EXPLANATORY MEMORANDUM TO

The Ballysillan Park, Belfast (Abandonment) Order (Northern Ireland) 2019

S.R. 2019 No. 225

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.

2. Purpose

2.1. The purpose of the rule is to abandon an area of 1950 square metres of road consisting of former road and embankment at the junction of Crumlin Road and Ballysillan Park, Belfast.

2.2. On the coming into operation of the rule, the area of road in question shall shall cease to be maintainable by the Department and the public right of way over it shall be extinguished.

2.3. The area of road in question will be abandoned as the Department is of the opinion that the road is no longer necessary for road traffic.

3. Background

3.1. The abandonment has been requested by a Multi-Departmental group including the Executive Office, the Department for Communities and this Department to facilitate the implementation of an Environmental Improvement Scheme.

3.2. The Department holds unregistered title to the bed and soil of the area to be abandoned. Following the abandonment, the land will be declared surplus and disposed of in accordance with the statutory procedures laid down for the disposal of government owned land.

3.3. It is proposed to dispose of the land to the Northern Ireland Housing Executive who will assume responsibility for its maintenance.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Belfast City Council has also been advised of the proposed abandonment and no objection has been received.

4.2. In accordance with the statutory consultation process a notice in respect of the proposed abandonment was published in the local press for two successive weeks. In addition, a notice was posted on site and the statutory undertakers were notified of the proposal.

4.3. Following publication of the notice 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. 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.