

From: [McFerran, Kathryn](#)
To: [McKee, Jonathan](#); [Thompson, Louise \(DfI\)](#); [Gallagher, Paul \(DfI Private Office\)](#)
Cc: [DG_DFI Rivers Business Support Branch](#); [Devlin, Ronan](#); [McGivern, Owen](#); [Gaughran, Aine](#); [Campbell, Fionnuala](#); [McCarroll, Kerry](#); [O'Neill, Tommy](#); [Murray, Andrew \(ROADS\)](#); [Carlisle, Johnathan](#)
Subject: RE: For comment/clearance: Newry Reporter - tree removal at Newry FAS - deadline 3pm today
Date: 01 February 2022 09:29:57
Attachments: [image001.jpg](#)

Thanks Jonathan, I have let the Minister know.

Regards

Kathryn

To Note: The Box for Minister Mallon closes each day at 4pm sharp and closes for the weekend at 4pm on a Thursday.

All e-mails and attachments sent by a Private Secretary, or member of the Private Office, to an official must be saved appropriately by the main recipient/Business Area. The Private Office do not keep official records of such e-mails or attachments.

-
Kathryn McFerran | Private Secretary | Department for Infrastructure

Contact: [REDACTED] | (DD: [REDACTED]

Please phone my work mobile if urgent on [REDACTED]

From: McKee, Jonathan
Sent: 01 February 2022 09:29
To: Thompson, Louise (DfI) [REDACTED] >; Gallagher, Paul (DfI Private Office) [REDACTED] >; McFerran, Kathryn [REDACTED] >
Cc: DG_DFI Rivers Business Support Branch [REDACTED] >; Devlin, Ronan [REDACTED] >; McGivern, Owen [REDACTED] >; Gaughran, Aine [REDACTED] >; Campbell, Fionnuala [REDACTED] >; McCarroll, Kerry [REDACTED] >; O'Neill, Tommy [REDACTED] >; McKee, Jonathan [REDACTED] >; Murray, Andrew (ROADS) [REDACTED] >; Carlisle, Johnathan [REDACTED] >
Subject: FW: For comment/clearance: Newry Reporter - tree removal at Newry FAS - deadline 3pm today

Kathryn

Apart from the on-going works at Belfast Tidal, Newry and Shimna we have no other new projects were tree felling works are currently planned.

Some tree removal may be necessary, as part of maintenance works throughout the year where they are impacting existing flood defences.

Thanks

Jonathan

From: McFerran, Kathryn
Sent: 31 January 2022 12:55
To: Thompson, Louise (DfI) [REDACTED]; Gallagher, Paul (DfI Private Office) [REDACTED]
Cc: DG_DFI Rivers Business Support Branch [REDACTED]; Devlin, Ronan [REDACTED]; McGivern, Owen [REDACTED]; Gaughran, Aine [REDACTED]; Campbell, Fionnuala [REDACTED]; McCarroll, Kerry [REDACTED]; O'Neill, Tommy [REDACTED]; McKee, Jonathan [REDACTED]; Murray, Andrew (ROADS) [REDACTED]
Subject: RE: For comment/clearance: Newry Reporter - tree removal at Newry FAS - deadline 3pm today

The Minister has cleared – the Minister has asked “ are there other DfI projects where trees are/will be felled?”

Regards

Kathryn

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-
Kathryn McFerran | Private Secretary | Department for Infrastructure
Contact: [REDACTED] | (DD: [REDACTED]

Please phone my work mobile if urgent on [REDACTED]

From: Thompson, Louise (DfI)

Sent: 31 January 2022 12:26

To: McFerran, Kathryn [REDACTED] >; Gallagher, Paul (DfI Private Office) [REDACTED] >

Cc: DG_DFI Rivers Business Support Branch <[REDACTED]> >; Devlin, Ronan [REDACTED] >; McGivern, Owen [REDACTED] >; Gaughran, Aine [REDACTED] >; Campbell, Fionnuala [REDACTED] >; McCarroll, Kerry [REDACTED] >; O'Neill, Tommy [REDACTED] >; McKee, Jonathan [REDACTED] >; Murray, Andrew (ROADS [REDACTED]) >

Subject: For comment/clearance: Newry Reporter - tree removal at Newry FAS - deadline 3pm today

Kathryn/Paul,

To see query below and draft response cleared by Jonathan for the Minister's consideration. Deadline is 3pm today.

Many thanks,

Louise

Query from Newry Reporter:

There is ongoing work in Greenbank Industrial Estate which I have been told is being carried out by Rivers Agency subcontractors.

The work involved is the apparent widening of a small river and the heightening of the banks of the river, which is located between the industrial estate and the main Newry-Warrenpoint carriageway.

It is my understanding that this is to prevent future flooding in the area.

Part of the works include the removal of a row of trees located on the industrial estate-side of the river bank.

Three trees have already been cut down with around 20 marked to be also removed.

The trees that have been felled, and the others marked to be felled, are mainly oak trees, which are between 180-200-years-old. They are the last row of oak trees in the Newry area.

Can DfI therefore advise:

Draft response:

**** What work is currently being carried out on the river banks in Greenbank Industrial Estate?***

The £2.9m Newry Flood Alleviation Scheme involves the construction of critical infrastructure to protect Newry City from flooding . It involves the installation of 990 metres of new concrete culvert and 2,000 metres of new flood wall and embankment works. These flood defences along the Clanrye River will protect residential and commercial properties located at Armagh Road, Downshire Road, Craigmore Way and at Greenbank Industrial Estate where work is currently ongoing.

Only trees and shrubs necessary to gain access to execute the works will be removed. The majority of the site clearance works in the Greenbank area are being taken forward now, to mitigate the potential impact and avoid the bird nesting season.

However, the removal of some trees and shrubs is unavoidable to facilitate the construction of this important project which will reduce flood risk to homes and businesses along the Clanrye River in Newry.

**** Has DfI/Rivers Agency authority to remove oak trees in this area?***

The Drainage (NI) Order 1973 provides the Department with the legislative remit to undertake what is necessary to enable the construction of the flood defences.

**** Was any notification/consultation announced prior to these works beginning (either public or to the local authority)?***

Consultation with relevant authorities has been undertaken throughout each stage of development and implementation of the scheme. Affected stakeholders were consulted at each stage and received notification of the works to be undertaken. Awareness of the works was also promoted through numerous media outlets which included newspapers and social media.

**** Are there plans to replace the trees that are being removed?***

Areas where trees and shrubs have to be removed to facilitate the works will be reinstated with similar species where possible.

**** Was any consideration given to the age of the trees before a decision was made to remove them?***

The age of any particular tree is not a determining factor in the decision to remove it to facilitate the construction works. The proposed alignment and construction methodology for the flood defences has been carefully considered to minimise the potential impact on the local environment. Considerable care has been taken to limit the number of trees required to be felled to deliver the necessary flood defences.

**** When are works due to be complete?***

Works are due to be completed in Summer 2022.

Louise Thompson

Communications Office
Dept. for Infrastructure

Mobile: [REDACTED]

(Working days Mondays, Tuesdays and Fridays.)



Every day connecting people safely, supporting opportunities and creating sustainable living places.

From: sinead.bradley [REDACTED]
To: [DfI Private Office](#)
Subject: (Case Ref: SB2412) URGENT Removal for Oak Trees at Greenbank Industrial Estate Newry.
Date: 14 February 2022 16:09:42

Caution – This email has been received from outside the NICS network.
Please ensure you can verify the sender's name and email address.
Treat all attachments and links with caution.
FOR INTERNAL NICS STAFF ONLY - If you have any concerns regarding the email please forward to spam@finance-ni.gov.uk.

Dear Minister

Further to conversations with DfI Rivers, we have been advised that your Department plan to remove approximately twenty Oak Trees at Greenbank Industrial Estate Newry as part of works within the Departments flood risk management plan.

Some concerns have been expressed to me that the removal of the trees will not facilitate the desired effect to alleviate flooding.

Given the significant impact on the environment of the proposed project, can you please advise if the Department can intervene to seek a second opinion ahead of any commencement.

It is my understanding that the trees are due to be removed by 1st March, therefore an early reply will be appreciated.

Kind regards

SINEAD BRADLEY MLA
SDLP representative for South Down

Email: [REDACTED]

11-14 Newry Street
Warrenpoint
County Down
BT34 3JZ
[REDACTED]



Northern Ireland
Assembly

Department for Infrastructure
Corporate Policy Unit
Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB

Our Ref: SB2412

7 February 2022

Re: Urgent request to meet: Greenbank Industrial Estate Warrenpoint Newry Flood Alleviation Scheme.

Dear Minister

We have been contacted by residents who have raised concerns that DFI have started works to install Sheet Piling at Greenbank Industrial Estate Newry as part of a Flood Risk Management Plan.

We are advised that in order to facilitate the installation of the Sheet Piling approximately 20 oak trees which are over 180 years old are to be removed.

Residents ask why this work is necessary and seek a scheme which protects the trees.

I would like to request a site meeting with the design consultants to look at alternative options and call for the immediate cessation of the removal of these historical trees until further discussions have occurred.

I look forward to a positive response.

Yours sincerely,

Sinead Bradley MLA

Sinéad Bradley MLA

Constituency Office
11-14 Newry Street
Warrenpoint
Co. Down
BT34 3JZ

Assembly Office
Parliament Buildings
Stormont Estate
Belfast
BT4 3XX



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

**From the office of the Minister for Infrastructure
Nichola Mallon MLA**

Sinead Bradley MLA
[REDACTED]

Room 708
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 0105
Email: Private.office@infrastructure-ni.gov.uk

Your reference:
Our reference: CORR-0207-2022 & INV-0051-2022
February 2022

REMOVAL OF OAK TREES AT GREENBANK INDUSTRIAL ESTATE NEWRY

Thank you for your letter dated 7th February 2022 and your email dated 14th of February 2022 in relation to the removal of trees in the Greenbank Industrial estate as part of the Newry flood alleviation scheme. In your correspondence you raised the query as to the possibility of the Department seeking a second opinion prior to commencing further works. I can confirm that two separate design consultants with expert knowledge in flood risk management have independently identified the need for a flood barrier at this location to prevent flooding emanating directly from the Knox Peebles Drain and affecting the industrial estate.

The proposed alignment and construction methodology for the flood defences has been carefully considered to minimise the potential impact on the local environment. Considerable care has also been taken to limit the number of trees which are to be felled to facilitate the construction of the flood defences and areas where trees and shrubs have to be removed to facilitate the works will be reinstated with similar species where possible.

I can also confirm my officials have been in contact with your office and have arranged a meeting for Thursday 24th of February to discuss the issues you raised and that my Department's partner consultant, Amey, who designed the flood alleviation scheme will also be in attendance.

**NICHOLA MALLON MLA
Minister for Infrastructure**

CORR-0207-2022 & INV-0051-2022

REMOVAL OF OAK TREES AT GREENBANK INDUSTRIAL ESTATE NEWRY

BACKGROUND

1. The £2.9m Newry Flood Alleviation Scheme involves the construction of critical infrastructure to protect Newry City from flooding. This is the first of potentially three schemes to provide flood alleviation measures for the City.
2. This initial scheme will provide flood alleviation to residential and commercial properties located at Armagh Road, Downshire Road, Craigmore Way and Greenbank Industrial Estate, Newry. It involves the installation of 990 metres of new concrete culvert and 2,000 metres of new flood wall and embankment works. The current phase of works is expected to be completed by summer 2022.
3. A feasibility study into flooding in Newry, completed by Aecom in 2017, identified the need for a flood defence at this location to stop flooding from the adjacent Knox Peebles Drain affecting the estate.
4. Amey progressed the project from design stage, starting in 2019. As part of this process, a review of the flood model was completed to further refine the flood alleviation design for the entire scheme.
5. As a result, Amey found that a mix of engineered embankment and sheet piled walls are required to provide effective protection to the properties within the Greenbank Industrial Estate against flooding from the Knox Peebles Drain.
6. Construction of the flood defence will impact on the root structures of some of the oak trees along the river channel. It is not feasible to retain the trees identified for removal to allow construction of the flood defence and provide an appropriate maintenance and inspection area for the flood defence. Considerable care has been taken to limit the number of trees required to be felled to deliver the necessary flood defence.

Drafted by: Ronan Devlin, 15 February 2022, Ext No. 36589

Cleared by Head of Division: Jonathan McKee, 16 February 2022, Ext No. 36505

Cleared by Grade 3 or above: Colin Woods, 16 February 2022, Ext No. 47873

Cleared by Special Adviser: Please leave blank.

Copied to:

Katrina Godfrey

Colin Woods

[Redacted]

Jonathan McKee

Owen McGivern

Ronan Devlin

Press Office

Rivers Business Support



Department for

Infrastructure

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www.infrastructure-ni.gov.uk

**From the office of the Minister for Infrastructure
Nichola Mallon MLA**

Sinead Bradley MLA

Room 708
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 0105
Email: Private.office@infrastructure-ni.gov.uk

Your reference:
Our reference: CORR-0207-2022 & INV-0051-2022
21 February 2022

Dear Sinead

REMOVAL OF OAK TREES AT GREENBANK INDUSTRIAL ESTATE NEWRY

Thank you for your letter dated 7th February 2022 and your email dated 14th of February 2022 in relation to the removal of trees in the Greenbank Industrial estate as part of the Newry flood alleviation scheme. In your correspondence you raised the query as to the possibility of the Department seeking a second opinion prior to commencing further works. I can confirm that two separate design consultants with expert knowledge in flood risk management have independently identified the need for a flood barrier at this location to prevent flooding emanating directly from the Knox Peebles Drain and affecting the industrial estate.

The proposed alignment and construction methodology for the flood defences has been carefully considered to minimise the potential impact on the local environment. Considerable care has also been taken to limit the number of trees which are to be felled to facilitate the construction of the critical flood defences and areas where trees and shrubs have to be removed to facilitate the works will be reinstated with similar species where possible.

I can also confirm my officials have been in contact with your office and have arranged a meeting for Thursday 24th of February to discuss the issues you raised and that my Department's partner consultant, Amey, who designed the flood alleviation scheme will also be in attendance.



NICHOLA MALLON MLA
Minister for Infrastructure

From: [DfI Ministerial Casework](#)
To: [DfI Private Office](#)
Subject: FW: ROUTINE - CORR-0207-2022 - Removal for Oak Trees at Greenbank Industrial Estate, Newry
Date: 18 February 2022 17:58:02

Please see below from the Minister.

-----Original Message-----

From: DfI Ministerial Casework
Sent: 18 February 2022 17:57
To: DfI Private Office <Private.Office@infrastructure-ni.gov.uk>
Subject: RE: ROUTINE - CORR-0207-2022 - Removal for Oak Trees at Greenbank Industrial Estate, Newry

Cleared with this amendment

Considerable care has also been taken to limit the number of trees which are to be felled to facilitate the construction of the critical flood defences and areas where trees and shrubs have to be removed to facilitate the works will be reinstated with similar species where possible.

For my own info what is the replanting ratio for this project?

-----Original Message-----

From: DfI Private Office
Sent: 18 February 2022 08:50
To: DfI Private Office <Private.Office@infrastructure-ni.gov.uk>
Subject: ROUTINE - CORR-0207-2022 - Removal for Oak Trees at Greenbank Industrial Estate, Newry

Kathryn/Paul

Please see attached for SpAd / Minister consideration.

Thanks

DFI Private Office

From: [REDACTED]
To: [DfI Private Office](#)
Cc: [McKee, Jonathan](#); [REDACTED]; [Devlin, Ronan](#); [REDACTED]; [O'Neill, Tommy](#)
Subject: CORR-0207-2022 : Removal for Oak Trees at Greenbank Industrial Estate, Newry - Flood Risk Management Plan
Date: 21 February 2022 17:47:00

Hi [REDACTED]

Please see below in reply to the Minister's query - For my own info what is the replanting ratio for this project?

Reply

The replanting ratio currently is 1:1, with the locations of the replanting still to be finalised. Given the heavily urbanised nature of the project it is difficult to expand upon this ratio. However, in subsequent potential phases, namely phase 3 which is mainly located within the rural upper catchment, there may be more scope for additional tree planting if approved.

Regards

[REDACTED]

-----Original Message-----

From: DfI Private Office
Sent: 21 February 2022 08:28
To: McGivern, Owen [REDACTED] >
Cc: McFarlane, Des [REDACTED] >; Thompson, Louise (DfI) [REDACTED] >; DfI Press Subject: CORR-0207-2022 : Removal for Oak Trees at Greenbank Industrial Estate, Newry - Flood Risk Management Plan

Raised By: Sinead Bradley MLA

Reference: CORR-0207-2022

Subject: CORR-0207-2022 : Removal for Oak Trees at Greenbank Industrial Estate, Newry - Flood Risk Management Plan

Referred To: OWEN MCGIVERN

Date Referred: 21/02/2022

Please see attached email for Minister's query

Regards,

[REDACTED]
DfI Private Office
[REDACTED]

Copied To For Information:

McFarlane, Des; DfI Press Office cc list; Rivers CC List; Corr Senior Management Team cc list

From: [DfI SpAd](#)
To: [McFerran, Kathryn](#); [McCarroll, Kerry](#); [Gallagher, Paul \(DfI Private Office\)](#)
Cc: [McGivern, Owen](#); [Thompson, Louise \(DfI\)](#); [Campbell, Fionnuala](#); [Wilson, Jim](#); [Orr, Gillian](#); [O'Neill, Tommy](#); [McKee, Jonathan](#); [Devlin, Ronan](#); [McAleenan, Turlough](#); [DG_DFI Rivers Business Support Branch](#); [Woods, Colin \(DfI\)](#)
Subject: RE: For clearance - 2 x Media queries - Newry Reporter an Newry.ie- Newry flood alleviation scheme tree removal
Date: 24 February 2022 16:17:33

Cleared

Sent with BlackBerry Work
(www.blackberry.com)

From: McFerran, Kathryn [REDACTED] >
Date: Thursday, 24 Feb 2022, 1:20 pm
To: McCarroll, Kerry [REDACTED] >, Gallagher, Paul (DfI Private Office) [REDACTED] >, DfI SpAd [REDACTED] >
Cc: McGivern, Owen <[REDACTED]>, Thompson, Louise (DfI) [REDACTED] >, Campbell, Fionnuala [REDACTED] >, Wilson, Jim <[REDACTED]>, Orr, Gillian [REDACTED] >, O'Neill, Tommy <[REDACTED]>, McKee, Jonathan <[REDACTED]>, Devlin, Ronan [REDACTED] <[REDACTED]>, McAleenan, Turlough [REDACTED] >, DG_DFI Rivers Business Support Branch [REDACTED] >, Woods, Colin (DfI) [REDACTED] >
Subject: RE: For clearance - 2 x Media queries - Newry Reporter an Newry.ie- Newry flood alleviation scheme tree removal

Thanks – this will be dropped into CW.

Regards

Kathryn

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Kathryn McFerran | Private Secretary | Department for Infrastructure

Contact: [REDACTED] | (DD: [REDACTED]

Please phone my work mobile if urgent on [REDACTED]

From: McCarroll, Kerry

Sent: 24 February 2022 13:17

To: McFerran, Kathryn [REDACTED] >; Gallagher, Paul (DfI Private Office) [REDACTED] >; DfI SpAd [REDACTED] >

Cc: McGivern, Owen [REDACTED] >; Thompson, Louise (DfI)

[REDACTED] >; Campbell, Fionnuala

[REDACTED] >; Wilson, Jim [REDACTED]

[REDACTED] >; Orr, Gillian [REDACTED] >; O'Neill, Tommy

[REDACTED] >; McKee, Jonathan [REDACTED]

[REDACTED] >; Devlin, Ronan [REDACTED] >; McAleenan, Turlough

[REDACTED] >; DG_DFI Rivers Business Support Branch

[REDACTED] >; Woods, Colin (DfI)

[REDACTED] >

Subject: For clearance - 2 x Media queries - Newry Reporter an Newry.ie- Newry flood alleviation scheme tree removal

All

Please see 2 queries below re Newry Flood Alleviation Scheme from Newry Reporter and Newry.ie and draft response for clearance.

I have included for reference a previous response provided recently to Newry Reporter on this issue.

The deadline is cop Monday.

Thanks

Kerry

Query – Newry Reporter

There was a site meeting in Greenbank Industrial Estate this morning between political reps and DfI officials regarding the planned removal of oak trees as part of the Newry Flood Alleviation Scheme.

While I was not in attendance, a local councillor said the removal of the trees has been postponed while other options are explored.

Can DfI advise that the cutting of the trees has been postponed and what happens now in terms of the £2.9m flood scheme?

Query - Newry.ie

Would the DfI like to comment on the project at Greenbank Industrial Estate in Newry where a flood alleviation scheme is proposed and whether a decision remains in place to remove additional trees along the stretch of the scheme despite local protestors demanding that the

trees aren't removed, citing 200 year old oak trees under threat. Also if you would like to give any additional comments.

Draft Response:

“Works on the Newry Flood Alleviation Scheme Phase 1 project are progressing as programmed and are due to be completed by summer 2022. Works affecting the trees within the Greenbank estate to facilitate the construction of this important project which will reduce flood risk to homes and businesses along the Clanrye River in Newry are not ongoing at present. This will allow the Department time to fully consider some queries which have only recently been received to inform the extent of any tree removal. Two separate expert consultants have identified the need for a flood defence in the Greenbank Industrial Estate and throughout the design process the feasibility of all potential options was assessed. Considerable care has also been taken to limit the number of trees which are to be felled to facilitate the construction of these critical flood defences and areas where trees and shrubs have to be removed to facilitate the works will be reinstated with similar species where possible.”

Background to consultation for Minister:

The public consultation for the scheme opened on the 12/09/2019 and closed again on the 14/10/2019. Scheme drawings and information was hosted online on the DfI website as well as in printed press and at displays at the Hollywood Arts Centre, Newry and at DfI Rivers Offices in Lisburn. Details of the scheme were also sent to statutory consultees for review and comment. The only response received in regards to trees was from the Forestry Service on the 24/10/2019 to clarify the effect on woodland in the scheme. The areas identified by the forestry service were not in the Greenbank Estate, they were at other locations on the project. After clarification they confirmed they did not object to the proposal.

[Responses previously provided 31/1/22](#)

What work is currently being carried out on the river banks in Greenbank Industrial Estate?

The £2.9m Newry Flood Alleviation Scheme involves the construction of critical infrastructure to protect Newry City from flooding . It involves the installation of 990 metres of new concrete culvert and 2,000 metres of new flood wall and embankment works. These flood defences along the Clanrye River will protect residential and commercial properties located at Armagh Road, Downshire Road, Craigmore Way and at Greenbank Industrial Estate where work is currently ongoing.

Only trees and shrubs necessary to gain access to execute the works will be removed. The

majority of the site clearance works in the Greenbank area are being taken forward now, to mitigate the potential impact and avoid the bird nesting season.

However, the removal of some trees and shrubs is unavoidable to facilitate the construction of this important project which will reduce flood risk to homes and businesses along the Clanrye River in Newry.

**** Has DfI/Rivers Agency authority to remove oak trees in this area?***

The Drainage (NI) Order 1973 provides the Department with the legislative remit to undertake what is necessary to enable the construction of the flood defences.

**** Was any notification/consultation announced prior to these works beginning (either public or to the local authority)?***

Consultation with relevant authorities has been undertaken throughout each stage of development and implementation of the scheme. Affected stakeholders were consulted at each stage and received notification of the works to be undertaken. Awareness of the works was also promoted through numerous media outlets which included newspapers and social media.

**** Are there plans to replace the trees that are being removed?***

Areas where trees and shrubs have to be removed to facilitate the works will be reinstated with similar species where possible.

**** Was any consideration given to the age of the trees before a decision was made to remove them?***

The age of any particular tree is not a determining factor in the decision to remove it to facilitate the construction works. The proposed alignment and construction methodology for the flood defences has been carefully considered to minimise the potential impact on the local environment. Considerable care has been taken to limit the number of trees required to be felled to deliver the necessary flood defences.

**** When are works due to be complete?***

Works are due to be completed in Summer 2022.

From: [McFerran, Kathryn](#)
To: [McAleenan, Turlough](#); [Graham, James](#); [DfI Private Office](#); [Gallagher, Paul \(DfI Private Office\)](#); [Thompson, Louise \(DfI\)](#)
Cc: [McGivern, Owen](#); [Devlin, Ronan](#); [DG_DfI Rivers Business Support Branch](#); [Orr, Gillian](#); [Gaughran, Aine](#); [Wilson, Jim](#); [McCarroll, Kerry](#); [McKee, Jonathan](#); [Woods, Colin \(DfI\)](#)
Subject: RE: For comment/clearance: Newry Reporter - Greenbank trees - deadline Monday morning
Date: 11 April 2022 18:07:08
Attachments: [image001.jpg](#)

The Minister has cleared – PO can you remove from CW please.

Regards

Kathryn

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-
Kathryn McFerran | Private Secretary | Department for Infrastructure
Contact: [REDACTED] | (DD: [REDACTED]

Please phone my work mobile if urgent on [REDACTED]

From: McAleenan, Turlough
Sent: 11 April 2022 11:16
To: McFerran, Kathryn [REDACTED]; Graham, James [REDACTED]; DfI SpAd [REDACTED]; Gallagher, Paul (DfI Private Office) [REDACTED]; Thompson, Louise (DfI) [REDACTED]
Cc: McGivern, Owen [REDACTED]; Devlin, Ronan [REDACTED]; DG_DfI Rivers Business Support Branch [REDACTED]; Orr, Gillian [REDACTED]; Gaughran, Aine [REDACTED]; Wilson, Jim [REDACTED]; McCarroll, Kerry [REDACTED]; McKee, Jonathan [REDACTED]; Woods, Colin (DfI) [REDACTED]
Subject: RE: For comment/clearance: Newry Reporter - Greenbank trees - deadline Monday morning

Kathryn I rang, the journalist can take the response up to 10am tomorrow morning.

Turlough

From: McFerran, Kathryn

Sent: 11 April 2022 11:09

To: McAleenan, Turlough [REDACTED] >; Graham, James [REDACTED] >; DfI SpAd [REDACTED] >; Gallagher, Paul (DfI Private Office) [REDACTED] >; Thompson, Louise (DfI) [REDACTED] >

Cc: McGivern, Owen [REDACTED] >; Devlin, Ronan [REDACTED] >; DG_DFI Rivers Business Support Branch [REDACTED] >; Orr, Gillian [REDACTED] >; Gaughran, Aine [REDACTED] >; Wilson, Jim [REDACTED] >; McCarroll, Kerry [REDACTED] >; McKee, Jonathan [REDACTED] >; Woods, Colin (DfI) [REDACTED] >

Subject: RE: For comment/clearance: Newry Reporter - Greenbank trees - deadline Monday morning

The Minister is out this am and so may not been getting messages – can you ask for an extension please?

Regards

Kathryn

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-
Kathryn McFerran | Private Secretary | Department for Infrastructure

Contact: [REDACTED] | (DD: [REDACTED]

Please phone my work mobile if urgent on [REDACTED]

From: McAleenan, Turlough

Sent: 11 April 2022 11:07

To: McFerran, Kathryn [REDACTED] >; Graham, James [REDACTED] >; DfI SpAd [REDACTED] >; Gallagher, Paul (DfI Private Office) [REDACTED] >; Thompson, Louise (DfI) < [REDACTED] >

Cc: McGivern, Owen [redacted] >; Devlin, Ronan [redacted] >; DG_DFI Rivers Business Support Branch <[redacted]>; Orr, Gillian [redacted] >; Gaughran, Aine [redacted] >; Wilson, Jim [redacted] >; McCarroll, Kerry [redacted] >; McKee, Jonathan <[redacted]>; Woods, Colin (DfI) <[redacted]>

Subject: RE: For comment/clearance: Newry Reporter - Greenbank trees - deadline Monday morning

All,

I'm following up on the query below. Can the Minister consider?

Turlough

From: Thompson, Louise (DfI)

Sent: 08 April 2022 15:23

To: McFerran, Kathryn [redacted] >; Graham, James <[redacted]>; DfI SpAd <[redacted]>; Gallagher, Paul (DfI Private Office) <[redacted]>

Cc: McGivern, Owen [redacted] >; Devlin, Ronan [redacted] >; DG_DFI Rivers Business Support Branch [redacted] >; Orr, Gillian [redacted] >; Gaughran, Aine [redacted] >; Wilson, Jim [redacted] >; McCarroll, Kerry [redacted] >; McAleenan, Turlough <[redacted]>; McKee, Jonathan <[redacted]>; Woods, Colin (DfI) <[redacted]>

Subject: For comment/clearance: Newry Reporter - Greenbank trees - deadline Monday morning

All,

Please see query below from the Newry Reporter and draft response cleared by Jonathan for Minister's consideration. Deadline Monday morning if possible.

Many thanks,
Louise

QUERY:

I'm looking for update from DfI Rivers Agency regarding the query responded to on Feb 24 (below), re, removal of oak trees as part of the Newry Flood Alleviation Scheme.

Work on the trees was suspended back then to allow the Department 'time to fully consider some queries which have only recently been free used to inform the extent of any tree removal'.

- * *Has the process yet been completed and, if so, what is the conclusion?*
- * *Will the remaining healthy oak trees be removed as part of the alleviation scheme?*
- * *Will any remaining oak trees be granted a Root Protection Order (RPA)?*
- * *Was a bat survey conducted prior to the beginning of the scheme?*

Draft response:

A Department for Infrastructure (DfI) spokesperson said:

“The Department is progressing essential Flood Alleviation works to reduce the flood risk to Newry city. This first phase of the flood alleviation scheme includes works to reduce flood risk to numerous businesses located in Greenbank industrial estate. Work is currently progressing in areas within the Greenbank estate which will not impact on any trees. The Department has just received a report from a specialist independent arboriculturalist, who surveyed the trees along the river in Greenbank, and is carefully considering their report before any decision is taken on the removal of any further trees.

“Bat surveys were not recommended as part of the environmental screening undertaken for this site. The Department’s independent environmental advisors considered that bats were unlikely to roost in these trees because the street lighting would reduce the potential for bats to feed. If however, any mature trees are still required to be removed as part of the works, these trees will be surveyed for potential bat roosts prior to site clearance.”

For reference previous response provided in Feb:

A Department for Infrastructure spokesperson said:

“Works on the Newry Flood Alleviation Scheme Phase 1 project are progressing as programmed and are due to be completed by summer 2022. Works affecting the trees within the Greenbank estate to facilitate the construction of this important project which will reduce flood risk to homes and businesses along the Clanrye River in Newry are not ongoing at present. This will allow the Department time to fully consider some queries which have only recently been received to inform the extent of any tree removal. Two separate expert consultants have identified the need for a flood defence in the Greenbank Industrial Estate and throughout the design process the feasibility of all potential options was assessed. Considerable care has also been taken to limit the number of trees which are to be felled to facilitate the construction of these critical flood defences and areas where trees and shrubs have to be removed to facilitate the works will be reinstated with similar species where possible.”

RESPONSE PROVIDED IN JANUARY:

-

What work is currently being carried out on the river banks in Greenbank Industrial Estate?

The £2.9m Newry Flood Alleviation Scheme involves the construction of critical infrastructure to protect Newry City from flooding . It involves the installation of 990 metres of new concrete culvert and 2,000 metres of new flood wall and embankment works. These flood defences along the Clanrye River will protect residential and commercial properties located at Armagh Road, Downshire Road, Craigmore Way and at Greenbank Industrial Estate where work is currently ongoing.

Only trees and shrubs necessary to gain access to execute the works will be removed. The majority of the site clearance works in the Greenbank area are being taken forward now, to mitigate the potential impact and avoid the bird nesting season.

However, the removal of some trees and shrubs is unavoidable to facilitate the construction of this important project which will reduce flood risk to homes and businesses along the Clanrye River in Newry.

**** Has DfI/Rivers Agency authority to remove oak trees in this area?***

The Drainage (NI) Order 1973 provides the Department with the legislative remit to undertake what is necessary to enable the construction of the flood defences.

**** Was any notification/consultation announced prior to these works beginning (either public or to the local authority)?***

Consultation with relevant authorities has been undertaken throughout each stage of development and implementation of the scheme. Affected stakeholders were consulted at each stage and received notification of the works to be undertaken. Awareness of the works was also promoted through numerous media outlets which included newspapers and social media.

**** Are there plans to replace the trees that are being removed?***

Areas where trees and shrubs have to be removed to facilitate the works will be reinstated with similar species where possible.

**** Was any consideration given to the age of the trees before a decision was made to remove them?***

The age of any particular tree is not a determining factor in the decision to remove it to facilitate the construction works. The proposed alignment and construction methodology for the flood defences has been carefully considered to minimise the potential impact on the local environment. Considerable care has been taken to limit the number of trees required to be felled to deliver the necessary flood defences.

**** When are works due to be complete?***

Works are due to be completed in Summer 2022.

Louise Thompson

Communications Office
Dept. for Infrastructure

Mobile: [REDACTED]

(Working days Mondays, Tuesdays and Fridays.)

Dfi logo



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From: [Gallagher, Paul \(DfI Private Office\)](#)
To: [Thompson, Louise \(DfI\)](#); [Stockman, Emma](#); [Graham, James](#)
Cc: [Woods, Colin \(DfI\)](#); [Sec, Perm](#); [McGivern, Owen](#); [Devlin, Ronan](#); [DG_DFI Rivers Business Support Branch](#); [McKee, Jonathan](#); [Gaughran, Aine](#); [Wilson, Jim](#); [Orr, Gillian](#); [McCarroll, Kerry](#); [Campbell, Fionnuala](#)
Subject: RE: For comment/clearance: Newry Reporter - Greenbank Trees - deadline noon today if possible
Date: 31 May 2022 10:42:34
Attachments: [image001.jpg](#)

Louise,

This has been cleared.

Thanks

To Note: The Box for the Minister closes each day at 4pm sharp and closes for the weekend at 4pm on a Thursday.

All e-mails and attachments sent by a Private Secretary, or member of the Private Office, to an official must be saved appropriately by the main recipient/Business Area. The Private Office do not keep official records of such e-mails or attachments.

-
Paul Gallagher | Assistant Private Secretary | Department for Infrastructure
Contact: [REDACTED] | (DD: [REDACTED])

From: Thompson, Louise (DfI) [REDACTED] >
Sent: 31 May 2022 09:24
To: DfI SpAd [REDACTED] >; Gallagher, Paul (DfI Private Office) [REDACTED] >; Stockman, Emma [REDACTED] >; Graham, James [REDACTED] >
Cc: Woods, Colin (DfI) [REDACTED] >; Sec, Perm [REDACTED] >; McGivern, Owen [REDACTED] >; Devlin, Ronan [REDACTED] >; DG_DFI Rivers Business Support Branch [REDACTED] >; McKee, Jonathan [REDACTED] >; Gaughran, Aine [REDACTED] >; Wilson, Jim [REDACTED] >; Orr, Gillian [REDACTED] >; McCarroll, Kerry [REDACTED] >; Campbell, Fionnuala [REDACTED] >
Subject: For comment/clearance: Newry Reporter - Greenbank Trees - deadline noon today if possible

All,

To see query below and draft response cleared by Colin. Deadline noon today if possible.

Many thanks,
Louise

QUERY FROM BRIAN HYLAND NEWRY REPORTER

-
Just looking to find out if there has been any progress on the issue below, ie, the Department 'carefully considering their report before any decision is taken on the removal

of any further trees’.

Have these considerations been completed and, if so, what is the outcome?

If not, when is this decision likely to be made?

I spoke to one of the guys who led the campaign to stop the oaks being removed and he suggested that no further oak trees will be felled, so just looking confirmation whether this is the case or not.

DRAFT RESPONSE CLEARED BY COLIN:

A Department for Infrastructure (Dfi) spokesperson said:

“The Department has carefully considered the report recently received from the independent specialist Arboriculturalist and has determined that the current proposed flood defence is the best way forward. Unfortunately this requires approximately 30 trees in the Greenbank estate to be felled. This work is necessary to provide critical flood defence infrastructure for the city of Newry, protecting lives and properties from flooding.

“The Department fully values the environment and seeks to nurture and develop it as part of our work. A bird nesting survey will be undertaken prior to any trees being felled to ensure there are no nesting birds in the trees identified. Areas where trees have to be removed to facilitate the works are to be reinstated with similar species where possible and where it is not possible to reinstate in the original location, some compensatory planting will be undertaken in suitable areas subject to the agreement of the appropriate landowners. The Department will continue to work with all relevant stakeholders to ensure they are kept updated on developments.”

PREVIOUS RESPONSE TO THIS JOURNALIST FOR REFERENCE:

-

A Department for Infrastructure (Dfi) spokesperson said:

“The Department is progressing essential flood alleviation works to reduce the flood risk to Newry city. This first phase of the flood alleviation scheme includes works to reduce flood risk to numerous businesses located in Greenbank industrial estate. Work is currently progressing in areas within the Greenbank estate which will not impact on any trees. The Department has just received a report from a specialist independent Arboriculturalist, who surveyed the trees along the river in Greenbank, and is carefully considering their report before any decision is taken on the removal of any further trees.

“Bat surveys were not recommended as part of the environmental screening undertaken for this site. The Department’s independent environmental advisors considered that bats were unlikely to roost in these trees because the street lighting would reduce the potential for bats to feed. If however,

any mature trees are still required to be removed as part of the works, these trees will be surveyed for potential bat roosts prior to site clearance.”

Louise Thompson

Communications Office
Dept. for Infrastructure

Mobile: [REDACTED]

(Working days Mondays, Tuesdays and Fridays.)



Every day connecting people safely, supporting opportunities and creating sustainable living places.

From: justin.mcnulty@mla.niassembly.gov.uk
To: [DfI Private Office](#)
Subject: (Case Ref: JM8996) Greenbank Irish Oak Trees - Newry
Date: 18 August 2022 10:19:41
Attachments: [Oak Trees - Greenbank Newry.pdf](#)

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Dear Sir / Madam

Please see letter attached for the attention of the Infrastructure Minister.

Kind regards

Justin

Justin McNulty

SDLP MLA for Newry and Armagh

Newry (028) 3026 7933 Armagh (028) 3752 6800

Email: justin.mcnulty@mla.niassembly.gov.uk

Facebook [@JustinMcNu1ty](#) Twitter [@JustinMcNu1ty](#)

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15 Trevor Hill, Newry BT34 1DN
Telephone: (028) 30267 933

19 Cathedral Road, Armagh BT60 7QX
Telephone: (028) 3752 6800

John O'Dowd MLA
Minister for Infrastructure
Department for Infrastructure
Departmental Co-ordination Unit
Clarence Court
10-18 Adelaide Road
Belfast
BT2 8GB

Irish Oak Trees at Greenbank Newry Our Ref:
JM8996

18 August 2022

Dear Minister,

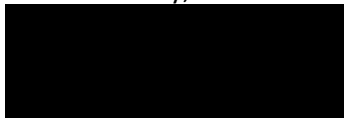
I am writing in relation to flood defence works currently underway at Greenbank Industrial Estate, Newry.

Local environmental interest groups have lodged concerns with me about the ongoing development, on the basis that it will result in the destruction of a significant number of native Irish oak trees along the waterway, many of which are more than 200 years old. I have also met with engineers and DfI officials in relation to this issue.

I am asking for your assessment on whether it is possible to bring this flood protection scheme to completion by adopting an alternative engineering solution with a construction methodology that avoids inflicting the environmental damage that would be an inevitable consequence of the destruction of almost two dozen 200 year old native Irish oak trees.

I look forward to your response, and securing a positive outcome on this issue.

Yours sincerely,



JUSTIN MCNULTY

From: Jonathan McKee
Director of Rivers - Development

Your Ref: COR-2294-2022
Our Ref: IN1-22-12564

Tel: 36505

Date: August 2022

To: John O'Dowd MLA
Minister for Infrastructure

cc: Copy distribution below

COR-2294-2022, JUSTIN McNULTY MLA, NEWRY PHASE1 FLOOD ALLEVIATION SCHEME – TREE REMOVAL

Issue: Justin McNulty has written regarding the removal of trees in the Greenbank Industrial Estate as part of the Newry Phase 1 Flood Alleviation Scheme.

Timescale: Routine.

Presentational Issues: There has been public and media interest regarding the removal of trees within the Greenbank Industrial Estate, Newry, to facilitate the construction of a Flood Wall. Engagement is on-going, however there may be a negative response from the community and local representatives. If approached for comment press office will work with officials to prepare response. FC 22/8/22.

FOI Implications The contents of this case are likely to be fully disclosable.

Financial Implications: None.

Legislative Implications: None.

Section 75 Implications: None.

Executive Referral: Not required.

Recommendation: That you clear the draft letter to issue.

BACKGROUND

- The 2015 NI Flood Risk Management Plans (FRMPs) identified Newry as the most significant area of flood risk in the North outside of Belfast. A feasibility study, completed in 2018, recommended flood alleviation works to a number of tributaries in the city centre, works on the main Newry River / Canal and upstream flood storage. A 'Phase One Tributaries Scheme' has been developed as part of the overall 'Newry River and Tributaries' flood alleviation works.
- The purpose of this 'Phase One Tributaries Scheme' is to provide flood alleviation to properties located at Armagh Road, Downshire Road, Craigmore Way and Greenbank Industrial Estate, Newry. The works include the construction of new flood walls along the Knox-Pebbles Drain at the Greenbank Industrial Estate.
- Phase 1 construction works commenced in August 2021, with a 12 month programme until completion.
- However an issue has arisen surrounding the planned removal of mature oak trees at the Greenbank Industrial estate. The felling of some trees as part of the site clearance works in February 2022 prompted a negative response from local residents. Protest posters were erected and Rivers officials were contacted by local media and elected representatives to clarify the removal of further trees.
- Discussions have been ongoing since February 2022 with local representatives to explore alternative solutions. Officials undertook to carry out a re-assessment of all potential options to provide flood protection at this location which may avoid any tree removal. The review concluded that, unfortunately, there were no alternative measures that would provide the required standard of flood protection.
- Following a meeting between officials, Amey (our partner consultant) and local representatives on the 24th February 2022, officials proposed to seek additional advice from an independent arborist. The purpose of this was to allow an

independent specialist to provide advice and guidance on the requirement to fell the trees for the preferred design and whether any of the trees could remain.

- The independent Arborist, has completed an "Arboricultural Impact Assessment" where they have assessed the floodwall proposals in conjunction with reviewing the current condition of the trees. The report states "given the extent of the works being considered, none of the remaining trees growing on the eastern bank of the stream can be retained."
- A subsequent meeting was held on the 17th of August with local representatives to further discuss outcome of the Arboricultural Impact Assessment. Representations were made on behalf of Sinn Fein (Micky Brady MP) and SDLP (Justin McNulty MLA).
- Officials discussed the preferred design, along with alternatives that were considered, giving a clear indication that the preferred design chosen is the only feasible option to provide a fit for purpose flood defence in this location. This unfortunately still requires the trees to be felled.
- Works are scheduled to be undertaken at the start of September, outside the bird nesting season. Bird and bat surveys will be completed on all trees due to be felled prior to works commencing.
- Compensatory planting of trees is being maximised in this phase and in subsequent phases of the works. Currently approximately 30 trees are due to be felled, with 50 proposed to be re-planted. Work is ongoing to further maximise re-planting opportunities in the locality.

Drafted by: Ronan Devlin, August 2022, Ext 35689.

Cleared by Head of Division: Jonathan McKee, August 2022, Ext 36505.

Cleared by Special Adviser: Please leave blank.

Copy to:

Julie Harrison

Sandra Hinds

Colin Woods

Louise Higgins

Jonathan McKee

Owen McGivern

Ronan Devlin

Tommy O'Neill

Press Office

Rivers Business Support

From the office of the Minister for Infrastructure
John O'Dowd MLA



Mr. Justin McNulty MLA
justin.mcnulty@mla.niassembly.gov.uk

Room 708
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 0540
Email: Private.office@infrastructure-ni.gov.uk

Your reference: JM8996
Our reference: COR-2294-2022
August 2022

Justin, a chara,

NEWRY PHASE1 FLOOD ALLEVIATION SCHEME – TREE REMOVAL

Thank you for your letter dated 18th August 2022, regarding the removal of trees in the Greenbank Industrial Estate, Newry. In your correspondence you raised the query of potentially adopting an alternative engineering solution which could enable the trees to remain unaffected.

I can confirm that my Department has already undertaken a re-assessment of all potential options to provide flood protection at this location to try to avoid any tree removal. The review concluded that unfortunately there were no alternative measures that would provide the required standard of protection.

That leaves two options, retain the trees and have no flood protection or remove the trees and install the flood protection. All other options have been exhausted and the longer the scheme is delayed the more chance there is of another serious flooding incident.

Is mise le meas,

JOHN O'DOWD MLA
Minister for Infrastructure

From: [Dfi Private Office](#)
To: [McKee, Jonathan](#)
Cc: [Thompson, Louise \(Dfi\)](#); [Dfi Press Office](#); [Gaughran, Aine](#); [Orr, Gillian](#); [Campbell, Fionnuala](#); [McAleenan, Turlough](#); [McCarroll, Kerry](#); [Taggart, Cecilia](#); [Groves, Georgia](#); [REDACTED]; [DG, DFI Rivers Business Support Branch](#); [REDACTED]; [Woods, Colm \(Dfi\)](#); [REDACTED]; [Turkington, George \(Dfi\)](#); [Thompson, Julie](#); [Graham, James](#); [Gallagher, Paul \(Dfi Private Office\)](#); [Stockman, Emma](#); [McGeown, Declan](#); [Harrison, Julie \(Dfi – Perm Sec\)](#)
Subject: Closing Correspondence : COR-2294-2022 : Greenbank Irish Oak Trees - Newry
Date: 26 August 2022 14:19:32
Attachments: [COR-2294-2022 - FR.pdf](#)

Date: 26/08/2022

Raised By: Justin McNulty MLA

Reference: COR-2294-2022

Subject: Closing Correspondence : COR-2294-2022 : Greenbank Irish Oak Trees - Newry

To: JONATHAN MCKEE

CC: Dfi Press Office cc list; Rivers CC List; Corr Senior Management Team cc list

Please see final response as issued.

Regards,

[REDACTED]
Dfi Private Office
40465

From the office of the Minister for Infrastructure
John O'Dowd MLA

Mr Justin McNulty MLA

justin.mcnulty@mla.niassembly.gov.uk

Room 708
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 0540
Email: Private.office@infrastructure-ni.gov.uk

Your reference: JM8996
Our reference: COR-2294-2022
26th August 2022

Justin, a chara,

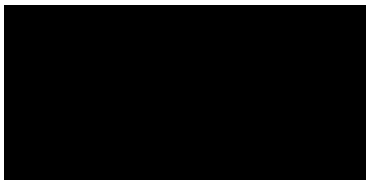
NEWRY PHASE1 FLOOD ALLEVIATION SCHEME – TREE REMOVAL

Thank you for your letter dated 18th August 2022, regarding the removal of trees in the Greenbank Industrial Estate, Newry. In your correspondence you raised the query of potentially adopting an alternative engineering solution which could enable the trees to remain unaffected.

I can confirm that my Department has already undertaken a re-assessment of all potential options to provide flood protection at this location to try to avoid any tree removal. The review concluded that unfortunately there were no alternative measures that would provide the required standard of protection.

That leaves two options, retain the trees and have no flood protection or remove the trees and install the flood protection. All other options have been exhausted and the longer the scheme is delayed the more chance there is of another serious flooding incident .

Is mise le meas,



JOHN O'DOWD MLA
Minister for Infrastructure

AQW 5313/22-27

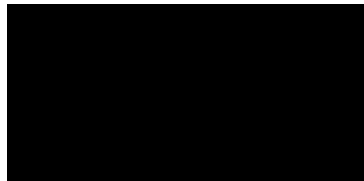
DATE FOR ANSWER: MONDAY 31 OCTOBER 2022

Justin McNulty MLA (Newry and Armagh)

To ask the Minister for Infrastructure what steps his Department will take to offset the environmental impact of the felling of ancient Irish Oaks at Greenbank, Newry.

ANSWER

Unfortunately my officials were unable to gather together the information sought by the member in the short amount of time I had remaining in office.



Signed:

JOHN O'DOWD MLA
Minister for Infrastructure

27/10/22

Date:

AQW 5308/22-27

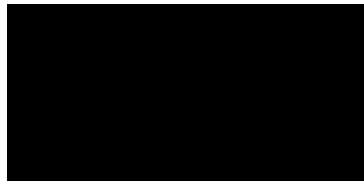
DATE FOR ANSWER: THURSDAY 10 NOVEMBER 2022

Justin McNulty MLA (Newry and Armagh)

To ask the Minister for Infrastructure whether it is standard procedure for his Department to fell trees during night-time hours.

ANSWER

Unfortunately my officials were unable to gather together the information sought by the member in the short amount of time I had remaining in office.



Signed:

JOHN O'DOWD MLA
Minister for Infrastructure

27/10/22

Date:

AQW 5309/22-27

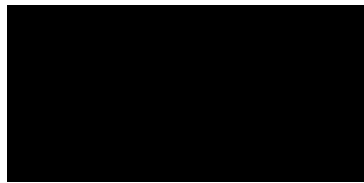
DATE FOR ANSWER: THURSDAY 10 NOVEMBER 2022

Justin McNulty MLA (Newry and Armagh)

To ask the Minister for Infrastructure to list the alternative engineering solutions his Department explored with a view to preventing the felling of ancient Irish Oaks at Greenbank, Newry.

ANSWER

Unfortunately my officials were unable to gather together the information sought by the member in the short amount of time I had remaining in office.



Signed:

JOHN O'DOWD MLA
Minister for Infrastructure

27/10/22

Date:

From: [McAteer, Declan](#)
To: [DfI Private Office](#)
Subject: Flood Alleviation Scheme works Greenbank Industrial Estate
Date: 16 February 2022 09:25:05

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Minister Mallon,

A situation has arisen during the current contract works being carried out adjacent to Greenbank Industrial Estate Newry. These works are associated with the Clanrye river flood alleviation scheme.

The contentious issue which has given rise to public concern is the perceived requirement to cut down a number of mature oak trees along both sides of a sheugh.

I met the Principal Engineer on-site who explained the rationale and reason for the removal of these trees. Essentially 700 metres of sheet piling is being placed along a length of newly excavated bank to a depth of around 6 metres. These piles will potentially damage the root system thus presenting a safety risk from falling trees. This part of the scheme was identified as "at risk" via a modelling exercise which suggested this sheugh would fill to a level high enough to threaten the nearby businesses in the Industrial Estate in a 100 years+ weather event.

I, and indeed others who have lived close by to the site are extremely dubious about the veracity of the modelling applied in this particular location. This doubt emanates from the fact there is no known linkage to the Clanrye river, the subject of the scheme. We also know from local knowledge that this sheugh has never reached any abnormal levels despite being subjected to recently occurring and classed 100 year flooding events in the surrounding area. Flooding in one small area of Greenbank Estate did occur in recent years, but the water did not come from this particular spot.

I also spoke to one of Council's senior planners who has some knowledge in how modelling is done and they tell me it can be very unreliable and the most minuscule of adjustments can throw up dramatically different results.

Given the location of this area and with the benefit of local knowledge it is known where flooding occurs. I and others require quite some convincing from the consultants as to where the water to be contained in this construction will in fact arrive from.

This raises the question of why a substantial number of vulnerable low lying dwellings much closer to the tidal Carlingford Lough are not being considered for priority protection instead of this part of the overall alleviation scheme.

There is also ample scope to widen what is currently there, which would increase the volume of water, if indeed it was to rise considerably in any future event.

Therefore I ask that you obtain a second opinion on the modelling and have all findings explained and substantiated to myself and other interested public representatives.

There may also be scope to amend the works thus avoiding the specific tree removal aspect.

This will ensure more confidence in your Department's overall scheme, which is welcomed and either justify the removal of the oaks or not.

Yours sincerely,
Cllr Declan McAteer,
Sdlp Crotlieve DEA,
Newry Mourne & Down District Council.

Sent from my iPad

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From: [REDACTED]
To: [DfI Private Office](#)
Cc: [Godfrey, Katrina \(DfI - Perm Sec\)](#); [REDACTED]; [Woods, Colin \(DfI\)](#); [McKee, Jonathan](#); [McGivern, Owen](#); [Devlin, Ronan](#); [O'Neill, Tommy](#); [DG_DFI Rivers Business Support Branch](#)
Subject: RE: CORR-0218-2022 : Flood Alleviation Scheme works Greenbank Industrial Estate [UNSCANNED]
Date: 01 March 2022 16:26:48
Attachments: [Multiple Record References.tr5](#)
[CORR-0218-2022_Reply - McAteer.DOCX](#)
[CORR-0218-2022_Background - McAteer.DOCX](#)

[REDACTED]

Please find attached background and reply which have been approved by Jonathan McKee and Colin Woods.

Regards

[REDACTED]

-----Original Message-----

From: DfI Private Office
Sent: 16 February 2022 09:46
To: McGivern, Owen [REDACTED] >
Cc: McFarlane, Des [REDACTED] >; Thompson, Louise (DfI) >; DfI Press Office <Press.Office@infrastructure-ni.gov.uk>; Gaughran, Aine [REDACTED] >; Campbell, Fionnuala >; McAleenan, Turlough >; McCarroll, Kerry [REDACTED] >; Taggart, Cecilia [REDACTED] >; Groves, Georgia [REDACTED] >; DG_DFI Rivers Business Support Branch >; Godfrey, Katrina (DfI - Perm Sec) >; Woods, Colin (DfI) >; McFerran, Kathryn [REDACTED] >; Thompson, Julie [REDACTED] >; Graham, James [REDACTED] >; McGeown, Declan <[REDACTED]>
Subject: CORR-0218-2022 : Flood Alleviation Scheme works Greenbank Industrial Estate [UNSCANNED]

Raised By: Cllr Declan McAteer
Reference: CORR-0218-2022

Subject: CORR-0218-2022 : Flood Alleviation Scheme works Greenbank Industrial Estate

Referred To: OWEN MCGIVERN
Date referred: 16/02/2022

ACTION REQUIRED

This case has been allocated to your business area as the lead. If you feel that the lead in this case rests more appropriately with another business area you should agree the transfer with that business area immediately and inform the Private Office accordingly via the mailbox at private.office@infrastructure-ni.gov.uk.

Please provide advice and a draft reply for signature by the Minister.

To be with private.office@infrastructure-ni.gov.uk not later than 23/02/2022.

Please ensure all information relating to this case is stored in folder IN1-22-1771.

Please ensure the correct correspondence background template and appropriate letter template are completed.

The link to the latest forms is: <http://nics.intranet.nigov.net/infrastructure/documents/ministerial-communications-guide-dfi-officials>

Should you feel that part input is required in this case, you should arrange this directly with the relevant business area(s) with a suitable deadline for response to ensure that you are able to forward the finalised response to the Private Office in line with the case deadline above.

Should you feel that part input is required from another Department please contact Private Office immediately who will arrange to commission the required input.

In addition, if you consider another business area(s) would benefit from seeing this case, please forward to them for their information.

For further information etc. contact:

[REDACTED]

DfI Private Office

[REDACTED]

Copied To For Information:

McFarlane, Des; DfI Press Office cc list; Rivers CC List; Corr Senior Management Team cc list



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

**From the office of the Minister for Infrastructure
Nichola Mallon MLA**

Cllr Declan McAteer

Declan.McAteer@nmandd.org

Room 708
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 0105
Email: Private.office@infrastructure-ni.gov.uk

Your reference:

Our reference: CORR-0218-2022

March 2022

FLOOD ALLEVIATION SCHEME WORKS GREENBANK INDUSTRIAL ESTATE

Thank you for your email of the 16th February 2022, in relation to the flood alleviation works at the Greenbank Industrial Estate which are part of the Newry Flood Alleviation Scheme being taken forward by my Department.

In your correspondence you highlighted the flooding history of the Knox Peebles Drain and that previous flooding experienced within the estate did not emanate from this watercourse. I am advised that in November 2014, flooding from the Knox Peebles Drain directly affected properties within the Greenbank Industrial Estate. Historical flooding is not always a determining factor in the provision of a flood alleviation scheme but it is important information in reviewing and verifying predicted flood outlines from modelling results.

You have also queried the accuracy of flood modelling completed by my Department in the design of the scheme and suggested a second opinion is sought. I can confirm that two separate design consultants with expert knowledge in flood risk management have already independently identified the need for a flood barrier at this location to prevent flooding emanating directly from the Knox Peebles Drain and affecting the industrial estate.

I am informed you met with my officials and the design consultant, Amey, on the 24th February 2022 to discuss your concerns. I hope this meeting was helpful and if you have any further queries or concerns my officials will be happy to organise a follow up meeting.

**NICHOLA MALLON MLA
Minister for Infrastructure**

CORR-0207-2022 & INV-0051-2022

REMOVAL OF OAK TREES AT GREENBANK INDUSTRIAL ESTATE NEWRY

BACKGROUND

1. The £2.9m Newry Flood Alleviation Scheme involves the construction of critical infrastructure to protect Newry City from flooding. This is the first of potentially three schemes to provide flood alleviation measures for the City.
2. This initial scheme will provide flood alleviation to residential and commercial properties located at Armagh Road, Downshire Road, Craigmore Way and Greenbank Industrial Estate, Newry. It involves the installation of 990 metres of new concrete culvert and 2,000 metres of new flood wall and embankment works. The current phase of works is expected to be completed by summer 2022.
3. A feasibility study into flooding in Newry, completed by Aecom in 2017, identified the need for a flood defence at this location to stop flooding from the adjacent Knox Peebles Drain affecting the estate.
4. Amey progressed the project from design stage, starting in 2019. As part of this process, a review of the flood model was completed to further refine the flood alleviation design for the entire scheme.
5. As a result, Amey found that a mix of engineered embankment and sheet piled walls are required to provide effective protection to the properties within the Greenbank Industrial Estate against flooding from the Knox Peebles Drain.
6. Construction of the flood defence will impact on the root structures of some of the oak trees along the river channel. It is not feasible to retain the trees identified for removal to allow construction of the flood defence and provide an appropriate maintenance and inspection area for the flood defence. Considerable care has been taken to limit the number of trees required to be felled to deliver the necessary flood defence.

Drafted by: Ronan Devlin, 15 February 2022, Ext No. 36589

Cleared by Head of Division: Jonathan McKee, 16 February 2022, Ext No. 36505

Cleared by Grade 3 or above: Colin Woods, 16 February 2022, Ext No. 47873

Cleared by Special Adviser: Please leave blank.

Copied to:

Katrina Godfrey
Colin Woods

██████████

██████████

Jonathan McKee
Owen McGivern
Ronan Devlin
Press Office
Rivers Business Support

From: [DfI Private Office](#)
To: [McGivern, Owen](#)
Cc: [McFarlane, Des](#); [McKee, Jonathan](#); [Thompson, Louise \(DfI\)](#); [DfI Press Office](#); [Gaughran, Aine](#); [Orr, Gillian](#); [Campbell, Fionnuala](#); [McAleenan, Turlough](#); [McCarroll, Kerry](#); [Taggart, Cecilia](#); [Groves, Georgia](#); [Woods, Colin \(DfI\)](#); [DG DfI Rivers Business Support Branch](#); [Godfrey, Katrina \(DfI – Perm Sec\)](#); [Hinds, Sandra](#); [Woods, Colin \(DfI\)](#); [McFerran, Kathryn](#); [Thompson, Julie](#); [Graham, James](#); [McGeown, Declan](#)
Subject: CORR-0218-2022 : Flood Alleviation Scheme works Greenbank Industrial Estate
Date: 02 March 2022 10:45:55
Attachments: [CORR-0218-2022 Minister"s Email.msg](#)

Raised By: Cllr Declan McAteer

Reference: CORR-0218-2022


Subject: CORR-0218-2022 : Flood Alleviation Scheme works Greenbank Industrial Estate

Referred To: OWEN MCGIVERN

Date Referred: 02/03/2022

For info.

Regards,


DfI Private Office

Copied To For Information:

McFarlane, Des; McKee, Jonathan; DfI Press Office cc list; Rivers CC List; Corr Senior Management Team cc list

From: [DfI Ministerial Casework](#)
To: [DfI Private Office](#)
Subject: FW: ROUTINE - CORR-0218-2022 : Flood Alleviation Scheme works Greenbank Industrial Estate [UNSCANNED]
Date: 02 March 2022 10:30:35

Please see below from the Minister.
Many thanks,

-----Original Message-----

From: DfI Ministerial Casework
Sent: 02 March 2022 10:02
To: DfI Private Office <Private.Office@infrastructure-ni.gov.uk>
Subject: RE: ROUTINE - CORR-0218-2022 : Flood Alleviation Scheme works Greenbank Industrial Estate [UNSCANNED]

Cleared.



-----Original Message-----

From: DfI Private Office
Sent: 01 March 2022 16:38
To: DfI Private Office <Private.Office@infrastructure-ni.gov.uk>
Subject: ROUTINE - CORR-0218-2022 : Flood Alleviation Scheme works Greenbank Industrial Estate [UNSCANNED]

Kathryn/Paul
Please see attached for SpAd / Minister consideration.
Thanks
DFI Private Office

From: Dfl SpAd [REDACTED] >
Sent: 12 September 2022 16:59
To: Gallagher, Paul (Dfl Private Office) [REDACTED]; Dfl Minister [REDACTED] >
Cc: Stockman, Emma [REDACTED] >
Subject: RE: Media query for comment/clearance: Newry Reporter - Greenbank trees - deadline 2pm Tuesday

Cleared by John

From: Gallagher, Paul (Dfl Private Office) [REDACTED] >
Sent: 12 September 2022 16:28
To: Dfl SpAd [REDACTED]; Dfl Minister <[REDACTED]>
Cc: Stockman, Emma <[REDACTED]>
Subject: FW: Media query for comment/clearance: Newry Reporter - Greenbank trees - deadline 2pm Tuesday

Dara,

Please see below for clearance.

Thanks

All e-mails and attachments sent by a Private Secretary, or member of the Private Office, to an official must be saved appropriately by the main recipient/Business Area. The Private Office do not keep official records of such e-mails or attachments.

—
Paul Gallagher | Assistant Private Secretary | Department for Infrastructure
Contact: [REDACTED] | (DD: [REDACTED])

From: Thompson, Louise (Dfl) <[REDACTED]>

Sent: 12 September 2022 16:19

To: Stockman, Emma [REDACTED]; Gallagher, Paul (DfI Private Office) [REDACTED]; DfI Private Office <Private.Office@infrastructure-ni.gov.uk>

Cc: Orr, Gillian [REDACTED]; Gaughran, Aine [REDACTED]; Campbell, Fionnuala [REDACTED]; McAleenan, Turlough [REDACTED]

Subject: Media query for comment/clearance: Newry Reporter - Greenbank trees - deadline 2pm Tuesday

Emma/Paul,

Please see query below and draft response cleared by Jonathan for consideration, deadline 2pm tomorrow (Tuesday).

Many thanks,
Louise

QUERY FROM PAUL WELSH, NEWRY REPORTER:

1. Can the Department advise, what were all the options it looked at before settling on the removal of oak trees Greenbank, as part of the flood alleviation scheme - please provide a list. Can the Department advise was the removal of the oak trees the cheapest option?

A Department for Infrastructure (DfI) spokesperson said:

“The Department assessed a number of options in line with the required design standards for the construction of a flood defence at this location. This included earth embankment, concrete wall supported by intermittent piles and interlocking sheet piled structures. Due to the poor soils in the area, all defence types need to be embedded into the ground to provide a cut-off to avoid excessive water seepage, this unfortunately affects the root system of the trees.

“This meant that all options, irrespective of cost, affected the root system of the trees and required their removal.”

Louise Thompson

**Communications Office
Dept. for Infrastructure**

Mobile: [REDACTED]

(Working days Mondays, Tuesdays and Fridays.)



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From: Gaughran, Aine <[REDACTED]>

Sent: 26 October 2022 18:49

To: Stockman, Emma <[REDACTED]>; Orr, Gillian <[REDACTED]>; Gallagher, Paul (DfI Private Office) <[REDACTED]>

Cc: Campbell, Fionnuala <[REDACTED]>; McAleenan, Turlough <[REDACTED]>; Wilson, Jim <[REDACTED]>; McKee, Jonathan <[REDACTED]>; McGivern, Owen <[REDACTED]>; Devlin, Ronan <[REDACTED]>

Subject: RE: URGENT FOR CLEARANCE - MEDIA QUERIES- Trees on Greenbnak, NEWRY -deadline today

Thanks Emma. We will get that issued.

Áine

From: Stockman, Emma <[REDACTED]>

Sent: 26 October 2022 18:47

To: Orr, Gillian <[REDACTED]>; Gallagher, Paul (DfI Private Office) <[REDACTED]>

Cc: Campbell, Fionnuala <[REDACTED]>; McAleenan, Turlough <[REDACTED]>; Wilson, Jim <[REDACTED]>; Gaughran, Aine <[REDACTED]>; McKee, Jonathan <[REDACTED]>; McGivern, Owen <[REDACTED]>; Devlin, Ronan <[REDACTED]>

Subject: RE: URGENT FOR CLEARANCE - MEDIA QUERIES- Trees on Greenbnak, NEWRY -deadline today

Folks,

Minister has provided the following cleared statement to be used –

A Department spokesperson said

The flood risk in this area is real and continuing.

Alternative methods were exhausted.

Given the topography of the industrial estate it will act as a bowl and flood waters once they enter would be slow and difficult to remove. Risk of entrapment to people in the estate would be significant.

The trees were removed to ensure site safety.

We could not knowingly allow them to remain with the resultant safety risk, nor can we avoid completing the scheme without the risk to life and property from flooding

Regards

Emma Stockman | Private Secretary | Private Office | Department for Infrastructure

Contact: ✉ [REDACTED] | 📞 Tel: [REDACTED] | Mobile: [REDACTED]

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From: Orr, Gillian [REDACTED] >

Sent: 26 October 2022 18:30

To: Stockman, Emma [REDACTED] >; Gallagher, Paul (DfI Private Office) [REDACTED] >

Cc: Campbell, Fionnuala [REDACTED] >; McAleenan, Turlough [REDACTED] >; Wilson, Jim [REDACTED] >; Gaughran, Aine [REDACTED] >; McKee, Jonathan [REDACTED] >; McGivern, Owen [REDACTED] >; Devlin, Ronan <[REDACTED]>

[REDACTED] >

Subject: RE: URGENT FOR CLEARANCE - MEDIA QUERIES- Trees on Greenbnak, NEWRY -deadline today

Emma

Suggested changes below agreed with Áine. I am not aware of Colin's email and have not been able to get officials to clear yet but have cc'd them here. Much of this has been said before however more about businesses and not directly about the people in them.

It would be good to at least get a response to Irish News tonight if possible.

A DfI spokesperson said: “ **The Department takes environment protection very seriously and did not take this decision lightly** Given the size and location of the trees in close proximity to a busy road it was necessary to implement a road closure to facilitate their safe removal. This work was carried out overnight to ensure both public safety and to minimise disruption to the travelling public and the nearby industrial estate.

The removal of these trees was necessary to allow the construction of a floodwall which provides enhanced protection to the Greenbank Industrial Estate in Newry through reducing the probability of flooding for the many businesses within.

The flood risk in this area is real and continuing. We had undertaken a re-assessment of all potential options to provide flood protection at this location **and two separate design**

consultants with expert knowledge in flood risk management have independently identified the need for a flood barrier at this location to prevent flooding emanating directly from the Knox Peebles Drain which would risk endangering the industrial estate and the people within it.

It is important to note that considerable care has been taken to limit the number of trees, which are to be felled, to facilitate the construction of the flood defences. In addition, a tree re-planting plan is also being progressed in association with this scheme. Presently it is proposed that more trees will be planted than the number proposed to be felled and work is ongoing to further maximise re-planting opportunities in the locality.”

Gillian

From: Orr, Gillian
Sent: 26 October 2022 17:50
To: Stockman, Emma <[REDACTED]>; Gallagher, Paul (DfI Private Office) <[REDACTED]>
Cc: Campbell, Fionnuala <[REDACTED]>; McAleenan, Turlough <[REDACTED]>; Wilson, Jim <[REDACTED]>; Gaughran, Aine <[REDACTED]>
Subject: RE: URGENT FOR CLEARANCE - MEDIA QUERIES- Trees on Greenbnak, NEWRY -deadline today

Emma

I will check that out and get back to you.

Gillian

From: Stockman, Emma
Sent: 26 October 2022 17:45
To: Orr, Gillian <[REDACTED]>; Gallagher, Paul (DfI Private Office) <[REDACTED]>
Cc: Campbell, Fionnuala <[REDACTED]>; McAleenan, Turlough <[REDACTED]>; Wilson, Jim <[REDACTED]>; Gaughran, Aine <[REDACTED]>
Subject: RE: URGENT FOR CLEARANCE - MEDIA QUERIES- Trees on Greenbnak, NEWRY -deadline today

Gillian,

Dara has come back with the following comments – I know Colin is off so this probably cant happen but can this be redrafted to reflect?

I think the lines could be made stronger and sharper as there will be a lot of criticism. We need to be confident in our response. See some suggestions below. You should run any PR past Colin Woods as well (the lines all come from an email he sent me!).

Actions like this are not taken lightly.

The flood risk in this area is real and continuing.

Alternative methods were exhausted.

Given the topography of the industrial estate it will act as a bowl and flood waters once they enter would be slow and difficult to remove. Risk of entrapment to people in the estate would be significant.

The trees were removed to ensure site safety.

We could not knowingly allow them to remain with the resultant safety risk, nor can we avoid completing the scheme without the risk to life and property from flooding

Regards

Emma Stockman | Private Secretary | Private Office | Department for Infrastructure

Contact: ✉ [REDACTED] | 📞 Tel: [REDACTED] | DD: [REDACTED] | Mobile: [REDACTED]

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From: Orr, Gillian [REDACTED] >
Sent: 26 October 2022 16:28
To: Stockman, Emma [REDACTED] >; Gallagher, Paul (DfI Private Office) <[REDACTED]>
Cc: Campbell, Fionnuala [REDACTED] >; McAleenan, Turlough [REDACTED] >; Wilson, Jim <[REDACTED]>
[REDACTED] >; Gaughran, Aine [REDACTED] >
Subject: URGENT FOR CLEARANCE - MEDIA QUERIES- Trees on Greenbnak, NEWRY -deadline today

Emma/Paul

We have had three media queries today about the overnight felling of trees at the Greenbank Industrial estate, Newry,

Queries and a draft response are included below. [REDACTED] has not questioned the timing of the felling so we can remove the first para from his response.

Can this please be cleared with Minister this evening? Deadlines are today for tomorrow's papers.

I have also attached a link to a tweet video from Justin McNulty criticising the Minister for this decision for information

[REDACTED] - Irish News query

Doing a piece on the cutting down of oak trees at Greenbank in Newry. My understanding is work was carried out today.

I am trying to get a statement again on the why it had to be done as campaigners claimed other alternatives were possible? Also claim is work started very early in the morning to avoid disruption, protests. Would that be correct and any comment? And any other comment?

[REDACTED] - Belfast Live

Is it normal for contractors to cut down trees at 4am?

Also wondering when the decision to finally fell these trees in Greenbank Newry was made? I understood negotiations were ongoing?

[REDACTED] - Newty.ie

Just checking if you would like to comment on the felling of trees at Greenbank in Newry in the early hours of this morning 26 October in connection with a DFI Flood alleviation scheme.

Can I ask who authorised today's felling?

Do you want to comment on [REDACTED] comment where he accuses DFI of destroying the natural infrastructure "So we have here what appears to be the Department for Infrastructure, destroying the natural infrastructure to prevent flooding"

Justin McNulty tweet <https://twitter.com/JustinMcNu1ty/status/1585272600560914436>

Draft Response

A DFI spokesperson said: "Given the size and location of the trees in close proximity to a busy road it was necessary to implement a road closure to facilitate their safe removal. This work was carried out overnight to ensure both public safety and to minimise disruption to the travelling public and the nearby industrial estate.

The removal of these trees was necessary to allow the construction of a floodwall which provides enhanced protection to the Greenbank Industrial Estate in Newry through reducing the probability of flooding for the many businesses within.

The Department had undertaken a re-assessment of all potential options to provide flood protection at this location to try to avoid any tree removal. The review concluded that unfortunately there were no alternative measures that would provide the required standard of protection.

It is important to note that considerable care has been taken to limit the number of trees, which are to be felled, to facilitate the construction of the flood defences. In addition, a tree re-planting plan is also being progressed in association with this scheme. Presently it is proposed that more trees will be planted than the number proposed to be felled and work is ongoing to further maximise re-planting opportunities in the locality."

Gillian Orr

Tel [REDACTED])
Mobile [REDACTED]
[REDACTED]

From: Dfl Private Office <Private.Office@infrastructure-ni.gov.uk>

Sent: 24 October 2022 16:10

To: Stockman, Emma <[REDACTED]>; Gallagher, Paul (Dfl Private Office) <[REDACTED]>

Cc: Dfl Private Office <[REDACTED]>

Subject: Newry Flood Works - Trees

Emma/Paul,

For info in case you wish to flag with Minister as the work is due to commence tomorrow. I have placed into CW for info also.

Many thanks,
George

From: Devlin, Ronan <[REDACTED]>

Sent: 24 October 2022 15:46

To: Dfl Private Office <Private.Office@infrastructure-ni.gov.uk>

Cc: Dfl Press Office <Press.Office@infrastructure-ni.gov.uk>

Subject: Newry Flood Works - Trees

Hi

I am writing further to the Rivers email of 12th of September 2022 which informed that plans to remove the remaining trees at Greenbank, to allow construction of the flood defence to be completed, had to be postponed due to safety concerns resulting from the presence of protestors on site.

The Department has arranged for our contractor to re-commence these works, with the felling now scheduled to commence on Tuesday the 25th of October.

As previously advised unfortunately these trees need to be removed as they are on the direct line of the flood defences which will provide flood protection to the business in the Greenbank industrial estate and despite our best efforts there are no alternatives which would allow the trees to remain.

It is our intention that on completion of this critical project we will replant a number of trees in place of the trees that unfortunately have had to be removed to facilitate the works.

Regards

Ronan Devlin MEng CEng MICE

Principal Civil Engineer

DfI Rivers - Capital Projects Unit

Loughry Campus

Cookstown

Co Tyrone

BT80 8SG

Tel: [REDACTED]



From: [Devlin, Ronan](#)
To: [DfI Press Office](#); [DfI Private Office](#)
Cc: [McGivern, Owen](#); [McKee, Jonathan](#); [Quinn, Gary](#)
Subject: Newry Flood Alleviation Phase 1 - Oak trees in Greenbank Industrial Estate - Update
Date: 12 September 2022 15:47:00
Attachments: [image002.png](#)

All,

As informed last week the works to commence felling the trees in Greenbank Industrial Estate to allow construction of the flood defence have been postponed due to the presence of protestors on site.

We are monitoring the situation closely and intend to re-start the works later next week after the bank holiday.

Works will only be completed if it is safe to do so. Just to note if the trees are not felled then the flood defence cannot be completed and the flood risk remains.

Regards

Ronan Devlin MEng CEng MICE
Principal Civil Engineer
DfI Rivers - Capital Projects Unit
Loughry Campus
Cookstown
Co Tyrone
BT80 8SG
Tel: [REDACTED]



From: Woods, Colin (DfI) <[REDACTED]>
Sent: 21 October 2022 16:25
To: DfI SpAd [REDACTED]; Stockman, Emma
<[REDACTED]>
Cc: Harrison, Julie (DfI – Perm Sec) <[REDACTED]>; McGeown, Declan
<[REDACTED]>
Subject: FW: Newry Flood Works - Trees

Dara/Emma

For your information please see below.

Regards

Colin



Colin Woods
Deputy Secretary – Roads & Rivers
Department for Infrastructure
Clarence Court, 10-18 Adelaide Street, Belfast, BT2 8GB

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From: McKee, Jonathan
Sent: 21 October 2022 16:15
To: Woods, Colin (DfI) <[REDACTED]>
Cc: McGivern, Owen [REDACTED]; Devlin, Ronan
<[REDACTED]>; [REDACTED]
Subject: Newry Flood Works - Trees

Colin

I am writing further to the Rivers email of 12th of September 2022 which informed Private Office that plans to remove the remaining trees at Greenbank, to allow construction of the flood defence to be completed, had to be postponed due to safety concerns resulting from the presence of protestors on site.

The Department has arranged for our contractor to re-commence these works, with the felling

now scheduled to commence on Tuesday the 25th of October.

As previously advised unfortunately these trees need to be removed as they are on the direct line of the flood defences which will provide flood protection to the business in the Greenbank industrial estate and despite our best efforts there are no alternatives which would allow the trees to remain.

It is our intention that on completion of this critical project we will replant a number of trees in place of the trees that unfortunately have had to be removed to facilitate the works.

Jonathan

From: Woods, Colin (Dfi)
Sent: 15 September 2022 15:57
To: Dfi SpAd <[REDACTED]>
Cc: Harrison, Julie (Dfi – Perm Sec) <[REDACTED]>; McKee, Jonathan <[REDACTED]>
Subject: Newry Flood Works - Trees
Importance: High

Dara

Further to your chat with Julie – please see below and attached.

In essence the completion of these works is necessary to mitigate the flood risk shown in the map (.JPG attachment).

As with many such cases there are risk and value judgements at play here but an awful lot of detailed thinking has gone in to our approach.

Please feel free to give me a call to discuss if that's helpful – or if there are any more specific queries just shout. You will note the expectation that the trees would be removed in approx. 2 weeks time.

Colin



Colin Woods
Deputy Secretary – Roads & Rivers
Department for Infrastructure
Clarence Court, 10-18 Adelaide Street, Belfast, BT2 8GB
[REDACTED]

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From: McKee, Jonathan

Sent: 15 September 2022 14:04

To: Woods, Colin (DfI) [REDACTED] >

Cc: Devlin, Ronan <[REDACTED]>; McGivern, Owen

<[REDACTED]>; O'Neill, Tommy [REDACTED]

[REDACTED] >; [REDACTED]

Subject: Newry

Colin

Last sub on the issue. Tree report and flood map- which is self explanatory

At this stage it looks like the tree removal is scheduled for roughly 2 weeks time and Owen has asked for them not to come down sooner

Alternative routes are not practicable as the only other routes are across the entrance to the industrial estate properties. Public funds would be wasted as the scheme is very well advanced(1000m of wall needed or which only 150m remain to be constructed roughly) and alternative routes, even if they were practical, would involve abandonment of several hundred meters of newly constructed walls

Alternative construction methods have been exhausted and we are replacing trees as compensation.

I covered this area operationally and know the flood risk is real and continuing. There have been a couple of very close calls in Newry. The map is self explanatory

Given the topography of the industrial estate it will also act as a bowl and flood waters once they enter would be slow and difficult to remove. Also risk of entrapment to people in the estate would be significant.

The trees whilst not directly in line with the wall I understand from the consultant tree expert states "Trees 3, 4, 8, 13, 18 21, 24, 25 & 27 should be removed to ensure site safety, regardless of any proposed construction works. Given the extent of the works being considered, none of the remaining trees growing on the eastern bank of the stream can be retained".

We could not knowingly allow them to remain with the resultant safety risk, nor can we avoid completing the scheme without the risk to life and property from flooding

A site visit with Minister might help- we could meet him

Happy to discuss

Jonathan

From: [Gallagher, Paul \(DfI Private Office\)](#)
To: [Campbell, Fionnuala](#); [Stockman, Emma](#); [DfI Private Office](#)
Cc: [Devlin, Ronan](#); [McKee, Jonathan](#); [Carlisle, Johnathan](#); [Gaughran, Aine](#); [Orr, Gillian](#); [Wilson, Jim](#); [Thompson, Louise \(DfI\)](#); [McAleenan, Turlough](#)
Subject: RE: For clearance - Newry Reporter query - Statement from Justin McNulty - Minister washes his hands of Greenbank - deadline close of play
Date: 06 September 2022 11:39:42

This has been cleared.

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Paul Gallagher | Assistant Private Secretary | Department for Infrastructure

Contact: E [REDACTED] | (DD: [REDACTED]

From: Campbell, Fionnuala [REDACTED] >
Sent: 06 September 2022 10:33
To: Stockman, Emma [REDACTED] >; Gallagher, Paul (DfI Private Office) [REDACTED] >; DfI Private Office <Private.Office@infrastructure-ni.gov.uk>
Cc: Devlin, Ronan [REDACTED] >; McKee, Jonathan [REDACTED] >; Carlisle, Johnathan [REDACTED] >; Gaughran, Aine <[REDACTED]> >; Orr, Gillian [REDACTED] >; Wilson, Jim [REDACTED] >; Thompson, Louise (DfI) [REDACTED] >; McAleenan, Turlough [REDACTED] >
Subject: For clearance - Newry Reporter query - Statement from Justin McNulty - Minister washes his hands of Greenbank - deadline close of play

All

Justin McNulty has issued a statement following receipt of Minister's correspondence on the trees at Greenbank. The Newry Reporter have asked for a response.

His statement is below and correspondence attached again for information. Draft response also provided. Deadline close of play today.

Thanks

Fionnuala

Justin McNulty statement
Minister washes his hands of Greenbank

SDLP MLA Justin McNulty has expressed disappointment that Sinn Féin Infrastructure Minister John O'Dowd has been unable to find a solution which would allow the completion of a flood protection scheme without seeing the destruction of the local environment.

The Newry & Armagh MLA wrote to Minister O'Dowd after meetings with local environmental activists. Speaking of his disappointment at the Minister's response, Mr. McNulty commented:

"I find the Minister's response baffling. A large portion of the flood defence scheme has already been completed without any disruption or destruction to the local environment, so I'm at a loss as to why this project cannot be completed in the manner it was started.

"At a time when households and businesses are being urged to do everything they can to mitigate the impact of the climate crisis, the Minister has an obligation to play his part as well. If he is unwilling to take steps to protect our local environment, then the Minister must make clear what steps he will be taking to offset the adverse environmental impact that this project will have."

ENDS

Note to editor: a copy of the correspondence from Infrastructure Minister John O'Dowd is attached

Draft response

A Departmental spokesperson said: **"The removal of the trees is necessary to allow the construction and operation of a floodwall to provide effective protection to reduce the effects of flooding for businesses within the Greenbank Industrial Estate, Newry.**

The Department had undertaken a re-assessment of all potential options to provide flood protection at this location to try to avoid any tree removal. The review concluded that unfortunately there were no alternative measures that would provide the required standard of protection. Departmental officials have met with Mr McNulty twice to outline that all alternative options were unviable and that the preferred approach we are taking to protect against flooding necessitates the removal of the trees.

It is important to note that considerable care has been taken to limit the number of trees, which are to be felled, to facilitate the construction of the flood defences. In addition, a tree re-planting plan is also being progressed in association with this scheme. Presently it is proposed that more trees will be planted than the number proposed to be felled and work is ongoing to further maximise re-planting opportunities in the locality."

From: [Stockman, Emma](#)
To: [Thompson, Louise \(DfI\)](#); [Gallagher, Paul \(DfI Private Office\)](#); [Graham, James](#)
Cc: [McKee, Jonathan](#); [McGivern, Owen](#); [Carlisle, Johnathan](#); [Coulter, Ian \(Rivers\)](#); [Devlin, Ronan](#); [Gaughran, Aine](#); [Orr, Gillian](#); [Campbell, Fionnuala](#); [Wilson, Jim](#)
Subject: RE: Belfast Live query - trees - deadline as soon as possible
Date: 02 August 2022 13:36:35
Attachments: [RE Belfast Live query - trees - deadline as soon as possible.msg](#)
[image001.jpg](#)

Louise,

Minister has now cleared

Regards

Emma Stockman
Departmental Private Secretary

Tel: [REDACTED]
Ext: [REDACTED]
Mobile: [REDACTED]

All e-mails and attachments sent by a Private Secretary, or member of the Private Office, to an official must be saved appropriately by the main recipient/Business Area. The Private Office do not keep official records of such e-mails or attachments.

From: Thompson, Louise (DfI) [REDACTED] >
Sent: 01 August 2022 18:04
To: Stockman, Emma [REDACTED] >; Gallagher, Paul (DfI Private Office) [REDACTED] >; Graham, James [REDACTED] >
Cc: McKee, Jonathan [REDACTED] >; McGivern, Owen [REDACTED] >; Carlisle, Johnathan [REDACTED] >; Coulter, Ian (Rivers) [REDACTED] >; Devlin, Ronan [REDACTED] >; Gaughran, Aine [REDACTED] >; Orr, Gillian [REDACTED] >; Campbell, Fionnuala [REDACTED] >; Wilson, Jim [REDACTED] >
Subject: Belfast Live query - trees - deadline as soon as possible

All,

Sorry for the late email, please see query below and draft response cleared by Jonathan for the Minister's consideration. [REDACTED] initially asked if it would be possible to get this tonight but I emailed back this evening to explain this may not be possible and asked for an extension - she has not responded so far. Please advise if the Minister is content or if he has any amends.

Many thanks,
Louise

-

QUERY FROM [REDACTED], BELFAST LIVE:

- Can you tell me if there was an environmental impact assessment done on this please and why they have to be removed - is it to get machinery in? Can you also tell me how many trees are being cut down in Newry as well as the number of trees removed in Newcastle and Belfast for similar schemes.

DRAFT RESPONSE:

A Department for Infrastructure (Dfi) spokesman said:

“Following an assessment of the potential impacts likely to arise from the proposed scheme it was considered that it would not constitute a development that required an Environmental Impact Assessment (EIA). The removal of the trees is necessary to allow the safe construction and operation of a floodwall to provide effective protection to reduce the effects of flooding for businesses within the Greenbank Industrial Estate, Newry.

“In the construction of any Flood Alleviation Scheme only the trees and shrubs necessary to facilitate the construction of flood defences are removed to facilitate this critical infrastructure which is designed to protect homes and businesses from flooding. Areas where trees and shrubs have to be removed to facilitate the works are reinstated with similar species where possible, and where it is not possible to reinstate in the original location, some compensatory planting is undertaken in suitable areas subject to the agreement of the appropriate landowners.”

Louise Thompson

**Communications Office
Dept. for Infrastructure**

Mobile: [REDACTED]

(Working days Mondays, Tuesdays and Fridays.)

Dfi logo



Every day connecting people safely, supporting opportunities and creating sustainable living places.

From: [DfI Minister](#)
To: [Stockman, Emma](#)
Subject: RE: Belfast Live query - trees - deadline as soon as possible
Date: 02 August 2022 13:35:16
Attachments: [image001.jpg](#)

Ok statement now agreed.

From: Stockman, Emma [REDACTED] >
Sent: 02 August 2022 12:18
To: DfI Minister <minister@deptinfrastructure.info>
Cc: Gallagher, Paul (DfI Private Office) [REDACTED] >
Subject: FW: Belfast Live query - trees - deadline as soon as possible

John,

Please find response from Officials below and let me know if you have any further questions or are content to clear.

Regards

Emma Stockman
Departmental Private Secretary

Tel: [REDACTED]
Ext: [REDACTED]
Mobile [REDACTED]

All e-mails and attachments sent by a Private Secretary, or member of the Private Office, to an official must be saved appropriately by the main recipient/Business Area. The Private Office do not keep official records of such e-mails or attachments.

From: Hitchenor, Andrew [REDACTED] >
Sent: 02 August 2022 12:15
To: Stockman, Emma <[REDACTED]>
Cc: Devlin, Ronan [REDACTED] >; Carlisle, Johnathan [REDACTED] >; McGivern, Owen [REDACTED] >; Bond, Ruth [REDACTED] >; McKee, Jonathan <[REDACTED]>; Thompson, Louise (DfI) [REDACTED] >; Graham, James <[REDACTED]> >; Coulter, Ian (Rivers) [REDACTED] >; Gaughran, Aine <[REDACTED]>; Orr, Gillian [REDACTED] >; Campbell, Fionnuala <[REDACTED]> >; Wilson, Jim [REDACTED] >; Gallagher, Paul (DfI Private Office) <[REDACTED]> >
Subject: RE: Belfast Live query - trees - deadline as soon as possible

Emma

Please see explanation below in response to the Ministers query.

“What conditions need to be met to have an environmental impact assessment carried out?”

All DfI Rivers Flood Alleviation schemes are subject to an environmental screening assessment which will determine whether the scheme has significant effects on the environment and will require an Environmental Impact Assessment in accordance with the Drainage (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.

The screening assessment takes into account criteria contained in the legislation. When considering the likely significant effects on the environment the environmental screening assessment will have regard to the following environmental factors: population and human health; biodiversity, with particular attention to species and protected habitats; land, soil, water, air and climate; material assets, cultural heritage and landscape; the interaction between previous factors.

For Newry the need for an Environmental Statement was screened out as it was deemed that the scheme did not have a significant effect upon the environment.

Where the Department considers that the works specified in the Drainage schemes are not likely to have significant effects on the environment it advertises the determination by general and local advertisement and sends a copy of the notice to each of the consultative bodies. For Newry the decision not to undertake an EIA was publically advertised on 12th September 2019.

Note: Trees being removed are not protected and are not in a designated conservation area.

Regards

Andrew Hitchenor
Head of Business Unit
Asset Management and Mapping Unit
DfI Roads and Rivers
49 Tullywiggan Rd
Loughry
Cookstown
BT80 8SG

☎: +

Mobile:

✉:

www.infrastructure-ni.gov.uk

From: McGivern, Owen

Sent: 02 August 2022 09:27

To: Bond, Ruth <[REDACTED]>; Hitchenor, Andrew <[REDACTED]>

Cc: Devlin, Ronan <[REDACTED]>; Carlisle, Johnathan <[REDACTED]>

Subject: FW: Belfast Live query - trees - deadline as soon as possible

Ruth/Andrew

Could you advise/supply a line

Owen

From: Stockman, Emma <[REDACTED]>

Sent: 02 August 2022 09:24

To: Thompson, Louise (DfI) <[REDACTED]>; Gallagher, Paul (DfI Private Office) <[REDACTED]>; Graham, James <[REDACTED]>

Cc: McKee, Jonathan <[REDACTED]>; McGivern, Owen <[REDACTED]>; Carlisle, Johnathan <[REDACTED]>

<[REDACTED]>; Coulter, Ian (Rivers) <[REDACTED]>; Devlin, Ronan <[REDACTED]>; Gaughran, Aine <[REDACTED]>

<[REDACTED]>; Orr, Gillian <[REDACTED]>; Campbell, Fionnuala <[REDACTED]>; Wilson, Jim <[REDACTED]>

Subject: RE: Belfast Live query - trees - deadline as soon as possible

Folks,

Minister has asked the following question

“What conditions need to be met to have an environmental impact assessment carried out?”

Can someone come back to me with an answer?

Regards

Emma Stockman
Departmental Private Secretary

Tel: [REDACTED]
Ext: [REDACTED]
Mobile: [REDACTED]

All e-mails and attachments sent by a Private Secretary, or member of the Private Office, to an official must be saved appropriately by the main recipient/Business Area. The Private Office do not keep official records of such e-mails or attachments.

From: Thompson, Louise (DfI) <[REDACTED]>
Sent: 01 August 2022 18:04
To: Stockman, Emma <[REDACTED]>; Gallagher, Paul (DfI Private Office) <[REDACTED]>; Graham, James <[REDACTED]>
Cc: McKee, Jonathan <[REDACTED]>; McGivern, Owen <[REDACTED]>; Carlisle, Johnathan <[REDACTED]>; Coulter, Ian (Rivers) <[REDACTED]>; Devlin, Ronan <[REDACTED]>; Gaughran, Aine <[REDACTED]>; Orr, Gillian <[REDACTED]>; Campbell, Fionnuala <[REDACTED]>; Wilson, Jim <[REDACTED]>
Subject: Belfast Live query - trees - deadline as soon as possible

All,

Sorry for the late email, please see query below and draft response cleared by Jonathan for the Minister's consideration. [REDACTED] initially asked if it would be possible to get this tonight but I emailed back this evening to explain this may not be possible and asked for an extension - she has not responded so far. Please advise if the Minister is content or if he has any amends.

Many thanks,
Louise

QUERY FROM [REDACTED], BELFAST LIVE:

Can you tell me if there was an environmental impact assessment done on this please and why they have to be removed - is it to get machinery in? Can you also tell me how many trees are being cut down in Newry as well as the number of trees removed in Newcastle and Belfast for similar schemes.

DRAFT RESPONSE:

A Department for Infrastructure (DfI) spokesman said:

“Following an assessment of the potential impacts likely to arise from the proposed scheme it was considered that it would not constitute a development that required an Environmental Impact Assessment (EIA). The removal of the trees is necessary to allow the safe construction and operation of a floodwall to provide effective protection to reduce the effects of flooding for businesses within the Greenbank Industrial Estate, Newry.

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be removed to facilitate the works are reinstated with similar species where possible, and where it is not possible to reinstate in the original location, some compensatory planting is undertaken in suitable areas subject to the agreement of the appropriate landowners.”

Louise Thompson

Communications Office
Dept. for Infrastructure

Mobile: [REDACTED]

(Working days Mondays, Tuesdays and Fridays.)



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From: Woods, Colin (DfI) <[REDACTED]>
Sent: 21 October 2022 16:25
To: DfI SpAd <[REDACTED]>; Stockman, Emma
[REDACTED]
Cc: Harrison, Julie (DfI – Perm Sec) <[REDACTED]>; McGeown, Declan
<[REDACTED]>
Subject: FW: Newry Flood Works - Trees

Dara/Emma

For your information – please see below.

Regards

Colin



Colin Woods
Deputy Secretary – Roads & Rivers
Department for Infrastructure
Clarence Court, 10-18 Adelaide Street, Belfast, BT2 8GB
[REDACTED]
[REDACTED]

Every day connecting people safely, supporting opportunities and creating sustainable living places.

From: McKee, Jonathan
Sent: 21 October 2022 16:15
To: Woods, Colin (DfI) <[REDACTED]>
Cc: McGivern, Owen <[REDACTED]>; Devlin, Ronan
<[REDACTED]>; [REDACTED]
Subject: Newry Flood Works - Trees

Colin

I am writing further to the Rivers email of 12th of September 2022 which informed Private Office that plans to remove the remaining trees at Greenbank, to allow construction of the flood defence to be completed, had to be postponed due to safety concerns resulting from the presence of protestors on site.

The Department has arranged for our contractor to re-commence these works, with the felling

now scheduled to commence on Tuesday the 25th of October.

As previously advised unfortunately these trees need to be removed as they are on the direct line of the flood defences which will provide flood protection to the business in the Greenbank industrial estate and despite our best efforts there are no alternatives which would allow the trees to remain.

It is our intention that on completion of this critical project we will replant a number of trees in place of the trees that unfortunately have had to be removed to facilitate the works.

Jonathan

From: Woods, Colin (Dfi)
Sent: 15 September 2022 15:57
To: Dfi SpAd [REDACTED] >
Cc: Harrison, Julie (Dfi – Perm Sec) [REDACTED] McKee, Jonathan
[REDACTED]
Subject: Newry Flood Works - Trees
Importance: High

Dara

Further to your chat with Julie – please see below and attached.

In essence the completion of these works is necessary to mitigate the flood risk shown in the map (.JPG attachment).

As with many such cases there are risk and value judgements at play here but an awful lot of detailed thinking has gone in to our approach.

Please feel free to give me a call to discuss if that's helpful – or if there are any more specific queries just shout. You will note the expectation that the trees would be removed in approx. 2 weeks time.

Colin



Colin Woods
Deputy Secretary – Roads & Rivers
Department for Infrastructure
Clarence Court, 10-18 Adelaide Street, Belfast, BT2 8GB
[REDACTED]

Every day connecting people safely, supporting opportunities and creating sustainable living places.

From: McKee, Jonathan

Sent: 15 September 2022 14:04

To: Woods, Colin (DfI) [REDACTED] >

Cc: Devlin, Ronan [REDACTED]; McGivern, Owen

[REDACTED] O'Neill, Tommy [REDACTED]

[REDACTED]; [REDACTED]

Subject: Newry

Colin

Last sub on the issue. Tree report and flood map- which is self explanatory

At this stage it looks like the tree removal is scheduled for roughly 2 weeks time and Owen has asked for them not to come down sooner

Alternative routes are not practicable as the only other routes are across the entrance to the industrial estate properties. Public funds would be wasted as the scheme is very well advanced(1000m of wall needed or which only 150m remain to be constructed roughly) and alternative routes, even if they were practical, would involve abandonment of several hundred meters of newly constructed walls

Alternative construction methods have been exhausted and we are replacing trees as compensation.

I covered this area operationally and know the flood risk is real and continuing. There have been a couple of very close calls in Newry. The map is self explanatory

Given the topography of the industrial estate it will also act as a bowl and flood waters once they enter would be slow and difficult to remove. Also risk of entrapment to people in the estate would be significant.

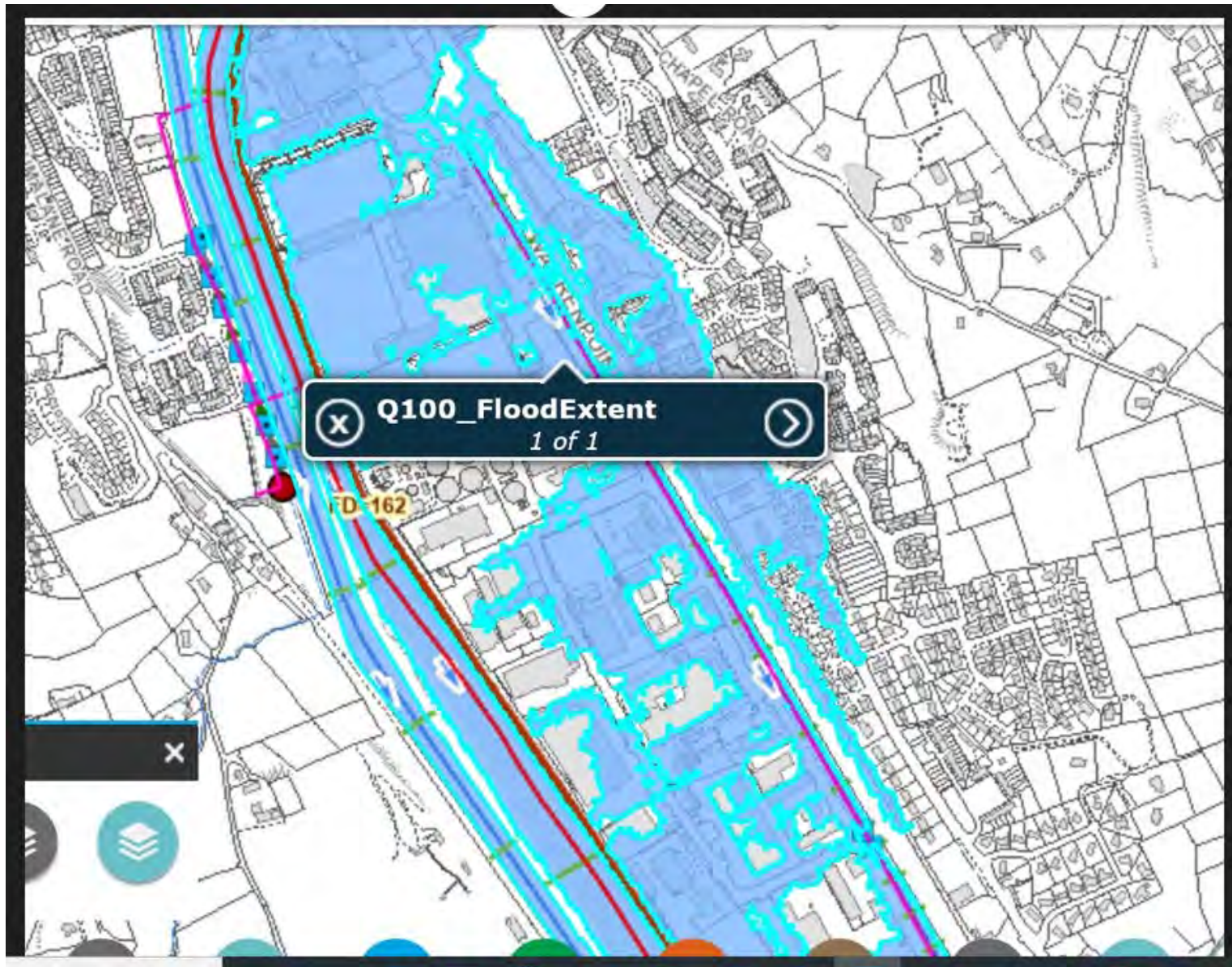
The trees whilst not directly in line with the wall I understand from the consultant tree expert states "Trees 3, 4, 8, 13, 18 21, 24, 25 & 27 should be removed to ensure site safety, regardless of any proposed construction works. Given the extent of the works being considered, none of the remaining trees growing on the eastern bank of the stream can be retained".

We could not knowingly allow them to remain with the resultant safety risk, nor can we avoid completing the scheme without the risk to life and property from flooding

A site visit with Minister might help- we could meet him

Happy to discuss

Jonathan



Internal Memo

From: Jonathan McKee
Director of Rivers

Your Ref: SUB/2007/2022

Our Ref: IN1-22-8753

Tel: 028 867 57505

Date: 23rd May 2022

To: John O'Dowd MLA
Minister for Infrastructure

cc: Copy distribution below

NEWRY PHASE 1 FLOOD ALLEVIATION PROJECT – TREE REMOVAL

Decision Required



For Information Only



Issue: To update you on the need to proceed with the removal of trees in the Greenbank industrial estate, to enable a floodwall to be constructed as part of the Newry Phase 1 flood alleviation project.

Timescale: Routine

Presentational Issues: There has been public, media and political interest regarding the removal of oak trees within the Greenbank industrial estate, Newry, to facilitate the construction of a floodwall. Engagement is ongoing, however there may be a negative response from the community and local representatives. Cleared by press office, FC, 19/5/22

FOI Implications: This submission is likely to be fully disclosable.

Financial Implications: The associated costs of the tree removal are included in the wider scheme which is contractually committed and therefore included in the financial planning contingency envelope. (Finance clearance on 20/5/22).

Legislative Implications: N/A

Section 75 Implications: None.

Executive Referral: Not required.

Special Adviser Comments:

Recommendation:

That you:-

- Note the contents of this submission;
- Note that the removal of the trees is necessary to allow the safe construction and operation of a floodwall to provide effective protection against flooding for businesses within the Greenbank Industrial Estate, Newry;
- Note that all options to avoid the removal of the trees have been fully investigated by the project team; and
- Note that compensatory tree planting will be maximised both within this phase of the works and later as part of phases 2 and 3.

DETAIL

1. The 2015 NI Flood Risk Management Plans (FRMPs) identified Newry as the most significant area of flood risk in the North outside of Belfast. A feasibility study, completed in 2018, recommended flood alleviation works to a number of tributaries in the city centre, works on the main Newry River / Canal and upstream flood storage. A 'Phase One Tributaries Scheme' has been developed as part of the overall 'Newry River and Tributaries' flood alleviation works.'
2. The purpose of this 'Phase One Tributaries Scheme' is to provide flood alleviation to properties located at Armagh Road, Downshire Road, Craigmore Way and Greenbank Industrial Estate, Newry. The works include the construction of new flood walls along the Knox-Pebbles Drain at the Greenbank Industrial Estate.
3. Phase 1 construction works commenced in August 2021, with a 12 month programme until completion.
4. However an issue has arisen surrounding the planned removal of mature oak trees at the Greenbank Industrial estate. The felling of trees as part of the site clearance works in February 2022 prompted a negative response from local residents. Protest posters were erected and Rivers officials were contacted by local media and elected representatives to clarify the removal of further trees.

5. Discussions have been ongoing since February 2022 with local representatives to explore alternative solutions. Officials undertook to carry out a re-assessment of all potential options to provide flood protection at this location which may avoid any tree removal. The review concluded that, unfortunately, there were no alternative measures that would provide the required standard of flood protection.
6. Following a meeting between officials, Amey (our partner consultant) and local representatives on the 24th February 2022, officials proposed to seek additional advice from an independent arborist. The purpose of this was to allow an independent specialist to provide advice and guidance on the requirement to fell the trees for the preferred design and whether any of the trees could remain.
7. The independent Arborist, has completed an “Arboricultural Impact Assessment” where they have assessed the floodwall proposals in conjunction with reviewing the current condition of the trees. The report states “given the extent of the works being considered, none of the remaining trees growing on the eastern bank of the stream can be retained.”
8. As a result of pausing to obtain the Arboricultural Impact Assessment works will now occur within the bird nesting season and therefore prior to the felling of the trees an additional nesting bird survey will be completed by an Ecologist. If no nests are identified then the trees will be felled. If nests are identified, then the felling will be postponed until after the nesting season in the autumn. This would result in the flood alleviation works stopping and recommencing once the bird nesting season has elapsed.
9. Compensatory planting of trees is being maximised in this phase and in subsequent phases of the works.
10. Rivers will re-engage with the local representatives to inform them of the outcome of the independent assessment and intention to proceed with the tree felling. Representations were made on behalf of Sinn Fein (Micky Brady MP) and SDLP (Justin McNulty MLA, Sinead Bradley and Councillor Declan McAteer).

11. Lines to take to respond to any media queries will be developed as necessary.

Financial Implications

12. The associated costs of the tree removal are included in the wider scheme which is contractually committed and therefore included in the financial planning contingency envelope. However, should tree removal be delayed, there may be additional costs and a further submission will be provided.

Legislative Implications

13. None.

Recommendation

14. That you;

- Note the contents of this submission;
- Note that the removal of the trees is necessary to allow the safe construction and operation of a floodwall to provide effective protection against flooding for businesses within the Greenbank Industrial Estate, Newry;
- Note that all options to avoid the removal of the trees have been fully investigated by the project team; and
- Note that compensatory tree planting will be maximised both within this phase of the works and later as part of phases 2 and 3.

Jonathan McKee

Director of Rivers

Copy List:

Julie Harrison

[REDACTED]

Colin Woods

[REDACTED]

Aine Gaughran

Dfl Press Office

Owen McGivern

Ronan Devlin

Dfl Roads and Rivers Finance Business Partner

Rivers Business Support

From: [DfI Private Office](#)
To: [McKee, Jonathan](#)
Cc: [REDACTED]; [McGivern, Owen](#); [Woods, Colin \(DfI\)](#); [Gaughran, Aine](#); [Devlin, Ronan](#); [DFI Finance – Roads and Rivers Finance Business Partner](#); [DG DfI Rivers Business Support Branch](#); [DfI Press Office](#); [Harrison, Julie \(DfI – Perm Sec\)](#)
Subject: Submission Decision SUB-2007-2022 : NEWRY PHASE 1 FLOOD ALLEVIATION PROJECT – TREE REMOVAL
Date: 30 May 2022 11:22:12
Attachments: [FW ROUTINE- SUB-2007-2022 - Min Noted.msg](#)

Classification: Official
Timing: Routine
Reference: SUB-2007-2022

Subject: SUB-2007-2022 : NEWRY PHASE 1 FLOOD ALLEVIATION PROJECT – TREE REMOVAL

To: JONATHAN MCKEE
Date: 30/05/2022

The Minister has seen and noted your submission of 24/05/2022

For further information etc. contact:

[REDACTED]
DfI Private Office

Copied To For Information:

[REDACTED]; [McGivern, Owen](#); [Woods, Colin \(DfI\)](#); [Gaughran, Aine](#); [Devlin, Ronan](#); [DFI Finance – Roads and Rivers Finance Business Partner](#); [Business Support, DfI Rivers Agency](#); [DfI Press Office](#); [Harrison, Julie \(DfI – Perm Sec\)](#)

NEWRY FLOOD ALLEVIATION SCHEME – Tree Removal

- In order to facilitate the safe construction and maintenance of a flood defence to protect life and property from flooding in the Greenbank Estate Newry, it is unfortunately necessary to remove some mature trees. It is necessary to fell 28 trees in total, 13 of which are oak trees.
- My Department has given careful consideration to alternative construction methodologies for the flood wall at this location, exhausting all potential solutions. The current proposal is the optimum solution which minimises the impact on the local environment as far as possible.
- My Department had engaged an independent Arboriculturist to complete a survey of the existing trees which included an “Arboricultural Impact Assessment” where they have assessed the floodwall proposals in conjunction with reviewing the current condition of the trees. The report states “given the extent of the works being considered, none of the remaining trees growing on the eastern bank of the stream can be retained”.
- However, work is currently ongoing on a ‘tree re-planting plan’, with discussions already held with landowners including Newry and Mourne District Council. Currently proposals are to re-plant up to 50 semi-mature trees of various native species.

NEWRY FLOOD ALLEVIATION SCHEME – History of Flooding

- Flooding most recently occurred in this area on the 13th November 2014. There was flooding to the local road network and inside the PWS industrial unit, with other units affected to the exterior. There is a general history of flooding in the area as there is a tidal influence from the Newry River which causes the Knox Peebles Stream to back up and spill into the estate which acts like a basin. The Departments’ predictive maps has identified this area as being at a significant risk of flooding, the magnitude of which worsens when assessing climate change.
- A history of flooding isn’t the determining factor in the delivery of a flood alleviation scheme but it is a key tool used to verify our predictive flood models. If this flooding were to occur again it would have a serious effect on property, infrastructure, the environment and pose a real risk to life.

NEWRY FLOOD ALLEVIATION SCHEME – Environmental considerations

- An assessment of environmental considerations, which includes an Environment Impact Form, was completed by Rivers environmental team and the Department’s partner consultant, Amey, prior to construction. This assessment recommended that an Environmental Impact Assessment was not required.
- My Department has listened to and heard the concerns raised and officials have exhausted all avenues to maintain as many trees as possible, plant more trees than the number needing replaced whilst facilitating this critical infrastructure to protect Newry City from flooding.
- As Minister I need to take a wider view and whilst doing all we can to protect the environment we need to put in place infrastructure that will mitigate against the climate emergency and protect Newry from the very real risk of flooding.
- My Department fully values the environment and seeks to nurture and develop it as part of our works and where, at times, to allow critical infrastructure to be

provided or maintained we impact upon the natural environment I am fully committed that we continue to do all that is reasonable to mitigate and compensate for those impacts.