EXPLANATORY MEMORANDUM TO

The Cusher Road (U8408) and Glenanne Road (C212), Loughgilly (Abandonment) Order (Northern Ireland) 2017

S. R. 2017 No. 22

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 The purpose of the rule is to abandon an area of 394 square metres of superseded road and road verge at Cusher Road and Glenanne Road, Loughgilly adjacent to No. 1 Glenanne Road. 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 the owners of the adjacent property at No. 1 Glenanne Road who wish to incorporate the land into their property.

3.2. Part of the bed and soil of the area to be abandoned is owned by the Department and following the abandonment, the land will be disposed of in accordance with the statutory procedures laid down for the disposal of government owned land. The other part of the bed and soil is unregistered and following the abandonment the owners of No. 1 Glenanne Road propose to incorporate it directly into the curtilage of their property.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Armagh City, Banbridge and Craigavon Borough Council has also been advised of the proposed abandonment and confirmed that it had no objection.

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. Northern Ireland Electricity Limited (NIE) initially objected to the proposed abandonment but following extensive negotiations the objection has been withdrawn. No other objections or representations have been received.

4.4. Due to the length of time it took to resolve NIE's objection, the Department has confirmed that there are no changes and that the frontagers and adjacent landowners remain the same.

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.