EXPLANATORY MEMORANDUM TO

The Monaghan Road, Armagh (Abandonment) Order (Northern Ireland) 2019

S.R. 2019 No. 170

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 The purpose of the rule is to abandon 2 areas of superseded road totalling 3320 square metres at the former Monaghan Road, Armagh consisting of an area of 1664 square metres commencing at a point 85.5 metres south-west of the junction of Monaghan Road and Drumacanver Road and an area of 1656 square meters commencing at a point 30.21 metres south of that junction.

2.2. The Department is of the opinion that another road is available which provides alternative facilities for road traffic.

2.3. On the coming into operation of the rule, the areas 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 initiated by the Department in order to regularise the situation on the ground.

3.2. Following the construction of a new junction circa 2014 the areas of road in question were scarified and broken up. As the land was in private ownership the areas of road in question were incorporated into the adjoining lands.

3.3. These superseded areas of road will be abandoned retrospectively.

3.4. Following the abandonment the land will revert to the registered owners and the Department will no longer hold any responsibility for these areas of superseded road.

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. 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. 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.