EXPLANATORY MEMORANDUM TO

The Carnbane Road, Newry (Abandonment) Order (Northern Ireland) 2015

S.R. 2015 No. 392

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 two areas of road totalling 1525 square metres at Carnbane Road, Newry.

3. Background

3.1. 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.

3.2. The abandonment was requested by the then Newry & Mourne District Council as owners of the bed and soil of part of the area to be abandoned. The council wished to regularise the situation on the ground as it had erected gates at the boundary of both stretches of road in order to control access to the adjacent playing fields.

3.3. The Department is the owner of the bed and soil of the remainder of the area to be abandoned and the Council wished to acquire the land. Following the abandonment the land will be declared surplus to requirements and disposed of in accordance with statutory guidelines.

4. Consultation

4.1. The PSNI and Newry, Mourne and Down District Council have no objection to the proposal.

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.