

EXPLANATORY MEMORANDUM TO

The U125 Old Grand Jury Road, Saintfield (Abandonment) Order (Northern Ireland) 2015

S. R. 2015 No. 373

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 The purpose of the rule is to abandon an area of 52.2 square metres of superseded Old Grand Jury Road, Saintfield to the front of Nos. 1, 2 and 3 Rowallane Gate.

3. Background

- 3.1. The area of road in question was superseded as a result of a road scheme in 1980. Since then the Department has not maintained it and is of the opinion that it is not necessary for road traffic.
- 3.2. Of the 52.2 square metres of road to be abandoned, 7.4 square metres is owned by the developer, Crawford Homes (Carryduff) Ltd. The remaining 44.8 square metres is owned by the Department.
- 3.3. The abandonment is required in order to regularise the situation on the ground following the construction of properties at Rowallane Gate. The developer has encroached onto the superseded road so that a portion of the driveway and gardens of the three properties (Nos. 1, 2 and 3 Rowallane Gate) are on land owned by the Department.
- 3.4. Following the abandonment, the land will be 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 consulted and has no objection. Newry, Mourne and Down District Council has also been advised of the proposed abandonment and has no objection.
- 4.2. 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. No objections were received.
- 4.3. The Department also received a number of enquiries from a member of the public who wishes to purchase one of the properties at Rowallane Gate.

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.