

DEPARTMENT FOR REGIONAL DEVELOPMENT - TRANSPORTNI

IN THE MATTER OF A PUBLIC INQUIRY INTO:

YORK STREET INTERCHANGE

PUBLIC INQUIRY

Before:

Mr J Robb (Inspector)

Mr Jack Cargo (Assistant Inspector)

Wednesday, 11th November 2015

Taken at:

Assembly Buildings Conference Centre

Fisherwick Place

Belfast, BT1 6DW

Counsel to the Department: Mr Andrew McGuinness

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Wednesday, 11th November 2015

THE INSPECTOR: Just a small point on proceedings today. I am aware that at 11 o'clock this morning it is traditional in some communities to have a two minute silence. What I propose to do, since perhaps not everyone would wish to join in that, is that we suspend the Inquiry for a tea break just before 11 o'clock so that if anyone wishes in their own way to have that two minutes silence on their own they will be free to do so, and those who don't wish to do so can make their own decision.

Just moving on then, we have a two hour slot for Paschal Lynch to present his proposals. We do have a fairly tight schedule today, and as those of you who have attended the pre-Inquiry meeting will know that the way I like to run the inquiries is to have time slots allocated to people for people to have an opportunity to present their case. Difficulties do arise and did arise yesterday afternoon when people overran. This is a dilemma for me, do I stop people making important points or do I let them carry on so that other people are prevented from speaking. So it will be greatly appreciated if you could keep within the time slot you are allocated and that will help proceedings run a lot more smoothly.

I pass over to Paschal Lynch.

MR MCGUINNESS: I understand there is new documentation, I don't have it, I believe.

MR BROLLY: What has happened, Mr Chair, is that the very lengthy Vector proposal has been reduced so the public can understand it properly. It will be power pointed and it is reduced to bullet points so that when Mr Lynch

gives his submission it will be easy to understand. We have made copies.

THE INSPECTOR: I understand from Paschal that the plan was to do an abbreviated version. This is really what we want to have, and you have an alternative. By the way, on the alternative, can you clarify something for me, because in reading back through some of the correspondence, and I refer specifically to an e-mail I think you sent, Paschal, on 6th July to Roy Spiers, you mentioned that the key point is that there is a 165 million saving opportunity, delivering flow benefits by 2015 without the need for travel disruption to Belfast, some of the salient analytical inputs. Outputs are also attached.

Now this particular point that I want to clarify, the crux of the objection was "another improvement opportunity and not an alternative proposal." I don't fully understand the distinction between the two. Are you making an alternative proposal, and what is the difference between that --

MR LYNCH: The distinction in language is that an alternative proposal would have been funded through the process, DRD stage dated process that will be worked through, the consulting hours being paid for that it would be arrived at with the criteria. What we have here is quite a simple solution and it is an opportunity with a small amount of development to convert because it is ostensibly a temporary traffic management solution. So it an opportunity to convert it through the process quickly and that is the distinction. We are at the beginning of the process but it is a fast process as opposed to we are at the end of a lengthy funded process.

THE INSPECTOR: That was my second question, was do you see this as a temporary solution pending a more elaborate solution perhaps along

the lines of the proposal as laid out by the Department?

MR LYNCH: The key point is it will fix quite a lot of the traffic problems, but from the community objections yesterday and some of the other cycle constraints it doesn't sound like the current proposal has a full appreciation of everything that is required. What we are saying is this probably will fix the traffic problem but there is other issues that will need to be addressed, and this will buy time to address those other issues properly. It is probably how I see it actually being implemented.

THE INSPECTOR: Thank you for that. Over to you.

MR MCGUINNESS: There is one point, sir. I am flicking through this and I have been through the previous slides in some detail, as you might imagine, last night working very late with the team here. I am going through this and there is a plethora of new information has been provided. I opened the page at page 13, there is a whole table of sums that has been provided, page 8, new table, page 9 new table. This is just as I flick through it. Page 17 new table, page 18, schematic that I am unfamiliar with and the same for 19 and 20.

THE INSPECTOR: I have got the point. Is this new information that you are presenting?

MR BROLLY: That is all the DRD schematics. What we have done is incorporated much of their material into the power point as part of the process. There is certainly nothing new in the material. It comes from the DRD's proposal.

THE INSPECTOR: We have what we have on this. It may well be that you need time to address something being presented in a slightly different

format or new information being pulled in which perhaps already exists. Let's see how we go with it.

PRESENTATION BY MR PASCHAL LYNCH

MR LYNCH: I think we will make a start. My name is Paschal Lynch and this is Kieran Kelly and Joe Brolly.

I will give a bit of background of Vector, an overview of how we see the DRD proposal. A few notes on our struggles with the engagement and a high level view on what we are proposing. The points here are broadly the same as have been presented previously, just the structures have changed to make them into more of a coherent argument.

The key points are that we don't think the DRD scheme can present a reasonable case for financial viability, outwith all the other considerations and I think the Vector proposal lives in that space of yes, it probably is financially viable.

A little bit about Vector then. I am a mechanical engineer Masters from the University of Bath. I spent eight years in the UK working for a top operation improvement consultancy, which means fixing process problems, and that could be in healthcare or large civil programmes. I worked on overhead transmission, and I have also worked on nuclear submarines, aircraft carriers, looking at complex programmes and distilling it down into what are the key things and how to drive improvements. Do we make 10 to 50% improvement across any process across various Industries. I have identified over £300m worth of savings

and delivering personally £3m savings per year to clients, and that is a recurrent saving. You can see some of the experience.

So a bit more then about what is our philosophy. What we do is we work on the biggest issues, find the bottleneck and we do the sensible pragmatic thing to fix the problem. As a business, I will have been back in Northern Ireland for a year and that is where I came across this traffic problem by sitting in it actually. What we are going to do is make a step change in operational performance across UK and Irish industry.

Why we got involved, we were not commissioned, I was sitting in traffic and thinking why am I sitting here. So I challenged it. Through the detail I arrived at a solution, and offering against what is being proposed, I can see vast sums of money wasted. We don't want to sit in traffic delays unnecessarily. We have a set of skills that can fix these problems. So at a high level what are we trying to achieve here? It is to fix the strategic bottleneck whilst following the scheme objectives, and these are the Government objectives, environment, safety, to improve safety, economy, accessibility, integration. So this is Vector's take on the DRD proposal. On economy it is unclear, I think at a high level they fail to make their own objectives. On economy it is unclear if the scheme is going to be actually economically viable. I will go into a little bit more detail on that.

To improve safety we have an actual forecast increase in accidents of 31%, which Joe clarified yesterday. We have big issues to the environment for the next 60 years, because that is the forecast life of this programme. The area will still be fragmented when it is in place. It is in line with the low level Government policies that have been developed by the Department, but it can't be done until at

least 2021 and that is contingent on money being available, and I don't need to stress the current economic climate.

So touching on the top point about the cost benefit. This is an overview of the scheme costs from initial estimates of 50m back in 2007 and how the estimates have moved through time. I have left a blank space where the final cost is actually going to be, and it is not clear, there is too much uncertainty to know what is going to actually happen.

So looking at the benefits, the anticipated scheme benefits are 174m. However, depending on your perspective you can roll that benefit down and 60m you could take off it. Fundamentally we can not be satisfied that you are going to be able to hit your journey time performance. I will go into detail on that later. The impact of that is huge, minus 20 to 60m of the time saving benefit.

As you said yesterday, you guys are unclear about what the operational impact of keeping Clifton Street open is, both in safety terms and operation. We are unclear on that. The other key point I want to challenge is on your QUADRO model. You propose that whenever you do the three year scheme that no one is going to have to face a delay longer than five minutes. I don't see how that is credible.

There is also another assumption that bothers me, that 10% of traffic is going to disappear. How is this even possible? This is the capital of Belfast, where are they going to go? If they are going to go somewhere what is the accident impact on those other roads? It is not considered. I am saying depending on your perspective the benefits are not what is stated.

There is some challenges around the detailed cost assumptions. For

example, only 75m is accounted in the economic appraisal. I appreciate that there is some tax needs to be removed, but I think we need to get clarity of how 165m becomes 75m in cost benefit. I think that needs to be absolutely in baby steps for everyone to understand.

There is 8m of costs associated with water and rail improvement works, and we need to challenge ourselves if we didn't build the scheme would we need to do the water improvements and would we use this opportunity for rail improvements. On the time related costs, another 11m conceivably on a 20% overrun. So the costs now have changed but I still don't have clarity on the 75m to 165m. And some other challenges about the costs that have not been challenged to satisfaction. It is a big sum of money and how are we financing it? You need to take into consideration the cost of the scheme, not just the perceived.

Although EU funds are baked into it, and if so we shouldn't be letting the tail wag the dog, if you are going to get 10m and horse it into the scheme because we have to be very, very clear and it is not clear at the moment. At the beginning it talks about European funds but it is not specific about what those funding criteria actually are.

The next issue then is looking at your cost benefits. I do economic appraisals as part of my job. So this is the range, and I've used my numbers to create the cost benefit of 1, so the range is between 1 and 3.3. Now this is marginal and I will describe why.

On the next slide, depending on where you take the pay back period, depending on what you are satisfied to get value for money on depends really here -- the stated benefit will pay for itself after 26 years. That means it won't be

until at least 2047 that this scheme delivers economic benefit back to Northern Ireland. This is not a project for us, this is a project for our children. If you push this out by one year in comparison to the 26 years that it is going to pay itself off, it is a big decision, not something to be taken lightly.

There is literature that suggests pay back periods of 30 years should be used between trunk road options, 60 years is for bridges, but if you don't need to do it then you need to change the pay back period. If you choose the 30 years, that is about 1.1, so roughly all the costs incurred roughly equals your benefits. I will use those numbers in relation to what Vector propose later on.

I mentioned how I have some concerns about your journey time savings, and I will go through it with a common sense, and I hope everyone is able to follow it. A bit of theory just to put it in context. This is the fundamental to the process improvement, and whilst people talk about bottlenecks the actual application of understanding where the bottlenecks are, and once you fix that bottleneck where will the bottleneck move to. Before the bottleneck there is a pile of material waiting and afterwards it is slowly coming out. The key point here is a couple of processes where things are connected, the Westlink is interconnected to York St which is interconnected to the M3, you have to take a bigger view on the system, and you only ever can go as fast as your slowest machine. I will hit on that later on.

I have some operational issues, identified with this scheme, 11 in total. There is some issues relating to city traffic leaving onto the M2, there is still traffic lights amazingly, and three lanes currently now drops down to one lane in the proposed scheme. There is no mention of negative impact to travel time. Then

there are some capacity and redundancy issues in the M3 to Westlink and Westlink to M3. There is only one lane so if there is a crash or if you want to get the flow you need to go twice as fast for half as many lanes.

The key things are the critical performance issues, the 8, 9, 10 and 11, and I want to touch on 8, 9, 10 and 11 separately. I want to draw your attention to Number 11. There is 188 departures from standard in the proposed design. This means that the roads as being proposed have features of smaller, slower, tighter roads than the Design Manual would recommend. We don't know what that impact is in terms of accident performance.

I will touch on 8, 9 and 10, and they now become points 1, 2 and 3. Let's look at this with a big picture view. There are three things going on. One: You have a constraint in the Westlink. You have sections that are three lanes and sections that are two lanes. Two lanes will be the bottleneck. You have also got Dee Street which interacts with the system. There is huge queues on Dee Street and because Dee Street interacts with the M3 traffic it will back up into the Westlink, and because of the lane configuration it is going to -- I am going too fast.

The last point is that Dee Street is going to create a solid line of traffic back into the Westlink as is current. That is why the Westlink behaves as it does because of the way York Street and Dee Street interact with M3 traffic, it effectively kills off the right-hand lane.

So picking up on the first point, which is the lanes on the Westlink, currently three lanes, you have three lanes, two lanes and two lanes in one way traffic. What the proposed scheme is saying is that there will be three lanes. You still have a vast section of two lanes. That now becomes the new bottleneck, and as

it is termed in the URS report, this will cause over capacity issues.

So looking at over capacity, the colours on this graphic are bad, so on the left-hand side the top right is the M3. So there is recognised overcapacity issues within the modelling. What does overcapacity tell us within the COBA manual?

The COBA manual says:

"The overcapacity report is to signal to the user that the COBA evaluation is dealing with flow levels above those normally experienced on links of similar standard. Consequently the model situation may not be realistic and the benefits calculated by the programme for the period of over capacity will become less meaningful the higher the degree of overcapacity. The cost benefit model has no control over the traffic flows that are input into the programme. It is therefore possible for links in the COBA to have traffic flow allocated, either in the base year or at some point in the future which are not economically feasible."

I realise I am far too fast, I am the bottleneck.

Ultimately the user is asking COBA to assess the situation which breaks the bounds of common sense. That is when future year traffic levels exceed physically practicable flows per lane. So the model is saying that it will tell you there is low capacity and has no way to deal with it and requires manual intervention. What is manual intervention? So the system is not going to behave like you expect, so we have two choices: Either make overcapacity roads take more flow, i.e, turn from two into three, or reduce the flow going into it. You have one or two choices and since there is no proposal to fix Divis Street, figure two, or to address Dee Street we can only assume that the overcapacity issues are going to have to impact on flow. The key point is you can only go as fast as your slowest machine.

Back to the point. You are still going to have two lane sections. This is your new bottleneck. If you zoom in, the colours again are overcapacity, red is overcapacity at the moment. Blue is overcapacity when they cut the ribbon, and green will be overcapacity in the future. These are DRD figures. The computer model is telling us we have a problem, i.e, this is not physically possible.

What is the consequence? Let's think through the detail of this bottleneck. How bad will it be? What we have is 300 metres for all M3 traffic in one lane to fit into two full lanes of M2 traffic, and this is all southbound, it is moving from right to left. So this is also then with an upward merge and limited sight distance. The Clifton Street traffic which is from the M2 needs to come across in front of the M3, and at the moment because York Street has a nice signalised affect it is actually protecting Clifton Street from the future flows. Clifton Street is going to be swamped, people can get there faster. At the moment the system is regulated and that is why Clifton Street is able to cope.

It is not considered because in the DRD proposal there is not a detailed queue time study on Clifton Street. We don't know how this is going to behave. Conceivably Clifton Street is going to back up because the junction is at overcapacity. Conceivably Clifton Street is going to backup like it already currently does. What happens whenever it backs up is people can't get out of the two lanes of the M2, so one of those lanes is static so you have only one moving lane on the M2. This becomes your limiting factor right from Clifton Street, but also knocking back into the M2 link, so right back into the M2 and again back into the M3. This speed that you are able to achieve here, because traffic can only go as fast as the bottleneck, is actually driving out two major links of the system and it

has not really been thought through.

The second key point is that the view on the system is too narrow. On the left-hand side is the M2 coming in. On the bottom of the picture is the Westlink, and at the top is the interactions with the M3. You will notice the interactions are very small, so just to drive you up it, from the top right-hand corner of the box that is going up the M3 slip and then onto the Lagan Bridge, not interfacing with Dee Street which is static at peak times but dropping straight down over and round onto Middlepath Street, so lower the influence of Dee Street and the traffic trying to get from the Westlink to M3 further on down towards Bangor. So they don't know. If you don't put the numbers into the model it won't tell you something coming out of it. If you haven't got the numbers there you won't know what is going to happen. So let's think this one through.

What we are proposing to do in the DRD design is get as much as traffic out of the Westlink to the M3. So we are going to flood it, and that is a good thing. What it does is shift all of that traffic further down the line to the next bottleneck, and the next bottleneck is Dee Street. In the future proposal, at the moment it is two lanes, off-slip, it becomes one.

So working backwards from the bridge the traffic will continue to build back over the bridge down the single file lane back to the Westlink. The Westlink off-slip will fill and reduce the speed of the right-hand lane at the Westlink. This speed impact will flow all the way back up the two lane section of Divis Street. So one lane is dead. You have the left-hand lane that is flowing.

The key thing about Clifton Street is because we now know the M3 slip is going to be static people coming along Clifton Street are moving into what is a

static lane. There is the road safety impact, and we don't know what is going to happen there. Because of bottlenecks, the Westlink is going to impact not only the journeys of the M3 but also the M2 traffic. They have only the left-hand lane and it is going slowly because, in fact there is Divis Street and Clifton Street traffic trying to get across into the M3.

So Dee Street will still have a profound affect once the ribbon is cut on the scheme. You can see it at the top level from Google. D is where Dee St is and red means slow moving traffic. That is over the bridge where the two flows meet. Just to get absolute certainty about how the Westlink is interacting at the moment, the dominant bottleneck on the Westlink to M3 is actually -- you can see orange is the traffic trying to go to the M3, and green is traffic to the M2, and red is the traffic coming in. So effectively the right hand lane is slowed down because people want to get to the M3, and when you get past it you can go right to the M2 but you can't for the M3. This link will be limited and these assumptions need to be flowed back into the economic model. If you look in the DRD proposed scheme for any mention of Dee St you can't find it. It is not even in a further constraint or recommendation piece. You just can't find it.

So the journey time assumptions that the economic model is based on are missing some critical crucial big picture flaws, and we don't know what the impact will be because it is a detailed problem. They know this needs to be considered properly, and I think this is the key point about the economic viability.

The other quick point then is on safety, and I touched on this yesterday. There is going to be an increase of 1,000 accidents, which is a 31% increase in accidents, and that is trying to offer that against the scheme criteria of we have

safety to improve safety. I just can't see how it resolves. The key point here is this flow doesn't factor in the Clifton Street interactions that Joe Clark made yesterday.

Just to wrap this up then, I don't think there is enough evidence to be reasonably certain that the scheme will yield value for money. The reason I say that I am reasonably certain is in the Design Manual for Roads and Bridges In TA3082, the choice between options for Trunk Road schemes, at the end of the day the sole criteria for a scheme being worth the investment recommended is that it should be reasonably certain to give value for money.

There is another point in that standard, that tactically there is an advantage to be gained from adopting a solution which leaves open for the future as many options as possible. So the discussion about a long-term solution actually is probably the wrong mentality. We should be thinking how to get maximum benefit now to leave our future generations who know a bit more to fix the problem in the future.

Just to touch very briefly on the DRD engagement. It is brief but it is important. We have not been welcomed by the DRD, that is the key point. The Minister has not been interested in saving 100m. I gave him a piece of paper saying I could save him 100m and I didn't get a phone call. I actually met with him, gave it to him, eyeballed him. I met with the DRD, a very peculiar process. They will do a full and final assessment with no development from us, and what we will do is we will use our consultants who get paid to build the thing they are designing, to project manage to assess your proposal. Do you not see the conflict of interest here? So that is the money.

In terms of getting the thing done promptly. I met the DRD in February

2015 and I am the one chipping forward in terms of driving the engagement. We could have had a trial done by August 2015 if we had of had cooperation. This is hard stuff. Not everyone can do this. I have a patent on this, but the Department wouldn't enter into any framework to protect the patent, not even pay to pay, but to protect the patent, but we are not going to steal your idea. You are going to have to tell us what you know. You are the road guys, you should be able to adopt some clever stuff that I am saying to be able to develop the best solution. Ultimately I have had to make all this information available to the public because this is the only mechanism that I have found for these people to listen.

So point number 1, you can't be reasonably certain it is economically viable. Point two, we have actually got an alternative. We have an improvement opportunity proposition which is forecast to deliver between 30 to 40% reduction in waiting time between the key strategic routes. The journey time savings will exceed the civil work due to Vector's knowledge of the big picture problems in designing against them, and it can be implemented rapidly as a trial to see will it work. Invariably it will have some teething problems but what you do with teething problems is you work through each individual one as the bottleneck to resolve the problem.

The bottom line to Northern Ireland here is £380m, so one don't spend money on something you don't require, but also there is lots of benefits of people actually moving faster.

So how do we arrive at this? What is the bottleneck, what are we trying to fix here? Just to orientate yourself, on the left-hand side is the city centre, at the bottom we have the M3. On the right-hand side we have the M2 and the Westlink

is at the top of the picture. Route 1 is taking city traffic out to the M2. Point two is taking city traffic locally to the north shore. Point three, which is the Westlink to M3 traffic. Red is the Westlink to M2. Blue is M2 to Westlink, and purple is M3 to Westlink. There is a lot going on in one area.

Deconstructing that further then, what we have here is intersections. We have motorways cut with non-motorway roads and to facilitate the cut we need some form of actuation. How it is, is traffic lights. We have done the time down at the junctions, you can see the Oval Tower, you can get the big picture view of how it all fits together. These are the fundamental issues, so how do we fix it? Before I get to that, why are traffic lights so bad? So red is your stop. Green is your moving and grey is your safety delays between interchanging. Then 50 miles an hour in the green at the top means you have slowing down and speeding up, whereas if you are able to flow you are able to flow. The configuration at the bottom has five times more flow than the top configuration.

it is important to understand actually a bit more. The current system gets worse with more traffic. As more people try to interchange there is more changeovers and hence more losses, and it is more pronounced in the evening time. People who go into the city will come out, and then coming out is York Street. So you will see York Street forcing more actuations in the evening times. This is the fundamental reason that we have a worse ratio at peak to off peak because instead of staying linear it collapses. If you have to change the lights over more often because people are coming from a certain direction because of a behaviour, there is going to be more losses. If you fixed the intersections you can fix the lights and you can fix the problem.

So let's work through the two intersections. So this is intersection removal process, there is one which is the Westlink to M3 intersecting with the M2 to Westlink strategic, and then York Street intersecting Westlink to the M2 and M3 in both directions.

So taking the first one, the Westlink to M3 cuts the M2 to Westlink, so what Vector are proposing is rerouting on an existing underpass structure at Dock Street. That completely dismisses the cut, and actually back in 2009, based on the 2005 report, the consultants missed this. They thought that the existing traffic signals located would have to remain. They missed it, this is one of the key bits of IP.

The second intersection is York Street itself. There is two flows of traffic here. There is strategic and local traffic and each of those need to be dealt with in a different way. Just to put this in perspective, if you imagine all the motorway was clicked together would you ever drive a local A road through it? I don't think you would. So the madness of this configuration, you wouldn't permit it in the opposite direction. So how do we treat those flows?

Firstly we will take the local traffic. What we propose is taking it across the Dunbar Link, introduce two way running for the full length of Corporation Street again, and left under the Dock Street Bridge and back into north Belfast. There is six lanes, by the way, underneath Dock Street currently without any widening, so it is a big structure. Once you fix these two intersections you have the motorway that is snapped together in three ways. Behaviours will change. People will get onto the motorway at a sooner point, so people will join at other appropriate locations, for example, Millfield, Clifton St, and there is a mention to the Bridge End which we will come to in a moment. They get on even earlier back onto the Westlink at

Stockmans Lane and Broadway.

So this will have real positive benefits to Belfast city centre, people will not be forced to struggle with bus lanes trying to get out of the city. What we are saying here is because York Street is no longer there behaviours will change, but we can make accommodation for people still in the city who would have used York Street regularly.

To orientate yourself, we are now coming from the Albert Clock, instead of going straight on for York St we will take a right round Custom House Square, take a left over Queen Elizabeth Bridge and then you are staring straight at the M3 on-slip. Take that on-slip and you are onto the weaving section of the M3 and then you weave across onto the M2. That snaps it all together. That is all that is required.

We have beautiful videos of the capacity at some of these specific intersection. At peak times at the moment it is like a ghost time. For example, on the Queen Elizabeth Bridge you can get six lanes on it if you wanted to. Here is the bottlenecks here, it is your interface into the M3, so two lanes is all the provision that is required. Get rid of the intersections, get rid of the traffic lights and you have free flow. Simple. The green box says we have not got any more traffic lights in that area.

What we are proposing, which is really novel, is that you can trial this. You can put bin bags over traffic lights and make arrangements with proper signalling, make proper communications to the wider public that this is happening. And that is the limiting factor on this thing being implemented, it is not physical changes. Even if it does run sub-optimally, you are going to have clarity of where the

sub-optimal points are and you can do something about it. There are some obvious things you will be able to pick up beforehand and decide will we spend half a million smoothing this corner, okay.

Think about the costs. How much would this cost to implement? Have a guess, does it feel like £165m? Does it feel like £60m? Does it feel like £1.6m. I will leave that judgment to yourself, but it is quite powerful. This comes as a trade off, there is economies in every design. At the moment in the trial you cannot have pedestrians going through a motorway. But there are provisions with existing roads both east and west of York Street to be able to get pedestrians and cyclists and non-motorised users into the city. We are not saying this is it. We are saying let's get a trial and prove that it works, and then there is a whole pile of money. You can spend some of the money on improving these links and the local community, really taking into consideration concerns that they voiced yesterday and will continue to be raised today.

These are the crucial performance benefits versus the DRD proposal.

Firstly Westlink northbound performance will be greatly improved. We have already said that the M3 will actually drive the behaviour on the Westlink, it is going to block the right-hand lane. Because we switch the traffic to the left-hand lane, so the M3 traffic, the yellow line would have been on the right-hand side, now it is on the left-hand side and that offers quite a few advantages.

Firstly you have the slow moving bottleneck by Dee Street M3 traffic sitting there, but new M3 traffic from Clifton Street and Divis Street can merge into that slow lane. That slow lane can continue around and it is going to be limited by Dee Street, but that then leaves the fast lane virtually free flowing and because your

design increases the distance for the M3 traffic, what we are doing is creating a buffer to take that slow moving M3 traffic snake off the Westlink and brought on to another road, so it actually impacts the Westlink less. So you have two lanes of freer flowing traffic for longer until Dee Street is fixed.

It also deals with the Clifton Street northbound Road Safety Audit issue where to keep it economically viable you would have to weave three lanes in 270 metres, now you come onto the lane that you want to exit on, and if you want to go to the M2 you have only to move across one lane. That is the northbound advantage.

The Westlink southbound advantage, we already discussed about the bottleneck at Clifton Street, you fix one bottleneck but it is moved somewhere else, they are devious little things. But because we at the bottom round the corner will be weaving, where Jack Kirk's Garage is, it is very tight on the M2 to Westlink currently, what we are proposing here is two lanes of M2 traffic meeting with one lane of M3 traffic. There is about 300 metres to do that one weave in, and then further up the hill we leave Clifton Street where it is at, and you have another 300 metres to allow the next bit of weave to happen. Essentially you have twice as much weaving distance compared to the DRD proposal at or just before the bottleneck. So we are actually smoothing all of the flows, protecting the bottleneck. This is going to improve our ability to smooth flows in the bottleneck hence and improve speeds.

There is also a point worth noting that the M3 is still coming down with three lanes, we are just going to say you cannot use two of them, as soon as we find the funding to make something of the rest you can bring it out into three lanes

again. We have the infrastructure already there to be able to increase the capacity in the DRD proposal. That is built now in the subterranean one lane link, so to widen that that is big construction again. So we have redundancy for future movements built in. Because I already said that Dee Street is going to impact there is no point in making Dock Street flow absolutely perfectly in entering, and you cannot get away with having the traffic lights on sections of York Street round to Dock Street round onto Nelson Street, because ultimately Dee Street is going to be driving that traffic flow.

The other key point is that you don't really need to tighten or smooth the corner at Jack Kirk Garage, the M2 to Westlink. All I am saying is you are going to be travelling at 24 miles an hour around that corner, and what is actually going to be limiting is still the Westlink, so there is no point in making that smoother or faster. You can't hit that speed anyway because of the bottleneck so you don't need to do it yet. Do it when it is appropriate. Do it when you fix the other constraints and then we can come back and fix the big thing. If you put it over time let's fix this problem now, let's fix Dee Street in two years time. Let's maybe swallow the bitter pill of fixing the Westlink in seven years. You probably would have everything fixed in 10 years.

The time between the big schemes in Northern Ireland 10 years, probably is seven years, 10 years. What we are talking now is three big schemes, so 21 years before traffic is free flowing to the standard that every link was built to, but build to your constraint and then fix the next constraints and the next and everything is fixed sooner. It is not trivial. This is not an arduous point but it is an important one.

We also have a view, a bit of a sneaky view on how to connect Dee Street. I could probably do with getting in the patent on that one as well. We have not had any engagement so there is no point in doing that until we engage. Fix this issue and we know that Dee Street is going to be a problem, let's get this squared away and deal with the next one.

These performance benefits, this is not even the cash and the time saving, we are not doing any construction. There is no three years of sitting in traffic. It is unfathomable. What I am saying is implement a minor works, temporary traffic management option which then buys time to really think through how you make this work for Belfast. I am not saying how we should do it from a social inclusion point of view or from a build environment point of view, I don't have that expertise. What I am saying is we can create the end road with time to be able to consider that properly, as I said 26 years before we see benefits.

So these are just some thoughts. We do our bit and then somebody else can pick up the mantle and do the next best thing for Belfast. You can improve flow improvements by fixing corners and removing traffic lights and so forth, but it has to be viewed through the lens of how we fix the other constraints. I wouldn't say you need to do it straight away. Again there are social benefits touch on Mark Hackett's development of our thinking. There is lots of good things you can do when you approach the problem slightly differently. The crucial point is there is so much money left over. So provisions for cyclists, pedestrians, tidying up the area, making it work for people. There is so much you can do. I am happy to hand over once we fix the biggest issue on strategic traffic.

I will not go through too much of the detail within the journey time savings,

but I will draw your attention to how the DRD viewed this. We have to do modelling and it is very costly, and we have seen the flaws of some of the models and the assumptions. The theme in the Design Manual for Roads and Bridges it says start with this approach:

"Use common sense. Particular emphasis on low cost techniques. Study should be carried out purely to enable investment decisions to be made and explained, and any work which does not further this objective is wasteful."

We spent hours down at the coalface, we know what the objectives are. This is small fry compared to the traffic study the DRD has done, and it is not even complete.

just To cut through this, on the future state journey time assumptions you can see how it is going to perform. You can see glimpses of the future. The beauty of having a transient Jekyll and Hyde system is on off peak hitting all the green lights, you can see what you are going to be able to achieve and the inhibitor is the red lights. It is very simple to get some good numbers where we are at and where we can get to. The engineering challenge is to help get from where you are at currently to where you see perfection, and perfection is much broader than this, but it costs a lot of money for perfection.

THE INSPECTOR: Is this an appropriate moment to start our break? Thank you for that so far. We will have a break now of 15 minutes and come back at 10 past. And if any of you wish to observe the two minutes silence in the room you are most welcome.

(Short Break)

THE INSPECTOR: Let's restart again after our break. Thank you very much. It is up to you when you are ready to go.

MR LYNCH: I think we are almost wrapped up with the slide. So in terms of the future state traffic assumptions you can see how it performs and you can also do an observation from the roadside when the traffic is flowing on green lights. I spoke with the PSNI and they said sure, and I talked them through it and they said that makes sense. So the future state traffic assumptions are between 16 and 28 miles per hour. Current state speeds are between 8 and 15 miles per hour. For example, on Bridge End there is ample capacity for that link.

This scales down into numbers. There is 7,000 odd minutes per day, broadly speaking, lost currently. There will be between 470 to 420,000 minutes lost in the future. There is a range on that. We can do more numbers on it.

So wrapping it all together then, looking back at the Government criteria that frames the "Let's fix the strategic bottleneck", the key point is on economy. The cost estimate has to be low. We have an estimated cost of between 1 to £5m with a cost benefit between 18 to 220, so that is in reference to between 1 in three 3 of the DRD scheme.

In terms of improving safety, we keep the non-motorised users separate from the strategic junctions, that has to have a positive impact on safety. The longer term safety implications relating to displaced traffic onto North Queen St and Corporation Street can be mitigated with several options, for example, the cycle and pedestrians bridges that we talked about in out of scope designs, or any other good ideas for the broader audience or the design team.

In terms of environment, it minimises construction so the use of resources is the key point here. In terms of the build environment it creates the potential to fix it. That is the point on the accessibility.

On integrations, it is in line with the high level Government policies with respect to the Green Book on if you are going to spend money you should probably think about doing a trial first, think about doing the solution that leaves the most available for the future, and so forth. One of the really key points is if there was the will and we treated the programme like a temporary traffic management solution like it is, like a minor works scheme like it is, we could get it done in remarkable time. I think it performs well against the top objectives.

I am focusing again on economy and safety. This is the range with the DRD to the left ranging between 1 and 3.3. The thing with the Vector proposal is it is not really about journey times but how much money do you want to spend in the area developing it, it is more of the social questions, but you could within that pot of cash think about making things faster as well. As we said about the constraints of the bottlenecks on the wider system you have to look at the phasing more, would you do that.

On the high level proposal there is big financial benefits. There is no construction delays. The benefit to cost ratio still stands. In terms of payments to consultants for the proposed scheme it is 11%, the Government standard. I don't know what has been paid previously. Obviously if we are talking about value for money we are in the order of 60 times better value for money than the DRD scheme.

The other key point on safety, a classic risk management

methodology is you eliminate the risk first. If you cannot eliminate it you reduce it and if you can not reduce it then accept it. This is in reference to the safety of pedestrians across York Street. The methodology is to don't let them walk through the motorway. I think in years to come we will look back on it and say it was nuts.

The other key point is we have more lanes. We have not the one lane link between the M3 to Westlink and we have not the other link between the Westlink to M3 in the same form. So because we are not trying to have high speed single lane flow we have lower speed flow, but what we have then is because velocity is half times the mass times of the velocity squared, if you reduce the velocity you reduce that by two, you reduce the connect, and this is why there is a big difference between an accident to pedestrians at 40 miles an hour and an accident at 30 miles an hour.

Because there is increased capacity, if a link does go down in a particular area it allows emergency vehicles to pick through the area faster. I have some footage showing an ambulance coming along the Westlink and onto the M3, and it has a difficult enough time at the moment making that journey. It will be interesting to see the negative benefit on the one lane. From a health and safety point it does increase separation between pedestrians and cyclists from a safety point of view this is a good thing. So we are eliminating the risks.

Vector have used a structured approach to determine a low cost solution to resolve Belfast's biggest traffic issue. The Vector solution can be trialled rapidly at low cost to verify the performance. From a high level the Vector proposal offers reasonable certainty on value for money. The proposal can be employed as a stop gap until a hybrid proposal has been developed that meet the

needs of the city for upcoming generations. If people want to have a conversation on the big picture bottleneck process improvement views on traffic, or any other process, we are happy to meet for coffee with anyone who wishes to discuss this and measure the value in fixing your biggest issues.

So high level next steps, I think, is one of the Vector proposals, there is probably some merit to explore this. It is interesting. We have had conversation at senior levels and said see if we can get a view on this. What we are interested in doing is fixing the big picture issues, getting the concept up and running. Completing the trial I think would be where we would hand over, that is where our expertise ceases, but then we can turn our attention to other issues, like the M3, Dee Street, how to smooth things with the Westlink, for example.

How I view this is the best long-term solution is inevitably going to be compromised between building something from a civil point of view, from a process improvement point of view and community point of view and social point of view, from a multi-disciplinary point of view. It comes from all of the key stakeholders that actually deal with the issues, and everything is going to be a compromise, but we need to work through those conversations in order to get the best possible option. What we are saying: Look, we can alleviate some of the pain to create the space to do that.

Joe, do you have any concluding remarks?

CONCLUDING REMARKS BY MR BROLLY

MR BROLLY: Just we talked about this during the break, just to explain what the actual problem is going to be with the DRD proposal at the actual site which they propose to fix.

I should say first of all that I am doing this as a concerned citizen, not as a barrister. I am not employed to be here. I am here because I was initially fascinated by what they told me and when we went out on to the roads and travelled them, as we did for hours and hours and hours, I felt like Petrocelli in his pickup truck. The actual problems are very, very obvious with the Department's solution when you actually think about them. Einstein said that if you can not explain something simply then you don't understand it. It was a thought that recurred as I read through the DRD's impenetrable proposal based on a lot of fictions and a lot of assumptions on computer models. Anyone who heard the evidence yesterday was, no doubt, stunned at some of the answers.

The northbound route on the Westlink is going to be chaos. The consultants, URS, who are all over this have already in their Road Safety Audit concluded that the Clifton Street on-slip onto the northbound carriageway will have to be closed because it is simply too dangerous and it is not known how badly it compromises road safety. The weaving distance from the Clifton Street on-slip to the right-hand side onto the M3 link is only 270 metres, and from the left-hand side to the York Street off-slip is only 220 metres. Their conclusion is: It is considered that this merge diverge arrangement is too complex and too confined and could lead to lane change shunt collisions. Recommendation: close the Clifton Street

northbound merge slip road.

As we heard yesterday from Mr Megarry, who is a consultant with URS and who is primarily involved with this issue, he said: We just don't know what the impact is going to be on road safety. The computer model which suggested a 31% increase in accidents doesn't deal with the actual conditions on the road, it is simply a computer model based on standardised figures.

So let's think specifically, which is what Paschal is asking you to do, about what is going to happen. The current arrangement at the bottom of the Westlink is that there are two lanes to the M2 and two lanes to the M3. Under this arrangement under the Department's proposal there is now a subterranean single link road to the M3. So when you come to the bottom of the Westlink past Clifton Street it goes underground and it is a single link road. So if you go to the M3 you have to get into the right-hand lane very early to get into that.

We drove last night at 5.25 p.m. that route, Westlink up in the two lanes of the M3 round on to the Lagan Bridge and we just hit gridlock.

MR McGUINNESS: Sir, I accept Mr Brolly can close, but this is now him giving evidence and it is not appropriate for him, as he well knows. It is appropriate for Mr Lynch to give evidence, but not Mr Brolly.

MR BROLLY: I am part of the group. Mr Chair, I think this is about explaining exactly what the problem is going to be in detail, which we have discussed in detail.

Last night at 5.25 coming up onto the Lagan Bridge and you are in gridlock the traffic is stopped back from Dee Street. You are coming up on two lanes, so just think about that, the two lanes are gone under the DRD proposal. It is

one lane and it's a link road that's an underpass. The knock on effect of that on the Westlink has not been considered by the DRD proposal. Not mentioned. Now just think about it. People who are taking the M3 link will know I have to get to the right-hand lane quickly. So they get into the right lane probably about Broadway. Once you go past Grosvenor Road you are into two lanes, so you have one lane completely that's occupied by the snake back on the M3, you are sitting in single lane traffic moving very slowly or static because Dee Street is going to make you stop. That's going back to Broadway. You have one lane between the Grosvenor Road and Clifton Street on-slip, you have one lane left. There is traffic wanting to get into the M3 so it will be slowing down and indicating because it will be thinking I better get in soon, someone has to let me in. There is going to be traffic stopped in the middle lane indicating. This has not been thought about, actually not considered.

Now you have no lane for M2 traffic because the only lane that is available has people inevitably trying to get into the right-hand lane for the M3. On top of that when you come to the Clifton Street on-slip, just imagine that you are driving along the Westlink, just imagine this, people are trying to filter into the right lane. They have to be let in, now you hit the Clifton Street on-slip, that traffic is coming down. They have 270 metres to get from there across what turns into three lanes to get into the subterranean link on the M3.

This has not been considered at all. We say that -- I will not tell you the word the boys used about what's going to happen when the ribbon's cut. When you think about it, rather than apply computer models to it, when you think about it it is going to be chaos. Absolute chaos. And the other huge thing from the point of

view of the public is we don't know what the safety implications are because the DRD told us yesterday through their consultants: We ran it through a computer model, it is 31% increase in traffic accidents but we don't know if that is right or not because we don't factor in these conditions. We don't factor in actual reality of the locale.

Let's turn it around. You are now coming southbound on the Westlink, so you are coming from the M2 onto the Westlink. You are in a subterranean two lane link which emerges -- at the moment the way the system works is that at the corner, at the Jack Kirk Garage the M2 comes onto the Westlink and at that corner they start to merge and you immediately start to find your lane going onto the Westlink, exactly the same with the M3 traffic. As it comes down it immediately starts to find its lane so when you come to the first set of lights at the York St Interchange you are now in your lane, if you want to go left or straight on you are in your lane. There is a right-hand lane which is a sort of overtaking lane for traffic to get quicker onto the M2, it works fairly smoothly.

With their scheme the merging can only start 300 metres further on, 300 metres from the Clifton Street on-slip. So think about that again. You are coming out of a single lane on the left-hand side. You have a two lane link coming out from the M2 on the right-hand side. When you emerge from those links which are separated, when you emerge from those links you have 300 metres if you want to get into the Clifton Street off-slip.

If you are on the M3 you need to get out of the mouth of that Clifton Street off-link. If you want to get onto the M2 you need to do it very, very quickly, because the URS people told us yesterday there is only 270 metres. Even in the

opposite direction here there is only 300 metres, and here's the rub; at the moment the Clifton Street off-slip is controlled by the York Street traffic lights. Go down and watch it yourself. We have gone down and watched this.

Although the Clifton Street off-slip, so people going to the Crumlin Road, for example, although that fills up and comes down very, very close to the Westlink it doesn't actually impinge on it very often, even at peak times, but here there is going to be no traffic lights at York Street so the Clifton Street off-slip is just going to fill up. This is filling up. Think about this, it is filling up. The link road from the M3 comes down, when you come out of that link road what is going to be directly in front of you is traffic backing out from the Clifton Street off-slip, and to the right of that the two lanes coming out from the M2, some traffic wanting to get across into the Clifton Street off-slip, and the merge takes place at the top of the hill 300 metres further on from where it is at the moment. None of that has been considered. When I say it hasn't been considered, in five or 600 pages it has not been considered.

Two other points that I want to make are this, first of all, think about this from the point of view of public confidence and public money and the vastness of this scheme and the disruption it will cause. Whenever this very cheap solution was brought to the DRD they said: Okay, well, we will get the consultants, URS, who stand to gain anywhere between 10 and 28m from the DRD proposal, we will get them to assess the validity of your proposal. We will get the consultants who stand to gain anywhere between £10.1m and £29m from the main scheme to assess the validity of the scheme that can only at best net consultants maybe £100,000 to £400,000.

Now, it is an astounding conflict of interest and we say that there are two things that must happen as a minimum here, and the public should demand that first of all that there is a proper assessment of the Vector proposal. That links with the second point which is that this can be trialled. It is accepted, even in the consultants, URS's critique of Vector, that this can be trialled readily. Their only criticism of that is to say that the boys assessment that the trial could be ready within eight weeks is unrealistic and it will take a longer time than that to get the communications out properly in the public and prepare properly for the trial.

If it is possible that this will work, and it is really not disputed that it will work. They have the maths, there is no dispute about the maths, a 26 to 31% increase in traffic flow without three to five years of chaos, construction for something that won't work. We say it is incumbent, Mr Chair, on the Government to trial this proposal. It is absolutely incumbent for this to be trialled. It will be done at minimum cost compared to the overall costs of this vast scheme that is proposed.

If anything comes out of this Public inquiry it is that this should be trialled because if it is trialled and if it works, we say when it works then it opens up a vast amount of taxpayers money and allows all of the other improvements that have been suggested, a cycle bridge, proper pedestrians access, safe pedestrian access, some real thought as to the ascetics to an area that is immensely ugly at the moment, shamefully ugly, an area as ugly as the H Blocks. We have heard from architects, from the cycle lobby etc, all that can be done because all that money is freed up.

Paschal is a great devotee too of Einstein. I want to finish with this

word of wisdom from Einstein. He said everything should be as simple as possible. URS have said about Vector's proposal that it is too simplistic. Einstein said everything should be made as simple as possible but no simpler. Any intellectual fool can make things bigger and more complex. It takes a touch of genius and a lot of courage to move in the opposite direction.

And that is what we ask the Chair and this Public Inquiry to conclude.

THE INSPECTOR: Thank you very much for that. That was clear and concise. Thank you for your input. The Department have asked us for a little time to make a considered response to this. We only got the finalised version of what you were intending to present this morning, and in the interests of balance and fairness we always like to hear both sides of the story before we move to a stage where we begin to consider any recommendations. So that is a very fair request. We are to reconvene tomorrow morning, I am not sure of the exact programme, Ian will get it. We will reconvene and hopefully that will give you time overnight to give a considered response in the morning.

MR MCGUINNESS: Yes, sir, I think that is fair. The Department want to respond properly, and given the fact that this significant document was provided to us this morning with some changes and the amount of new information I think it would be appropriate. We have half an hour left-in any event and I think it would be appropriate to do it all together and do it tomorrow.

I understand that there is an engineer here today from the Ports, Kevin McShane, I am not sure whether he has requested some time. But it may be if we have 15 minutes now he could give his views in relation to the Vector

proposal and what it will do in relation to the Port, if that is acceptable to you, sir?

THE INSPECTOR: That is fine. Please come forward.

Gentlemen thank you very much. I certainly would want to acknowledge the very clear vast amount of work that has gone into, and you are to be commended for that. This type of information is not assembled overnight so well done for that. Thank you.

MR LYNCH: I would just like to note on the second last slide that we would need to take a broader view, a holistic view on it under consideration as to what sort of detail there is, how does docks interface, and I would credit the URS design, how you propose to interface with the docks as a way to do it. I am saying you could bolt that on. I am not going to redesign what looks like a good enough fix to that one discrete area. I have no issues with tidying that piece up. It is just that one area. Apologies to the Port but I just wanted to make that clear.

MR McGUINNESS: Just to be absolutely clear before Mr Lynch goes so that we know what we are saying in relation to the Port. His trial on the plan suggests that in relation to the trial, and it appeared his initial trial was just going to be in relation to route three, which is the contained route -- it would appear his trial on plan initially suggested he was just looking at the route along York Street eastwards along Dock Street and south along Nelson Street. Maybe you could clarify, is he suggesting to trial the whole scheme or does he maintain what he says in the paperwork that we had up until this morning that suggested that the trial should be a trial of the whole scheme? That is page 74 of the documentation that you have given us. What do you say Mr Lynch?

MR LYNCH: I will need to look at it.

MR McGUINNESS: Here it is.

MR LYNCH: Open up the slides.

MR McGUINNESS: This is what we are doing tomorrow.

MR LYNCH: You have asked a question, I need to understand what we are asking here so if you can open the slides again.

MR BROLLY: Andrew, would it be preferable to deal with the longer piece tomorrow?

MR McGUINNESS: Just it will turn on what Mr McShane, I anticipate, will want to know exactly what the trial is.

MR BROLLY: You can come back to it.

MR McGUINNESS: He can not be here tomorrow.

MR BROLLY: No problem.

MR McGUINNESS: To make sure we understand what Mr McShane is talking about. Effectively what you have there is a trial configuration?

MR LYNCH: Yes.

MR McGUINNESS: You appeared to say today that you can trial everything at the same time, is that what you said today?

MR LYNCH: It is a decision that you would take about to what extent you would determine the trial. I think I am saying, this is a long version, but you could have a trial and continue to have traffic lights. In fact, the least option would be not to do any modifications and continue to have all traffic signalling at this junction operating as current. So no difference because, as we said, Dee Street is the bottleneck so you don't need to do anything here. You can continue to have

the traffic lights. There is still a flow in both directions.

MR MCGUINNESS: What is your preference in relation to the trial, can we assume this is your preference?

MR LYNCH: My preference is to do it in little pieces and improve each little discrete bit sensibly.

THE INSPECTOR: That is a useful clarification because my assumption on my reading of the documentation is that you were proposing the whole thing as.

MR LYNCH: It is a spectrum and it depends on where we perceive the risk when we go into limitation, what bits you want to prove first, we can prove the city to the M2 over the M3 discretely.

THE INSPECTOR: In any combination or any section.

MR LYNCH: Yes.

MR MCGUINNESS: To be absolutely clear then, is that there will be no access to the M3 or north Belfast from the docks; is that right?

MR LYNCH: No.

MR MCGUINNESS: For the trial period there will be no access to the M3 or north Belfast from the docks?

MR LYNCH: For the 31% improvement in flow trial you would not have access but you would probably get a 27% improvement by maintaining access. It is a spectrum.

MR MCGUINNESS: Have you not just said in this document that in relation to this trial there would be no access to north Belfast docks, or is that right or wrong?

MR LYNCH: That is right. If you want 31% the compromise is that Port traffic won't be able to interface, and it is off the top of my head, if you want a 27% improvement it would still enable Port traffic to interface, then you choose the configuration --

MR McGUINNESS: You just said that is off the top of your head. Have you just pulled that figure off the top of your head, just to get that right?

MR LYNCH: That's right.

MR McGUINNESS: Without carrying out any calculations?

MR LYNCH: Yes.

MR McGUINNESS: That answered that question. The top issue here says: No access to Dock Street or MT from north Belfast, is that right?

MR LYNCH: If you did the 27% improvement and still wanted to have that interface it will have an impact, let's say it goes down to 25. It is a menu, it is a spectrum. We can make choices, we can decide, but I am not going to prescribe it. We need to work through the detail of this.

MR McGUINNESS: What you have is an idea here but it will change as I make a suggestion to you. If I say is that right, you will say no, what I have put down on this page is not right --

THE INSPECTOR: We are getting bogged down in detail here which I would rather not do. We are talking about flexibility and how this might be introduced were it to be taken to a stage where there was some sort of trial taking place. I am assuming that would be subject to further discussion.

MR BROLLY: Crucially, Mr Chair, it would require a proper engagement from the DRD.

THE INSPECTOR: Of course.

MR BROLLY: Because there has not been engagement and none of those things have been discussed.

THE INSPECTOR: Yes. Let's leave that point here now, thank you again and we can move to Mr McShane.

PRESENTATION BY MR MCSHANE

MR McSHANE: Good morning. My name is Kevin McShane and I hold a degree in civil engineering and I am a chartered engineer, a member of the Institute of Civil Engineers, a member of the Chartered Institute of the Highways and Transportation, and a member of the Transport Planning Society.

I am currently retained by the Belfast Harbour Commissioners and have been for the last three years to advise them on various road proposals, access strategies and development proposals within the Harbour Estate. One of the things that I have been involved with over the last year is lot of heavy meetings and debates with both the Road Service, or TransportNI, and URS and the designers of the scheme.

As part of those discussions and on-going debates we have had opportunities to look at the access strategy for the Port, both with and without this particular interchange. We did raise a number of concerns with the Department on the design and looked in particular at routes from Nelson Street, Duncrue Street and Garmoyle Street, the logic being that the Harbour has a number of accesses on the northern shore. We have the access at Fortwilliam. We have an access which

we refer to as the Northern Access which comes on to Duncrue Street literally at the mouth of the off-slip at Dock Street. As you come past that and around the corner at Garmoyle Street opposite the fire station there is an access that still exists into the Harbour Estate on the corner. As you come further on round to Dock Street itself and turn left there is an access in and out of the Harbour Estate with two lanes in each direction known as Corry Road.

Looking at the various accesses, the Port is probably one of the biggest employers in Belfast, and we heard yesterday from the Freight Transport Association where there is over 23 million tonnes of freight and significant amount of movements. Obviously the Port is trying to compete with Dublin and it is also competing with Larne and it is one of the major export locations for our product out of Northern Ireland to the UK.

Just to pick up the point raised yesterday about the extent of the 10T network, although Belfast doesn't want to be seen to be supporting Larne, but we must note that under the 10T network there is a Priority Project 13 that has been going for a number of years, and already the EU in 2009, under proposal UK 92708, the EU provided 50% of the design funding for the A8 project, and they recognised that under Priority Project 13 that that link from Belfast to Larne is a critical part of the network.

That was further enhanced in 2011 under UK 93016, which my understanding from the record is 20% of the 91m Euro construction cost was also met by the 10T programme. So that in our mind reinforces that linkage. So in our view the 10T doesn't stop at Belfast, it continues on to Larne, and therefore the interchange is a notable part of that network.

We hadn't originally planned to make representation to the Inquiry because we were quite pleased with the work done by the Department in taking on board our concerns. Indeed, I would like to highlight that significant off-line computer modelling has been prepared by URS looking specifically in more detail at some of the concerns we raised, for example potential queues at Dock Street as a result of Port traffic coming out and turning right onto the Nelson Street alignment to go up to the new slip at Duncrue.

Likewise that increase in traffic would normally have resulted in increased delays from our northern access at Duncrue Street, and again the Department provided us with more detailed modelling looking specifically at the peak hour periods to give us peace of mind that the issues have been taken on board. We are still in discussion about the road markings but that is a matter of detail and should be easily resolved I will imagine.

The Harbour Commissioners took the view that they wanted to make some comments on this because that particular scheme does have a number of assumptions and a number of implications of movement of traffic to and from the Port.

However, when we went through 95 pages of information that we received it very much is based on assumptions. There was no detail provided to us at all as to how these were calculated. Looking at the diagrams, a lot of the assumptions seem to be based on an assumed journey time multiplied by the volume of traffic. That is the essential basis of the calculation that's been used to determine the value of time. Now, the Department had made available a quite detailed COBA

assessment which has a lot of assumptions based into that, but that assessment is based on tried technology that has been around for many decades and is used by many local authorities and roads authorities in assessing projects.

The accident figures within that, for example, are an assumption that the programme will predict as to the level of accidents likely to take place given a particular junction arrangement, or given particular flow conditions, and they are very much based on empirical data from other research that was carried out at the development of the programme. Essentially those accidents are very much used to put a cost into the scheme, because as we all know a fatality or a major injury accident is quite expensive to the economy. So those costs are built into that COBA assessment, and that is why the predictions, in my mind, are sometimes quite onerous from the likes of COBA, because it is there to try and value that cost and the potential that could happen. However, the scheme going forward does try to remove conflicts from the network and it tries to take away stop lines and intersections where most of those incidents are likely to occur.

Looking at the Vector proposal there was a number of concerns that we had. Mr Lynch discussed this morning about some of the existing routes that are available. One of the examples that he used was the journey from the Albert Clock down Victoria Street, turn right at the back of Custom House Square and onto Donegal Quay. That is of particular interest to the Harbour Commissioners, because their actual office is located at the end of Donegal Quay. City Quays is currently under construction. It has planning approval for a number of developments. We have Clarendon Dock and all of that traffic currently has to exit left onto Corporation Street or directly out onto Donegal Quay from the corner, just

below where the mouse is at present, and all of that traffic makes its way up past the Oval where Mr Lynch put his video cameras. Anybody who sits in that in the current traffic flow at present will note that it is extremely difficult for the traffic to get out of that movement and, in particular, for the Port there are significant delays to that traffic on the existing flows.

If we were to reroute some of the M3 traffic around that route and across onto the Queen Elizabeth Bridge and on to the slip roads on the other side that is going to exacerbate that problem and gives us reason for concern.

Again, looking at the detail, you will note on the Queen Elizabeth Bridge there is quite a wide footpath that forms part of a cycle link. Anyone coming across that will see there is quite a high kerb line. That is what we call a containment kerb. It is there to stop vehicles from mounting that footway or cycleway. That bridge had been widened and the strength on the footpaths doesn't exist to take heavy goods vehicles loading. So although Mr Lynch commented that you can have six lanes across that particular bridge you can't, the structure of that bridge is not there to accommodate that so you are very much having to use the lanes that are currently there.

Again, going over to the exit from the Westlink, the Vector proposal made a lot of discussion about the three lanes that currently come down onto Westlink and widen out but, again, there was very little discussion to take account of the fact that all that traffic has to come to a stop. There is a set of traffic signals at the end of that road, and when you go across underneath the M2 you literally only have two lanes going underneath the M2 that are proceeding onto the M3. So it is not three lanes moving forward, there is only two of them that actually proceed onto the

on-slip.

Now the Department's view, even looking at it simplistically, if you have lanes coming down there that would have to stop, if you take away that stop, Mr Lynch in his methodology is right that there would be free flowing conditions to allow that traffic to progress subject to there being no restrictions in front. But that is the ethos of going from one lane onto a slip road, because two lanes will no longer have to stop at the traffic lights so you don't have to provide additional capacity at the stop line. You have the free flow condition so you don't need as many lanes to accommodate those movements.

Looking at the Department's scheme we were very pleased with the infrastructure being provided to allow commercial vehicles the free flow to proceed along the various routes in place.

Mr Lynch made some comments about restrictions on the Westlink and Sydenham Bypass, but also in slides he made reference to the fact that traffic would have to redistribute and use some of the existing junctions. In particular he made reference to Stockmans Lane as one of the examples and said that traffic can come off earlier and find an alternative route through the city. Again, no account has been taken of the fact that a lot of these existing junctions are already congested. Stockmans Lane Interchange, for example, is signalised in order to manage the traffic flow as opposed to allowing the queues to take place.

The other thing that wasn't commented on is that Belfast operates what we call an Urban Traffic Control Centre. Now that centre is operated by the Department and there are lot of signal plans, as we call it, that are built into that to manage varying traffic conditions. For example, I understand there is a Northern

Ireland football match plan whereby the signals are optimised to bring traffic to certain areas by controlling the traffic light times so that traffic can be managed in major events.

There are issues whenever a major event takes place at the Odyssey, or the SSE Arena as it is now called, and again there is a plan in place to allow traffic to be stored on some of the road networks, and that is managed so that the Department control where the queuing takes place. Those are there because the signals are in place to allow that traffic to be managed.

If we look at trying to introduce a free flow condition, again I think it was slide 74 that Mr Lynch referred to, and we were talking there about taking the traffic from the bottom of Westlink on his orange route which brought us down in front of Citygate, underneath Dock Street and then back up onto the slip road on the other side, and there was a series of black dots on that coming from north Belfast onto York Street, and we talked about the fact that that movement would be split, there would be no interaction between the two, and very much the benefits were being achieved by having traffic channelled along particular roads.

Now, in road design terms, from our point of view at the Harbour, the critical issue is having a safe and sweeping bend for our HGVs to come into the Estate. The difficulty is that the radii required on a free flowing strategic road are quite a large radius and significant departure would be required in order to introduce those 90-degree bends in all those roads in order to achieve free flowing conditions. Again, that is an issue that the Harbour would be concerned about because that is unlikely to be deliverable. The speeds would have to be significantly reduced at those corners and departures would be required in the

highway standards in order to achieve those. So that is something we are concerned about.

talking about the constructions on the road network, for example, we know that within the Harbour Estate part of the development proposals is the Titanic Quarter. There is a planning condition associated with that development to introduce the Connsbank Interchange at Dee Street before high levels of development can take place within the Harbour Estate. That also forms part of the Belfast Metropolitan Transport Plan as a scheme that is there to introduce improvements to Dee Street.

So we are fully aware that although this proposal of thumb York Street Interchange does not deal in detail with other off-site improvements. The Harbour Commissioners are very aware that there are other schemes that are planned and proposed that will provide benefits to those. Another one is the Sydenham Bypass widening scheme which is part of the Belfast Metropolitan Transport Plan. So we are very aware that as time progresses other schemes are taking place, but we still need to provide the infrastructure at York Street to that those improvements can give maximum benefit.

Coming to the trial run. Slide 74 in particular was the one that gave us a lot of concern, because there are a number of notes in yellow boxes that the Department had already referred to. Under a trial condition:

"No access to Dock Street or M2 from north Belfast."

So we are very concerned that was a restriction for staff coming into the Harbour Estate, never mind vehicles. There was no access to M3 or north Belfast from the docks and on the access from Fortwilliam, yet in the Port activities we

have a County Down Port as well, and the M3 link is one of the essential links between both sides of the river. So that connectivity between the two sections of the Port is critical to the operation of the Port, and we are very concerned and would not like to see that lost for any period of time, never mind a long-term solution.

Throughout the work there is lots of words like "should". For example "This should sort out the flow problems for 75% of the users." What about the other 25%? Even if "should" is correct, what about the other 25%? One of the issues we did have with the Department scheme is that they did deal with 100% of users and dealt with public transport. There were measures built in to accommodate public transport provision, measures built in to deal with pedestrians and cyclists, and from our point of view there were measures and routes significantly built in to accommodate the Port traffic.

The concern that we have with the Vector proposal is that that detail has not been examined and not thought about in any level of detail to give us comfort that such a scheme would actually satisfy the needs of the Port.

In summary the trial run, we have a significant concern that some of these routes exist. For example, the one we just talked about from the Albert Clock around the Customs House, there is nothing to stop drivers from doing that route today, yet drivers choose not to make that manoeuvre. Similar to other ones, there is nothing to stop traffic turning left at the bottom of the Westlink and coming down York Street, looping around Dock Street and coming up or heading of to other areas of the city, but again they choose not to do that. Not like systems where you have a number of bottles or tin cans moving down a conveyor belt, if a trial

takes place and a bottle falls off, that is fine you can tweak the processes and deal with that. In a trial like this if somebody gets killed how do we deal with that? And there is a lot of work that would have to take place before any trial could be implemented on the ground, and we have serious concerns about a trial and the impact on the city.

The introduction of this, the benefit of the York Street Interchange scheme is it connects our three motorway networks. It keeps those strategic movements on the priority roads that are designed to accommodate them. The difficulty with this proposal is that it puts that strategic traffic back onto the city centre streets. North Queen St, for example, may be one of the routes used by traffic, and we have heard yesterday concerns from the residents about how would they feel if the motorway still exists as it does today, but they have more traffic coming down through their residential area. Some of that traffic may be Port related because we may have no choice but to go that way.

Again the Harbour Commissioners feel that this is not a scheme that we would support and we would prefer to see the Department scheme.

THE INSPECTOR: Thank you for a very clear presentation. That was very interesting. Thank you for that. Mr Lynch, do you want to come back?

MR LYNCH: I will touch on these point perhaps again tomorrow.

THE INSPECTOR: Any comments from the Department?

MR MCGUINNESS: No, Mr McShane has identified a number of the issues that the Department has identified and will provide more clarity tomorrow. Certainly he has highlighted a lot of the significant concerns.

THE INSPECTOR: Yes. I anticipated that a number of the points that you are making would probably be built into your response tomorrow. Thank you, that is very useful to have another take on it. Now I believe we have Mr Clarke in the room. You are very welcome. You represent the cycling interests and it is interesting from the input that we had yesterday morning and the large bulk of comments and objections that we had to the original proposal when it was received by the Department came from the cycling fraternity, if I can call it that, so a lot has happened since those initial responses so we are very keen on hearing what the up to date view is.

PRESENTATION BY GORDON CLARKE ON BEHALF OF SUSTRANS

MR CLARKE: I am Gordon Clarke, the national director of Sustrans in Ireland. What I would like to do is say a little bit about Sustrans and a little bit of the background information to where we have got to today, and go through our objections and how we consider they are being dealt with and some conclusions at the end.

Sustrans is a leading UK based sustainable transport charity, limited by guarantee. Our vision is a world in which people choose to travel in ways which benefit their health and the environment. Our mission is to influence practice and shape policy and projects so everyone can travel by foot, bike or public transport for more of the journeys we make every day. Our interest is particularly in developing public transport and active travel, walking and cycling.

We try by working with others to take every opportunity to achieve our

aims and objectives. In this case we have engaged with the Department in order to ensure that public transport and active travel, walking and cycling are fully integrated into this scheme.

A little bit of context about that. Sustrans has actively supported Belfast on the Move and the introduction of bus lanes and, of course, Belfast Rapid Transit. We have actively supported the Belfast public bike share scheme and successfully provided on road cycle training in preparation for its launch. We are currently jointly working with the Freight Transport Association delivering a safe urban driving course for HGV drivers in the city, and we have worked with DRD on the development of the recently published Bike Life Report, and I will refer to that later on.

We have a vision for Belfast and I think that all we say should be seen in that context. We want to see a thriving city centre, a place that people want to shop in, live, work, visit and enjoy, a pleasant place with safe spaces and good air quality, a place easily accessible by public transport, walking and cycling. So all we say and do is in that context.

A little bit of background to our involvement in this project. Consultants URS wrote to us on 24th February 2014 advising us about the preparation of the statutory EIA. We examined the proposals and wrote back to the consultant on 28th March detailing our comments and concerns, and I will just highlight a few of those. We highlighted the great opportunity that this scheme presented to improve cycling and walking in this area which is very poor at the moment.

We recommended the highest quality infrastructure provision segregated from traffic where possible in order to encourage those who feel vulnerable,

cycling, including women and children, thus enabling them to use high quality safe provision.

We highlighted the potential increase in cycling associated with the relocation of the University of Ulster and suggested major north, south, east and west segregated cycleways. We specifically highlighted the underpass at Whitla Street as an important linkage and potential linkages for Titanic Quarter across the proposed bridge at Corporation Square included in the Belfast Metropolitan Transport Plan.

We highlighted the need to provide good walking and cycling linkages to public transport hubs such as York Street, Yorkgate Station and a proposed halt at Dunbar Link.

Finally we offered to discuss these ideas to help reach agreement on appropriate cycle provision. Unfortunately at that time the Department did not take us up on this offer to discuss these ideas and with very little change to the plan subsequently published the final layout and put it on public display in February 2015.

It was immediately clear and extremely disappointing that the comments referred to a year earlier set out in our letter had not had any significant impact on the layout proposals. So on 9th March Sustrans formally objected to the proposed scheme. In April 2015 following initial informal discussions with the Departments it was agreed to set up meetings between Sustrans and DRD TNI in order to see if Sustrans concerns regarding the scheme could be addressed. We were much encouraged by this approach.

A design review workshop was held with the project team on 13th May led

by Sustrans senior design engineer Tony Russell. The workshop led to a series of meetings over the summer and numerous exchanges of information from Sustrans to the project team. These included sketch drawings, illustrations of junctions, bus stops, segregated cycle lanes, and a lot of other information.

During the various meetings as well as providing technical input Sustrans also provided Position Paper on 26th May. Among other things recommended, the adoption of Transport for London, London cycling design standards was included in that, and it is pleasing to note that these were adopted by the Department in June 2015, and we look forward to these design standards being applied to all new schemes. It also asked for the production of a plan illustrating wider area cycling and pedestrian context linkages, and unfortunately we feel this suggestion and idea has not been fully acted upon.

Sustrans invested a great deal of time and resources at our own expense during this period, and while we are very encouraged by the Department's response set out in the revised drawings and report, the Public Inquiry Technical Paper, York Street Cycling Provision Summary, we have some remaining concerns that are still unresolved.

We would want to put on record our appreciation of the Department's willingness to engage with us, we think this is a very good process and we were much encouraged and feel it has been a constructive and productive process.

I suppose I would like to especially thank Roy Spiers for his role in this and wish him well for his forthcoming retirement and hope he will be doing a lot of cycling during that time as well.

Since the publication of the current proposals three other relevant

documents have been published and we highlight some aspects of these here. The first is the Department's own document Changing Gear, a bicycle strategy for Northern Ireland, and I think that has a lot of relevance to this project. It was in draft form during the design development and it has now been published in full. The strategy sets out a lot of things, and it aims to promote the bicycle as a mode of transport. That is very important that we see the bicycle in the same light as we see cars, buses and trains, that the bicycle is a form of transport and should be regarded as such.

The strategy explicitly states it is important that people feel safe and comfortable using the bicycle for every day journeys, and that is something again that wherever we provide cycle infrastructure that it is safe, and in heavily trafficked areas such as this should be segregated.

The second publication Bike Life, which is a joint publication between the Department and Sustrans, this includes a major survey of over 1,100 Belfast citizens and it highlights here some of the key findings. Again, I think this is very relevant to this and other road schemes. The majority of residents in Belfast think positively about riding a bike, 42% think Belfast is a very good place to ride. There is a very high level, 8 out of 10 people supported much higher levels of investment in cycling, and over half the people interviewed, 53% who either don't cycle, currently cycle, would like to cycle but have a reservation about safety.

The number one issue that they would like to see addressed is segregated cycling. So that bicycle report has highlighted, I think, what we have been saying and reinforces our point that good cycling infrastructure in urban areas, particularly heavily trafficked areas like this should be segregated, and that is a very important

point.

The other one that was published a little earlier is the Belfast Active Travel Action Plan and it contains a lot about motivating people to think about travelling differently, to think about walking and cycling. I will not go into the detail but it is a good reference document and supports the case we are making for enhanced cycling infrastructure within the city.

Dealing specifically then with our objections. We objected on three particular grounds and I want to highlight the objections and then indicate how we feel the Department has responded and indicate any areas where we feel more work needs to be done.

The first objection was that the proposed scheme fails to meet the requirements for the provision of walking and cycling as set out in the Belfast Metropolitan Transport Plan.

The second one; the scheme fails to meet the aspirations and objectives for cycling as set out in the Department for Regional Development's as then draft bicycle strategy, now the document which is Changing Gear. That was a vision that the Minister then had for cycling in the city, and we kind of felt that this project just didn't come close to helping deliver that vision.

The third objective was the scheme fails to give due recognition to the significant impact on walking and cycling that the current relocation of the University will have on this particular area.

If you are happy I will now go through the objections.

Objection one was the failure to comply with the Belfast Metropolitan Transport Plan. The proposed scheme fails to meet the requirements for the

provision of walking and cycling as set out in the Belfast Metropolitan Transport Plan 2015.

The scheme goes some way to recognise and provide for the cycling network, however the layout failed to properly illustrate connections at the Dock Street Brougham Street area, including links to York Street Station and the NCN by means of the underpass recently upgraded and a crossing put in at Whitla Street by the Department.

The revised scheme provides somewhat better pedestrian routes but fails to include proper mitigation measures for the micro climate (wind and rain) at the York Street Bridge. Much more could be done to improve the pedestrian space.

The Metropolitan Plan highlighted a number of key design features and I will go through these. The first one was coherence. The cycling infrastructure should form a coherent entity linking all trip origins and destinations with a continuous level of provision.

We feel the scheme because it doesn't connect through to, for example, Dock Street junction, it doesn't achieve that properly.

Directness, routes should be as direct as possible based on desire line since detours and delays will deter use. We believe that the revised scheme does provide much more direct routes.

Safety: Design should minimise the dangers for cyclists and other road users. The revised scheme that has been presented is a much safer scheme, the cycle lanes are more continuous and in general segregated from other road users. However, we would preferred to see a kerb segregation rather than the use of white lines and wands. So the segregation is not the best solution in our view.

The advanced stop line which is illustrated at the Dock Street/Brougham Street junction remains in the scheme and is both impractical and dangerous for cyclists. You can see it there. While we acknowledge the Department's commitment, the Department has committed to address these issues as part of a separate project, we cannot understand why this has not been addressed as part of this revised layout.

If you look at the Streets Ahead proposals, the two phase right turn has been incorporated, but why we were not able to persuade the Department, even though it is not part of the physical scheme ultimately implemented, how it connects through to Yorkgate Station and on through to Whitla Street, I just couldn't understand. That was a real disappointment, but if you look there a lot of the other features that we had argued for, the bus stops, the internal segregation for bus stops, a lot of good design features have been incorporated in the scheme.

One of the other design features in the Belfast Metropolitan Transport Plan is attractiveness, routes must be attractive to cyclists on subjective as well as objective criteria, lighting, personal safety, aesthetics, noise and integration of the surrounding areas are important. Given the harsh urban nature of this area and the road infrastructure being provided it is hard to envisage how the routes could be made more attractive. Consideration to be given to the installation of public art, the colour of surface materials, lighting and other features.

Comfort, cycle routes need smooth well maintained surfaces, regular sweeping and gentle gradients. Routes must be convenient to use and avoid complicated manoeuvres and interruptions. The revised layout will be more comfortable for users with such measures as the bus stop bypasses. And I have

highlighted those.

The Metropolitan Plan states: "Only on heavily trafficked roads cycle routes would be expected to be provided as fully segregated facilities."

The revised schemes does go a long way to meet this requirement, however, it fails to provide fully segregated cycle routes. And I have mentioned the segregation as suggested by white line and wands is acceptable but not the best possible solution.

The plan goes on to state:

"The current provision for pedestrians and cyclists is poor by the standards of some other Metropolitan areas."

This is referring to Belfast:

"And poorer still when compared to towns and cities in continental Europe. Walking and cycling in the Belfast Metropolitan Area are unattractive because of conflicts with road traffic."

The plan provides a significant opportunity to redress this by identifying improvements that have considered walking and cycling as integral elements of an overall transport system. This will support the changes made to development control traffic assessment procedures which require measures to encourage greater levels of walking and cycling to be factored into the planning of new developments.

The revised scheme indicates the Department's intention to provide the appropriate levels of infrastructure provision, qualified by my comments earlier, and when joined up properly with the wider network should help to encourage more cyclists.

In summary, it is disappointing that the design accepted that the original scheme was providing a standard of cycling infrastructure equivalent to that already existing in the city, and while the Department's own technical paper suggests that they did refer to the Belfast Metropolitan Transport Plan we cannot see any evidence of that in the original layout. Had the scheme originally fully accepted the standard set out in the Belfast Metropolitan Transport Plan then perhaps we would not have had to make this objection.

The downside of the Department's failure to provide the standards from the outset is that despite this being a brand new layout, effectively cycling provision has had to be retrofitted in the scheme with the inevitable compromises that this brings, for example, in terms of cycle lane width and form of segregation.

So I suppose I am expressing a disappointment that we didn't get engaged earlier, that cycling wasn't integrated as a transport mode along the public transport, and therefore the scheme which is hugely better than it was previously presented, doesn't quite deliver all we would have wanted. There are compromises in it and that is disappointing but, nonetheless, it is a significant step forward.

Our second objection highlighted, I mentioned the Department of Regional Development's 25 year vision for cycling which is now Changing Gear. Again it talked about committing to creating a network of high quality direct joined up routes. They envisage a series of arterial routes in other urban areas which will largely mirror our arterial road network and be a radial form. This was the Minister's vision and, as previously stated, the revised scheme doesn't really deliver that but it does suggest that there is an opportunity when it is joined up with other projects that it will actually deliver that.

This is the Changing Gear draft document. We planned to develop new best practice design guidance which would be used by those designing for cycling. This guidance will identify ways that junctions, roundabouts and cycle lanes can be made safer and made to feel safer, and it is recognised again, I made the point that the Department have adopted the new Transport for London cycling design standards and I think that is a huge progressive step by the Department, and it is very welcome.

So the York Street cycling provision could have been a flagship project for the bicycle strategy from the outset. It is recognised now that the revised layout contains some new innovative design solutions, I mentioned the two stage right turn which is really exciting, and we are delighted to see that. The bus stop bypasses is really good, and so there are a lot of really good things in the scheme and we look forward to these being integrated into all new transport plans and projects, with the bicycle being recognised as just as important to transport mode as the car, bus and train.

Our third objection, the final one, is to do with the relocation of the University of Ulster. Now this is perhaps the most significant regeneration project in the recent history of Belfast. The chosen site for the University adjacent to the York Street Interchange will have a significant impact on the wider area around it, and in particular increases pedestrians and cyclists in the area. Some 1,300 students and 2,000 staff will be located in the campus, potentially generating some 30,000 local journeys per day, mostly by walking, cycling and public transport.

We understand that there are planning applications currently being prepared or lodged to provide significant student accommodation around and close

to the Interchange. High quality walking and cycling links to public transport such as Belfast Rapid Transit, Yorkgate Railway Station, and the proposed future station at Dunbar Link will need to be provided in addition to links to Laganside, Titanic Quarter and the NCN 93. These linkages will also enable local communities around the project where car ownership may be low, to access opportunities for employment at the University, in Titanic Quarter and the city centre.

The original and revised scheme provides better road connections between the Westlink, the M2 Foreshore and the M3 Sydenham Bypass. The opportunity to address and improve pedestrian and cycling linkages, we feel, has not been fully realised. The relocation of the University to this location will transform this area beyond all recognition, and while we with our limited resources cannot fully articulate this change, simple issues such as the linkages between York Gate Station and the University, links to the Titanic Quarter and the proposed student accommodation, we feel have not been fully assessed and identified and incorporated into what implications they would have for the scheme.

Inevitably these linkages, like the cycling provision, will be retrofitted around the junction rather than being an integral part of it. Such major schemes as this in the future should be regarded not simply as road improvements but as major regeneration projects with a much wider perspective.

In conclusion, the process and engagement between Sustrans and the Department was really good and we feel productive. However, it is disappointing that it did not take place a year earlier, and that a final plan failed to fully connect the scheme with a wider existing and proposed walking and cycling network.

I have highlighted that on a number of occasions, such as the transport hub at York

Gate Station.

It is also unfortunate that while the cycling provision now proposed is significantly better than the original layout it could have been much better had it been considered as an integral part of the overall plan from the outset. There would have been fewer compromises, for example, cycle lane widths would have been consistent throughout and kerb separation achieved.

The adoption and application to this project by the Department of the London Cycling Design Standards during the discussions with Sustrans was an extremely important and positive decision, and we look forward with anticipation to see these applied to other projects in the city and throughout the province. We feel a project of this scale and importance has the potential to incorporate and improve all forms of transport and act as a catalyst for regeneration.

The approach by the Department, we felt, was too narrow and we would like to see projects like this having a wider focus on other forms of transport and, indeed, the opportunity to create regeneration in an area such as this.

The Department when planning future projects should take note of the recently published Bike Life Report jointly sponsored by Sustrans and the Department. This report shows there is very substantial support for cycling, and more than half of Belfast citizens indicated they would like to cycle providing there were safe segregated cycle routes. So a scheme like this could actually proactively encourage cycling if the right infrastructure is provided.

The impact on this area in the relocation of the University of Ulster will be very significant with many walking and cycling journeys within and around the area. Provision needs to be further investigated and if necessary adjustments

made to the scheme. It is beyond our remit to actually begin to imagine what impact the University will have, but we certainly feel it is something that needs further investigation.

So we have actively worked with the Department. It has been a good working relationship. I think it is a good model for the future addressing objections, and we would have preferred not to have to object and had the scheme right in the first place, but we are where we are. It has been a good process, we have enjoyed it. It has been productive, and there is more work to be done, and we are happy to continue our engagement with the Department.

THE INSPECTOR: Thank you very much for that. Again a very clear presentation. I think Ian mentioned to me a few days ago there might be a new version of the drawing which is being shown on the screen.

MR SPIERS: That version is actually the version shown on the screen at the moment. That is the latest revised one.

THE INSPECTOR: So we have the latest version. The on-going discussion was that it might have resulted in an amendment. So can we have a response, please?

MR MCGUINNESS: I think I will ask Mr Spiers to respond. Firstly, if he could set out the policy context that's been referred to in relation to the most recent DRD policy document, from August 2015.

RESPONSE BY THE DEPARTMENT

MR SPIERS: Mr Inspector, the issues associated with our development of policy documents and development of major schemes has, to an

extent, been a bit of a moving feast. The London cycling guidelines were adopted in June this year and were not available to us whenever we actually implemented the design at the outset, and the cycling strategy has been adopted in August this year, formally adopted.

So while it has been a moving feast we feel that initially we did actually meet our requirements under BMTP, but I was quite happy to engage with Sustrans on the basis of their objections and on the development of the scheme to the extent that we have at the moment.

I would point out that the scheme, it does have limits, that we do not extend beyond the Brougham Street junction or into the Frederick Street junction. Those are issues outside of this and outside of the boundaries of our scheme, and we want to ensure that we connect into those. You will note on the other side of this plan here we have indicated that the Department will take forward proposals through our Cycling Unit to address the connection between York Street and the rail station and the cycle network through Whitla Street. So that is a project for our Cycling Unit to take forward to maintain a continual connection. It is not part of this scheme, so I am always at pains to try and limit project creep, and this was the boundary as far as we could actually take it.

On the other side of the junction, the Frederick Street junction there, that is part of the Belfast Streets Ahead Phase 3, and those revisions will be undertaken as part of that. Our project just connects into this and we will not be undertaking those improvements as part of this project, but we have identified that Belfast Streets Ahead Phase 3, we can connect into that and maintain the connection.

The engagement with Sustrans has been robust and very direct, sir, and I believe that we have developed a satisfactory solution on everyone's part.

In relation to the separation of the using of wands and white lines and things, we can implement whatever is agreed under the Belfast standards in terms of the Cycling Project Programme Board. Whether it is a wand or whether it is a white line I don't really mind, but if it is approved as a standard acceptable across the whole of Belfast those things could be implemented.

I will ask Michael to explain the reason why we can't have the separate higher standard in terms of providing that, because that impacts on the drainage that we can implement across the bridge. Do you want to say anything more on that, Michael?

MR MEGARRY : There is two words that stuck out for me, Gordon, when you were presenting, and that was the word "compromise". I think that is absolutely where we have arrived at. I am not going to say both sides had to give. We have both come a distance, and I agree with you it is unfortunate that we didn't take on board comments with regards to cycling earlier.

The other word is "constraints" and I just want to highlight, again as I mentioned before, we are restrained in certain sections, particularly of the York Street corridor by the existing built environment. Obviously we have a finite amount of space and we are trying to manage footways, cycleways and bus lanes.

THE INSPECTOR : While you are on that point, the extreme left of the drawing, the building constraint presumably is the reason why we lose both the cycle lane and the bus lane.

MR MEGARRY : Yes, that is correct. Further along on the new

York Street Bridge, despite the fact that it is new construction we do have constraints with regard to the width of the structure. It has not actually been said thus far in the Inquiry, but I will perhaps be the first to mention it, York Street is very much like a 3D puzzle and small changes in one area can unravel and have a significant impact. So the ability to widen York Street, the York Street overbridges does have knock on effects to clearances on other links and we are pretty much at the maximum of what we can reasonably achieve with the appropriate gradients on the road links.

ASSISTANT INSPECTOR: Could you explain what those restraints are and what the knock on effects are if you were to widen that bridge by another half metre?

MR MEGARRY: Primarily you need to look, Mr Inspector, to the clearance. Widening essentially further will affect the clearance to the Dargan Bridge, so that is the key constraint at that point. As I say, there are other knock-ons, but in essence that is a fixed point that we have to get across the top of because of the existing basis.

Just to mention as well on the point about segregation, light segregation, and I know there have been points made with regard to kerb separation. Roy has mentioned the fact that there were certain difficulties with regard to kerb separation. One thing I would note, and I wouldn't seek to because I am quite aware that you are probably more knowledgeable on the subject, I know there was a particular TRL report prepared that looked at measures to implement light segregation. This was a report that was undertaken in 2014 and it looked at various standards. It looked at providing kerbs, at providing wands, what are called

armadillos, little reflective devices that are stuck to a white line.

The one thing that we note is that the wands, this idea that we have incorporated into the York Street proposal, the revised cycling proposal, I will read from the TRL report:

"The wands were the only physical separation which offered improved perception of safety and usability over white line segregation for all road users."

I think with the exception of the pedestrians where there was no significant difference, the TRL report looked at cyclists. They set up trials and looked at cyclists using kerbed cycleways, they looked at cyclists using just white lines and cyclists using wands. It wasn't just cyclists that were tested, it was also pedestrians and motorcyclists and vehicle users, both heavy goods vehicles as well, and across the course of that analysis the wands were the only physical segregation which offered improved perception over white lines for all road users. Apparently, for example, motorcyclists when they experience a kerb in that regard they tend to move further away from it, whereas there is a reduced movement away from a wand.

As I say, just to sum up, it is about compromise. Personally I am grateful for the distance that we have come.

MR MCGUINNESS: There is just one point of clarification if I can check with Mr Clarke. As you are aware the BMTP suggests that York Street is a proposed cycle route network, and I assume that you believe that that is an important network, that is access from the city up North Street towards the railway station, especially when the new University will open; is that right?

MR CLARKE: Yes, absolutely. The Metropolitan plan did indicate a network. The Department's own Cycling Unit are currently developing a network for the city which is a radial route and this will be one of those routes.

MR MCGUINNESS: What do you think the affect will be in connection to the city or in severance terms if, in effect, that part of York Street is given over to only strategic traffic on a free flowing basis and cycles and pedestrians won't be able to traverse that part of York Street, would you find that acceptable?

MR CLARKE: I am not quite sure what you are asking.

MR MCGUINNESS: Were you here this morning when the Vector proposal was --

MR CLARKE: No, I have no knowledge of the other one.

MR MCGUINNESS: If I was to suggest to you that this proposal that was suggested this morning involves a removal of the pedestrian access along York Street and it involves the removal of the cycle access across York Street, you wouldn't find that acceptable, would you?

MR CLARKE: Again you are asking me about a project I don't know anything about, and I presume if they are excluding it they are putting something else in as an offset for that. I think it is a question I can't answer.

MR MCGUINNESS: You would really need to see the proposal.

MR CLARKE: Absolutely, yes. It is an unfair question to be honest.

MR MCGUINNESS: I will let the Chair deal with it. Thank you.

MR WRIGHT: I think Michael from URS has misinterpreted or

given the incorrect impression. The issue of the York Street Bridge, you have said categorically that it is not possible to accommodate further width expansion due to the added constraints, and this is, of course, true if you wanted the height constraints to have the very strong concrete reinforcement underneath the low bridge structure. I would point out that the possibility of cantilevering out the low loading requirements of pedestrians and cyclists is engineeringly possible.

The other thing I would point out is that bicycles can cope with surprising levels of camber, if you have been to a velodrome and especially if you actually experienced cycling on a very steep slope, cantilevering plus having sloped a surface could give you the height possibilities to extend York Street. That is a suggestion for Gordon in his future presentations.

I think we have all noticed Gordon's extreme issue about wishing to engage, and I think he has been very diplomatic in being patient with being retrofitted, and as the Inspector already noticed, it is less than perfect the infrastructure that is being mitigated. Thank you for your patience.

THE INSPECTOR: Thank you for that. I am quite anxious to move on to the next presentation if we can do it before lunch. Thank you again for your input again. If we can take the next one, please. Over to you Mr Hobbs.

PRESENTATION BY MR JONATHAN HOBBS

MR HOBBS: Thank you for the opportunity to speak today. I noted on the revised plans that there is an element that I have not seen to date, so I will address that and I will try not to cover too much of the ground that Gordon

covered.

I noticed yesterday there were about 33 objections to the scheme of which 20 were based on the unsuitability of the plans for non-motorised users, specifically for cycling. I think that balance gives some indication of how much value the people of Belfast place on being able to move around safely by bicycle. I think Sustrans had referenced that with their Bike Life report.

Far more qualified and experienced voices are tackling suitability of the overall scheme in terms of cost and urban impact, but for my part I will remain reactive to the draft plans as presented by TransportNI to ensure that cycling as a distinct form of transport which requires its own space and support to thrive is properly catered for in whatever scheme emerges.

My objections were based on the original plan and were conveyed as eight points sent to TransportNI. To summarise, the York St Interchange plan was, in essence, a blank canvas. Standard setting, high quality cycling routes can be designed in from the beginning rather than the typically more difficult retrofitting, instead the plans included designs which took the worst elements of Belfast cycling routes, advisory cycle lanes, bus lanes, essentially sharing with or fitting in around motor vehicles.

To TransportNI's credit they took the criticism on the chin and came back with a revised and greatly improved plan for the York Street element. This was, I believe, shared with all objectors and their efforts must be welcome in this. I would have been content to withdraw my objection and recommend to others to do so, subject to some final revisions to the plan which were fed back to TransportNI through Sustrans. It is unfortunate that this opportunity was missed, so I find

myself here today.

It would help you, Mr Inspector, if I run through each of the eight points to see what has changed and what remains in the overall objection. So 1.5 metres onroad cycle lanes are not acceptable. Safe separated space for cycling is needed. This has been mostly addressed in the revision, it is really the charge that the design was repeating the mistakes that we see in what we currently call the Belfast Cycling Network.

The original design included a northbound 1.5 mostly advisory cycle lane, little more than shared space with general traffic and no protection, and the cycle lane itself disappeared at junctions creating uncertainty. The revised design increases the cycling space to two metres with light segregation with bollards to begin the process of physically separating bicycles from motor vehicles. This is good, but it could be better. The 0.5 metre space required at a northbound kerb separated space is possible by adjusting the hatching and central partition areas as seen. Light segregation with bollards actually should be added to the southbound cycle lane which is a new addition to the revised plan in order to increase the quality of that route.

Objection two was bus lanes are not cycling infrastructure and cycle tracks need to bypass behind bus stops. As I have said I have not seen this new plan so this part has been now completely changed, where before we had the cycle lane going in front of the bus stop, and this is the original revision. I now understand that both of these bus stops have a cycle path which goes behind them which has completely addressed that problem. That is good to see, and that is just an example outside the door of why that was not a good idea in the first place.

Objection three; the cycle lane northbound, and the bus lane southbound, this was an inconsistent approach. This again has been addressed by the addition of a southbound cycle lane. Again this is just referencing the southbound bus stop bypass which has now been added in, which is good to see.

Objection four; so we will now have hundreds or thousands of additional cycling journeys planned for at the new University, but perhaps not by DRD. I just worry that this has not been really understood yet. I am not sure whether there have been any projections made to assess the expected rise in bicycle movements over the next five to 10 years in the area. And there is four main points to that:

The relocation of the Ulster University.

The new student accommodation development on and beside York Street.

The future expansion of Belfast bike hire, which is highly likely given the success of the scheme.

An overall targeted rise in cycling use with developments from DRD's Bicycling Strategy, which was published in August, and the Belfast Delivery Plan yet to be published.

Just to set that in context, it is really expected to be a prime corridor for cycling movements in the near future. To the left we have the Ulster University campus. We have major student accommodation being planned around Great Patrick Street to the side of York Street, and then to the north end we have the main railway station which will serve that student population plus, very simply, we have a large Tesco which would be the main grocery shopping area for that new

population.

Student accommodation is being planned and built in this area with minimum car parking provision and a level of bicycle parking provision unheard of in Belfast. Just as one example, 28 to 30 Great Patrick St is a development being planned for approximately 529 residents with just 24 car parking spaces and a staggering 326 bicycle spaces. This is unheard of in Belfast, and that is just one building. This is from DRD's Bicycle Strategy, and it is for the Inspector to assess whether without the additional design changes being suggested here, or this future bicycle traffic projection, which I feel needs to be done, the York Street Interchange needs to live up to this standard.

Objection five was the advanced stop line, I think Gordon has mentioned it a little bit, this is a redundant design feature which shows laziness in road design. The revisions begin to address this, and I appreciate that this junction is strictly out of scope but it is interesting that TransportNI have started to make proposed changes to this junction in response to criticism.

It would be my suggestion that both the Dunbar Link and Brougham Street/Dock Street junctions should be brought in in some way into this scheme, at least with a revised design along this line, if not budget allocated against it to ensure non-motorised users are not disadvantaged from the impact of the new road layouts in between, which these junctions serve. The revisions are interesting, if not quite adequate, but this can be worked on between TransportNI Sustrans and the DRD Cycling Unit.

Objections six and seven are really rolled into the same, the overpass plan repeats a mistake made by the same engineers on the Grosvenor

Road Bridge. It does not need to be widened in order to accommodate cycling, just the space reallocated, and this has been mostly addressed.

The use of traffic separation strips, both kerbed and hatched, instead of using the space for high quality cycle routes borders on -- I apologise for the language -- brazen arrogance. I do believe that criticism has been taken on board and has mostly been addressed. I think "project creep" is the term that was used, this idea of what cycling campaigners were asking for was a widening of the bridge. There was plenty of space to work with on the bridge, it is just the allocation of that space was simply a series of choices with cycling at the very back of the queue. The original design seemed to value the safety of separating general traffic flows all heading northbound over the need for high quality space for cycling. However, as suspected, the space was found to create that extra cycling space in the revision with a minimum of fuss. Again this just references the bus stop bypass which has been added in. So that is fine.

Then the final point which is more of a summary, I think mostly addressed by the revisions to the plan. However, my objection remains in place because these few final problems need to be addressed, and the most dangerous of those would be the last, which I would say is the most problematic design feature, again it was referenced by Gordon, which has been retained in this revision, the northbound slip lane from York Street onto Brougham Street. The cycle lane is left hanging between two lanes of traffic in this design and there is a major point of conflict as vehicles turning left from York Street to Brougham Street need to cross the cycle lane to do so at the same point as cyclists are moving from the bus stop bypass right onto the road. This really leaves cyclists dangerously exposed and it is

a major point of conflict which has been kept in the subsequent revisions.

This is a major barrier to inexperienced, nervous or young people who are cycling. It is questionable whether the volume of traffic using this section to turn left necessitates a slip road or slip lane at all. Removing this northbound slip lane and continuing the cycle lane to the junction moves that point of conflict to a more manageable area where mitigating features can be easily created.

Similarly on the southbound section there is a possibility of conflict between cycling traffic and left turning general traffic from Dock Street, but this really depends on the signal phasing. Again, it is questionable if there is a need given the level of traffic that will be turning from Dock Street or coming from York Street to access the M2.

I really feel that this whole junction needs to be humanised promoting the needs of non-motorised users above that of vehicles. And just a reminder again of the proximity of Yorkgate Station, and the non-motorised journeys that it will generate in the context of many thousands of Ulster University students moving into the area.

The other points that I have raised need to be judged against the hierarchy of design consideration which was published in the DRD Bicycle strategy in August, and I hope that the suggestions that I have made for some final changes to the cycling elements makes sense in this light and are considered by the Inspector to be fair and proportionate within such a large important and costly scheme.

To summarise there is actually just four main outstanding issues which need to be addressed to bring the cycling element up to a good standard, and

that is:

The removal of the Brougham slip lane. The bus stop bypass has been addressed, and that is fine.

Hard separation on the northbound cycle lane with 0.5 metre kerb separation.

The light segregation with the wands going southbound to separate bus traffic from cycle traffic, for all of the reasons that were laid out before, and further work on junctions at both ends.

In all consideration of these issues the worry is that building in inadequate provision now will lead to the same catch 22 situation maybe 10 years down the line, which is remedial work to retrofit in better designs as requested. The answer will come back from TransportNI that it is too expensive to proceed and, of course, these things are best incorporated into new schemes. This is the opportunity to get it right.

I thank you for your time.

THE INSPECTOR: Thank you for summarising your key outstanding issues, some of which have already been addressed. You were talking about future work on other schemes and you didn't want to get involved into project creep. It occurred to me that you might well find yourself doing work to the limit of the scheme which would then be undone or superceded when further plans were developed to modify that particular junction. Can you anticipate what is likely to happen so that the whole thing doesn't have to be torn apart and excavation of road surfaces and so forth in anticipation of what is likely to happen in the future?

MR SPIERS: In relation to the Brougham Street junction, to

move the cycle lane to the edge of the carriageway would mean the removal of the slip lane and it would severely impact on the operational capacity of the junction in terms of that. Now, essentially our scheme does not deal with any changes to that junction or control systems, and the proposals from the Cycling Unit to seek to develop linkages back into the railway station and to the cycling network through the Whitla Street underpass, any proposals that they would have would incorporate any changes to the junction.

What we have done in this here is to maintain the existing largely as it is and provide that single lane connection, and we have dealt with this quite extensively with Sustrans representatives and with their experts in terms of Tony Russell who was with us in implementing those.

THE INSPECTOR: It struck me when Jonathan was speaking, the point that he made about travelling in a northbound direction along to Brougham Street junction, that you are emerging from behind a bus stop and immediately you are onto the lane on the carriageway and immediately then you are encountering traffic which is waiting to turn left, that seemed to be merging from two different directions with a potential --

MR HOBBS: Apologies, Inspector, there may well be buses stopped at that bus stop, so there is the additional element that traffic which is passing by those buses won't see cyclists emerging.

THE INSPECTOR: Yes. Is this the meeting the standards?

MR SPIERS: Yes, sir, we are content that it meets current standards. Michael wants to make a comment on this.

MR MEGARRY: Just to mention that obviously both Gordon and

yourself have mentioned we have a come a long distance, I would just point out in the original proposal there was extensive mandatory cycle lanes, whilst there were some advisory lanes there were mandatory lanes as well.

The point that you made with regard to light segregation adjacent, obviously we do provide light segregation southbound, but I guess your point was in relation to adjacent to the bus. My understanding is that the LCDS speaks of that, and specifically says in that situation you don't need to introduce light segregation, and a white line is all that is needed. In that regard we were hopefully following the bang up-to-date design guidance from LCDS.

I hope I am not speaking out of tune, obviously with the envisaged, if it were to proceed, timescales for the scheme, I imagine that should DRD or the DRD Cycling Unit come forward with proposals for Brougham Street there is enough of a timescale that they could be implemented so that there wasn't obligatory work. I think that was the point that you made, Inspector, that there was a danger we would race ahead and do things and then there would be obligatory work. I think given the timescales, were the scheme to proceed, that there would be the timescales to incorporate other provision beyond the extent of our footprint.

THE INSPECTOR: Well, all of that remains to be seen.

MR SPIERS: Mr Inspector, can I confirm --

MR LYNCH: Can the Department?

ASSISTANT INSPECTOR: Can the Department give us a commitment that will be looked at? As you say, the timescale is such that there is obviously scope to involve the Cycling Unit in looking beyond the scheme, but clearly I think it would be important that that is addressed within this timescale so

there is no work done, even though it may not be built as part of this scheme it will be delivered in the same timescale.

MR SPIERS: I can confirm that the Department will be commissioning studies to look at the extension of the cycling network to the railway station or to Whitla Street. In discussions with Sustrans on this the question was raised do you want to wait until we finish our scheme before you implement this, and if it could be implemented earlier that would be to everyone's benefit and we could tie then into it, so our proposals are flexible enough to allow us to tie into that.

The other point, essentially we did not have a blank canvas and a lot of space to design a completely new network, so we were severely constrained by building lines on approaches to the bridge which really dictated a consistent level of provision right along York Street. There is little point in providing limited provision within the built environment area and then moving out in a bubble over the York Street Bridge. So it was to provide consistent provision right along the length of York Street.

THE INSPECTOR: Okay. That is fine. I am conscious of the time.

MR McGUINNESS: One quick point. Mr Hobbs indicated that he expected York Street to be a prime corridor for cycling, I think that is the phrase you used. Obviously if it is a prime and it is important in relation to policy, as he will well know in listening to the Belfast Metropolitan Transport Plan, that being a prime corridor for cycling and you anticipate a lot of movements from the University up to the railway station from the University down to Corporation Quay

and the new planning developments, any proposal which was to restrict the use of Yorkgate to cycling you wouldn't be happy with that, I assume?

MR CLARKE: I will repeat what I said at the start, I will remain reactive to draft plans as presented by TransportNI to ensure that cycling is properly catered for, and I can't comment on any designs that I have not seen.

MR McGUINNESS: Thank you.

THE INSPECTOR: Thank you again for that. Let's break for lunch and we will resume at 2 o'clock.

(The Lunch Adjournment)

THE INSPECTOR: It has just gone 2 o'clock so let's make a start again for the afternoon. Do we have Garth and Karen?

THE INSPECTOR: Good afternoon you have half an hour to make your case. We have already read through your points but we would like to hear from you what you have to put.

PRESENTATION BY GARTH BOYD AND KAREN SMITH ON BEHALF OF
TROUW NUTRITION

MR BOYD: Thank you. I suppose we replied to consultation back on 10th March. A bit of background about our business.

We work in a mineral and vitamin pre-mixing business for the agriculture industry. Our business has been based in Belfast for 50 years, and we

employ 37 people. We supply locally and we export over 50% of our product to the Republic of Ireland and further afield. The business is actually located at Ship Street, which is between Nelson Street in the north and Garmoyle Street in the south and Marine Street and Whitla Street --

ASSISTANT INSPECTOR: Sorry, but could you speak a little slower, please.

MR BOYD: Our main concerns, I think we noted in a letter it is an excellent project, we know that it will be good for business on the island, but we noted some concerns.

Our first main concern is we have issues with the maps provided by DRD to ourselves. I think it was on folio N11093 showing land which we believe we own at the rear of our premises but marked as DRD land. When we challenged the officers they said the maps aren't precise, but on the e-mail and communications it talks about DRD land. So that is the first concern.

The second concern is really around our ability to continue trading while the works are being completed, and in particular because it is highlighted that at certain points, or a significant part of the work, that Garmoyle Street and Whitla street would go to contraflow. A big part of our business is collected, we have up to 50 articulated vehicle movements on and off-site during the day. We have to work those against the contraflow. We have deliveries into Marine Street which we share the function with the Whitla Street fire station, so as neighbours we are acutely aware that both sides of that street have to be kept clear at all points. They have their statutory obligations on response times. It is really around the total functioning of the business.

The third concern is just around we run some very sensitive weighing equipment at different points in our operation and with potential piling works would we be able to work during the piling works?

The fourth point is we have two direct competitors either side of the works on different parts of Belfast, so once again if we are affected by the works at certain points of the day, or heavily affected, then the likelihood is the customers will just go to the easier point of loading really.

That is the sort of main concerns with regard to the Interchange.

THE INSPECTOR: That is very clear. Would it be useful if we had this up on the screen? So what is the situation?

MR McGUINNESS: Sorry, sir, I am taking some instructions. The first issue in relation to the land hasn't been clearly identified, certainly in the documents that I have been provided with.

THE INSPECTOR: Where is the land in question that we are talking about?

MR McGUINNESS: Certainly it is not in the objection letter, so I was just trying to take some instructions. We can see in the centre of this image at the building, which I assume is your main premises.

MR BOYD: Yes.

MR McGUINNESS: To the west of that there appears to be a lorry with a red cab; is that right?

MR BOYD: Yes.

MR McGUINNESS: My understanding, I am told by Mr Spiers, is that is the area of land that you have a concern that is registered to DRD, but that

in fact it belongs to you, and I just ask Mr Spiers to confirm that that area of land is not being taken as part of this scheme, that you don't understand anything contrary to that?

MR BOYD: That is what we were told verbally, but in writing the area marked by a red line on your rely actually cuts across the corner of the building and takes in that land.

THE INSPECTOR: So that will effectively be all the land where there is lorries, all of this?

MR BOYD: Yes.

MR McGUINNESS: I think effectively what that land --

THE INSPECTOR: What are we looking at?

MR McGUINNESS: This is a line that shows you the exact land, it is not a landtake plan. I am now trying to orientate --

MR BOYD: Number 25 is our building.

MR McGUINNESS: Just to clarify sir, I am told that is, in fact, the vesting map that follows the Land Registry map and in relation to what is registered. It is normal practice that the area vested, that we vest the entirety of the Departmental property just to distinguish rights of way. Now I may need some short time to get to the bottom of whether we are, in fact, intending to vest some land that appears, or is purported to belong to Trouw. If that's right then the vesting line potentially would need to be amended.

THE INSPECTOR: You are looking to take part of the building as well?

MR McGUINNESS: Yes. Pat Turley can provide clarity.

MR TURLEY: Pat Turley from AECOM. The area in pink, I think it is, encapsulates a folio of land that is registered to DRD that has gone back to a previous scheme. The boundary of that is the boundary that is recorded or registered in Land Registry as owned by DRD. It is not unusual for boundary rectification to have to take place because of errors in the past, and there are currently surveys and updates, digital updates being carried out by LPS at the moment. It is not the intention of the Department to vest any of Trouw's property or land. That is something we need to correct to ensure -- I see all the pink area has been included in the vesting map. The idea of that is to incorporate all previous land into one folio at the end of scheme. There is no intention shown there other than to include land that is registered to DRD, correctly or incorrectly.

The important thing to note is that land that is registered to anybody doesn't necessarily confer title, the title will still remain with the original owners. It is just what is registered with the land Registry could be incorrect and needs correction.

THE INSPECTOR: I can recall we have had conversations in the past on this same issue and it can be a bit of a muddle.

MR TURLEY: Obviously there are previous old streets in this area that you have established a right of way, and that right of way will maintain regardless of whether the Department still own it or not. A lot of property, especially roads in and around the city are unregistered but Road Service are responsible for them and all the public have a right of way over them.

The simplest thing is to go back to your own deeds and documents and establish what you actually own and what you think is public property and set

in motion a correction if you need to.

THE INSPECTOR: That sounds reasonable. As far as you are concerned are you saying everything in that little pink rectangle up to the boundary fence where it says Nelson Street would be your land?

MR BOYD: Yes, Chairman.

MR TURLEY: I think the Department can confirm they don't intend, there is no intention in this area, just it is part of a very large folio that stretches throughout the scheme and it is historical in nature.

THE INSPECTOR: So you are saying quite clearly there is no danger of this land being taken as part of the scheme?

MR TURLEY: No, there is no intention to take any of that for any of our work.

THE INSPECTOR: That is very clear, it is good to have it in the record. Next point.

MR McGUINNESS: I will ask Mr Megarry to deal with the issue in relation of deliveries in Marine Street.

MR MEGARRY: I believe the concern raised at the Orders Exhibition was with regard observations that you made in connection with the temporary traffic management phasing that we had shown.

First of all, Mr Inspector, just to be clear, as a requirement of the Stage 3 assessment process URS were required to consider how the scheme might be built. In doing that we undertook a buildability assessment which considered all the construction tasks and we developed phases of temporary traffic management

that allowed certain works to happen. One of those phases, as is referenced and as was discussed with yourselves, was the fact that we introduced two-way running onto Garmoyle Street. The purpose, and I think the concern was that during that arrangement that access to your premises, you wanted to ensure that could be maintained, and I think it is clear that will be something that we would insist upon. Let me take a step back.

Despite the fact that we looked at developing phasing and presented phasing, there is no guarantee that the contractor might develop that same phasing. So there is not an absolute position that we would have to running in Garmoyle Street, it is just how we considered it might be built.

I think the point to say is that within the response letter that we sent to you following your response we did try to identify how from some of the existing lanes under two-way running how you would be able to access an egress from the existing premises. So I mean I would seek to maybe just perhaps ask you, the auto track images that we provided to hopefully demonstrate that from lane three of the existing Garmoyle Street, that vehicles would still be able to turn into the premises, that was the intent behind the drawing, to show that if road space was given over to two-way running so that traffic was to run up lanes one and two that you still had the means to be able to turn in and work around through the back and come out. I think that was the intent behind providing the plan, that even with two-way running, which is temporary, one temporary phase which I believe we had programmed for nine months, so it will be a temporary measure, if it happens at all, and we would consider that it will still allow access to your premises.

MR BOYD: Thank you for the reply. I think the drawing showed

technically that it can happen. I think it is our concern and our knowledge of the traffic flows around the area that at certain points of the day when you are moving 40-foot vehicles that it might not just be as easy. We are cognisant of our neighbours as well, especially the fire service. I think as part of the discussions that we had with the team it was very good and very constructive, but we asked what would be happening to the weighbridge to the west of us, and there is a situation where instead of potentially using Marine Street as a mechanism for the business, if we had access to the weighbridge side then we could work with the contraflow and change the flow through our premises. So we could, during those points, but at that stage you didn't know what would be happening with the use of the weighbridge, whether it would be functioning or as part of the work effectively.

MR MEGARRY : As I say, I suppose that is the reason why I stressed the point that the phasing we outlined to you that you had the concern with, it was what we undertook to show the scheme could be built. If the contract of the job were to proceed any and all traffic management arrangements that would be put into place would have to be vetted and, you know, there are potentially other options. I have to say I am a little undecided on the issue of coming into the weighbridge site. I don't know if there is to be necessary permission so I can't comment on that.

Overall in the process of agreeing temporary traffic management with the contractor, access to existing premises is key and would be sought, and I think appropriate options would be looked at at that time. But anything that was put out would have to receive the approval of the Department and, indeed, we would seek to ensure that you had been consulted to ensure that access was

appropriate for yourselves.

MR MCGUINNESS: Just in relation to the planning, I am not entirely sure if you are looking additional access from the public highway or if you are looking to intensify an access that is there and to use it to go through onto your land. Are you looking for an additional access onto the public highway?

THE INSPECTOR: Point it out where it is, the weighbridge. Are you thinking of coming through here?

MR BOYD: Coming from the west if you have a contraflow we can come up Corporation Street and utilise the weighbridge area as a way of not getting vehicles to bottleneck the traffic flows, effectively. The weighbridge are currently is probably used for half a day a week, that is it. In all reality it is a large space sitting beside us but it is not utilised or underutilised.

MR MCGUINNESS: I will maybe check with our planning expert, but I suspect if we were to open a new access even as part of temporary construction works, I anticipate there will be a planning issue in relation to that and we would need permission to open a new access into the public highway. I am getting the nod so I think my gut reaction is correct. There is not an access there at present, is there?

MR BOYD: There is.

MR MCGUINNESS: And you are seeking to use an existing access?

MR BOYD: Yes.

MR MEGARRY: I would assume it is a matter for the agency who is responsible for the weighbridge, which I imagine is DOE.

MR BOYD: Correct.

MR MEGARRY: Certainly in that respect DRD are not the authority that could grant approval to use it.

MR BOYD: I think the question we had asked in our discussions was what would happen to the function of the weighbridge during the work and interchange, was it going to be functional half a day a week?

MR MEGARRY: I don't think we had any intention to not allow the weighbridge to be accessed during the work. Along with other properties we would have to maintain access to it. There was no particular constraint that I was aware of it when we considered how the job could be built that would permanently close the weighbridge site.

MR BOYD: But the likelihood is on the flow of traffic out of the Harbour that the DOE have a statutory function to do spot checks on vehicles, the likelihood of the vehicles coming past that point during the time of works is minimal. Most of the lorries go from the north side of the Port.

MR SPIERS: Mr Inspector, the DOE weighbridge, will consider another business unit operating entirely on its own account, and therefore we would treat that the same as any other business and provide continual access to it. Whether they continue to operate is a matter for the DOE and their enforcement units, it wouldn't be a matter for us.

ASSISTANT INSPECTOR: Have TransportNI had any consultations with DOE regarding their weighbridge?

MR SPIERS: We didn't see a requirement so far as contact with the DOE because we were not impacting on them in any regard other than

temporary traffic management arrangements where we would always ensure that access is maintained. It is effectively the same as any other business organisation.

Mr Inspector, if you feel it is appropriate we would be quite happy to speak to the DOE to advise them of the upcoming works and the possible implications for them, but at this stage we have not done so.

THE INSPECTOR: I think that would be useful, the more people in the loop the better rather than surprises emerging at the end of the day. Are you happy with that Mr Boyd?

MR BOYD: Very much so.

MR MCGUINNESS: The last issue that needs dealt with is the weighing equipment issue, and effectively your concern is in relation to vibration. I think I will ask Mr Coughlin to deal with the issue in relation to vibration.

MR COUGHLIN: Yes. The contractor would have to take any of these sensitive type of issues on board as part of his design and come up with proposed methods of working and method statements and potentially revise the proposed approach accordingly.

It would also be normal practice where vibration is a potential sensitive issue to have monitoring in place during the works as well, if that gives you any reassurance. It would be an issue that would have to be factored into the contractors method of working.

MR BOYD: Thank you.

THE INSPECTOR: How do you feel with the answers that you have had?

MR BOYD: Yes, that's been very useful.

THE INSPECTOR: Clearly on-going dialogue at every stage in this process, should it go ahead, would be essential to ensure this business obviously is transport critical with large vehicles coming in on a regular basis. Thank you very much indeed.

MR BOYD: Thank you. We will move on to the Belfast City Council session and we have Arlene Jameson.

Can I make the point before we start that I am aware that you are very much here to speak about the proposed scheme and that we will not be widening the discussion to consider any other issues outside the project in hand, it is very much focused on the York St Interchange, so our discussions will be limited to that

MR WALSH: If I can introduce myself. I am John Walsh, town solicitor for Belfast City Council. I don't propose to make any substantive submission to you today but I am here obviously in aid of the Council's witnesses should they require me, and with your permission if I could have some liberty at the end if it is needed to make any points?

THE INSPECTOR: Certainly.

PRESENTATION BY ARLENE JAMESON ON BEHALF OF BELFAST CITY COUNCIL

MS JAMESON: I am Arlene Jameson and I am the air quality officer for Belfast City Council. I have a BSc in Environmental Science and an MSc with distinction in Environmental Engineering. I have over 12 years experience in pollutant dispersion modelling and specifically eight years of that is

to the detailed dispersion of the air quality modelling.

I just want to start with some background to the legislative situation in Belfast at the minute in relation to air quality.

The European Commission has formally launched infraction proceedings against the UK for breaching nitrogen dioxide (NO₂) limit values under the EU Air Quality Directive 2008/50/EC. Although the original deadline for meeting the limit values was 1st January 2010, extensions were agreed with those Member States that were able to provide evidence of credible and workable action plans for meeting the nitrogen dioxide air quality limits values within five years of the original deadline, i.e. by January 2015.

The UK has now completed a series of draft Air Quality Action Plans for submission to the European Commission. Public consultation on the draft plans closes on 6th November 2015 and the Department for Environment, Food and Rural Affairs (Defra) will submit the final plans to the Commission in December 2015. The UK is divided into 43 zones and agglomerations for air quality monitoring and reporting purposes. Of the two zones and agglomerations within Northern Ireland, the Belfast Metropolitan Urban Area has been assessed as exceeding EU limit values for NO₂. Road transport has been identified as the dominant source of pollution in areas where the UK is exceeding NO₂ limit levels including the Belfast Metropolitan Urban Area.

The UK is committed to bringing all exceeding zones and agglomerations into compliance in the shortest possible time. Local Authority air quality measures are vital in the process of tackling poor air quality and achieving the required reduction in NO₂. As such, local air quality action plans together with

national actions will form a central part of the revised UK plans that will be submitted to the Commission.

Belfast Air Quality Action Plan.

Belfast City Council and relevant partner organisations have recently completed a public consultation on a new draft Air Quality Action Plan for the city for the period 2015-2020. The final plan will be available from December 2015 and it will draw upon all forms of air quality and transport planning activities, including sustainable transport options as well as engineering solutions. It is considered that successful implementation of the plan measures will improve road vehicle operations and promote and enable a shift towards more sustainable modes of transport to achieve compliance with the NO₂ limit values by 2020. This draft plan has been made available to Defra and it is understood that measures from it including the proposed York Street Interchange scheme will form part of the UK zonal plan for the Belfast Metropolitan Urban Area; the UK's plans will be submitted to the European Commission to demonstrate that appropriate measures are being taken at a local level to deliver compliance and to prevent formal infraction.

York Street Interchange.

The M1/Westlink Corridor including the York Street junction has been declared as an Air Quality Management Area for predicted exceedences of the NO₂ annual mean air quality objective and also the NO₂ 1-hour mean objective.

The council has been working closely with the Department for Regional Development (DRD) on the development of a new Air Quality Action Plan for the city. The TransportNI (a business unit within the DRD) York Street

Interchange scheme has been identified as one of the principal measures to include in the new Belfast plan to improve air quality in that area in relation to high levels of NOL at peak times. DRD did confirm yesterday that the scheme would specifically address peak time traffic.

The proposed improvements to this key junction will provide continuous links between three of the busiest roads in Northern Ireland; the M2, M3 and A12 Westlink. The scheme is considered as a means of reducing localised transport related emissions on connecting roads (i.e. as a result of relieving a significant congestion hotspot) and, to a lesser extent, incremental reductions in background NO₂ emissions, which will have a wider beneficial impact on exposure across the city.

Chapter 8 of the Environmental Statement and its Appendices describe the air quality impacts of the preferred option associated with redevelopment of the York Street Junction. The assessment considers the effects on local and regional air quality in accordance with the methodology for a 'Detailed' and 'Simple' assessment respectively, as detailed within the DMRB Advice Note HA 207/07.

Part III of the Environment (Northern Ireland) Order 2002 establishes a statutory duty upon Northern Ireland district councils to periodically review, assess and manage air quality for a range of common ambient pollutants. A series of health-based standards for these pollutants, that are designed to protect the public and the environment, are detailed within the Air Quality Strategy for England, Scotland, Wales and Northern Ireland. Accordingly, the council on reviewing the report has focused primarily upon the assessment of ambient

pollutants prescribed within the Air Quality Strategy for England, Scotland, Wales and Northern Ireland and the Air Quality Standards Regulations (Northern Ireland) 2010.

The consultant has used Cambridge Environmental Research Consultant's (CERC) Atmospheric Dispersion Modelling Software (ADMS-Roads V3.2.4) to quantify local pollution levels at 18 relevant receptor locations. Additional predictions have also been obtained as set out in the DMRB approach to 'simple'.

Operational Impacts.

The URS Environmental Statement in support of the scheme has demonstrated that no exceedence of the air quality objectives will occur at relevant receptors in the assumed year of opening (2021) and the design year (2035), annual mean concentrations of nitrogen dioxide and particulate matter are predicted to be below national air quality objective values at all assessed sensitive receptors for both the do-minimum and do-something scenarios.

Construction Phase Impacts.

Adverse effects on amenity and local air quality due to fugitive emissions of dust, particulate matter and construction related traffic movements are not considered to be significant and would only be of local concern during the construction phase. It is a requirement that a Construction Environmental Management Plan (CEMP) is prepared by the appointed contractor to mitigate any construction impacts. Correspondence with URS AQ consultant to clarify the background conception.

Paper Response:

Mr. Robert McCracken QC's interpretation addressed:

(a) whether it is lawful to grant consent for a development, which would result in a breach of limit values in the immediate area.

(b) whether it would be lawful to grant consent for a development, which would worsen air quality in an area, which is already in breach of limit values.

(c) whether, in an area where limit values are not exceeded, a lawful grant of consent, which worsened air quality, would be restricted to circumstances where the development was in accordance with the principle of sustainable development and project related mitigation was included in the scheme.

It is considered that point A does not apply to the York Street Interchange as by the time that the road is completed (in 2021), there will be no breaches of nitrogen dioxide limit values. The proposed new junction infrastructure will not cause a subsequent breach of the limit values.

Point B does not apply, as the road enhancements will not worsen air quality in an area, which is already in breach. The environmental assessment has determined that by the time that Interchange works are completed (2021), nitrogen dioxide at all modelled receptors will be below the nitrogen dioxide limit values.

Point C does not apply since the Interchange proposals will result in slight additional traffic along North Queen Street and an associated slight increase in nitrogen dioxide concentrations at that location but it is considered that the Interchange proposal is in accordance with the principals of sustainable development. Moreover, nitrogen dioxide levels along North Queens Street will remain significantly below all nitrogen dioxide limit values.

Conclusion.

The overall message is that nitrogen dioxide concentrations in and around the York Street Interchange will all be below the annual mean and hourly mean limit values by 2021 with or indeed without the proposed road enhancements. The Interchange proposal will however, confer ambient air quality benefits for the closest receptors to the current junction; for example in the vicinity of Little/Great George's Street and also to the wider city by reducing background concentrations as well as some anticipated route specific reductions.

By way of example, in 2013, the council commissioned the Transport Research Laboratory to undertake scoping work for the 2015-2020 Air Quality Action Plan. TRL completed detailed atmospheric dispersion modelling using ADMS-Urban and local met data for the York Street Interchange - modelled benefits indicated up to a 62% reduction in road NO_x and up to a 50% reduction in NO₂ associated with the proposed junction smoothing.

With the Interchange proposals, it is understood that some rerouting of traffic will occur along North Queen Street and therefore nitrogen dioxide levels are expected to increase slightly by up to 2mgm⁻³ in this area with the proposed scheme.

However, nitrogen dioxide limit values are not breached at North Queen Street and it is therefore considered that there is no incompatibility with the points of the legal interpretation provided by Mr. Robert McCracken QC.

It could be argued that the York Street Interchange proposal will better meet societal, economic and environmental needs by shortening journey times through the city and better connecting businesses to the Port of Belfast, the

George Best Belfast City Airport, the Port of Larne, etc. The Interchange will also facilitate better commuter movement around the city.

Moreover, it should be noted, for example, that the EU SD Strategy objective is to minimise undesirable impacts on the economy, society and the environment; the requirement is not to eliminate them.

In addition, the Northern Ireland Sustainable Development Strategy has established as a Strategic Objective - ensuring an integrated and accessible transport infrastructure that promotes economic growth and social inclusion across all areas, whilst reducing emissions and adverse impacts. It could be argued that the proposed York Street Interchange fulfills this requirement.

Finally, the 2011-2015 Programme for Government highlights the benefits of improved journey times and safety on Key Transport Corridors due to completion of a number of major road schemes, including the M1/Westlink project and the M2 improvement scheme. A target of progressing the upgrade of key road projects and improving the overall road network to ensure that by March 2015 journey times on key transport corridors reduce by 2.5% was established. It is considered that the proposed York Street Interchange proposals are compatible with this objective.

PM 2.5.

In relation to particulate matter, under our statutory obligations we only report on PM10 concentrations. Defra under European legislation are required to report to the European Commission on PM2.5 concentrations.

Defra under the European Directive have to comply with monitoring site criteria for difference exposure situations throughout the UK for reporting

purposes. Belfast is chosen as an Urban Centre site in which to report the urban exposure concentration of PM_{2.5} to the European Commission. BCC do not have involvement in this process. The Air & Environmental Quality Unit within the Department of the Environment is responsible for Air Quality Policy in NI.

Based on annual mean concentration PM 2.5 should not be above 20ug/m³. The PM_{2.5} 2014 annual mean was 11ug/m³. Based on a three year average, Belfast should not reach PM_{2.5} concentrations of 18µg/m³ by 2020. Currently the 3yr average is at 11µg/m³ which is considerably below the legislation levels.

We will continue to review and assess air quality within this location as part of its statutory obligations under Part III of the Environment (Northern Ireland) Order 2002. In addition, it is considered that post development monitoring of nitrogen dioxide concentrations in the vicinity of the York Street Interchange will assist in verification of the projected environmental and human health benefits of the proposed scheme.

THE INSPECTOR: Very clear. Thank you for that.

MR COUGHLIN: We note the various comments that you have made in relation to the scheme. You will appreciate that at a very early stage, considering the location of the proposed scheme, air quality was a very, very sensitive issue for us and had to be treated very carefully and assessed in that regard. So at early days we did undertake quite a bit of assessment in relation to air quality and indeed, spoke with yourselves, and the dialogue between Belfast City Council and ourselves has been on-going for quite some years now, considering the length it has taken to get to this stage.

Just to clarify as well, that after the publication of the Environmental Statement the Council did raise various queries and concerns in relation to the methodology for assessment, and I think Arlene has already mentioned that in relation to background concentrations. So there has been on-going dialogue between the Council and our air quality expert, Dr Garry Gray, in regard to that.

One other issue is in relation to the construction phase. As the Council have highlighted one of the biggest concerns that they would still have is in relation to appropriate mitigation and monitoring of air quality during the construction phase of the scheme, and they have reiterated the point that the contractor will be required to prepare a construction environmental management plan.

Indeed, I would draw your attention, Mr Inspector, to appendix four in Volume 2 of the Environmental Statement, which gives an indicative environmental management plan that the contractor would be required to take on and develop into a formal construction environmental management plan that would have to be consulted on with the Council in that regard.

THE INSPECTOR: Are you happy with that?

MS JAMESON: Yes.

PRESENTATION BY MIRIAM QUINN ON BEHALF OF BELFAST CITY
COUNCIL

MS QUINN: My name is Miriam Quinn, and I have a Bachelors of Science honours degree in Environmental Health, a postgraduate diploma in

acoustics, and 18 years experience working as an environmental health practitioner.

As part of the Council's response and review to the proposal I should provide comment regarding chapter 13 of the Environmental Statement relating to noise and vibration. I will firstly comment on potential noise impacts associated with the proposal once operational and then move on to the potential noise impacts associated with the construction phase.

Firstly by way of some legislative Background I would just like to highlight a couple of pieces of relevant legislation applicable to the proposal.

Directive 2002/49/EC relating to the assessment and management of environmental noise (END).

The Environmental Noise Directive (END) was implemented in Northern Ireland by the Environmental Noise Regulations (Northern Ireland) 2006.

The aim of the END is to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, of exposure to environmental noise.

The Regulations apply to noise from road, railway, airport and industrial sources. In Northern Ireland, the Competent Authority responsible for road noise is the Department for Regional Development. The Regulations require the Competent Authority to compile noise maps showing the noise occurring in a particular area whether from particular stretches of road or rail etc. The noise maps are produced using computer modelling. Whilst Belfast City Council is not the enforcement authority for these Regulations, the Council is nonetheless consulted by the Department for comments in relation to draft Noise Action Plans.

Following analysis of the noise maps, the competent authority

identifies the noise pollution priorities and develops Action Plans to deal with noise from both Major Roads and All Roads within agglomerations of greater than 100,000 inhabitants. The Action Plans can require the implementation of measures to reduce or preserve noise in a given area. Action plans are required to be reviewed every 5 years or when a major development occurs.

The END Round 2 Strategic noise mapping was completed in 2012, and DRD issued the round 2 Action Plan for Roads in 2013. The Noise Action Plan identifies Candidate Noise Management Areas (CNMAs), some or all of which will be confirmed as Noise Management Areas (NMAs).

The second piece of regulation is Noise Insulation Regulations (Northern Ireland) 1995.

These Regulations apply to all developments proposed by the Department for Regional Development and enable a resident experiencing increased noise from a new or altered road to have double glazed windows, supplementary ventilation, or double doors installed, subject to meeting the criteria of the regulations.

As stated above, while Belfast City Council is not the competent authority in relation to operational noise from major roads developments and END requirements, as the Council have been consulted on the application we have included comments in relation to the potential noise impacts.

The URS Environmental Statement (ES) advises that DRD's round 2 Noise Action Plan identifies one CNMA within the proposed scheme, the area of Little Georges Street.

The ES demonstrates, with the proposed scheme in operation, that

noise levels to properties in Little Georges Street are predicted to decrease by approximately 3 to 7 dB, subject to mitigation by emplacement of additional noise barriers (detailed in sub-section 13.7.1). The ES, therefore, concludes that the scheme addresses the noise issues for this CNMA as required by the Noise Action Plan.

The URS ES also advises that the Proposed Scheme is not predicted to result in any properties qualifying for noise insulation subject to the identified mitigation measures being successfully implemented by way of noise barriers.

Overall, the URS ES concludes that the operational impact of the proposed scheme in terms of traffic noise is assessed as resulting in a negligible increase at the vast majority of residential premises with a minor increase at other premises along North Queen Street when comparing the future year of 2035 with and without the scheme in operation.

The Council welcomes the statement by TransportNI that subject to the scheme proceeding, it will prepare an operational phase Verification Report to confirm/inform Noise Insulation Regulations (NI) 1995 eligibility and identify any actions arising out of duties under the Environmental Noise Directive.

Perhaps by way of clarification, the Department can reiterate today for the purposes of the Inquiry its commitment to carrying out such verification and review of predicted noise and vibration impacts once the scheme is operational.

The Pollution Control and Local Government (Northern Ireland) Order 1978 - Part III article 40 - Control of noise on construction sites.

This piece of legislation Belfast City Council has powers under the above mentioned legislation allowing the service of an enforcement notice

specifying hours of work, noise limits etc and plant and machinery but it is noted that these powers shall not apply to any such works carried out by a government department. However, the Council would expect the same degree of liaison and co-operation from the Department as it would from a private developer in demonstrating the adoption of best practices in line with relevant British Standards to minimise construction noise and vibration impacts.

Belfast City Council notes the response from TransportNI dated 2nd October 2015 in relation to comments made by BCC regarding further information that has been requested regarding construction noise and vibration impacts.

Most comments have been addressed. However, the Council would stress the need for the detailed construction programme including proposals for the chosen piling methods and hours of proposed works to be communicated and agreed with the Council well in advance of works commencing.

While the Council acknowledges the need to carry out certain works at night, it remains concerned that full details of such works will need to be agreed well in advance of such works commencing to determine what methods the Contractor proposes to employ to mitigate noise disturbance during the sensitive night time period.

Thank you.

THE INSPECTOR: There are some points to come back on.
Who is going to take them?

MR MCGUINNESS: Mr Spiers can deal with the first point, the penultimate point in relation to the liaison between the Council and the developer.

MR SPIERS: Yes, there is a couple of points. Yes, we will

continue the liaison with the Council and liaison has been established and that will continue so I will confirm that. I can also confirm that we will prepare the appropriate operational phase verification reports in accordance with the legislation. So that will be undertaken.

MR MCGUINNESS: I wonder if we can move to Mr Coughlin?

MR COUGHLIN: Again, as with air quality, noise was also recognised at a very early stage as a very sensitive issue considering the urban location and the proximity of residential properties, and in that regard, and I think the Council will agree with this, we have undertaken a detailed, as per the DMRB requirements, a detailed noise assessment considering both the operational phase of the scheme and the construction phase of the scheme as well.

In terms of the construction phase in particular the Department, as you have just heard, made this commitment to inform the Council well in advance of the contractors proposed methods of working and have those agreed, because the contractor will have to comply with BS 5528 in terms of construction site noise activities and proposed daytime and night-time operating in the same regard.

For the operational phase the Council have also picked up the fact that we are proposing a noise barrier along either side of the Westlink, and this is in the vicinity of the North Queen Street Bridge running down the backs of the properties at both Little George's Street and on the other side of the Westlink at Great George's Street, and the detailed design of that has to be finalised with indicative lengths and heights. I know there remains concern about the finishes of that, but that is all we state at this time.

THE INSPECTOR: Of course, we did visit yesterday afternoon.

So thank you very much for that.

MS QUINN: Can we have the commitment for on-going liaison ahead?

THE INSPECTOR: Sounds good, can we have that?

MR COUGHLIN: A comment that I had made in relation to air quality and the same applies to noise. I would refer you again to appendix four in Volume 2 of the Environmental Statement, Mr Inspector, where there is this draft environmental management plan for the construction phase that the contractor would then have to take on and develop further into a formalised environmental management plan that would cover the noise aspects during the construction phase as well.

MS QUINN: Mr Inspector, if I could just ask the Department if they could, a little more information as to how they will continue to liaise with the community and engage with the community as well as the Council in relation to construction phase impacts and once operational how do you foresee this moving forward?

MR SPIERS: As part of the conditions of the contract the contractor will have to employ a community liaison officer, and he would be the first point of contact with the community and so if there are issues in relation to construction noise or anything like that they have a named individual with the appropriate contact arrangements to make contact. The conditions for the contract will ensure that the contractors are required to meet all the noise regulations in relation to the construction activities.

MS QUINN: Thank you. Just during construction certainly the

Council are very much there to deal with the concerns of the community, any disruption and complaints we are happy to work with the community as well and carry out any necessary monitoring during the construction phase and also liaise if there are issues post construction when it comes to verifying noise and vibration.

THE INSPECTOR: I am very glad to hear you make that point.

We have a couple of people wanted to make comments. Can I come to John at the back there?

QUESTIONS FROM MR WRIGHT

MR WRIGHT: This may cover Brenda's point. The community liaison officer, I have experience of this role performed by Ann Monaghan at the previous Westlink expansion plan. It effectively didn't work. What was formed was an eternal triangle of blaming. Everyone said: No, you have to talk to the Road Service and they said you have to talk to HMC, who had the contract, and that went round and round in circles. It doesn't work.

It does seem logical that the contractor put forward the project leader way back in the Westlink, in the early days it was Eugene Flaherty, and it would seem logical that there would be a fast track between the residents, or the community leader of the residents to talk to the project leader rather than having a third party, which in my experience didn't work.

The noise impact has not mentioned health. I would be very grateful if the City Council expert would say whether she was aware that City Council were very much in favour of the previous Public Inquiry about the City Airport, and the

Council is generally in favour of expansion plans at the airport, because of that they possibly were not particularly interested in the health impacts of noise. So my question would be is the City Council expert aware of the health impacts of noise brought up at the Rose House Public Inquiry earlier this year and at the same time I ask Arlene Jameson, you know me.

Are you aware that the DOE following your recommendations through Anna Lo is going to look into the issue of PM2.5s to try and bring us up to speed with best practice? I think Arlene would agree with me that PM2.5s are the new and scary pollutants, the carcinogens, and currently the only place that came out is Lombard Street, and the 2.5s are largely coming from the vast growth of diesel engines? Last of all --

THE INSPECTOR: You are getting into quite a few multiple questions. I am losing track of your questions. Keep it concise. If you want to raise issues later on you can.

MR WRIGHT: I was trying to --

THE INSPECTOR: Keep it until your presentation.

MR WRIGHT: This is a technical point that didn't come up on yesterday's presentation on the air quality issue. The gentleman was fairly disregarding of the 2021 air quality levels. He was saying that there is projected energy efficiencies in future vehicles, so it did seem to be very dismissive of the DRD's case that there seems to be --

THE INSPECTOR: We are getting away from the City Council. This is getting out of control and we are moving away from the City Council. I have lost track of what the questions were frankly. I don't want objectors

cross-examining. If there are one or two specific small points that can be answered, that's fine. I don't want to get into a big exchange.

MR WALSH: The Council's position in relation to the Interchange is clearly set out with due consideration given to the health impacts of the people who are living close to it, as it was in terms of the Council's approach to the Belfast City Airport expansion plans, which I represented the Council at. So the rather lame way in which the Council's position was portrayed in the last exchange really does not bear any resemblance to the reality of what was presented at the Inquiry.

THE INSPECTOR: Okay. Come back on some of these points later on Mr Wright.

QUESTIONS FROM MRS MURPHY

MRS MURPHY: I am Brenda Murphy, a resident from Little George's Street. You are saying about the noise barrier going up, I am single glazed and at the minute when road works are being carried out the whole house shakes, so if they are going to carry out work at night when is anybody in our street going to be able to sleep?

THE INSPECTOR: We did talk a lot about noise yesterday afternoon.

MRS MURPHY: They are saying that is the City Council and they have a say and they are saying works carried out through the night, is it to be day and night?

THE INSPECTOR: There is to be a plan to be developed on that.

We have already heard the answer to that one. Can I suggest you take an opportunity to discuss this with the representatives who are here. We are going to stop for a tea break. Maybe you can do that on a one to one basis.

MR WALSH: It does highlight the need for engagement with the community so that the communities are aware of what is happening.

THE INSPECTOR: Yes.

MR WALSH: Because obviously it is a sizeable project and that information is very useful in terms of allowing them to know exactly what is happening, particularly when the statutory powers that the Council has in relation to the service of those in respect of this noise are somewhat blunted because it is a Government body that is undertaking the work.

THE INSPECTOR: All right. We have now got to quarter past three. Let's break for 15 minutes and resume at 3.30.

(Short Break)

THE INSPECTOR: Okay, now we have Brendan. Are we ready to go?

PRESENTATION BY MR BRENDAN McCLEAN ON BEHALF OF BELFAST
CITY COUNCIL

MR McCLEAN: My name is Brendan McClean and I am employed by Belfast City Council in Environment and health service. I have a BSc honours degree in geology from Queens University and a Masters Degree in Environmental Monitoring and toxicology from the University of Ulster.

I will start of by just giving a bit of background.

In January 2015 as part of the public consultation process into the proposed York Street Interchange upgrade, TransportNI provided to the council a copy of the Environmental Statement for the proposed road upgrade entitled 'York Street Interchange. Proposed Scheme Report: Part 1. Environmental Statement, January 2015.

The council's Environmental Health Service, Environmental Protection Unit reviewed the above-mentioned environmental statement with regard to contaminated land and provided the following technical response to TransportNI on 20 March 2015.

Comments:

The Council welcomes that the road upgrade proposals had been supported by a Contaminated Land Risk Assessment (CLRA), which had generally been undertaken in line with current relevant industry guidance. The proposals for addressing land contamination encountered during the construction process were also welcomed.

The Council notes, however, that the data upon which the

above-mentioned conclusions had been drawn were not included in the Environmental Statement report and no details of the specific guideline values used to complete the human health and other risk assessments of the data were presented. At that time, the Council concluded that it could not therefore fully appraise the appropriateness of the work completed and the conclusions presented. The Council requested to review all relevant technical data before it could be satisfied that the conclusions with regard to the protection of human health drawn were valid.

In addition, the Council expressed concern that all pathways associated with the potential exposures to site users and users of adjacent sites had not been fully considered within the Environmental Statement. The Council highlighted that some elevated levels of Total Petroleum Hydrocarbons were detected within shallow groundwater beneath the site. However, no specific quantitative assessment of the potential risks to human health posed by vapour inhalation from these contaminants appeared to have been presented.

The above mentioned comments were acknowledged by TransportNI on 2nd October 2015 in their communication COM12. The Council was also referred to the following additional URS Ground Investigation report 47037827/GIR and dated 20 June 2015.

As part of the Council's consideration of the Ground Investigation report the following additional documents were obtained from the DRD TransportNI York Street Interchange website and reviewed.

York Street Interchange Factual Ground Investigation Report,
comprising:

A Causeway Geotech Ltd Factual Report on Ground Investigation
December 2013.

York Street Interchange Additional Fieldwork Belfast Report
September 2013.

York Street Interchange Stage 2 Public Consultation Report
November 2011.

York Street Interchange Proposed Scheme Report: Part 1
Environmental Statement January 2015.

Following an announcement by the Minister that a Public Inquiry would be held to examine the York Street Interchange, the Council contacted URS on 14th October 2015 in order to seek further clarification on the following technical points. We have had response on these points but haven't had time to incorporate them here.

Made Ground, information to address the risk of mobilising asbestos to the atmosphere and to offsite receptors and site workers.

Information regarding former land uses within the site that may indicate a possibility of contamination.

Additional information regarding targeted shallow made ground characterisation and assessment of asbestos containing material and Information regarding a control of asbestos risk assessment.

" It is unclear whether waste acceptance criteria testing had been completed and a waste (soil) management plan been developed. It is considered that this may be an issue if plots of land are to be developed in the future. For example, any reprofiled areas for use as public space would need to be

proven as suitable for that end use by chemical analysis and comparison to the relevant soil guidance values.

Groundwater: To address the risk of mobilising volatile organic chemicals in groundwaters to offsite receptors and site workers the following information would be required:

Modelled groundwater flows or identification of perched shallow groundwaters.

Modelled groundwater flows or level modifications as a result of the construction of the underpasses and.

Completion of a piling risk assessment or assessments which characterise any shallow contamination which may be transported to the Sherwood Sandstone Formation.

Ground Water Quality: To address the risk of direct contact with contaminants to site workers and off site receptors.

The availability of additional water or soil chemistry data which has not been presented in the abovementioned reports.

At the time of compiling the Council's Statement of Case, detailed responses to all of these enquiries have not been received from TransportNI/URS. In order to assist the Inquiry to come a decision regarding the human health risks from land contamination, however, the Council has provided the following land contamination interim summation.

Conclusion: The Council accepts that significant works have already been undertaken in order to characterise and understand the human health impacts from land contamination sources associated with the proposed York Street

Interchange upgrade. It is noted that the scientific reports have substantially characterised the nature of the made ground and have provided the initial findings of intrusive sampling in report DRD-YSI-3-10A.

The conclusions reached tentatively indicate that there is no risk to local residents or site workers from made ground, based upon the data available to date. The Environmental Protection Unit acknowledges these conclusions and accepts TransportNI/URS's assertion that given the nature of the made ground and the numerous former industrial land uses located on land to be used for the Interchange upgrade, that further ground investigation works will be required as the Interchange upgrade process continues. This work may uncover new sources of contamination which would require assessment.

Furthermore, the Council notes that the majority of trial pits and borehole samples were taken at depth and would therefore welcome an assessment of human health risk based upon targeted shallow sampling to determine the risk posed by asbestos, heavy metals and organic contaminants in shallow made ground (less than 1m).

Accordingly, Belfast City Council would encourage TransportNI to continue to liaise with the Council regarding future analytical results of any made ground and hydrogeological groundwater monitoring. The Council notes TransportNI/URS's intention to generate a hydrogeological model in order to determine the likely impact of deep engineering structures on the surrounding water table. Changes to this water table may have implications for contaminant mobilisation, ground gas generation and contaminant transport to offsite receptors. However, the Council is broadly satisfied with the TransportNI's management

strategy towards ground contamination and towards the mitigation of risk posed by contaminated land. The Council anticipates that additional analytical data and modelling will help to refine the conceptual site model for the development but it is recommended that adjacent residents and site workers' safety should continue to be a primary consideration.

Thank you.

THE INSPECTOR: Thank you very much Brendan for that.

MR MCGUINNESS: I will ask Mr Coughlin to deal with that.

MR COUGHLIN: We were aware of a lot of the issues that have been raised by the Council in this regard, and I think Brendan will appreciate and acknowledge that subsequent to the reports they have been furnished with they came back seeking a number of clarifications, and we have subsequently responded to those various clarifications as best as we could and that is with yourselves in your pack of information.

But yes, it would still be the intention as part of the works and as outlined previously that a lot of these issues will have to be addressed as part of the construction environmental management plan, and on-going dialogue with the Council would continue, including specifying the scope and nature of the proposed testing in that regard.

I think it is worth saying that we believe there to be a relatively low risk of contamination based on ground investigation information that we have to date. There was a ground investigation report prepared in June 2015, so June this year, and that has also been provided to the Council for their consideration.

THE INSPECTOR: Any response.

MR McCLEAN: No, thank you.

THE INSPECTOR: Now we have Anne.

PRESENTATION BY ANNE DOHERTY ON BEHALF OF BELFAST CITY
COUNCIL

MS DOHERTY: My name is Anne Doherty and I am a planning and transport manager with Belfast City Council, and I have a BA Honours in Geography and NSE on Environmental Planning from Queens, and I have got 20 years of experience working in the planning field and over 10 years working in planning and transport issues on behalf of Belfast City Council.

THE INSPECTOR: Can you come a little bit closer to the mic?

MS DOHERTY: To start off on background, Belfast City Council has been closely involved in the development of the YSI proposal from option appraisal to a detailed response to the Environment Statement in March 2015.

We have provided input from our technical officers on issues which we have a statutory function and also reflected views from our elected members on wider issues in relation to the impact of the scheme. We are also represented on the Strategic Advisory group, of which I am a member.

My representation relates to the wider issues such as design (aesthetics and finishes) and linkages and connections.

The Council recognise that the York Street interchange proposal is an important strategic project for Belfast which will alleviate a significant bottleneck at the M2/Westlink junction. It is viewed to be strategically important for vehicular access in the city.

However, the Council would emphasise the need for careful design to reduce the visual impact of the interchange, and most importantly, the need for the proposal to enhance connectivity for non-motorised traffic such as pedestrians

and cyclists.

The northern edge of the city centre is identified as a poor pedestrian environment and is dominated by the major road infrastructure of the Westlink and M3. It is also an area with surrounding communities of high deprivation.

Design: Without careful consideration given to the design and aesthetics of the proposed scheme there is a danger that the barrier between the city centre and the communities to the north will become even more pronounced. The Council requests commitment from the Department for Regional Development in relation to the investment in the design of the interchange proposal with the aim of improving development and regeneration potential, and also for non-motorised movement, which could have significant future benefits for this area.

We do recognise that the DRD has set up the Strategic Advisory Forum which is considering issues such as aesthetics and design, linkages and connections and surplus land, however commitment to include recommendations from this group is needed in the overall project proposal and the bid for funding for this proposal.

Specifically in relation to pedestrian provision, it is recognised that the existing pedestrian linkage is very poor on York Street and the proposed separation of strategic and local traffic flows should greatly improve the pedestrian environment. We recognise that by providing new controlled crossing facilities at a number of locations, the proposed scheme could improve the pedestrian experience.

However, the Council considers that it is critical that sympathetic and careful design ensures connected routes for pedestrian and cyclists alongside

more creative solutions to reduce the visual impact of the interchange and make more effective use of potentially underutilised space. It is widely recognised that underutilised space can attract anti-social behaviour and increase community safety issues.

It is the Council's view that aesthetics must consider wider connectivity and not look at the scheme in isolation. The Council considers that the York Street interchange scheme should secure the enhancement of the wider environment to support improved connectivity for adjacent communities and these improvements should be included in the overall project budgets.

The Council would emphasise the need to minimise any impacts from the scheme on the adjoining residential areas and enhance connectivity through high quality public realm and finishes. For example, it has already been raised that the York Street interchange will present an opportunity to enhance the environment around the off-ramps and steps access in the North Queens Street area. The poor pedestrian access and physical environment has been raised by the local community as issues which should be addressed in the proposals for the widening of the North Queen Street Bridge.

The Council would support inclusion in the scheme of a budget to ensure the upgrade from basic paving material and finishes to a high quality public realm that would link to the planned Phase 3 Streets Ahead initiative. We would emphasise the need for high quality landscaping through a comprehensive streetscaping programme as part of the overall project.

In relation to underpasses, the proposed York street interchange and existing M3 currently act as major barriers to connectivity in the north end of town

restricting crucial access to the Sailor town area, the Harbour and City Quays development.

It is the Council's view that making City Quays feel like a part of the city centre is dependent on finding a way to humanise the underpass. The Council would support a programme of greening and landscaping as part of the York Street proposal which could make a big difference. Also a programme of vibrant public art and lighting which could make the area seem much safer.

Similar to the North Queen Street Bridge and underpass will be widened as part of the proposal and the Council would support a high quality finish and the use of lighting to enliven the pedestrian environs and the area beneath the structure. It is an important gateway to the city centre and to the new University area.

In relation to surplus land, the Council are also keen to assess the regeneration opportunities of surplus land parcels resulting from the proposed development at an early stage to maximise the potential benefit for the city. The Council are now the local planning authority and can address regeneration and development potential of these sites through the LDP process.

The Council would also be keen to work with DRD to assess the underpass areas for the potential to be turned into productive community spaces.

Cycling Provision, the Council would strongly support high quality segregated cycle lanes in urban areas and considers that the York Street proposal presents an opportunity to develop high quality segregated cycle lanes. This will be in line with the DRD's own NI Bicycle Strategy which recommends high quality segregated cycle lanes in urban areas, particularly on routes where traffic volumes

and speed may be high.

There are a number of proposed developments in the vicinity of the YSI proposals such as City Quays and the new Ulster University campus development on York Street. The need to increase the opportunity for active travel access to the new University campus, the city centre and the harbour area is vital.

In relation to access to Gamble Street Rail Halt, it is stated that potential strengthening works to future-proof the substructure of the existing bridge were under consideration and may form part of the construction works for the interchange scheme. The Council would strongly support the integration of the strengthening works as part of the construction of the proposed YSI. The Gamble Street halt could provide an important sustainable transport access to this area of the city.

It is also a wider issue that the Council have raised, that in addition a wider issue for DRD consideration is that the introduction of the York Street Interchange will result in excess road capacity on some of the city centre routes that already have over provision for large parts of the day, notably the Dunbar Link, which the Council suggests could be freed up to support more sustainable transport, cyclists and pedestrians.

THE INSPECTOR: Thank you Anne, very much. Any response?

MR McGUINNESS: Mr Spiers will deal with the last issue.

MR SPIERS: The development associated with the Dunbar Link is outside the scope of this proposal, however it is recognised that this scheme will affect traffic flows to that, so in that sense it is outside of the scope of this proposal.

In relation to the Strategic Advisory Group and the aesthetics, I can confirm that the Strategic Advisory Group will be continued in some form and that the Council will be invited to send a representative to that. The implementation of the proposals outlined in the SAG will be developed by the Department rather than passing it along to a contractor as a design build. So we will be in charge of what is there and what is to be delivered so there is more certainty in what the aesthetics of the proposal will be like. I have already given that commitment to the SAG group.

In relation to the use of the content of the SAG group, it identifies three routes, so in terms of priority.

ASSISTANT INSPECTOR: Can you get closer to the mic, the people at the back can't hear your?

MR SPIERS: There are three routes identified in the SAG, as we can see in the priority order, a treatment as far as we are able to within the budget, and that is essentially the York Street route, the George's Street route and finally the route down through Dock Street and back towards Corporation Street. In priority order, those are where we would identify and concentrate our resources to develop much more user friendly walking and cycling routes for non-motorised users, so that it can integrate with the other works that are being planned in the area by the Streets Ahead projects. So hopefully we will be able to improve it to phase into that. I am not saying that we can at this stage.

Can I deal with the proposals for the widening or strengthening of the bridge piers on the Dargan Rail Bridge? At the moment Translink are undertaking a proof of concept in relation to the proposals for widening that bridge. So the expectation is that the resources will be there to upgrade the foundations to

futureproof that, Futureproof it in terms of upgrading the foundations in a manner that will allow future widening or dualling of the rail link.

THE INSPECTOR: I understand that that is necessary because were the scheme to proceed it would be very difficult to get access to the ground to carry out those works at a later date.

MR SPIERS: Essentially that would be the case. It would be virtually impossible to get into those areas to upgrade those foundations at a later stage.

THE INSPECTOR: Thank you for that. Any more comments?

MR SPIERS: Anne has raised the issue of the steps at North Queen Street and, sir, I would note for Anne's benefit that I had already made a commitment to look at that. It was raised by the community group. I think that covers the issues that I have noted.

The underpasses and the treatment of underpasses has all developed within the Strategic Advisory Groups for the ascetic delivery of the scheme.

THE INSPECTOR: That was talked about yesterday as well.

REPLY BY MR WALSH

MR WALSH: If I may, for the Council's part we would like to see strong and firm commitments in relation to the issues raised by Anne Doherty on behalf of the Council. As the Department are aware obviously there are Article 8 rights here in play in certain instances. I don't know if you want me to go through the law, but in the case of Marina Gomez, which is summarised in the judgment of

Mr Justice Girvan, it clearly establishes that the individual has a right to respect for his home, meaning not just the actual physical area but also the quiet enjoyment of that area. He goes on to say:

"It held that breaches of the right to respect of the home are not confined to concrete and physical breaches such as unauthorised entry into a person's home, but also include those that are not concrete and physical such as noise, emissions, smells and all forms of interference."

So we say that Article 8 could potentially be in play in some of these scenarios and that it is incumbent as a legal duty on the Department to consider those as live issues when it comes to working out what the final design actually appears to be. This is going to be inflicted on communities if it is not addressed correctly, anti-social behaviour under underpasses or in areas not appropriately landscaped. These are real live issues for communities and we have been asked through the people that we have spoken to to articulate that. So in that context I say that this is a live duty and that the commitment has to be a real commitment in relation to tackling those as issues.

MR MCGUINNESS: Firstly we say we are Human Rights compliant, including in relation to Article 8. I am wondering what specific commitment he is looking from the Department that hasn't been already given, or is not replicated within the documentation which is provided?

MR WALSH: I am saying that Article 8 must inform how the Department approaches the issues that Miss Doherty has set out to you, sir. For example, in relation to the steps we need to know what it is you propose to do in relation to underpasses where in the past there have been significant issues of

anti-social behaviour. We want to see firm commitment from the Department in respect of what it is going to do in terms of that. It also has to inform its approach in relation of the scheme overall with reference to the people who are potentially affected by it. We want to see that as a firm commitment by the Department.

MR MCGUINNESS: I am not sure, perhaps I am missing something. Firstly, in relation to underpasses, is Mr Walsh saying there is any pedestrians access to the particular underpasses in our design?

MR WALSH: No, I think the issue has been in the past that underpasses are generally used because they are clandestine places, poorly lit, for all sorts of inappropriate anti-social behaviour which then, of course, is inflicted on the local community who have to put up with it who live nearby. What I am looking for is an act of commitment that Article 8 will inform the approach in relation to areas that are difficult such as that, and that the necessary expenditure to make those places safer will be incurred.

MR MCGUINNESS: I think the commitment that can clearly be given is that the Department will consider all Human Rights aspects of this development, because, of course, this bring in Article 1 of the First Protocol and we say that in the process we deal with and we consider all the Human Rights issues. So in so far as Mr Walsh wants a commitment, I think I can indicate that the Department are fully cognisant of the all Human Rights issues and are obliged as a public authority under Section 8 of the 1996 Human Rights Act to take those into account. So we are under a legal duty in any event to take those into account pursuant to the Human Rights Act.

I am not sure that a commitment from the Department that they will

carry out their legal duty takes us any further, because we are legally obliged to do that.

MR WALSH: I wonder if Mr McGuinness could indicate for your benefit, sir, what steps have been taken in relation to carrying out any screening exercise in relation to Human Rights with regard to the proposals that are currently before you?

THE INSPECTOR: Gentlemen, please bear in mind that Human Rights Is are not within our brief. To me the next level up from this is to ask the simple question, if there are legal requirements upon the Department of Article 8 that you are quoting, will you undertake to honour those requirements?

MR MCGUINNESS: The Department are obliged to take into account all Human Rights issues. They are obliged to. The first point is obviously the Human Rights issues are outside the scope. I am surprised that Mr Walsh has not alerted me if he had a significant issue about this before so that I could undertake an investigation in relation to what exactly he is asking me to deal with. What I will say in relation to this Public Inquiry, and from the higher strategic level, is clearly that the Department will comply with all the Human Rights obligations.

MR WALSH: I am happy to hear that --

MR MCGUINNESS: -- and that the policy and procedures in the guidelines in carrying out of these, that is EO30, DMRB, all of those documents are assessed in relation to Human Rights and, in fact, in themselves are Human Rights compliant, so we don't only have the Department saying we will take this into account. All of the policy and the procedure and guidance we say is Human Rights

compliant. Those are the checks and balances.

THE INSPECTOR: I am happy with that. Can we move on?

MR WALSH: The point that I really want to make is that Article 8 needs to inform the design approach, that is the key to this in crucial matters affecting communities.

THE INSPECTOR: We have a question from the back of the room.

QUESTION FROM MR DECLAN HILL

MR HILL: Declan Hill is my name and I am one of the former directors of the Forum for Alternative Belfast. We welcome the Council's comments from Anne Doherty about specification finishes of bridges, the important pedestrian person experience of walking through this massive structure, and I would just like to question the Department. In their design and build procurement system how can you ensure that these things like lighting, like planting can all be delivered to the expectation of only the very recently formed, and we stress recently formed Advisory Group, which has only been in existence the last few months and it is a group we have been asking for for the past four years? Thank you.

MR SPIERS: Mr Inspector, I can confirm I had confirmed actually to Anne that the Department would take on board the landscaping and aesthetics design issues as something that we will deliver. We will not leave that to the contractor to design and deliver. We will take that on board and that will

ensure delivery to the standard that we determine through that group.

MR MEGARRY : If I can just add, Declan, it is simply a question with regard to the detail within the contract documentation, the employers requirements specification. It is a matter of indicating within those documents what elements, if the scheme were to proceed, that the contractor would be responsible for in terms of design responsibility, and it is about setting out what elements the Department would retain responsibility for. So it is quite clear that we have that wherewithal, it is not simply a case of just saying it is design and build and it all goes out the door to the contractor. We can be selective in that and we can identify elements that the Department will retain.

As I say, one detail already in mind is that the landscaping design would be retained. As Roy already mentioned, the Department are seeking to retain control of the overall delivery of the scheme. It is not something we would pass over to a contractor to struggle with and let him try and dilute. We want to retain control of the aesthetics.

THE INSPECTOR : Good. Thank you very much for that. That is finished. We have one more presentation to hear this afternoon, so John if you would like to come forward. Before you begin, John, I have taken a little bit of verbal abuse from those who run the hall, we do need to finish at five, that eats into your time, unfortunately. But over to you.

PRESENTATION BY MR JOHN WRIGHT ON BEHALF OF GREEN ACTION

MR WRIGHT : Thank you everyone for your patience. I have

provided four spaghetti like dishes.

THE INSPECTOR: We are fascinated.

MR WRIGHT: Whenever I attended the consultation events it did seem to me that we were being offered, as members of the public, to choose between four terribly similar spaghetti like dishes. It did seem to be a little bit of Hobson's choice. Nevertheless, I participated and Roy Spiers will remember Forum for Alternative Belfast where there with a high presence of supporters and Roy declined to even watch the presentation. I will talk about that further later on.

I did consider the consultation to be slightly bogus and it is yet to be seen to what extent the conclusion of your good self, sir, will be duly noted by the Department. Because, as you can see, I took part rather actively in the Westlink 2000 Public Inquiry where I had a pretty tough time because I was very new to the game of Public Inquiries. That was my first one.

I was speaking earlier to the representative of the Department -- sorry, I don't know the name, the barrister representing the Department -- I perceived to be a pretty tough time given that I was a new boy. At the end of the Public Inquiry he stuck his hand out and I shook it, and it was only afterwards I realised I must have done okay. The report of the Inspector I considered to somewhat acknowledge that I made useful contributions. So thank you for your patience. I anticipate with hope your indulgence.

Referring to the earlier proposition that we had a blank canvas and, again referring to the submission of the Forum for Alternative Belfast, vast areas of Belfast are indeed black canvasses -- if that is the correct grammar. This huge area that has been invested for about 50 years does effectively provide a blank canvas,

and it does sadden me, and I am sure you have noted that the key stakeholders have not been awfully well engaged, even though they made it quite clear that they were very keen to get engaged.

Indeed Government policy says that they should be engaged. It is a pity to waste expert advice. Jonathan Hobbs has made an almost an expert sport out of making the cycling infrastructure, sadly, tragically hilariously inappropriate. But that is a cycling issue and that is Jonathan Hobbs chosen expertise.

As I said earlier today, as well as those Public Inquiries I was active at this year's Belfast City Airport Public Inquiry where, as a local resident, I made, I hope, a useful contribution that noise is much more than an abstract technical thing and there are noise limits. But in reality any noise can be harmful if that individual is harmed by it.

On the A5 Public Inquiry I would arguably say I saved us from having a ghastly Dual Carriageway scar through County Tyrone, the southern Government I believe are willing to stump up hundreds of millions of Euros again to revive the scheme. I opposed it and I saw it as a political road and unsustainable. I will come to unsustainability later.

If our team will progress to the next slide, please. The confusion and the difficulty for Joe Public to engage with the Department is that there are so many simultaneously active working documents with no real hierarchy between them. That makes it terribly difficult because the Department can therefore pick and choose an argument or policy statement from any or all of the documents against the wall, because they are all current and running policies.

Indeed, as a cyclist I have expert knowledge of how the Department

will say: Oh, but we can't put cycling because blah, blah, blah, it is in such and such document. Then I would refer perhaps to the Northern Ireland Cycling Strategy and they say: This is a bottleneck, we can't do cycling at this location. So it has been difficult to get quality infrastructure because the real hierarchy of transport is not very well put out in Northern Ireland's policies. Those are the contents, they will come up in the presentation. So I will see if this works.

We are where we are because we had many, many decades of conflict. That meant we had many, many years of direct rule and there is a huge amount of money involved in transport. Everybody who runs a car knows it is a huge capital and, more importantly, a running costs of disposable income, but the reason why Westminster has an influence, albeit indirect, is that Westminster receives £2bl each year from the Northern Ireland motorist in tax. It goes to Westminster and doesn't come back. It is effectively part of the block grant. For all those decades Westminster were minded to influence the Civil Service, that we would be implementing car policies which incurs car dependency and we are very tough on public transport alternatives, hence we very nearly lost Northern Ireland Railways in its entirety because Westminster could look at the bank balance and say: This is a land asset, public transport costs us money.

Similarly with buses, every time they got a bus they were depriving themselves of potential people in cars, and the cost of being a car dependent society I will come to in the future.

Costs of congestion are quite well measured. CIB provided me the data way, way back whenever they were talking about it, they are not talking about it now. The cost of congestion is simply adding up the fuel burnt and wasted in

congestion, and the man hours, the time wasted as people sit in their cars day in, day out.

Incidentally, I have made a document, the History of Cycling in Northern Ireland and I have sketched to the DRD Committee, because I submitted it to the DRD Committee, the costs as a ball park figure of congestion, car dependency, car culture, car dominance the way we are. We have not only car congestion, we have car dominance in our society. This creates a sort of algorithm that is tenable. It is certainly something that should be considered at the Government level. Interestingly, unanimously the DRD Committee, chaired by Jimmy Spratt of the DUP, now retired through sickness, they unanimously declined to hear my presentation. Pretty sad.

It would have been a benefit but the Committee which is charged with holding the Department to account would have been willing to take on the intellectual challenge of what we should be doing with our transport system.

THE INSPECTOR: John, it is interesting background stuff but bear in mind we are very focused on the scheme and our remit is the York St Interchange. If you can narrow it down to your comments on the scheme as quickly as possible, I would be grateful.

MR WRIGHT: The Stenographer has a verbal agreement with me that I will quickly go to the last video. I hope to entertain as well as inform. There will be two music sessions and the video at the end where I promise you you will be entertained.

THE INSPECTOR: That will be welcome, yes.

MR WRIGHT: Public Inquiries are tough work. You are getting

paid, sir.

As well as the DRD Committee having my publication about the History of Cycling in Northern Ireland, also the DOE Committee, and I wanted to influence them on road safety, but there hasn't been, I think -- can I take a bow from making the two ghost bikes in Belfast, the one in the Newtownards Road and the one in the Ormeau Bridge dedicated to Michael Caulfield. They are possibly poignant, much loved in the community and I wish the DOE would talk to me. The man in charge of the DOE road safety spent an hour on the phone telling me why I didn't need to talk to him.

I will quickly go to the next slide. The Westlink Public Inquiry 2000, I criticised the Road Service at the time and I coined the expression "Road Disservice". At this consultation where the spaghetti dishes were, I noted that Roy in his introduction did say that what he was proposing, indeed this proposal is a car based solution to a car based problem. This was in a way self-evident. I think everyone knows that this proposed Interchange is a car based solution to a car based problem. The congestion is caused by cars, and whenever I was up at the Westlink Public Inquiry I was a friend of the freight and bus -- freight driver and bus man, because like the Inspector we were in favour of freight lanes, for instance.

Unfortunately, the Roads Service in their wisdom declined and said they would think of it in the future. I find it strange or sad -- I think it is pragmatic that Roads Service create congestion. We have the worst congestion in the UK. Yet the economic imperative of having our trucks on the road, that is where our commerce is, is being held to ransom by the Road Service -- or Road Disservice's dogma of general traffic and free flow which is a concept they are again bringing

forward.

This is a 50s concept, and my video will say the concept was made into a plan which was pretty much hard created in '67, that was whenever the York St Interchange became what it is, effectively. We have been basically holding on to this 50 year concept right up to the present moment.

I would strongly recommend, sir, some holiday reading for your spare time reading, this is where my knowledge is. I don't have to research every document in every corridor of every Civil Service building. Wesley Johnson has really shown how Belfast has an absurd idea in the same way at the time that Coventry was building inner ring roads as a solution of making Belfast viable. This design of York St Interchange was indeed part of this Belfast urban renewal.

So I will keep to this York St Interchange as the subject, but as background reading and for members of the public and people who are interested in the technicalities it is all there. I really, really recommend it.

Road disservice have also been in denial about gridlock. The first Belfast gridlock was on 26th January 1999. I noticed because there was a fatal crash, also two other crashes on that day, and Belfast was really truly gridlocked. The second Belfast gridlock was on October 29th, 1999 and that was similar conditions.

Now, we have slowly and steadily had traffic growth of something between 3% and 5%, particularly if we do road improvements, because induced traffic is a well known phenomena, create a nice new road and people will gravitate towards it in the sense of, you have heard of Eugene Flaherty, who I previously mentioned, finds its own level.

People sitting in congestion will rat run, go to whatever road is available to them to get through the congestion. That is actually why the proposition we heard this morning may well work, but using all the side roads in a versatile way, in flexible way may indeed, because that is what people do is provide solutions to congestion.

For each and every one here, here is the first law of holes. We have had for many, many decades in our lifetime and our parents lifetimes, we have been building up more private car use and car dependency, and it doesn't seem to have occurred to the people who provide our roads and preside over our roads that they are digging themselves into a hole and they have to start thinking differently. I will come to that later.

We all know that predict and provide was a Government policy, and you see where the needs arose as perceived. The money was there for roads and that was the way to do it. That is now gone because it was seen as impossible to fulfill because as cars became cheaper and more reliable, once we got our cars from Japan instead of British Leyland, and suddenly we had reliable non-rusting cars and better cost effective because the ordinary working person -- it was a solution but you couldn't provide roads fast enough for us.

But the new policy was that bottlenecks could be provided for and bypasses. If I just go to my notes. We have not one bottleneck but a continuum of bottlenecks. Whenever the Phase 1 of the Westlink, those two roundabouts were replaced with underpasses, that was a bottleneck and that had to be solved and now, as predicted, as the traffic modellers would have told us, we have now the new bottleneck.

The bottleneck argument is self-defeating. We can't build road at the pace that bottlenecks arise because the whole place is a continuum of gridlock or congestion and bottlenecks. The issue of bypasses is rather interesting and sort of verges on the political with capital P. Every politician, and certainly I got the impression that every politician in the DRD Committee saw themselves as there to make sure that micro road policies apply, that they are patch got a roundabout, their constituents got a road widening. So that was the micro being served by the politicians and yet because everybody wanted little improvements in their area the macro policy of car dependency got worse and worse and worse.

I have spoken earlier about how the Road disservice chose not to implement HGV priority at the previous Westlink improvements. The book does quote a bit of previous. They talked about disingenuous Road Service plan, and that is what is in the book, not what the Lavery Inquiry had recommended, and was not the strategy that the DOE had agreed to.

Sir, I very much hope that you will make it difficult for the Department to wiggle out of the verbal assurances they make and, as I perceive it, the car based policy they are still intent upon.

The Westlink roundabouts are a huge area, and because the Road disservice do own huge amounts of area -- after the Housing Executive they own more houses than any other institution in Northern Ireland. So they have vast areas of Belfast that is basically decimated by road preservation lines basically. They have anticipated new improvements on their future and shelved, you know, routes, so just open the drawer and pull out map after map of improvements should the money become available from the politicians.

The Westlink, I was saddened because there was promise of cycle routes equal or better than had existed on the Westlink, and I will surprise you by telling you that whenever the Westlink was built you could cycle on it, and I did to the shock of the Inspector who did the site visit. Until very recently you could cycle the Westlink. Whenever the cycle facilities were being promised they didn't materialise. I described to you earlier sir, the eternal triangle of Ann Monaghan as the go to representative acting on behalf of the Government and then the Department and the contractors, and it was effectively impossible.

I will tell exactly what happened. I would go and say what is happening at this location and they said: It is too early to say. Then I would go back and say what is happening at this location. They would say: It is too late, we have done it. Effectively that is what happened.

A rather interesting aspect of the underpasses at Westlink, is that the underpass that leads to the Divis Street underpass, it is only half height, and I couldn't understand why they were doing that -- I will go to another point.

I do believe there is a hidden plan shelved in a drawer for the vast congestion of the entire Westlink, there is a hidden plan for an intersection, a car based intersection on that area of blighted land. Again it is another vast area of blighted land which I have shown with masking tape. The Forum for Alternative Belfast have been super in highlighting in red. They missed a bit, this is a bit at the Europa Bus Station and Train Station, and it is quite possible given that there is only a half height that they have always dreamed of moving -- using that area for a new possibly multi-level Interchange which they could say was "this is our bottleneck, this is our solution."

The dogma of a high speed general traffic free flowing, now that was the concept that has got us into this hole. We can't have high speed for the noise, for the pollution and danger. General traffic fails to prioritise people and traffic that deserves priority, and free flow is where nobody ever has to stop. And sometimes when you have got a lot of traffic you have got to stop.

I have called Bill Clinton the world's best known liar because he is the man who said: "I didn't have anything -- what was it, "it wasn't legal", and everybody knew that Monica was heard of.

Anyway Northern Ireland's most nominated places, we have heard this countless times on the radio: Nelson Street, Broadway, Sprucefield. How about Stockmans Lane? Ballyrobert. I believe I passed through. Sydenham Bypass, I have called that Sydenham the carpark. Hollywood Exchange, I don't know exchange is much, it is just a place to pass through. It is known for its car dependency, and sadly there was supposed to be a Park and Ride there. For some reason, even though it is in the Belfast Metropolitan Transport Plan, they have not bothered. Park and Ride is part of the solution. At the Hollywood Exchange area there is supposed to be Park and Ride. Each bus takes about up to 70 cars off the road. It is such a win win.

THE INSPECTOR: John, I am going to again ask you to be aware of your time. You have under 25 minutes left and I want you to concentrate very much on the scheme. I appreciate this is general stuff.

MR MCGUINNESS: What I will say sir, it may be of assistance, because I anticipated this may go to time. I want to make two points very, very briefly.

First of all in relation to the person who has been mentioned here, Ann Monaghan, it is entirely unfair for you to come along and castigate somebody not here to defend herself. What you also have done, and what would have been mannerly and proper in relation to the procedures of this Inquiry, would have been to put us on notice that you had an issue, and to allow that lady an opportunity to come along and defend herself. You have effectively engaged in character assassination without her being given an opportunity to defend herself, and I say that is improper and unfair.

MR WRIGHT: I do try to be polite, and I certainly didn't mean it to be disrespectful to her personally. It was just the job she was given.

MR McGUINNESS: Out of fairness to her, I raise these points, and I also anticipate she will say she did a professional and thorough job. I haven't spoken to her, but those are the points that I make and I ask you not to refer to that again.

MR WRIGHT: We have a presentation to get on. A modern and sustainable transport. Do we have? I ask you sir, we have a rising killed proportion of people in Northern Ireland. At the same time DOE is wishing -- sort of wishing the road to zero. Sustainable transport? I don't think because -- the ultimate sustainability is climate change, and the Department has not a notion of adapting to climate change, and there we are. That is the vision. I ask you, are the Department matching up to the needs of the community and the sustainable objectives? Sustainable transport, long-term future? I think not.

Let's get on quickly to my effective solution to where we are. We have got to -- the video will show this -- we have got to prioritise the freight as it

gets to the Harbour. That is the one thing that this whole scheme is imperative, make imperative, and I believe the Department is sort of hijacking it in order to build car parking infrastructure.

There is a series of gantries for people along the Westlink for travelling north and all the traffic. The gantries will discipline the traffic to a certain speed appropriate to the junction itself, and it will start at Grosvenor Road and continue along Divis Street where there is the tunnel, and then Peters Hill and then when it widens out there can begin strict controls over which lane is occupied by which.

Can I point out at this stage, suggest 40 miles per hour as a safe and pollution free speed for the entire Westlink. It is very closely inhabited, inner urban. To have high speed and its pollution and noise is not, I believe, what should be provided. So 40 miles an hour is sufficient speed for traffic and effective, because when the lobby about freight we are talking about, my question at the Public Inquiry was: Would you be content to get the entire length of the Westlink in four minutes and they said: Yeah. I done the maths. That is at 40 miles an hour.

So a strict 40 miles an hour if it works is perfect. We don't need to have fast traffic. We don't need to have free flow. We only need to have weaving characteristics. There are many advantages for a speed limit, and I made that at the Westlink Public Inquiry 2000, and I still would say it adds to the safety.

The basic theme of my presentation is Road disservice need to go again and look at the presentation. Does my music come up? I think I will give it a miss. If it doesn't come up it doesn't come up. Does my music come up in your system?

MR McBRIDE: It should do.

MR WRIGHT: Cycling is an expertise that I have. Sustrans would say that I have considerable expertise. The other thing that I have got embroiled in is as an echo warrior, and indeed my carbon footprint is tiptoe, that is because I have to stand and do as I believe rather than just talking about climate change.

I really believe this is the thing that our generation has to man up to, just as the previous generation had the nuclear Holocaust as its challenge. We are facing a global Holocaust of a weather type disruption, and whenever there was the flood amelioration talk from the Department's representatives earlier on, I thought I wonder which flood event they were planning for because it is a long-term future that the Department is charged with providing for, and not just a 1 in 200 event according to stats.

The UK Climate Change Act does make very strict targets and, indeed, Northern Ireland also has targets. The DRD has failed, and I would be glad if you could tell me otherwise. On that issue, and I am quite prepared to give it to yourself, sir, I got a question tabled at Stormont last month by the Unionist party about how Northern Ireland as a whole is making up towards its programme for Government target, and surprise, surprise we are not going to be getting it there according to predictions.

The answer presented at Stormont was about policy change: "This policy change highlights the need for all Departments, DRD included, all Departments -- please Roy" -- "all Departments to continue to work together to deliver on greenhouse gas emissions and targets and to identify new policies and

actions that can contribute to the achievement of the programme for Government target."

This has not been brought up by any other witnesses at this Public Inquiry, and I would offer this to yourself if need be. Of course, a picture of a congestion at a multi level junction it, that is gratis.

The thing I pointed out is the 50 year old concept. If I can be whimsical for a moment, it is a Ford Anglia, and for anybody that is too young, it looks like one of these, and it is as if someone from the Department has wheeled out the Ford Anglia and said: This is exactly what you want, and here's a 3D flyover presentation of what a good Ford Anglia looks like. It is a Ford Anglia, we don't need it, it is the wrong thing at the wrong time.

The Regional Transport Strategy I think has been abused by the Department. I will not linger on it, except those are the key consequence.

Belfast Metropolitan Transport Plan. The failure to provide Park and Rides. The Park and Rides were quite modest proposals. It is a win win, and the few provisions that were in the Belfast Metropolitan Plan are not being implemented in full, even though they do seem an obvious solution.

Failure to provide cycling infrastructure, I have direct experience of the failure of the cycle facilities to be made safe, and quite recently a junction near me was made unsafe by the removal of cycle lanes. And interestingly a cycling officer of the Eastern Division does not know where Eastern Division's cycle lanes have been removed.

Basically Roads Service take a road improvement scheme and in several cases delete the cycle lane and fail to reinstate it, and they will do it

particularly annoyingly because they want to increase the general traffic flow. That is my direct experience.

So the word and the spirit of the Northern Ireland Cycling Strategy was not applied. Again, as I said, the Roads Service would say: This is a bottleneck, we have priority.

The next slide, please. This is the saddest thing, there were no alternatives offered. You had that bogus consultation, and whenever people went with what were considered to be off-beat solutions nobody was interested. They were all beyond talking about it. That is what it seemed to me. I certainly wasn't engaged as a key stakeholder. The Department seems to pick and choose who is willing to play ball with them. That is my perception. Do nothing, yet that has been the choice of the Department. If this was a genuine bottleneck between the years 2000 and 2013 surely they should have been doing something about it? You can't just say: This is our new bottleneck, we are going to spend another £160m on it.

For your information, the Westlink previous undertaken under PFI, each centimetre in length cost £1,000. A centimetre of it cost £1,000. Again it is just simple sums.

I have the strong belief that space should be devoted to public transport and HGV lanes, and whenever there is a point of congestion that is where you put the priorities. You don't start to try and build your way out of it digging the hole deeper. I wonder if the Department recognises that the Department for Transport 2012 gives a hierarchy, it is a matter of policy that you do a hierarchy with pedestrians and cyclists and then you would have public transport, and then

you would have commercial and access with the private car as the default. It is the last one that you provide for. I think that is the sort of fundamental that the Department should be interested in.

I asked for a Freedom of Information request and apparently it has never come up in DRD meetings. I believe that is something that is part of the solution that you identify the places where improving the signalling techniques. I know from an earlier presentation that we have a SCOOT system where there is an office which manages the sequence of traffic lights, but I think it is possible to move another generation and have more intelligent traffic flow signalling.

Rather than having a very high cost free flow, very expensive Interchange we should have been looking at, rather than have this Hobson's choice we should have had lower cost alternatives to look at, particularly since we live in very economically constrained times.

I campaign under the title of Green Action because it gives me autonomous powers and I can incorporate other people and their expertise from time to time. That is how I campaign under.

If we do something that is at-grade, this proposition that we control traffic with gantries so that by the time it reaches York Street it doesn't have to stop at all. Whether it should be brought approaching towards the junction at a speed controlled by the gantries for the previous quarter to half a mile, and then by the time it reaches York Street it goes straight through without having to stop, but it is possible there could be a low cost bridge, very much like what the York Street Bridge is going to be like, and that would be a way of taking out the need for long traffic light signals.

So it could be possible that the Westlink using ITS could be relatively free flowing at 1,000, because when I went to the consultation events I did put it in writing that I had a proposition, and Roy was kind enough to phone me about it. Unfortunately that was it. Low cost alternatives were not being treated seriously, in my opinion, by the Department.

When doing it at-grade or with a smaller infrastructure you have better public transport. Can I explain the leap frog affect? If you provide continuously for general traffic people will resort to cars because it is the tempting thing to do. If you have traffic constrained it is tough medicine, but that way people will use the public transport because it is the better logical unit journey for them on that occasion. Whenever there is congestion we do need to have better public transport.

I heard on the radio quite recently that with the new budgets the Minister has cut back on public transport. Slower traffic, less noise, less pollution and it is the same ground footprint. We are not requiring people's back yards to be introduced. We are not requiring faster, heavier traffic closer to the general population or the university or the businesses. It is less of a ground footprint.

THE INSPECTOR: John, we have only five minutes left.

MR WRIGHT: Let's go to music and see if my music will come up. The music is Obsessions, it is a local band and it is really quite manic. If it comes up and if you hit the volume. Good man, let's go and party and relax, because everyone here has worked hard, and I would ask you to name check these little Obsessionals with cars. Please think of climate change.

(Music Played)

I think we have had enough of that. It was tactical because I wanted to have a quick review through my notes so something that I want to say can be said. The land belongs to the people. That was the general assumption of the Big Dig in Boston which Stephen Pollock knows well about, and it was the general concept that the Inspector at the Westlink accepted. This is not what is happening at this intersection.

We should be putting people at grade and traffic out of the way, and there are concepts within this room and for people who have made propositions earlier about making people free places, but the traffic intrusion and severance is minimised.

The Green Action proposal of having gantries will provide quicker journeys. There will be much, much less psychological severance and psychological intrusion that will be of benefit to the gantry solution. Again, I am sorry that the Department didn't follow-up on my input at the consultation event.

Will we go to the video or go home? I am tired. I hope you will enjoy it.

THE INSPECTOR: We probably need to finish at two minutes to five.

MR WRIGHT: You will enjoy it.

MR MCGUINNESS: Sir, I have two or three points that will take two or three minutes.

THE INSPECTOR: Reluctantly we have to leave it.

MR WRIGHT: It is on YouTube. This is a strategy. I am an activist. If the Department were to go ahead I will put it out on social media

because justice and the environment is more important than the DRD's pride.

THE INSPECTOR: Can we have a quick response?

MR MCGUINNESS: First of all we don't accept what is indicated in relation to gantries and speeds, and that that will be acceptable. We say that the Department is taking forward a robust, sustainable transport policy which is the appropriate policy. In any event, greater policy considerations are outwith this particular Inquiry.

Mr Spiers tells me that at the consultation he, in fact, gave a presentation to FAB rather than FAB themselves giving a presentation. He didn't speak at the 2002 Westlink Inquiry.

Finally, the suggestion is that Mr Johnson has been quoted an author and quite an authority in relation to motorways in Northern Ireland. Would you be surprised to hear that Mr Johnson in his e-mail of 20th February 2015 replied in relation to this scheme:

"Hi Clare, I have been looking at the proposed lane arrangements and it is a huge improvement on the Stage 2 design. All the main points of concern I have had with those which focused on merge issues have been addressed in this design. I am very pleased."

MR WRIGHT: This is not about what they do, it is about what they don't do.

THE INSPECTOR: Reluctantly we have to finish there so that we can get the room cleared.

Thank you all for your contributions today. We will here tomorrow on the third day to hear some further input on the Vector proposals and one or two

other bits and pieces.

MR MCGUINNESS: That reminds me sir, Mr Hackett has submitted a further proposal this morning, having submitted his last proposal on 6th November. At this stage, sir, I ask you to formally rule that -- of course, we will work with the participants to the Inquiry, there was a pre-Inquiry meeting and at that stage it was indicated all documentation should be available as soon as possible.

Effectively what we have is a situation where it appears Mr Hackett is preparing proposal upon proposal to react. At this stage sir, I say it is not only unfair that the Department should be required to respond to that proposal, but I say that it ought not to be accepted. This is not the appropriate procedure. This is, in fact, an Inquiry into this proposal, not an opportunity for Mr Hackett to present numerous proposals in circumstance where he has clearly been involved in this process for a number of years, and the first proposal arises in October 2015.

THE INSPECTOR: I have only just been passed this paper within the last 10 or 15 minutes, so also we have not had an opportunity to look at it. I can't really go on, we are already behind.

MR CALLAN: I am first here in the morning and yesterday I was not allowed to speak. It went after 6 o'clock last night. For yourself, Richard, your team has had many proposals. In 2008 I sent a letter in and I am still waiting for an answer. My name is Brendan. I went down to the Ramada and I spoke to a succession of your people and because I have a City and Guilds in engineering they walked away from me. They said your team would come back to me with what I said. I actually went to your site, I think it was Michael turned around yesterday

and said you have access to all the paperwork. It was a secure site and I wasn't allowed on it as an individual. So I don't know what the reason is.

THE INSPECTOR: Sorry, I have to stop --

MR CALLAN: Let him have his proposal.

THE INSPECTOR: Sorry, we can't take any more. Please do not overrule me and try and talk me down. We should have finished five minutes ago. You have an opportunity in the morning so please raise any issues that you have in the morning and we will take them. Can I suggest coming back to this other solution?

We have been fairly flexible as Inspectors in accepting written recommendations to a point late in the process. My feeling on the latest one, Mark, which again you are thinking about this and you are working with it, that is fine and good, but I cannot, I think at this stage allow further information to be put into the Inquiry, but what I am asking the Department to do is make a response to that. We will read this ourselves and read the Departmental response and consider what our response is to that. Is that okay?

MR HACKETT: All I am trying to say that is rebuttal, there is nothing new.

THE INSPECTOR: In that case then what I am suggesting sounds as though it may be workable.

MR HACKETT: There is one side issue and that is it.

THE INSPECTOR: You will be speaking tomorrow anyway. Let's see how that looks. We will draw to a conclusion here and we will reconvene at 10 in the morning.

(The Hearing concluded until Thursday, 12th November 2015 at 10.00 a.m.)