EXPLANATORY MEMORANDUM TO

The Pennyburn Industrial Estate Service Road, Londonderry (Abandonment) Order (Northern Ireland) 2010

S. R. 2010 No. 397

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) 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 248 square metres of Pennyburn Industrial Estate Service Road, Londonderry, opposite Unit 19G. On the coming into operation of the Rule 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 abandonment has been requested by Fortuna Enterprises Limited. The area of road in question is part of a larger area of land that is the subject of a planning application and the developers propose to incorporate it into their development.

3.2. The bed and soil of the area of road in question is owned by Parkgate Developments who have no objection to the abandonment.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Derry City Council was notified about the proposal. A notice in respect of the proposed abandonment was published in the local press for 2 successive weeks and statutory undertakers 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.