EXPLANATORY MEMORANDUM TO

The Tarry Lane, Lurgan (Abandonment) Order (Northern Ireland) 2019

S.R. 2019 No. 229

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 235.6 square metres of road at Tarry Lane, Lurgan commencing at its junction with North Circular Road and extending for a distance of 31.53 metres in a northerly direction after the completion of such works as the Department considers necessary for the provision of alternative facilities for road traffic.

2.2. On completion of such works as the Department considers necessary for the provision of alternative facilities and the coming into operation of the abandonment 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 a developer to facilitate a proposed new housing development. The Developer will provide an alternative road in conjunction with the proposed housing development.

3.2. The Department holds unregistered title to the bed and soil of the area to be abandoned. Following the abandonment, the land will be declared surplus and disposed of in accordance with the statutory procedures laid down for the disposal of government owned land.

4. Consultation

4.1. The PSNI has been informed and has no objection to the abandonment. Armagh City, Banbridge and Craigavon Borough Council has been advised and no objection has been received.

4.2. A notice in respect of the proposed abandonment was published in the local press for two 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.