EXPLANATORY MEMORANDUM TO

The Waring Street, Lurgan (Abandonment) Order (Northern Ireland) 2024

S.R. 2024 No. 190

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 300 square metres of former road on Waring Street, Lurgan, comprising a car park, from a point 17 metres south-west of its junction with Millennium Way and continuing for 29 metres in a north-westerly direction.

2.2. On the coming into operation of the rule, the Department will no longer be responsible for maintenance of the area of road in question and the public right of way over it shall be extinguished.

3. Background

3.1. The proposal has been requested by DfI Roads, Southern Lands Team in order to regularise the situation on the ground as the road to be abandoned now forms part of Edward Street Car Park which transferred to the responsibility of the Council in April 2015. The area of land to be abandoned is unregistered and the Department does not appear to hold title. Following the abandonment, the land will revert to the responsibly of the Council as part of Edward Street Car Park.

4. Consultation

4.1. The PSNI has been consulted and has no objection. Armagh, Banbridge and Craigavon Borough Council has also been notified of the proposed abandonment but has not commented.

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 were notified of the proposal.

4.3. Following the advertisement of the notice in the local press, 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 voluntary bodies.

7. Financial Implications

7.1. There are no financial implications as the abandonment seeks only to regularise the situation on the ground

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.