EXPLANATORY MEMORANDUM TO

The Ferrard Meadow, Antrim (Abandonment) Order (Northern Ireland) 2019

S.R. 2019 No. 226

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 1013 square metres of grass verge at Ferrard Meadow, Antrim commencing at the south-eastern boundary of the Holiday Inn Express and extending for a distance of 225 metres in a south-easterly direction.

2.2. 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.

2.3. The Department is of the opinion that the area of road to be abandoned is no longer necessary for road traffic.

3. Background

3.1. The abandonment has been requested by the registered owner of the bed and soil who has included the area of road in question in the development of a new housing estate.

3.2. The abandonment is required so that the developer can progress the sale of houses that infringe on the area of road in question.

3.3. The housing development has already been completed and sales have been agreed. However, although the bed and soil is owned by the developer, some of it is adopted by the Department as public road and as a consequence part of the development now encroaches on that area of road. This abandonment will rectify the situation on the ground and allow for the agreed sales to proceed.

3.4. Following the abandonment control over the adopted land will revert to the landowner.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Antrim and Newtownabbey Borough Council has also been advised of the proposed abandonment and no objection 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.

4.3. Following the publication of the notice, five objections were recived and subsequently withdrawn.

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.