EXPLANATORY MEMORANDUM TO

The Parkgate Avenue, Belfast (Abandonment) Order (Northern Ireland) 2024

SR 2024 No. 111

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 23 square metres of road to the rear of the footway adjacent to No. 12 Parkgate Avenue, Belfast.

2.2. The Department is of the opinion that the area is no longer necessary.

2.3. On the coming into operation of the Rule, the area 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 housing association to redevelop the site for social housing.

3.2. The bed and soil of the area to be abandoned is owned by the housing association and following the abandonment, ownership will revert to the landowner.

4. Consultation

4.1. The PSNI has been consulted and has no objection to the abandonment. Belfast City Council has also been advised of the proposed abandonment and no objection has been received.

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. Following the advertisement 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 business, charities or the voluntary bodies.

7. Financial Implications

7.1. None. 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.