EXPLANATORY MEMORANDUM TO

The Low Road, Newry (Abandonment) Order (Northern Ireland) 2021

S.R. 2021 No. 148

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 548 square metres of former road at U5344 Low Road, Newry starting at a point 12 metres south of its former junction with Forkhill Road and extending for 78 metres in a southerly direction.

2.2. On the coming into operation of the abandonment 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 Department is of the view that this area of former road is not necessary and may be abandoned.

3.2. The abandonment has been requested by the adjacent landowner to regularise the situation on the ground.

3.3. The bed and soil of the area to be abandoned is owned by 3 separate landowners, and the abandoned area will then revert to the adjacent landowners.

4. Consultation

4.1. The PSNI has been consulted and has no objection to the proposal. Newry, Mourne and Down District Council were also advised of the proposed abandonment.

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 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.