EXPLANATORY MEMORANDUM TO

The Lake Street, Lurgan (Abandonment) Order (Northern Ireland) 2021

S.R. 2021 No. 124

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 151 square metres of footpath between numbers 81 and 83 Lake Street, Lurgan, extending from its junction with Lake Street for a length of 25.4 metres in a south-westerly direction. 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 has been requested by a developer who has proposed that an area of footpath between numbers 81 and 83 Lake Street be abandoned to allow for the erection of dwellings and realignment of the existing footpath.

3.2. The area of land to be abandoned is owned by the Department but is unregistered. Following the abandonment the land in question will be incorporated into the development site.

3.3. The developer shall carry out works as the Department considers necessary for provision of footpath realignment and alternative facilities for pedestrians, and on completion of the works the area of footpath will be abandoned.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Armagh, Banbridge and 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 consectutive weeks. In addition, a copy of the notice was posted on site and the statutory undertakers were notified of the proposal. Following the advertising of the notice in the local press, 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 businesses, 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 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 follwing 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.