EXPLANATORY MEMORANDUM TO

The Old Mill Heights, Millbrook, Larne (Abandonment) Order (Northern Ireland) 2011

S.R. 2011 No. 342

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Regional Development 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) 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 8.28 square metres of road to the front of No. 60 Old Mill Heights, Millbrook, Larne. The rule also requires the retention of any equipment belonging to statutory undertakers in the area to be abandoned and preserves their right to maintain such equipment there.

3. Background

3.1. The abandonment has been requested by the owner of No. 60 Old Mill Heights, Millbrook, Larne who wishes to extend the driveway to the property.

3.2. Following the abandonment of the area the applicant proposes to incorporate it into the property.

3.3. The ownership of the bed and soil of the area of road to be abandoned is unregistered.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Larne Borough Council was notified about the proposal and no objection was received.

4.2. An objection was received from NIE who have plant in the vicinity. This has subsequently been withdrawn. Phoenix Natural Gas initially requested an easement but have now confirmed that it is not required.

4.3. A notice in respect of the proposed abandonment was published in the local press for 2 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. 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.