EXPLANATORY MEMORANDUM TO

The Kensington Avenue, Banbridge (Abandonment) Order (Northern Ireland) 2025

S.R. 2025 No. 85

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 1993and is subject to the negative resolution procedure.

2. Purpose

2.1. The purpose of the rule is to abandon 165 square metres of adopted verge to the rear of No. 44 and No. 46 Castlewellan Road, Banbridge.

3. Background

3.1. The abandonment has been requested by JPC Consulting on behalf of Monteith Homes Limited. The abandonment is required to regularise the situation on the ground and to facilitate a planning application made by the owners of No. 44 Castlewellan Road. Ownership of the bed and soil falls between No. 44 and No. 46 Castlewellan Road who have each fenced in the verge. Following the abandonment the land will revert back to the respective landowners. The Department will benefit as work will provide a footpath and a better sightline round the bend.

4. Consultation

4.1. The PSNI has been consulted and has no objection to the abandonment. Armagh City Banbridge and Craigavon Borough Council has also been notified of the proposed abandonment but has not commented during the consultation period.

4.2. A notice in respect of the proposed abandonment 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 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 the making of 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.