EXPLANATORY MEMORANDUM TO

The Mullinure Lane, Armagh (Abandonment and Stopping-Up) Order (Northern Ireland) 2022

S. R. 2022 No. 40

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), (3) 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 1849 square metres of road at Mullinure Lane, Armagh and to stop-up Mullinure Lane at the north side of the Mullinure Lane/Portadown Road junction.

3. Background

3.1. On the coming into operation of the Rule, the area of road to be abandoned shall cease to be maintainable by the Department and the public right of way over it shall be extinguished. The area of road in question will be abandoned after completion of such works as the Department considers necessary.

3.2. The abandonment has been requested to facilitate the construction of a new housing development. The abandonment and stopping-up of Mullinure Lane is required to allow for the construction of a new roundabout and link road for the development. The remaining section of the abandoned road will be incorporated into the new development. The contractors will provide an alternative route for vehicular traffic and the area of road being abandoned will revert to the landowners.

3.3. The majority of the bed and soil of the area to be abandoned is owned by the developers. The remainder is owned by the applicant.

4. Consultation

4.1. The PSNI has been consulted and has no objection to the proposals. Armagh City, Banbridge and Craigavon Borough Council has also been advised of the proposed abandonment and stopping-up and no objection has been received.

4.2. In accordance with the statutory consultation process a notice in respect of the proposed abandonment and stopping-up 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. One objection was received from a local resident and subsequently withdrawn

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 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.