EXPLANATORY MEMORANDUM TO

The Kilkinamurry Road and Katesbridge Road, Banbridge (Abandonment) Order (Northern Ireland) 2019

S.R. 2019 No. 97

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 The purpose of the rule is to abandon an area of 663.3 square metres of superseded road at the junction Kilkinamurry Road and Katesbridge Road, Banbridge commencing at the junction of the old road with Kilkinamurry Road and extending for a distance of 233.5 metres in a southerly 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 road is no longer necessary for road traffic.

3. Background

3.1. The Department is the registered owner of the majority of the old road. The remainder of the old road is registered in private ownership. The abandonment has been requested by solicitors acting on behalf of the adjacent landower who wishes to purchase the old road to incorporate into his property.

3.2. Following the abandonment, that part of the old road in the Department's ownership will be declared surplus and disposed of in accordance with the statutory procedures laid down for the disposal of government owned land. That part in private ownership will revert to the registered landowners.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Armagh City, Banbridge & Craigavon Borough Council has also been 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.

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.