EXPLANATORY MEMORANDUM TO

The College Park/College Park East, Belfast (Abandonment) Order (Northern Ireland) 2010

S. R. 2010 No. 177

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 1678 square metres of carriageway and footway at College Park and College Park East, Belfast.

3. Background

3.1. The area to be abandoned is unregistered and following the abandonment Queens University Belfast propose to incorporate the land into the site of their new library. The Department is of the opinion that the area of road is not necessary for road traffic.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Belfast City Council was notified about the proposal. 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.

4.2. Three objections were received from local residents whose main concerns were - that the proposed area to be abandoned should not be turned into a car park but instead be landscaped into a pedestrian friendly environment providing trees and seating; that the new Queens University Belfast library has generated substantial extra traffic in the area, particularly on Rugby Road, parts of which cannot facilitate passing vehicles; that the area to be abandoned provides vital alternative access and is essential for the free flow of traffic; and that there is no alternative provision for traffic in the area, nor, is any planned.

4.3. The Department has considered these objections and is of the view that following the abandonment, the area in question will become part of the grounds surrounding the new Queens University Belfast library and part of it will be used for car parking with the car park being landscaped with trees and hedges. The Department is satisfied that the adjacent streets are adequate to the needs of traffic in the area. It does not anticipate vehicles being unable to pass each other on Rugby Road. The Department believes that any additional traffic on College Park, Rugby Road or University Avenue, created by the abandonment would be minimal, particularly, as

vehicles currently accessing or leaving College Park East must already use these streets.

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.

The College Park/College Park East, Belfast (Abandonment) Order (Northern Ireland) 2010

Observations of the Department upon the objections made to the proposed Order and not withdrawn

The Department for Regional Development has made The College Park/College Park East, Belfast (Abandonment) Order (Northern Ireland) 2010.

Three objections were received from local residents whose main concerns were:

- that the proposed area to be abandoned should not be turned into a car park but instead be landscaped into a pedestrian friendly environment providing trees and seating;
- that the new Queens University Belfast library has generated substantial extra traffic in the area, particularly on Rugby Road, parts of which cannot facilitate passing vehicles,
- that the area to be abandoned provides vital alternative access and is essential for the free flow of traffic; and
- that there is no alternative provision for traffic in the area, nor, is any planned.

In accordance with Article 133(4)(a) of the Roads (Northern Ireland) Order 1993, the Department's observations on the objections are as follows:

- Queens University Belfast is the only frontager on the area of road to be abandoned.
- Following abandonment, the area in question will become part of the grounds surrounding the new Queens University Belfast library and part of it will be used for car parking. The roadway and footway will be at the same finished level but will be separated and demarcated by a contrasting stone band and by the use of bollards and the car park will be landscaped with trees and hedges.
- College Park East was closed off for many years for security reasons and at that time traffic made alternative arrangements using adjacent University Avenue and Rugby Road without any issues being raised regarding the alternative routes being unsuitable for traffic.
- The Department is satisfied that the adjacent streets are adequate to the needs of traffic in the area. It does not anticipate vehicles being unable to pass each other on Rugby Road as a result of this abandonment. It accepts that there may already be instances when vehicles experience such difficulties just as they may in any other urban street. Any issues of traffic progression that might arise in the future will be dealt with as for any other urban street.
- The Department believes that any additional traffic on College Park, Rugby Road or University Avenue, created by the abandonment would be minimal, particularly, as vehicles currently accessing or leaving College Park/College Park East must already use these streets.

The Department having considered the objections made and not withdrawn decided that the proposed abandonment Order should proceed.

D J Millar
A Senior Officer of the Department
7th May 2010