



Northern Ireland
Assembly

Committee for Infrastructure

OFFICIAL REPORT (Hansard)

Roads Procurement and Flagship Projects:
Department for Infrastructure

9 December 2020

NORTHERN IRELAND ASSEMBLY

Committee for Infrastructure

Roads Procurement and Flagship Projects: Department for Infrastructure

9 December 2020

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
Mr David Hilditch (Deputy Chairperson)
Ms Martina Anderson
Mr Roy Beggs
Mr Cathal Boylan
Mr Keith Buchanan
Mrs Dolores Kelly
Ms Liz Kimmins
Mr Andrew Muir

Witnesses:

Mr Philip Hamilton Department for Infrastructure
Mr John Irvine Department for Infrastructure

The Chairperson (Miss McIlveen): From the Department, I welcome John Irvine, who is the director of major projects and procurement, and Philip Hamilton, who is from strategic road improvement and procurement. Apologies for the delay. As you will appreciate, it is very difficult for the Committee to keep to time. We had two previous briefings, and the first one went on for considerably longer than we had anticipated. If you are content, maybe we can go straight to questions. Perhaps you would like to give a short overview.

Mr John Irvine (Department for Infrastructure): I was at the Committee at the end of June for a briefing on major projects and procurement, so this is essentially an update. We have submitted a paper. My colleague Philip Hamilton is with me this time, so we are happy to go straight to questions.

The Chairperson (Miss McIlveen): Thank you very much for that. I appreciate it greatly. I am not sure whether you heard our previous witnesses and their suggestions about a much more strategic approach to planning and working alongside energy. Obviously, DFI has a critical role in all that. We are discussing major projects, whether the A5 or the A6, and it is suggested that it would make sense — if we are to apply common sense — if we looked more collectively at how we do major projects, such as you do, and future-proof those projects. Can you comment on that?

Mr Irvine: I listened carefully to what the guys were saying in the previous session. With the development of major projects, we work very closely with all the utilities to facilitate, if you like, the here and now. The point that the previous witnesses were making is that, from their perspective, major road schemes should be future-proofed. If they wanted to lay a cable, that would ultimately need cover from the Department for the Economy for policy and from the Utility Regulator because that cost that would be transferred to customers. Their point is that there is a conversation to be had here. From our

perspective, as the developers of major roads, it would be reasonably straightforward to facilitate that, so we would be happy to work with people. However, I think that the best way to put it is that we would be a player rather than a driver.

The Chairperson (Miss McIlveen): I appreciate that, but I suppose that somebody has to move with it too. Ultimately, as the owner of the asset, you receive requests from a utility to come in and to disturb that asset, so it never goes back to its original condition. That is the challenge with many of our roads and footpaths.

Mr Irvine: Yes. There has to be a conversation about future-proofing a new asset. Under the Street Works (Northern Ireland) Order 1995, there is a process around current assets and digging up footways to put in new utilities. All the utilities and the Department try to work together. They are two slightly separate issues, but the more strategic point is that there needs to be a wider conversation between Departments and the Utility Regulator around energy and water. You will be aware that the Minister engaged an advisory panel in the summer to look at the issue of an infrastructure commission. You are getting into the area of strategic conversations, depending on what the Minister decides and the way forward on that. It is about conversations and trying to do the right thing, but it has to be done with the right policy cover.

The Chairperson (Miss McIlveen): I absolutely appreciate that. However, we have waited for so long for a number of schemes to start — obviously, this is now an aside to that — that it would still be useful, if possible, to try to progress that type of policy. The likes of the A5 and the A6 could be included in that, but I appreciate that these things do not happen overnight.

Mr Irvine: It is probably fairly straightforward to amend the design to get a cable or pipe in the road, if there were agreement on the policy direction for that.

The Chairperson (Miss McIlveen): There are a number of members around the table for whom your paper contains things that are in their constituencies, so we will probably end up being very parochial.

I would like more information on the development programme, which includes the likes of the A24 Ballynahinch bypass and other schemes. The paper is quite light on detail on those. Will you give us an update on where some of those schemes are rather than the much larger schemes?

Mr Irvine: That is fine. That was done for brevity.

There was a public inquiry into the Ballynahinch bypass scheme some time ago. The previous Minister announced his notice of intention to proceed with the scheme, which is essentially the completion of the inquiry process and the environmental go-ahead for the scheme. The next stage of the process is a direction order, which copper-fastens the "planning permission" for the scheme. It could not be made when the Assembly fell. The Minister has now asked officials to bring forward a proposal so that she can consider and make the direction order. That is where that sits. It is a well-developed scheme. If the Minister determines that she wants to make the direction order, the statutory process will be complete and it will be ready to move to the next stage, which would be procurement. That will depend on her priorities, the funding that is available to her and other priorities across the Department.

The Chairperson (Miss McIlveen): OK, so there is no timescale for the scheme as such. It is very much based on the Minister's priorities rather than anything outside that.

Mr Irvine: I think that we will probably be in a position to give her advice on the direction order fairly early in the new year. Philip, is that correct?

Mr Philip Hamilton (Department for Infrastructure): Yes, I think that the Minister should be in a position to do that by March. One of the things that feed into the Minister's priorities and those decisions is the fact that we are stuck with a one-year budget cycle. That is not particularly helpful in planning for schemes that take six years to develop and two or three years to construct.

The Chairperson (Miss McIlveen): Thank you. Funding was made available to progress some park-and-ride schemes. There is a list of those in your paper, and they are at Newtownards, Comber, Cairnshill, Downpatrick and Trooperslane. Those will all be at various stages in the process. Could you give us an overview of what the funding will allow for those projects?

Mr Irvine: Those projects are at an early stage. The funding will enable the Department to acquire land for the park-and-ride schemes at Newtownards and probably Comber, Downpatrick and Cairnshill. The scheme at Trooperslane is being taken forward by Translink and is more advanced. They have the land and, if you will excuse the pun, I think that it will be much further down the track in moving towards construction. If you want me to come back to you, I could probably get you more up-to-date details on that.

The Chairperson (Miss McIlveen): That would be really useful.

Mr Irvine: Essentially, the £4 million that was allocated in June kicks the process off. Once you have the land, you move into the development of the scheme, planning permission and, eventually, construction.

The Chairperson (Miss McIlveen): OK. Another project that is not on your list but that is a bugbear for those in and around Belfast would be a scheme to deal with the traffic issues around Belfast harbour and the Titanic Quarter. I am curious about whether there have been any discussions with representatives of Belfast harbour about any longer-term project there.

Mr Irvine: I will have to come back to you on that. I suspect that our divisional colleagues may have had some discussions about that. As I recall, there may be a planning condition about development in the harbour that links to the construction of a junction on the A2. There may be ongoing discussions, but, unfortunately, I do not know the details. We could come back to you on that. Is that OK?

The Chairperson (Miss McIlveen): Sure. Thank you.

Mr Hilditch: I will go on to my usual hobby horse: the York Street interchange. Thanks for reminding us that it was June when you were last here. I knew that it was some time around then, but I was not sure. You gave us an update then on the interchange. We are aware of the judicial review and the outcomes of that. In June, you told me that there had been a review going on from September 2019, and I said, "What are they reviewing over that period of time? That seems like forever." You have now indicated that the Minister has asked for a short, sharp assurance review of the scheme. That was over the summertime, and now we are six months down the line. Can you tell us anything at all of a positive nature about what may be happening with that scheme?

Mr Irvine: Back in June, I indicated that we were doing a review of procurement strategy because the previous procurement was challenged and the decision to award the contract fell as a result of that. We thought that it was good practice to review that. That has now been completed.

Mr Hilditch: Thank goodness for that, because that was since September 2019.

Mr Irvine: Obviously, new Ministers came in in January of this year, and, in the summer, after I came to the Committee at the end of June, the Minister asked for a short assurance review of the whole project. The new Minister wanted to look at the scheme in the round against her priorities — things like creating liveable places, walking, cycling and climate change. She commissioned that review. It was a sharp, short review, and it has been completed. The Minister is now considering its findings before deciding on the next steps. That is where that sits at the minute.

Mr Hilditch: It is good to get that update. I am not one to criticise the Minister, but others are whispering in my ear that it is the Minister's constituency. Hopefully, she looks at it positively.

Ms Kimmins: Thanks, John and Philip. Just a couple of questions. The A1, obviously, is one that I keep raising quite a lot. I know that we are still waiting on a decision on the inspector's report, but, if that is a positive decision, do we have any timeline for the start of construction? I have asked the Minister, and, to date, I have not had anything concrete. It is even just to get an idea. I am so conscious that, almost weekly, there is another collision. Unfortunately, there was a fatality in the past few weeks.

Mr Irvine: The Minister is very focused on the A1 junctions project, and she has made that very clear on a number of occasions in the House and in answers to various correspondence. The public inquiry has been completed, as you probably know. We have the inspector's report, and the next stage of that is the Department's response to that. Officials have to go through the report and come back to the Minister so that the Minister can consider making a decision on the next stage. We think that that will

be around the end of January. Essentially, a positive decision would take this to the next stage, which would be a move to procurement if the Minister were minded to do that. That is where we stand at the minute.

Ms Kimmins: We are at phase 2. Are there any plans for a phase 3 to look at additional ways to improve safety on the road?

Mr Irvine: The scheme that went to the public inquiry is from Hillsborough south to Loughbrickland. The eastern division is looking at the A1 from Sprucefield to Hillsborough. There is no central barrier there, and that division is looking at a much smaller scheme to deal with that. I think that Loughbrickland south will be looked at as part of the development of the regional strategic network transport plan. It will be looked at more strategically in that context, and that is due to be published, I think, towards the end of next year.

Ms Kimmins: That is fair enough. John, the last time that you were here, I stressed the local lobby for the southern relief road to be a lifting bridge. I have raised that at every opportunity that I could since I came into the Assembly at the start of the year. I know that the Minister has recently met the local council for Newry, Mourne and Down. Are we considering designs that include a lifting bridge for the southern relief road? Is it something that we are taking seriously?

Mr Irvine: The Minister wanted to meet stakeholders on that, and she gave a commitment to the Committee back before lockdown. That was all delayed because of COVID but, last week, she met the local council and local councillors to talk about this specific issue. We have taken the design forward at this stage on the basis of a fixed bridge, but that does not rule out the option of an opening bridge. That has always been the Minister's position on this. Following the meeting last week, officials are looking at the cost issues and will come back to the Minister. Also, as a result of that meeting, Newry, Mourne and Down District Council may be doing some work around the wider tourism benefits of an opening bridge. The answer to your question is that nothing has been ruled out yet.

Ms Kimmins: That is good that the key things are progressing because, essentially, it would close down a part of Newry and the Albert Basin. It is in the process of developing significantly, which will be a huge tourism benefit, so it will all complement each other. Similarly, with the Narrow Water bridge, what options are the Department looking at around that scheme?

Mr Irvine: Narrow Water bridge is not a scheme that is being taken forward by my directorate, but I can give you a little update. The Minister has indicated that this is one of her priorities. It is in New Decade, New Approach, and we have been trying to explore how this could be taken forward. We have provided some advice on it, and we need to have a discussion.

Ms Kimmins: OK. That is fair enough. Thank you, John.

Mr Boylan: John, you are very welcome. No doubt, I am going to be parochial as well. You mentioned the Mid South West city deal in your presentation. I want to ask because, for those of us who frequent Armagh, on most occasions, there is serious congestion around it. Anything to address those congestion issues would certainly be very welcome. You said that there have been exploratory discussions between officials and council officials regarding potential infrastructure projects for inclusion in a future Mid South West city deal. Have the Armagh north-west and east link roads been mentioned in those discussions?

Mr Irvine: Yes, we have had early exploratory discussions on the back of a publication by the Mid South West group of councils on their — I cannot remember the exact name — regional economic strategy. That document contains a series of road projects and Armagh north and west and Armagh east are in that. They have a range of things that they obviously want to consider as they kick off the process to develop the deal. So, yes, they were in the mix.

Mr Boylan: They are definitely on the list? That will be welcome, because people have been asking about it for a long time. I have mentioned the congestion. If you are trying to get through Armagh at certain times of the day, it is unbelievable. It is certainly welcome that those are on the list.

Mr Irvine: Just to be clear, that is the councils' list. Our engagement is to work with them to help them develop this.

Mr Boylan: I appreciate that. They have been on the agenda for a long time, especially the north-west and the east link. I just want to another question in relation to that. There is strong lobby now to extend the rail link between Portadown and Armagh. That has been under discussion for a long time by a number of people. If we are serious about tackling climate and everything else and moving forward and changing how we travel —. Was there any discussion about that as part of the discussion on the Mid South West city deal — a possible rail link between Portadown and Armagh?

Mr Irvine: Our discussion was mainly focused on roads. I imagine that that sort of a link would be part of the thinking in the development of the regional strategic network transport plan, because it will deal with road, bus and rail. That would probably feature in that document, which, as I said, is likely —.

Mr Boylan: That was my next question: a wee update on the regional —.

Mr Irvine: It is being taken forward by another part of the Department, and the indication is that there is a lot of work going on with that. Towards the back end of next year, I think, that will be ready. The Minister will consider that before it, perhaps, goes to consultation. Other people in the Department are taking that forward — it is not our team — but we could come back and confirm that.

Mr Boylan: That would certainly be welcome. I just took the opportunity because you are here today, and it is important to the Armagh region.

Mr K Buchanan: Thank you, John and Philip. We are on a tour of Northern Ireland, and we will be coming to Cookstown in a wee moment, so just get yourselves ready for that.

In general, with any of these projects, I have a few issues. I am not going to get into detail, obviously. The A31 Magherafelt bypass is now finished, and the A6, with landowners, who are generally mainly farmers. The relationship maybe starts eight, nine or 10 years ago when a Department official says A, B and C, and that farmer logs that. Then developments go on, that official moves on, another official comes, and maybe another one moves on, and at the end of that entire journey, farmers, being farmers, farm land. They do not take notes and they do not do emails, generally. Obviously, you have a land agent in the middle of all that. How can you make that process better to save your time, my time and the time of a lot of officials going forward with new projects? Those projects have been and gone or are nearly complete. Is there any learning that we can get from those projects in regard to landowners and that whole process of communication with them?

Mr Irvine: It is a good question, and I am really not over the detail of our land transactions. Our divisional teams do that. If there are specific landowners —.

Mr K Buchanan: No, no.

Mr Irvine: It is not an area that I am totally familiar with from a strategic point of view, because divisional land teams do that. You are right: it starts a long time ago —

Mr K Buchanan: Maybe a decade.

Mr Irvine: — and it is up to six years after the scheme, I think, until it is all finally signed off. That is the process. Philip, I do not know if —?

Mr Hamilton: It is. It is an aspect that we are conscious of: taking people's land off them to build a road scheme. It is something that we do try to approach sensitively. Obviously, people will want compensated for losing the land, and the process for that is quite drawn out. People can get 90% compensation at the outset when the land is vested, but some prefer to wait for the majority of the compensation until the scheme is completed. It is something that we are conscious of, and we try to learn lessons from each scheme and look back at it to see what we can do better in the next one.

Mr K Buchanan: In some cases that I am dealing with, you can see the degree of unfairness between one farmer getting one thing and another getting another thing. I am not referring to monetary value. I am referring to access, where some farmers have their land completely cut off. An agricultural assessment is done to give the Department for Infrastructure some information to say, "We should do this" or "We shouldn't do that". An awful lot is weighed on one little bit of paper. Some farmers are getting a negative impact.

Moving on from that point, in regard to the five schemes that you have on the list here, can you give those a priority on when they will happen or rank them to some degree? Maybe you cannot do that. You are obviously touching Cookstown with your —

Mr Irvine: Yes, we cannot do that. In June, the Minister asked us to work at pace to continue to develop those, and we have done that. Ultimately, it will be for the Minister to prioritise them, as I said earlier, in line with our funding envelope and her other priorities.

Mr K Buchanan: So if they are all, for example, of the same value by cost, what indicators would the Minister use to prioritise them? Give me examples. What would prioritise those five schemes?

Mr Irvine: That is the Minister's decision.

Mr K Buchanan: Yes, but what would weigh it up for her?

Mr Irvine: Ultimately, it is a political decision.

Mr K Buchanan: So it is not based on volumes of cars; it is political?

Mr Irvine: Philip, you can help me here; each scheme will have a cost benefit analysis. If you wanted to rank a scheme, you could do it on cost benefit analysis. The Minister will look at a range of factors and make a decision on it.

Mr Hamilton: There are various positive or negative things that will feed into any scheme. Several of the schemes on the list are bypasses; generally, that is seen as a positive for a town in that it frees up the town centre. Others will see it as a negative for a town —

Mr Hilditch: The commercial death of provincial towns.

Mr Hamilton: — in that people bypass it.

Mr Hilditch: I have seen it.

Mr Hamilton: There are various criteria there. One of the Minister's aims is to improve connectivity across the region as a whole. All of those schemes will achieve that.

Mr K Buchanan: Final question: when do you see Cookstown coming onto her table to make the call?

Mr Hamilton: Cookstown is in the earlier stages of development as far as those few schemes are concerned. It had sat in abeyance for a number of years and was picked up again. Because of the amount of time that had passed, we are reviewing the environmental aspects of it and ensuring that we have got the correct preferred route. We propose to come forward with a preferred route in the first quarter of next year, so the Minister will be making an announcement on that. Some of the work that we have done as part of the review will help us in the next stage. By the end of the 2021-22 financial year, we will probably be in a position to come forward with draft statutory orders. Cookstown is not just as advanced as some of the schemes that we have talked about.

The Chairperson (Miss McIlveen): Four members have indicated, and we have 10 minutes.

Mr Muir: I promise to be brief. I had three questions, but I will just ask two. The first is about the phase 2 junctions on the A1, which Liz has already mentioned. It is probably the most important of all those projects from a safety perspective. How long will the procurement process take if that project is given the green light?

Mr Hamilton: As a whole, the process will probably take up to 24 months, if the Minister makes a positive decision on the A1. There is the preparation of contract documents and so forth, and then the actual tender process. You are probably looking at about 24 months.

Mr Muir: I have already declared that I previously worked for Translink. Whereabouts is phase 2 of the Belfast rapid transit project? I know that the whole process of getting approvals in place can take quite a while and requires a lot of engagement.

Mr Irvine: Quite a lot of work has been done on that. We have engaged consulting engineers, who have been doing a feasibility and options appraisal. As you will know, the route is proposed to go from the south of Belfast through the city centre to the north of Belfast. They have been modelling and looking at numbers and various things with a view to moving towards a preferred option to present to the Minister, probably in January or February of next year. Subject to the Minister's view, it is anticipated that there will be a wider stakeholder consultation to continue to develop the project. A significant amount of work has been done in the background, and it will start to come to fruition early next year.

Ms Anderson: Go raibh maith agat, John and Philip. A submission on the A5 is being prepared for the Minister to allow her to make a decision. When will she get that?

Mr Irvine: It is with the Minister at the moment, so —.

Ms Anderson: She has it?

Mr Irvine: We have given her advice, and it will be —.

Ms Anderson: We are just waiting for the Minister to make a decision?

Mr Irvine: Yes.

Ms Anderson: OK. I will ask about the A6, because I am a bit concerned about the second phase from Derry to Dungiven, from the Caw roundabout to Drumahoe. You say that it is progressing through the statutory process, but it is not currently planned to advance to construction. I am conscious of Mobuoy, which is the biggest illegal dump in Europe. They say that part of this work encroaches on that. Is that why it is not being prepared for construction? Are they separate issues?

Mr Irvine: No, that is —.

Ms Anderson: Are they both separate?

Mr Irvine: Sorry?

Ms Anderson: Two separate issues?

Mr Irvine: Let us take it one at a time. The A6 scheme from Derry to Dungiven went through all in one inquiry. As a result of that, the Drumahoe to Caw section has, essentially, a preferred route. However, that was not developed further because the previous Minister — or Ministers; I cannot remember whether it was one or two — set the priorities for Randalstown to Castledawson and then Dungiven to Drumahoe. It was an issue of priorities. Clearly, the road encroaches on the waste site, and that will be a factor if and when we start to develop this further. Is that fair enough, Philip?

Mr Hamilton: It will be a factor. As you are probably aware, DAERA is developing a strategy to deal with the waste site, and we await that with interest.

Ms Anderson: So do I. I have one quick final question. I will come back on the A2 at another time. The Minister has announced the establishment of a new Procurement Board. Has the Department any plans to have a social value champion? Given the amount of infrastructure that is going to take place and the Department's role in it, it is going to be very important that we have social clauses in procurement contracts.

Mr Irvine: The Minister of Finance nominated me for the Procurement Board, and I —.

Ms Anderson: So you are the person that needs to make sure that there is social value.

Mr Irvine: I listened and read Hansard with interest about social value. It is clearly something that we will be focused on and that I, as a representative of the board and Department, will be engaging on. Clearly, it is a focus for the Minister of Finance and something we will have to take forward.

Ms Anderson: Chair, that is something that we will come back to, because the Committee would like to know about apprenticeships and the long-term unemployed and how we use social value in procurement contracts.

Mr Irvine: It is clearly an issue that we need to take forward. The board first meets next Wednesday.

The Chairperson (Miss McIlveen): If members do not get all their questions asked, we can send them to you via the Committee Clerk.

Mr Beggs: Very briefly, you will be aware of litigation happening in London over the death of a young child with asthma and the pollution levels. Are we directing more funding appropriately towards reducing pollution levels in particular areas where there is heavy congestion, such as Yorkgate?

Mr Irvine: Taking it in the round, there is a regional strategic network transport plan. One of its strategic objectives will be linked to air quality and climate change. Looking to the future, it will be a factor in how we develop strategic plans in the Department. That goes for roads and transport interventions. Clearly, climate change and air quality is a focus of the Minister. We have talked about park-and-ride, but she is also focused on walking and cycling to reduce levels of traffic, and the result of that is reduced levels of congestion and better air quality. Everybody has seen during the lockdown that the sky was bluer, so reduced traffic clearly makes an impact. The Minister is focused on this, and in our strategic planning, the transport plan will address this as one of its key drivers or indicators.

Mr Beggs: You mentioned again that road development funding is an issue. How do you determine what proportion of money goes towards capital build and the proportion spent on maintenance?

Mr Irvine: Working your way down, there is bidding from the Department to the Department of Finance, money is allocated, and the Minister then determines the allocations in the Department.

Mr Beggs: Just to be clear, when road resurfacing occurs to stop the potholes and all the claims etc, which will probably last for 20 years because that is the sort of frequency of resurfacing, is that capital or resource funding?

Mr Irvine: I want to go back to clarify a point. When the money comes from DOF, there is capital and resource, and the Minister then allocates it below that. In terms of filling potholes —.

Mr Beggs: No, in terms of major resurfacing.

Mr Irvine: Major resurfacing is capital.

Mr Beggs: Therefore there is a choice between resurfacing our roads to stop potholes and building new roads. You are using limited capital funds.

Mr Irvine: Filling potholes is actually resource.

Mr Beggs: Yes, but resurfacing stops the potholes.

Mr Irvine: Resurfacing is capital. Your point is maybe that you would have a choice between resurfacing and starting a new capital scheme. Yes, that is a choice.

Mrs D Kelly: When it comes to this stage, there is little left to say except that I support Mr Boylan in relation to Mid South West. There is significant potential in that document. There is a lack of recognition of the importance of the area, which does over 20% of Northern Ireland's exports in terms of manufactured goods and the agri-food sector. We will come back to that document, which the Committee received and referred to the Department, at some date in the future. I will leave it until then.

The Chairperson (Miss McIlveen): I think that we have more or less covered most constituencies and most schemes. Thank you. Apologies again for how hastily we have had to go through the session.

Mr Irvine: That is OK.

The Chairperson (Miss McIlveen): We will, no doubt, meet again in the not-too-distant future. Thank you very much for your time. If members have additional questions, they can be facilitated through the Clerk. John and Philip, thanks.