EXPLANATORY MEMORANDUM TO

The Drumnagoon Road and Kernan Hill Road, Portadown (Abandonment) Order (Northern Ireland) 2020

S.R. 2020 No. 99

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 2 areas of road totalling 1336.6 square metres at Drumnagoon Road and Kernan Hill Road, Portadown, after the completion of such works as the Department considers necessary.

2.2. On completion of such works as the Department considers necessary for the provision of alternative facilities and the coming into operation of the abandonment 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.

3. Background

3.1. The abandonment has been requested by civil engineering consultants on behalf of their client to facilitate a new housing development at this location.

3.2. The bed and soil of the areas to be abandoned is partly owned by the Department for Infrastructure and partly by the Department for Communities. Following abandonment the land will be declared surplus and disposed of in accordance with the statutory procedures laid down for the disposal of government owned land.

4. Consultation

4.1. The PSNI has been informed but no acknowledgement has been received. Armagh City, Banbridge and Craigavon Council has also been advised but no acknowledgement has been received.

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. 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. The abandonment will facilitate the disposal of government owned land no longer required for roads purposes.

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.