EXPLANATORY MEMORANDUM TO

The Former Road (including footpath) at the Westlink, Belfast (Abandonment) Order (Northern Ireland) 2011

S. R. 2011 No. 345

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 two areas of former road and footpath totalling 2630 square metres, consisting of 1325 square metres adjacent to the west side of the Westlink, Belfast from its junction with Grosvenor Road, extending for 111 metres in a north-easterly direction and 1305 square metres adjacent to the east side of the Westlink, Belfast from its junction with Grosvenor Road, extending for 161 metres in a north-easterly direction.

2.2. The rule also requires the retention of any equipment belonging to statutory undertakers in the areas to be abandoned and preserves their right to maintain such equipment there.

3. Background

3.1. The areas of road in question are owned by the Department and following the abandonment, they will be declared surplus and disposed of in accordance with the procedures laid down for the disposal of government owned land.

4. Consultation

4.1. The police have been consulted and have no objection. Belfast City Council was notified about the proposal. A Notice in respect of the proposed abandonment was published in the local press for 2 successive weeks and statutory undertakers notified of the proposal. No objections have been received. Phoenix Natural Gas has requested an easement which will be dealt with as part of the disposal process.

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.