EXPLANATORY MEMORANDUM TO

The Footpath at Mowhan Road and Bunker Hill, Markethill (Abandonment) Order (Northern Ireland) 2020

S.R. 2020 No. 100

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 189 square metres of footpath at Mowhan Road, Markethill commencing at its junction with Mowhan Road and extending for 70 metres in an easterly direction towards No. 41 Bunker Hill, after completion of such works as the Department considers necessary to provide alternative facilities.

3. Background

3.1. The abandonment has been requested by the Education Authority to facilitate the proposed building of a 2G pitch, play park and car parking adjacent to Markethill Primary School.

3.2. 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 area of footpath in question will be incorporated into the school grounds. The Education Authority is the owner of the bed and soil of the area to be abandoned.

4. Consultation

4.1. The PSNI has been consulted and no objection has been received. Armagh City, Banbridge and Craigavon Borough Council has also been advised of the proposed stopping-ups but no acknowledgement has been received.

4.2. A notice in respect of the proposed stopping-ups 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 the voluntary bodies.

7. Financial Implications

7.1. The applicant has signed an undertaking to reimburse the Department and to pay any compensation due as a result of making the Order.

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.