EXPLANATORY MEMORANDUM TO

The Shipquay Place, Londonderry (No. 2) (Footway) (Abandonment) Order (Northern Ireland) 2011

S. R. 2011 No. 426

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 47 square metres of footway fronting No. 6 Shipquay Place, Londonderry.

2.2. On the coming into operation of the rule the area of footway in question shall cease to be maintainable by the Department and the public right of way over it shall be extinguished. The right of statutory undertakers to retain and maintain their existing equipment located in the area of road to be abandoned shall be retained.

3. Background

3.1. The abandonment has been requested by CONSARC CONSERVATION on behalf of Northern Bank Ltd, who are the owners of the bed and soil. The area of footway to be abandoned is required by the bank to enable the construction of a ramp for use by disabled persons accessing the premises.

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.

4.2. Northern Ireland Water and BT Telecommunications plc have equipment in the area and have confirmed that they have no objections to the abandonment.

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

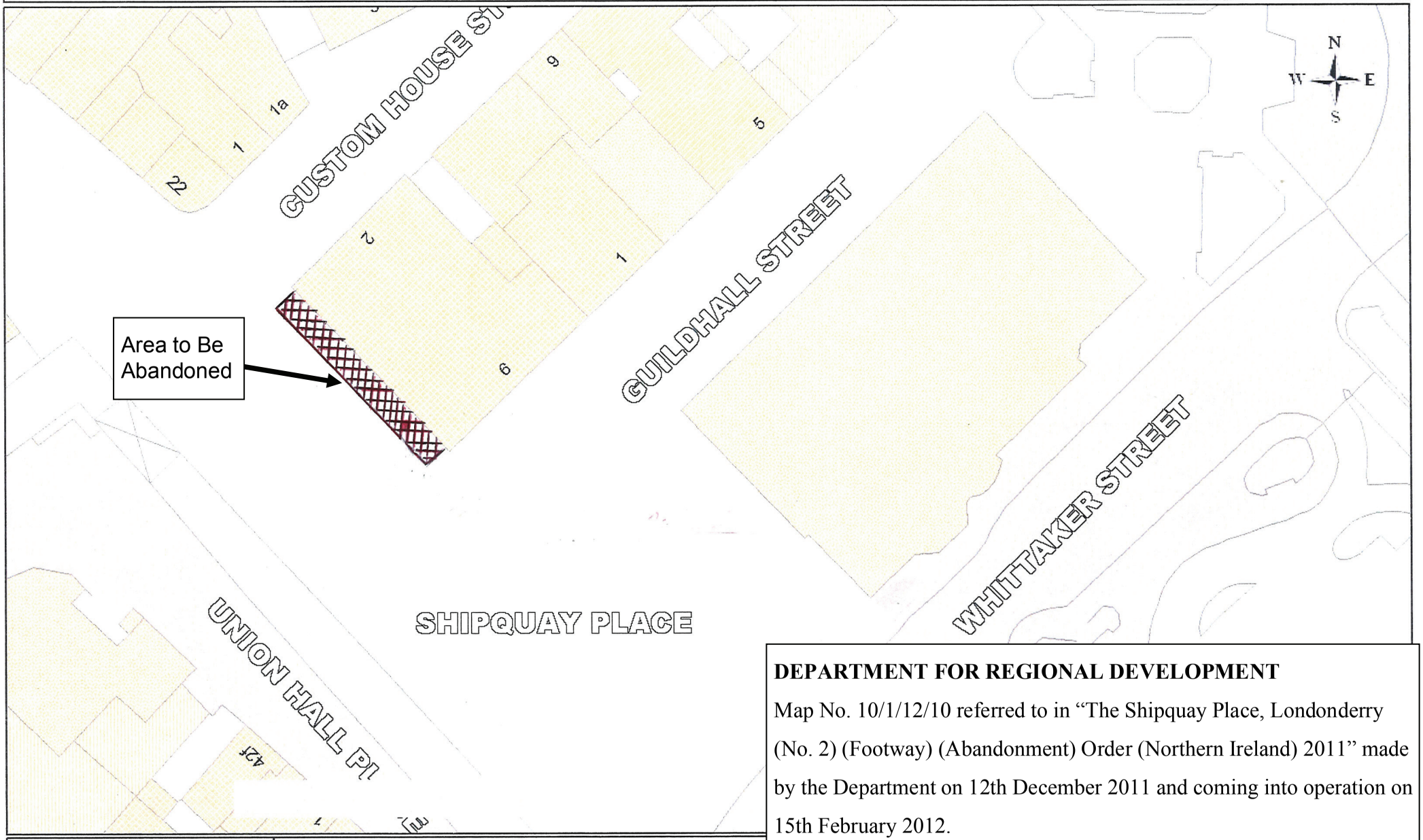
9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.



DEPARTMENT FOR REGIONAL DEVELOPMENT

Map No. 10/1/12/10 referred to in "The Shipquay Place, Londonderry (No. 2) (Footway) (Abandonment) Order (Northern Ireland) 2011" made by the Department on 12th December 2011 and coming into operation on 15th February 2012.

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