



The Centre for
Cross Border Studies

MEDIA WATCH

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Flaw in cross-border ban on NI drink-drivers fixed, says RSA

A flaw in procedures to ban drink-drivers convicted in Northern Ireland from driving in the Republic, identified by a Circuit Court judgment on Tuesday, has "already been revised", the Road Safety Authority (RSA) has said.

A spokesman for the authority said that when the appeal was lodged more than a year ago, the authority changed its procedures to take account of it and the case will have no effect on applications already in the system. However, the authority will be unable to take any new cases to ban drink-drivers in Northern Ireland from driving here, because of a change to legislation in Britain.

Martin Holmes of Sandy Row, Castlefinn, Co Donegal, pleaded guilty to a drink-driving offence at Omagh Magistrates Court, Co Tyrone, in 2014 and was banned from driving.

A District Court in Donegal subsequently applied the ban to the Republic also, on foot of an application made by the RSA, under an EU directive on **cross-border** driver disqualifications.

Mr Holmes appealed that decision to the Circuit Court.

Wording

On Tuesday, Judge John O'Hagan upheld the appeal on the basis there was a flaw in the notification process.

Brian Farrell, communications manager with the authority, said the appeal was upheld on the grounds the wording used by the solicitor in the citation of the summons to the District Court indicated it was a "summons", when in fact it was really just a "notification" of an application being made.

"When the appeal was originally lodged, we became aware of it as an issue and we changed tack," he said.

"We started immediately implementing notifications based on not citing it as a summons and ceasing that terminology and bringing it forward as a notification application."

Mr Farrell said there have been cases taken subsequently using the corrected terminology. "We haven't had any problems with those and they have gone through and the disqualification has been recognised."

More than 300 such cases have been taken since 2010. But separately last year, legislators in Britain pulled out of the EU directive on **cross-border** driver disqualifications. They will instead be introducing national legislation, Mr Farrell said. And Ireland will also be required to introduce new legislation. This means that the authority will not be able to apply to have newly made British driving bans recognised here until both sets of legislation are in place.

Mr Farrell said there will be a hiatus in the process, but applications already in the system, before Britain pulled out of the legislation, will go ahead.

Source: The Irish Times

12 February 2016

A5 building work to start next year

Construction is set to begin next year on the first part of the long-awaited new A5 linking Derry and Dublin.

Regional development minister Michelle McIlveen has launched a public consultation on a £150 million plan to upgrade the road between Newbuildings outside Derry and Strabane, Co Tyrone.

However, she said another planned section between Ballygawley and the border "will not be progressed" at this stage.

The development follows news that work will begin on dualling of the notorious Moneynick Road section of the A6, which links Belfast and Derry, this year. Diggers could also move in to start a bypass of Dungiven during 2018.

The British and Irish governments had initially hoped to convert the entire 55-mile length of the A5 between Derry and the border at Aughnacloy to dual carriageway standard in the north's biggest ever road project.

However, the scheme was hit by funding problems and a legal challenge, meaning the work was broken into separate sections.

In December around £229m was allocated by Stormont to the A5 over the next five years, along with £258m to the A6. The Irish government also said it was willing to provide £75m towards modernising the A5.

Ms McIlveen has in recent weeks been revealing details of timescales for the work. She said yesterday that the first section of the A5, from Newbuildings to north of Strabane, could begin next year.

Once a consultation period has ended, a decision will be made on the need for a public inquiry, currently tentatively scheduled for the autumn.

"This important project will not only have positive benefits for the local economy and construction industry but will also significantly improve safety and journey times for all road users," Ms McIlveen said.

The minister also said she was seeking accelerated passage for the land acquisition and compensation bill which would bring compensation for landowners in Northern Ireland affected by compulsory purchases on a par with England and Wales.

"Yesterday I received executive agreement on the introduction of the bill. I would be hopeful that the bill will complete its legislative process during this current mandate," she said.

However, she said that "at this stage" the next section of the A5 - running from south of the A4 at Ballygawley towards the border - will not be progressed.

This was said to be "in line with a recommendation from the Inspector's Report from the 2011 public inquiry which stated that there should be a firm commitment from the Irish government in relation to the N2 improvement scheme; and certainty in relation to funding provision for the construction of this section of the scheme".

Sinn Fein's Declan McAleer said he hoped work on the A5 could begin as soon as possible.

"There is no doubt that the A5 project is one of the largest infrastructure projects on the island of Ireland," he said.

"It is vital for the growth of the economy right along the route and will greatly enhance **cross-border** trade and the continued development of the all-Ireland economy."

Source: The Irish News