EXPLANATORY MEMORANDUM TO

The U8133 (unnamed road) off Friary Road, Newtownhamilton, (Abandonment) Order (Northern Ireland) 2024

SR 2024 No. 144

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 an area of 5020 square metres of the U8133 unnamed road off Friary Road, Newtownhamilton commencing at its junction with the U8132 unnamed road and extending for a distance of 704 metres in a north-easterly direction, after completion of such works as the Department considers necessary to provide alternative facilities.

3. Background

3.1. The abandonment has been requested by Loughran Rock Industries to restrict public access close to the boundary with a local quarry and to improve health and safety at the quarry site. It should also allow for the possibility of future development of the quarry.

3.2. The bed and soil of the area to be abandoned is owned by the registered landowners and and following the abandonment the land will revert to them.

4. Consultation

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

4.2. In accordance with the statutory consultation process a notice in respect of the proposed abandonment 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.

4.3. Following completion of the statutory consultation process, one objection was received. The objection was considered and the Department responded to the objector but the objection was not withdrawn. The Department is satisfied that the appropriate processes have been followed in relation to the proposed abandonment and that the issues raised by the objector have been fully addressed.

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 and to pay any compensation due as a result of making the Order.

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.