EXPLANATORY MEMORANDUM TO

The Ballyblaugh Road, Newry (Abandonment) Order (Northern Ireland) 2011

S. R. 2011 No. 346

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Regional Development 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.

2. Purpose

2.1. The purpose of the Rule is to abandon an area of 510 square metres of road adjacent to Aughintober House, 4 Ballyblaugh Road, Newry. The rule also requires the retention of any equipment belonging to statutory undertakers in the area to be abandoned and preserves their right to maintain such equipment there

3. Background

3.1. The abandonment has been requested by McShane and Company on behalf of the owner of No. 4 Ballyblaugh Road. The bed and soil of the area of road to be abandoned is owned partly by the Department and partly by the applicant. Following the abandonment the area owned by the Department will be disposed of in accordance with the procedures laid down for the disposal of government owned land and the rest will revert to the applicant. The Department is of the opinion that another road is available which provides alternative facilities.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Newry & Mourne District Council has also been advised of the scheme.

4.2. A Notice in respect of the proposed abandonment was published in the local press for 2 successive weeks and statutory undertakers notified of the proposal. No objections have been received.

4.3. NIE made an objection as part of the initial consultation carried out by Roads Service but that has now been withdrawn. BT have made a request for an easement which will be dealt with as part of the disposal process.

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. None

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.