

**Objection number** .....**OBJ18**  
Objectors Names ..... Colette McKernan/Brendan McKernan, Focus Security Solutions  
Date submitted..... 09 March 2015  
NIMVO plot number .....20

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TransportNI has considered the correspondence in the above objection and responds as follows:

- 1. We write to object to the proposed Draft Orders and subsequent Notice of Vesting as advised to us in your letters of 27 January and 28 January 2015 which affects premises leased by us on 130-132 Corporation Street, Belfast.**

**Focus Security Solutions is an established business of 13 years and since its formation has been located in this general location. From 2002 to 2006 the organisation leased accommodation in Midland Building, York Street, before relocating in April 2006 to our current premises in Corporation Street.**

**The business strategically operates from this location, because we are on the cusp of the M1, M2 and M3. Our client base geographically covers the whole of the Province and our main suppliers are located within a 5 mile radius of the premises in all directions. This provides for operational efficiencies in terms of our engineering team getting quickly to client sites and for our suppliers to promptly deliver equipment to us, often at short notice.**

**The building was renovated entirely in 2006 and is perfect for our needs in terms of its location, facilities and accessibility. We are the sole tenant of the ground floor of the premises, which is circa 1500 sq feet and comprises bespoke office space, store rooms and waste storage facilities. The side entrance of the premises, on Trafalgar Street, has both a side entrance door and a loading bay entrance to allow for the loading and unloading of equipment to the storerooms located in this area of the building. While there are no parking facilities in close proximity to the premises on Corporation Street, Trafalgar Street has off street parking which can be used for our office staff, engineers and visitors.**

**The frontage of the premises is on Corporation Street has approximately 12,000 vehicles passing on a daily basis, allowing us to promote the business to the passing traffic. The rear of the premises which also has signage, is visible from the slip road off the M2 and from the M3 flyover. Again this provides us with marketing opportunities to promote our business.**

**We believe that there is currently no alternative accommodation in this general area which affords us the same level of suitable accommodation for the reasons denoted above.**

- 2. The relocation to alternative accommodation will cause significant disruption to our business activity. We are a small organisation with currently 12 employees, comprising two directors, four office staff and six engineers. The time which will be required by the two Directors, to facilitate a move will cause an additional unnecessary burden and will inevitably mean that they will be unable to fully concentrate their efforts in securing and delivering the operational needs of the business.**

**It is for the reasons outlined above that we wish to raise objection to the Draft Orders and Notice of Vesting of our premises. We ask that a public enquiry is held into the Scheme and we reserve the right to make further comment to support our objection. Please also keep us informed of all matters pertaining to this Project as and when they arise.**

- a) TransportNI recognises and accepts that the Proposed Scheme would require the compulsory acquisition of the property and associated lands, and acknowledges the personal impact this would have on the registered landowner(s).

Development priorities

- b) The existing junction consists of a signalised gyratory 'box' system with traffic signals at each corner, serving over 100,000 traffic movements per day. It is a source of traffic congestion and requires careful traffic management, particularly in peak periods, to ensure that the gyratory system does not become blocked, as this would result in significant traffic delays.

The existing junction is therefore considered a 'bottleneck' on the Strategic Road Network in accordance with the definition established by the Regional Transportation Strategy for Northern Ireland 2002-2012, i.e.:

*"...where localised restrictions cause undue congestion and thereby delay for freight, public transport and cars."*

- c) The programme to improve transport links in Northern Ireland has been developed and is based on a series of key documents which include:
- The 1998 White Paper 'A New Deal for Transport: Better for Everyone';
  - 'Moving Forward: The Northern Ireland Transport Policy Statement' published in 1998;
  - 'Regional Development Strategy for Northern Ireland 2025 - Shaping our Future' published in 2002;
  - 'Regional Development Strategy 2035 – Building a Better Future' published in 2012;
  - 'Regional Transportation Strategy for Northern Ireland 2002-2012' published in 2012;
  - 'Ensuring a Sustainable Transport Future – A New Approach to Regional Transportation', published in 2012;
  - 'Regional Strategic Transport Network Transport Plan 2015' published in 2005;
  - 'Belfast Metropolitan Transport Plan 2015' (BMTP) published in 2004;
  - Investment Strategy for Northern Ireland 2005-2015;
  - Investment Strategy for Northern Ireland 2008-2018;
  - Investment Delivery Plan for Roads;
  - Investment Strategy for Northern Ireland 2011-2021; and
  - Expanding the Strategic Road Improvement Programme 2015;

- d) The Regional Transportation Strategy recognises the importance of removing bottlenecks on the Key Transport Corridors. The bottleneck at the York Street Interchange is identified in the BMTP and the Consultation Document 'Expanding the Strategic Road Improvement Programme 2015' published in 2006.

Extent of Vesting

- e) The development of the Proposed Scheme has been undertaken in line with the engineering requirements of the Design Manual for Roads and Bridges. Requirements therein for horizontal and vertical road geometry, along with considerations in relation to the buildability

of the Proposed Scheme, have required the proposed M2 to Westlink interchange link to be aligned through lands registered to the objectors.

#### Compensation

- f) TransportNI would offer the registered landowner(s) appropriate compensation as independently assessed by the District Valuer, who acts on behalf of TransportNI to negotiate with the registered landowner(s) and/or their agent to determine compensation for land lost to a new road scheme. Depending on the particular circumstances, compensation can be claimed under the following categories (Heads of Claim): (i) the value of the land taken; (ii) severance and injurious affection; (iii) disturbance; and (iv) fees.
- g) Compensation following compulsory acquisition of land is based on the principle of equivalence. The registered landowner(s) should be no worse off in financial terms after the acquisition than before. Valuation would include the financial impact on the property as well as land value. The Proposed Scheme cannot be advanced without the purchase of the lands in the Vesting Order.
- h) TransportNI is unable to directly comment on compensation matters, as these would be the subject of negotiation between the registered owners and the District Valuer.
- i) In the event that the District Valuer and the registered landowner(s) or their agent are unable to agree the compensation due, the subject of compensation can be referred to the Lands Tribunal for determination, with TransportNI covering the reasonable costs of representation for the registered landowner(s).

#### Public Inquiry

- a) Given the nature of the proposals and the likelihood that a number of the objections could not be resolved, the Minister for Regional Development approved the holding of a Public Inquiry to give TransportNI and the objectors a fair opportunity to be heard and to question the case for and against the Proposed Scheme. The Public Inquiry will be held in Assembly Buildings Conference Centre, 2-10 Fisherwick Place, Belfast commencing on 10th November 2015 at 10.30 am and continuing on such other days as may be determined by the Inspector.

DRD TransportNI  
Eastern Division  
02 October 2015