards agreement with respect to the effects of the scheme on the mature garden and it is to be hoped that these discussions will lead to a satisfactory conclusion.

Margaret McConnell & Miriam Savage

The property at 86 Crossgar road would be acquired by the Department under the vesting order should the scheme proceed.

The matters raised by the owners mainly concern the basis for compensation and this will ultimately be decided by LPS. I have no further comment.

Mr Patrick Savage

Mr Savage's comments related to proposals for dealing with noise and vibration caused by traffic, landscape planting, possible health issues associated with the proposed detention ponds and the effects of the proposed works on the Ballynahinch River.

Each of these points was answered comprehensively by the Department in its response and I have nothing to add.

Mr and Mrs Stephen Connolly

The Connollys run a haulage business from their premises at 15/15a Saintfield Road. Their objections include difficulties with safe access for their haulage vehicles, state of a culvert beneath the road access to their property, negative effect on the valuation of their property and possible impact on their human rights.

Whilst matters of compensation would be dealt with by LPS, on all other issues the Department's response provided assurances that they would be dealt with in the course of the scheme. I have examined the Department's proposals with respect to access and turning facilities for large rigid 10 metre HGVs and find them to be satisfactory. I am also satisfied with the Department's response on the other issues raised. I have nothing further to add.

The Murray Family

This objection focussed on noise and dust pollution, vibration, loss of green belt and trees, visual impact, adverse effects on public transport and the fact that the scheme when completed would still leave traffic congestion elsewhere on the A24 towards Newcastle at holiday periods.

The Departmental response dealt with each of these issues at length. The Department maintained that all of the proposals had been tested thoroughly under each heading and that the scheme met the required criteria in every respect. It was acknowledged that the completion of the proposed bypass would not rectify existing problems along the A24 route outwith the extents of the proposed scheme. I am satisfied that the Department has given proper consideration to each of the issues raised by the Murray family and has provided adequate assurances and taken sufficient steps to mitigate any negative effects caused by the proposed scheme. I have no further comment.

It should be noted that the following four cases arose from residents at the same address, Mossgrove, 50 Moss Road, Ballynahinch.

Mr Patrick Higgins

Mr Higgins lives on the farm and also has farms near Slieve Croob and in Belfast. He objected strongly to the proposed bypass. His specific objections included loss of historic character of the Moss Road and loss of the use of cattle sheds at the Moss Road farm (used for wintering, testing and calving). He also objected to the overall scheme, stating that Northern Ireland has enough roads. Greater use should be made of public transport and cycleways should be considered throughout County Down. He requested that the bypass be rerouted to avoid the farm at 50 Moss Road.

In its response, the Department set out its development priorities and the procedure adopted in selecting the preferred route, and described the standard of road proposed. The response also dealt with the loss of historic character and visual impact and described the measures proposed to minimise and mitigate these effects. The request to move the proposed bypass away from the farm had been examined as part of the option assessment for selecting the preferred corridor. Alternatives had been rejected as they did not perform as well as the preferred route under the scheme assessment process. Finally, it was pointed out that compensation would be dealt with in due course by LPS. I am of the opinion that the Department considered carefully Mr Higgin's objections and that the responses were reasonable. I have no further comment.

Miss Mari Troeng

In addition to objecting strongly to the proposed bypass, Miss Troeng expanded upon the objections raised in the previous case. In particular, she emphasised the extent to which the area was used for recreation by walkers, runners and cyclists. She felt that the attraction of the area in terms of peace and tranquillity would be diminished by the proposed bypass, and that Ballynahinch lacked a suitable alternative park for these activities. She was disappointed with the lack of cycle paths, and felt that the provision of the bypass would have a negative effect by encouraging more road traffic.

The Department's response on these issues was similar to that offered in the previous case (Patrick Higgins) and my opinion is the same. I have no further comment.

Mr Barry Daniel Higgins

Mr Higgins objected strongly to the scheme and in particular to the effect of it on the farming enterprise at 50 Moss Road. He requested that the bypass be rerouted to avoid the farm. He also raised problems of noise and privacy which would arise if the scheme went ahead as proposed.

The Department's responses dealing with the overall scheme, compensation and the possible rerouting of the bypass were similar to those recorded above (Patrick Higgins and Mari Troeng). On the question of noise, the Department acknowledged that there would be an increase in noise levels in the short term with the proposed scheme in operation. However, none of the properties affected by the scheme would qualify for noise insulation under the terms of the relevant regulations. The Department stated that the fencing and boundary treatment together with hedging and planting proposed as part of the scheme would reduce any loss of privacy when the scheme opened to traffic. I accept the Department's assurances on these issues and have no further comment.

Mr Malachy Higgins

Mr Higgins objected to the proposed bypass mainly because of the effects on the management of his farm. The proposed bypass would leave him without any facilities to test cattle and to monitor calving cows. The reduction in farm land would mean he would have to transport manure to outfarms for spreading, significantly increasing workload and costs and decreasing the profitability of his business. Mr Higgins requested that the proposed bypass be relocated to the North to allow him to retain as much of his farm as possible together with the handling facilities which are used by himself and his two sons.

The Department's responses dealing with the overall scheme, compensation and the possible rerouting of the bypass were similar to those recorded above and I have no further comment on these. However, with respect to the cattle handling facilities north of Moss Road, including a cattle crush, which would have to be removed should the scheme proceed, the Department stated that it was keen to continue discussions with the landowner on mitigation measures during and after the construction period. I am of the opinion that the Department considered carefully Mr Higgin's objections and that the responses, including the prospect of further discussions on measures to mitigate the effects of the scheme on the present cattle handling facilities, were reasonable. I have no further comment.

Mr Andrew Scott

Mr Scott lives in a rural setting close to the route of the proposed bypass. His concerns were about the effect that the scheme would have on his enjoyment of his home. As well as objecting to the overall scheme, he questioned how the Department proposed to mitigate the potential damage due to traffic noise and vibration, loss of privacy and security, visual impact, access for him and his neighbours, and intrusion of vehicle lights. The rural setting of his home would be transformed by these proposals. Mr Scott also asked what would happen after the scheme to ensure that anticipated noise levels etc, published in the Environmental Statement, were not exceeded. He sought assurances that a safe pedestrian route from his home into Ballynahinch would be included in the scheme.

On the issues of noise and vibration, the Department stated that thorough investigations had been carried out to measure noise and vibration impacts and in all cases the results were within acceptable limits. The Department had undertaken to reassess noise levels on a regular basis after completion of the scheme and would give consideration to further mitigation measures if this proved necessary. There had been extensive discussions with Mr Scott about visual impact, privacy and security. Serious consideration was being given to the suggestion by Mr Scott of an earth bund between the bypass and the house. Discussions were ongoing as to the detailed design and final treatment. The Department undertook to consider the request to provide a footway. I am of the opinion that the Department has given serious consideration to each of the issues raised by Mr Scott, and continues to do so, with the aim of mitigating as far as possible the negative impact of the proposed bypass on Mr Scott's home. I have no further comment.

CONCLUSIONS

I am of the opinion that the Department has developed the proposed scheme for the Ballynahinch Bypass with due regard to the effects it will have on local residents, landowners and farmers. All possible adverse impacts have been assessed and where those assessments have been challenged as a result of the Inquiry, the Department has justified its approach to my satisfaction.

There was a strong level of support for the scheme from local people and public representatives. Whilst this was balanced to a degree by a number of broadly based objections, most of those submitting to the Inquiry with objections to the scheme did so on grounds of the perceived adverse effect on their property, business or quality of life. In all of these cases, I am satisfied that the Department has striven through agreed accommodation works to minimise the effects on businesses and individuals, and that it will continue to do so as the scheme progresses. Compensation will be dealt with in due course by LPS.

RECOMMENDATIONS

I have held a Public Inquiry into the Environmental Statement, Direction Order and Vesting Order for the Ballynahinch Bypass proposals together with opinions expressed in relation thereto and recommend that:-

Having considered all of the submissions, objections and undertakings entered into by the Department/TransportNI to accommodate objectors, the proposal for the A24 Ballynahinch Bypass should proceed.

ACKNOWLEDGEMENTS

I wish to thank all those who attended, took part in and made submissions to the Inquiry. Particular thanks go my programme officer, Claire McGeown, for her support and assistance in making the necessary arrangements. I also wish to thank the stenographer, Kay Hendrick, for her accurate and speedily produced record of the Inquiry proceedings, which has been a great help to me in my deliberations.

All participants behaved with courtesy at all times and this greatly assisted the smooth and businesslike progress of the Inquiry. Finally, thanks to the management and staff at the Millbrook Lodge Hotel for the excellent accommodation and service during the two days of the Inquiry.

Mike Shanks
Inspector

APPENDIX A

REPRESENTATIONS TO THE INQUIRY

The following people made representations to the Inquiry in the order listed

Day 1 – Tuesday 26th January 2016

Mr Francis O'Reilly Barrister representing the Department, TransportNI
Mr Eoghan Daly TransportNI
Mr George Kissick, Aecom
Mr Russell Bissland, Aecom
Mr Gareth Coughlin, Aecom

Mr Mark Murnin
Councillor Garth
Councillor William Walker
Councillor Mark Murnin
Mr Melvin Carser
Mr Geoffrey Perrin
Councillor Terry Andrews (by letter)

Mr Brian Clarke of Best Property Services representing :-

Mr William Bell
Mr Compton Bell
The Bell Family
Mr Edwin and Mrs Pamela Smyth
Ms Geraldine Feighan
Ballynahinch United Football Club
Maguire Hotels

Day 2 – Wednesday 27th January 2016

Mr Shane Martin for himself and Mrs Alexandra Martin

Mr Ryan McBirney of Strategic Planning representing :-

Mr David and Mr William Carlisle
ANNS7 Ltd

APPENDIX B

Submissions considered by the Inspector

The references shown follow the pattern used by Aecom in the scheme documentation.

SU01	G Perrin
SU02	J Robb
SU03	M Heathwood
SU04	P Crawford
SU05	M Gould
SU06	M McIlveen
–	Confederation of British Industry NI
COM01	Department of Agriculture and Rural Development (DARD)
COM02	Department for the Environment
COM03	Geological Survey
COM04	Bank of Ireland
COM05	NI Water
COM06	DARD
COM07	A Martin
COM08	NI Fire and Rescue Service
OB01	C McKee
OB02	NI Electricity
OB03	McConnell/Savage
OB04	G Feighan
OB06	E Smyth
OB07	E&P Smyth
OB08	Bell Family
OB09	Maguire Hotels
OB10	P Savage
OB11	S Connelly
OB12	D&W Carlisle
OB13	S Martin
OB14	Murray
OB15	P Higgins
OB16	M Troeng
OB17	BD Higgins
OB18	M Higgins
OB19	A Scott
OB20	W Bell
OB21	M Adams
OB22	T Girvan
OB23	C Hunter
OB24	ANNS7 Ltd
OB25	Ballynahinch United Football Club

APPENDIX C

Documents prepared for the Inquiry

In addition to the Environmental Statement and associated Scheme Reports, the draft Direction Order and the draft Vesting Order, together with all maps and accompanying schedules, the following documents were produced for the Inquiry.

1. Departmental Statement
2. Submissions to the Inquiry from individuals and organisations listed in Appendix B
3. Departmental responses to these submissions and subsequent correspondence, if any
4. Proofs of Evidence read out at the Inquiry by Mr Eoghan Daly, TNI; Mr George Kissick, Aecom; Mr Russell Bissland, Aecom; and Mr Gareth Coughlin, Aecom
5. Initial presentation by Mr Brian Clarke for each of his seven clients
6. Initial presentation by Mr Ryan McBirney for his two clients

APPENDIX D

Attendees at the Inquiry

Representatives of DRD, TransportNI and Consultants:

D Millar	AM Rodgers
F O'Reilly	K McCusker
E Daly	J McGinty
A Cerro	G McKay
N Dynes	B Montgomery
C Pentland	R Osborne
R Bissland	W Skelly
G Coughlin	U Somerville
D Dawson	P Tully
S Hetherington	P Turley
G Kissick	

Others, 26th January 2016:

C Bell	F Bell
J Bell	M Bell
W Bell	M Carser
B Clarke	M Clarke
M Clarke	S Connolly
Cllr G Craig	G Cromie
V Fullam	M Gould
Cllr H Harvey	C Hayes
J Higgins	M Higgins
J Hill	M Hill
P Kelly	A Logue
R McBirney	C McBurney
C McLoughlin	I McConaghy
A Martin	R Martin
S Martin	Cllr M Murnin
B Murray	F O'Kane
M O'Kane	G Perrin
P Savage	M Scott
P Smyth	W Smyth
W Smyth	R Spiers
D Telford	G Trueman
Cllr W Walker	T Woolley

APPENDIX D (continued)

Attendees at the Inquiry

Others, 27th January 2016:

M Clarke

C Hayes

R McBirney

A Martin

Cllr M Murnin

S Connolly

M Higgins

C McLoughlin

S Martin

D Telford

Note: Cllr T Andrews was unable to attend but dropped off a letter to be considered at the Inquiry

APPENDIX E - SITE VISITS

A programme of site visits was arranged for Friday 5th February 2016. The Inspector, travelling independently, met on each site with Mr Brian Clarke (agent for the objectors), Mr Eoghan Daly (TransportNI), Mr Pat Turley (Aecom), and the objectors listed below.

The following sites were visited in the order shown and with the additional attendees listed :-

Mr William Bell's farm, Mr William Bell present

The Bell Family farm, Mr William Bell present

Mr Andrew Scott's house, Mr Andrew Scott and his father present

Mr Compton Bell's farm, Mr Compton Bell present

Mr Edwin and Mrs Pamela Smyths' farm, Mr Smyth's son present

Ballynahinch United Football Club, Mr Gilbert Cromie (Chairman) and groundsman present

Ms Geraldine Feighan's house

