



Mr Watts
Kinnegar Residents' Action Group
27 Kinnegar Road
HOLYWOOD
Co Down
BT18 9JP

Headquarters

Millennium House
17-25 Great Victoria Street
Belfast
BT2 7BN

Direct Line: (028) 90416935
Date: 16 November 2005

Dear Mr Watts

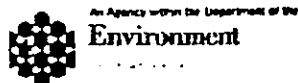
I am replying to your letter of 2 November 2005 about the ongoing review of the Belfast City Airport Planning Agreement.

It might be helpful to clarify that Article 31 of the 1991 Order does not apply to Article 40 Planning Agreements. The relevant legislation is the Planning (Modification Discharge of Planning Agreements) Regulations (Northern Ireland) 2005.

The Minister has decided that the best way forward is a public examination, (EIP) of all the key issues. This will provide an opportunity for a structured discussion and testing in public, before an independent Panel, of the key issues arising from the responses made during the consultation process. While the terms of reference have not been finalised, I can assure you that there will be an opportunity to raise all the relevant issues you have identified as part of that process. I can also assure you that all interested parties will be asked to participate, representing a broad range of viewpoints to achieve an effective examination of such matters.

You refer to the need for a public local inquiry before the Planning Appeals Commission (PAC). The statutory framework for reviewing a planning agreement does not provide for a public inquiry. Indeed the Planning (Modification Discharge of Planning Agreements) Regulations (Northern Ireland) 2005 provides only for an appeal to the PAC against the Department's determination. This would effectively rule out the PAC from taking such an inquiry as proposed by you.

The independent Chairman and Panel have not yet been appointed by the Department. While I note your concerns about this, I can assure you that this is the normal accepted process for such appointments. It is also unexceptional that the Department has a view on the key issues, which it will submit to the EIP for consideration and debate along with all other interested parties. You will be advised about the Panel and the EIP procedures, including timing, at the appropriate time, probably early 2006.



Tel. (028) 9041 6700 Fax. (028) 9041 6983
Email. planning.service.hq@nics.gov.uk
Web. www.planningni.gov.uk

A2904.05.G.MB INVESTOR IN PEOPLE

27

In the meantime you may wish to visit an ongoing EIP website at www.rdshousingreviewpanel.co.uk which will give you an indication of the overall process. Alternatively if you cannot access the Internet I can arrange to forward you hard copies of the relevant material.

The EIP panel will be asked to report and make recommendations to the Department, which again is part of the normal process. The EIP report will be published following consideration by the Department and agreement by the Minister through a public announcement. Again this is the normal process for such reports.

I hope this is helpful in explaining our position and assures you that the EIP process will not be in any way limited when compared to a public inquiry. On the contrary it is our view that the EIP process will better facilitate the issues you and the other residents groups wish to raise including your ongoing concerns about the existing agreement, enforcement plus late flights. As indicated at the BCA Forum meeting on 2 November 2005, I am happy to meet to discuss any ongoing concerns your group may have about this process.

Yours sincerely

A handwritten signature in black ink, appearing to be 'C H BAIRD', written over a horizontal line.

C H BAIRD

A2504.05.G.MB



Mr Watts
Kinnegar Residents' Action Group
27 Kinnegar Road
HOLYWOOD
Co Down
BT18 9JP

Headquarters

Millennium House
17-25 Great Victoria Street
Belfast
BT2 7BN

Direct Line: (028) 90416935
Date: 16 November 2005

Dear Mr Watts

I am replying to your letter of 2 November 2005 about the ongoing review of the Belfast City Airport Planning Agreement.

It might be helpful to clarify that Article 31 of the 1991 Order does not apply to Article 40 Planning Agreements. The relevant legislation is the Planning (Modification Discharge of Planning Agreements) Regulations (Northern Ireland) 2005.

The Minister has decided that the best way forward is a public examination, (EIP) of all the key issues. This will provide an opportunity for a structured discussion and testing in public, before an independent Panel, of the key issues arising from the responses made during the consultation process. While the terms of reference have not been finalised, I can assure you that there will be an opportunity to raise all the relevant issues you have identified as part of that process. I can also assure you that all interested parties will be asked to participate, representing a broad range of viewpoints to achieve an effective examination of such matters.

You refer to the need for a public local inquiry before the Planning Appeals Commission (PAC). The statutory framework for reviewing a planning agreement does not provide for a public inquiry. Indeed the Planning (Modification Discharge of Planning Agreements) Regulations (Northern Ireland) 2005 provides only for an appeal to the PAC against the Department's determination. This would effectively rule out the PAC from taking such an inquiry as proposed by you.

The independent Chairman and Panel have not yet been appointed by the Department. While I note your concerns about this, I can assure you that this is the normal accepted process for such appointments. It is also unexceptional that the Department has a view on the key issues, which it will submit to the EIP for consideration and debate along with all other interested parties. You will be advised about the Panel and the EIP procedures, including timing, at the appropriate time, probably early 2006.



An Agency within the Department of the
Environment

Tel. (028) 9041 6700 Fax. (028) 9041 6983
Email. planning.service.hq@nics.gov.uk
Web. www.planningni.gov.uk

A2504.05.G.MB INVESTOR IN PEOPLE

27

In the meantime you may wish to visit an ongoing EIP website at www.rdshousingreviewpanel.co.uk which will give you an indication of the overall process. Alternatively if you cannot access the Internet I can arrange to forward you hard copies of the relevant material.

The EIP panel will be asked to report and make recommendations to the Department, which again is part of the normal process. The EIP report will be published following consideration by the Department and agreement by the Minister through a public announcement. Again this is the normal process for such reports.

I hope this is helpful in explaining our position and assures you that the EIP process will not be in any way limited when compared to a public inquiry. On the contrary it is our view that the EIP process will better facilitate the issues you and the other residents groups wish to raise including your ongoing concerns about the existing agreement, enforcement plus late flights. As indicated at the BCA Forum meeting on 2 November 2005, I am happy to meet to discuss any ongoing concerns your group may have about this process.

Yours sincerely



C H BAIRD

A2504.05.G.MB