EXPLANATORY MEMORANDUM TO

The B28 Ardress Road, Cranagill, Portadown (Abandonment) Order (Northern Ireland) 2023

S.R. 2023 No. 177

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Infrastructure to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under Article 68(1) and (5) of the Roads (Northern Ireland) Order 1993 and is subject to the negative resolution procedure. On the coming into operation of the Rule, the area of road in question shall cease to be maintainable by the Department and the public right of way over it shall be extinguished. The are of road in question will be abandoned as the Department is of the opinion that the road is no longer necessary.

2. Purpose

2.1. The purpose of the rule is to abandon an area of 1689 square metres of superseded road adjacent to B28 Ardress Road and Annaghmore Road, Cranagill, Portadown.

3. Background

3.1. The abandonment has been requested by Blue Eagle Precision Engineering on behalf of the adjacent landowner who has expressed an interest in purchasing land owned by the Department which is adjacent to the superseded road. The superseded road is unregistered and the Department does not appear to hold title to it.

3.2. Upon abandonment of the old road, the Department will have no further interest in this area of land and will have no maintenance or public liability responsibility.

4. Consultation

4.1. The PSNI has been consulted and no objection has been received. Armagh City, Banbridge and Craigavon Borough Council has also been advised of the proposed abandonment but no acknowledgement has been received.

4.2. A notice in respect of the proposed abandonment was published in the local press for two successive weeks, a notice was posted on site and the statutory undertakers were notified of the proposal. No objections were received.

5. Equality Impact

5.1. Consideration has been given to compliance with section 75 of the Northern Ireland Act 1998. No equality issues have been identified by the Department and no issues were raised following the publication of the notice in the press.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment was not considered necessary as the proposal does not result in any costs or savings to business, charities or the voluntary bodies.

7. Financial Implications

7.1. The applicant has signed an undertaking to reimburse the Department's costs and expenses and to pay any compensation due as a result of making the Rule.

8. Section 24 of the Northern Ireland Act 1998

8.1. Consideration has been given to compliance with section 24 of the Northern Ireland Act 1998. No human rights issues have been identified by the Department and no issues were raised following the publication of the notice in the press.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.