EXPLANATORY MEMORANDUM TO

The River Erne (Diversion of Navigable Watercourse and Extinguishment of Public Rights of Navigation) Order (Northern Ireland) 2021

S.R. 2021 No. 208

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 5 and 6 of the Roads (Northern Ireland) Order 1993 and is subject to the negative resolution procedure.

2. Purpose

2.1. The Order provides for diversion of part of the navigable watercourse and the extinguishment of public rights of navigation over part of the navigable waters of the River Erne.

3. Background

3.1. The bridge is located over a section of the River Erne in association with the A4 Southern Bypass Scheme.

4. Consultation

4.1. Comprehensive public consultation was carried out during the development of the scheme and publication of draft Statutory Orders.

4.2. The draft Statutory Orders for the scheme were published on 28 March 2018 and comprised a Notice of Intention to Make a Direction Order, a Notice of Intention to Make a Vesting Order, The River Erne Bridge Order (Northern Ireland), The River Sillees Bridge Order (Northern Ireland) and The River Erne (Diversion of Navigable Watercourse and Extinguishment of Public Rights of Navigation) Order.

4.3. As a result of public consultation on the draft Statutory Orders there were no objections to the Order.

5. Equality Impact

5.1. A relevant section 75 Equality of Opportunity Screening Analysis was carried out for this scheme. This determined that an Equality Impact Assessment was not required.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment was not considered necessary.

7. Financial Implications

7.1. The estimated cost of the scheme is in the range £25m - £30m.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Department has carried out a Human Rights Act Screening Analysis and no human rights issues have been identified.

9. EU Implications

9.1. Not applicable

10. Parity or Replicatory Measure

10.1. None

11. Additional Information

11.1. Not applicable

8 July 2021