EXPLANATORY MEMORANDUM TO

The Green Road, Conlig (Abandonment) Order (Northern Ireland) 2026

S.R. 2026 No. 120

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 The purpose of the rule is to abandon an area of 1358 square metres of superseded road at Green Road, Conlig extending from a point 974.5 metres west of its junction with Newtownards Road for a distance of 134 metres in an easterly direction.

2.2. The area of road in question will be abandoned as the Department is of the opinion that it is no longer necessary for road traffic.

2.3. 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.

3. Background

3.1. The abandonment was requested by a developer to facilitate the construction of a new housing development. Part of the land to be abandoned is owned by the developer with the remainder unregistered. Title to the unregistered portion of land is held by the Department. Following the abandonment, responsibility for the land will revert to the registered/unregistered owners.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Ards & North Down Borough Council was also advised of the proposed abandonment.

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. Following the advertisement of the notice in the local press, nine objections were received.

4.3. The objections were similar in nature, in the main, focusing on the historic nature of the bridge, local interest, wildlife, risk of demolition and the All-Ireland Rail Review. Some of the objectors also referenced Greenway promotion.

4.4. Departmental officials reviewed these objections and recommended that the abandonment proposal should proceed without recourse to a public

inquiry. This recommendation was approved in August 2022 and the objectors were informed of the decision. To date, no objections have been withdrawn.

4.5. On 6th March 2024, DfI issued an SL1 to the Committee for Infrastructure (CfI) in relation to this Order. This was considered by the CfI at its meeting on 13th March 2024, along with oral evidence from a DfI official. The CfI agreed to write to Ards and North Down Borough Council (ANDBC) seeking clarification on whether it wished to comment on the proposed abandonment.

4.6. ANDBC subequently asked the CfI to delay progressing the Order until it had completed a feasibility study. In 2026, ANDBC advised the CfI and DfI that it had no objections to the proposed Order.

4.7. The proposed Order was advertised as 'The Green Road, Conlig (Abandonment) Order (Northern Ireland) 2022', but it will be known as 'The Green Road, Conlig (Abandonment) Order (Northern Ireland) 2026.

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 businesses, charities or the voluntary bodies.

7. Financial Implications

7.1. The applicant has signed an undertaking to reimburse the Department's costs and expenses and to pay any compensation due as a result of making the Rule.

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.