EXPLANATORY MEMORANDUM TO

The Bann Drive, Londonderry (Footpaths) (Abandonment) Order (Northern Ireland) 2017

S.R. 2017 No. 96

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 190 square metres of road consisting of 2 areas of footpath at Bann Drive, Londonderry.

2.2. On the coming into operation of the abandonment the areas of road in question shall cease to be maintainable by the Department and the public right of way over them shall be extinguished.

3. Background

3.1. The abandonment has been requested by Derry City and Strabane District Council in order to implement an Environmental Improvement Scheme for which the council has received planning permission.

3.2. The owner of the bed and soil of the areas to be abandoned is Derry City and Strabane District Council.

4. Consultation

4.1. The PSNI has been informed and has no objection to the abandonment. Derry City and Strabane District Council requested the abandonment.

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. 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.