EXPLANATORY MEMORANDUM TO

The Kinard Park, Garvagh (Abandonment) Order (Northern Ireland) 2025

S.R. 2025 No. 16

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 1341 square metres of carriageway comprising two parts and an area of 656 square metres of footway comprising four parts at Kinard Park, Garvagh commencing at a point 50 metres north of its junction with Fort Road, after completion of such works as the Department considers necessary to provide alternative facilities.

3. Background

3.1. The abandonment has been requested by Diamond Architecture on behalf of Dante Ltd. who are the owners of the bed and soil of the areas to be abandoned, to facilitate a new housing development.

3.2. Following the abandonment the land will be used for a new housing development as per planning application LA01/2017/0394/F. The roadway access to the sports complex at the site is to be maintained and remain open at all times when the work commences.

4. Consultation

4.1. The PSNI has been informed and has no objection to the abandonment. Causeway Coast and Glens Borough Council has been advised and no objection has been received.

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, neighbouring landowners and frontagers were consulted as part of the formal consultation process.

4.3. Following completion of the statutory consultation process, 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.