EXPLANATORY MEMORANDUM TO

The U1105 Killybracken Road, Dungannon (Abandonment and Stopping-Up) Order (Northern Ireland) 2025

S. R. 2025 No. 156

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 (3) 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 abandon an area of 48 square metres of road at Killybracken Road, Dungannon and to stop-up Killybracken Road to road traffic at its junction with Eglish Road.

3. Background

3.1. The Rule will abandon an area of 48 square metres of road at Killybracken Road, Dungannon at its junction with Eglish Road extending for a distance of 12 metres in a westerly direction. 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. The Rule will also stop-up Killybracken Road at its junction with Eglish Road.

3.2. The proposal has been requested by DfI on road safety concerns. The Killybracken Road junction is located on a bend and is hidden, leaving the location extremely dangerous for traffic using this location or travelling on the Eglish Road.

3.3. Following the abandonment the area of land will revert to the owners of the bed and soil.

4. Consultation

4.1. The PSNI has been consulted and has no objection to the proposal. Mid Ulster District Council has also been advised of the proposed abandonment and stopping-up but has not commented.

4.2. In accordance with the statutory consultation process a notice in respect of the proposed abandonment and stopping-up was published in the local press for two successive weeks. In addition, a notice was posted on site and the statutory undertakers, neighbouring landowners and frontagers were consulted as part of the formal consultation process.

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. The applicant has signed an undertaking to reimburse the Department's costs and expenses and to pay for 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.