EXPLANATORY MEMORANDUM TO

The Drumnabreeze Road and Lough Road, Gamblestown, Donaghcloney (Abandonment) Order (Northern Ireland) 2011

S. R. 2011 No. 423

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 the following three areas of road; 340 square metres of Drumnabreeze Road from its junction with Lough Road extending in a north-easterly direction; 242 square metres of Drumnabreeze Road from its junction with Lurgan Road extending in a north-easterly direction; and 22 square metres of Lough Road at the south side of its junction with Drumnabreeze Road extending in an easterly direction.

2.2. On the coming into operation of the rule, and on completion of works to realign the roads, 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. The right of statutory undertakers to retain and maintain their existing equipment located in the areas of road to be abandoned shall be retained.

3. Background

3.1. The abandonment has been requested by architects acting on behalf of the developer - Gamblestown LLP, as part of the road realignment to facilitate a proposed housing development. On completion of the abandonment the areas of road to be abandoned will be incorporated into the properties of the adjacent landowners who have no objection to the abandonment.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Craigavon Borough Council was notified about the proposal. A notice in respect of the proposed abandonment was published in the local press for two successive weeks and statutory undertakers notified of the proposal. No objections were received.

4.2. Northern Ireland Water and BT Telecommunications plc have equipment in the area and have confirmed that they have no objections to the abandonment.

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

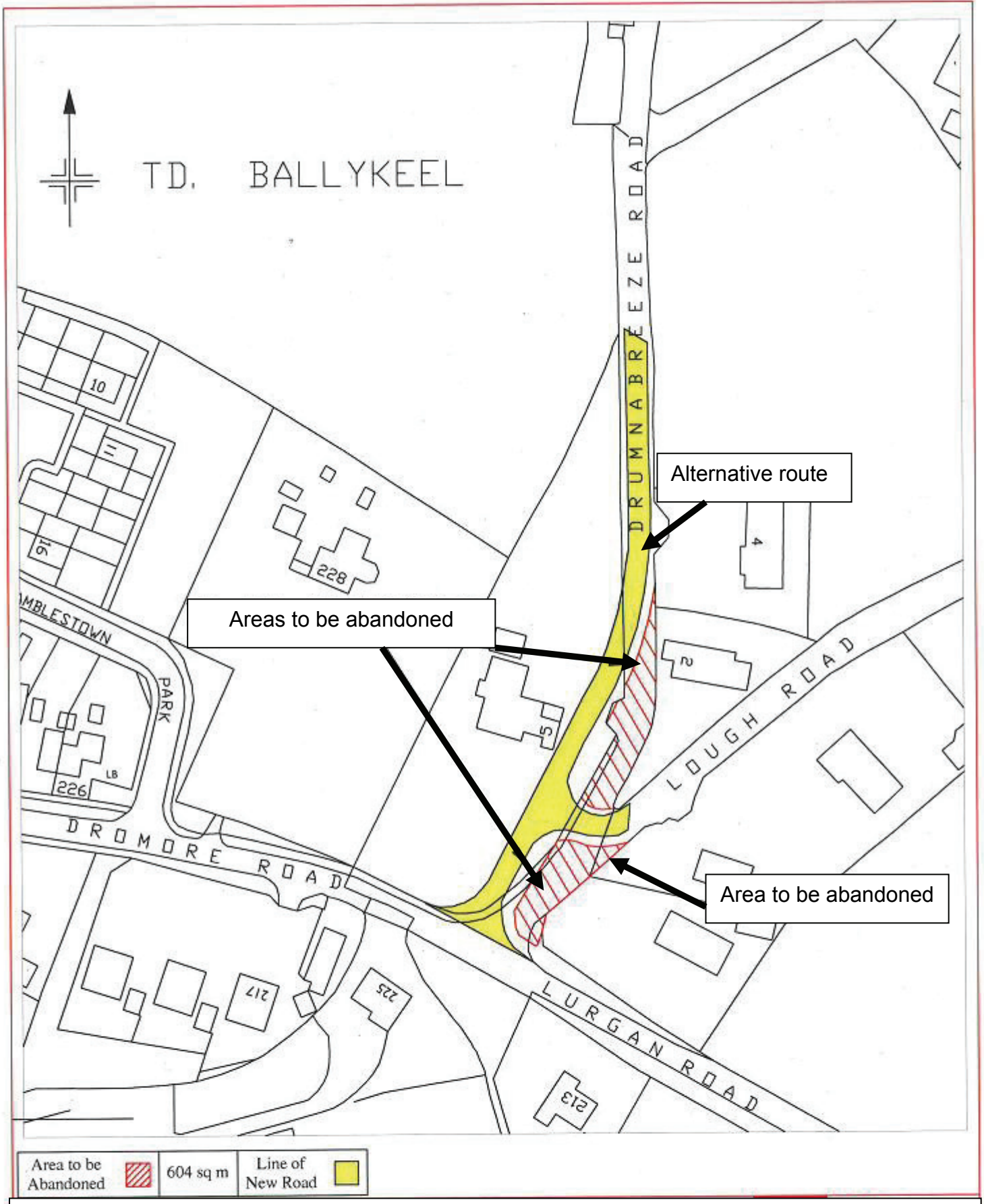
9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.



DEPARTMENT FOR REGIONAL DEVELOPMENT

Map No. 10/1/25/10 referred to in "The Drumnabreeze Road and Lough Road, Gamblestown, Donaghcloney (Abandonment) Order (Northern Ireland) 2011" made by the Department on 12th December 2011 and coming into operation on 15th February 2012.

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