EXPLANATORY MEMORANDUM TO

The Drumna Walk, Lurgan (Abandonment) Order (Northern Ireland) 2024

S.R. 2024 No. 188

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 The purpose of the rule is to abandon 809 square metres of superseded road at Drumna Walk, Lurgan comprising two areas of road consisting of 88 square metres commencing at a point 24 metres south-east of its junction with Annesborough Road and 721 square metres commencing at a point 79 metres north-east of its junction with Annesborough Road and extending for 121 metres in a north-easterly direction.

3. Background

3.1. The abandonment has been requested by Simmons Meglaughlin & Orr Solicitors on behalf of Farad Enterprises Limited and Roxborough Plant Construction Limited. Ownership of the bed and soil of the site falls between Farad Enterprises Limited, the Department and an unregistered portion of land. The abandonment is to facilitate a new housing development. Following the abandonment land in the Departments ownership will be declared surplus and disposed of in accordance with the rules for the sale of government owned land. Farad Enterprises Limited have expressed an interest in purchasing the land.

4. Consultation

4.1. The PSNI has been consulted and has no objection to the abandonment. Armagh City Banbridge and Craigavon Borough Council has also been notified of the proposed abandonment but has not commented during the consultation period.

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 voluntary bodies.

7. Financial Implications

7.1. The applicant has signed an undertaking to reimburse the Department's costs and expenses and to pay any compensation due as a result of the making of the Rule.

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.