

Objection number**OBJ22**
Objector's Name Paul Easton
Date submitted..... 09 March 2015
NIMVO plot number20

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 a property owned by Security House Property Partnership (the Partnership) on 130-132 Corporation Street Belfast.**

The proposed roads scheme will cause a significant financial loss to the Partnership.

The premises, formerly a paint storage warehouse, was bought and renovated in 2006. It comprises office accommodation and storage facilities on the Ground Floor and separate office accommodation on the first floor. Since April 2006 until August 2014, both floors were fully occupied. In April 2014, the first floor tenant decided not to renew their lease because of the proposed road scheme and vacated the premises in August 2014.

In addition if the proposed scheme is given approval to proceed, the Partnership will lose their property and the opportunity of retaining a long term investment. Furthermore, until such times as there is a confirmed decision on this Scheme, the premises will most likely be unsaleable and unrentable while at the same time costs will continue to be incurred by the Partnership to keep the building in good general repair.

- 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 objector.

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 his 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 landowner(s) and the District Valuer.
- i) In the event that the District Valuer and 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).

2. We ask that a public inquiry is held into the Scheme and we reserve the right to make further comment to support our objection.

Public Inquiry

- j) 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