EXPLANATORY MEMORANDUM TO

The Derrynaseer, Road (Rubble Road), Omagh (Abandonment) Order (Northern Ireland) 2022

S. R. 2022 No. 97

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) 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 a length of Derrynaseer Road, Omagh extending from its southern junction with Dooish Road for a distance of 557 metres in a northerly and then north-easterly direction to its northern junction with Dooish Road. On the coming into operation of the Rule, the area of road in question shall cease to be maintainable by the Department and the public right of way over it shall be extinguished.

3. Background

3.1. The proposal is being sought by the Department as this is a rubble road and bridge which only serves farm lands and is not used or generally accessable to road traffic.

3.2. The length of road to be abandoned is currently maintained by the Department and is inspected every 6 months. The owner of the land is an adjacent resident and following the abandonment the landowner will take responsibility for the road and bridge and the Department will no longer continue maintenance of the length of road.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Fermanagh & Omagh District Council has also been advised of the proposed abandonment.

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 consecutive weeks. In addition, a copy of the notice was posted on site and the statutory undertakers were notified of the proposal. Following the advertising of the notice in the local press, 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.