

EXPLANATORY MEMORANDUM TO
THE RIVER LAGAN (DIVERSION OF NAVIGABLE WATERCOURSE AND
EXTINGUISHMENT OF PUBLIC RIGHTS OF NAVIGATION) ORDER
(NORTHERN IRELAND) 2016

S.R. 2016 No. 114

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 Articles 5 and 6 of the Roads (Northern Ireland) Order 1993 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The draft River Lagan (Diversion of Navigable Watercourse and Extinguishment of Public Rights of Navigation (Northern Ireland) 2016 is required to facilitate the Department's necessary diversion and extinguishment of the public rights of navigation on the River Lagan.

3. Background

- 3.1. The Department held a number of information events in January 2015 and as a result of the comments received, changed the design to enable the bridge piers to provide at least 25 metres clearance between the piers and the east riverbank.

4. Consultation

- 4.1. Notice of the draft Order was published during week commencing 24 June 2015 and the statutory consultation period ended on 28 August 2015. There were no objections to the Order.

5. Equality Impact

- 5.1. At this stage there are no known Section 75 implications. Following publication of the Notice of Intention in the local press, no Section 75 issues were raised.

6. Regulatory Impact

- 6.1. A Regulatory Impact Assessment was not considered necessary.

7. Financial Implications

- 7.1. The overall cost of the bridge is estimated to be in the region of £8m. However, no funding is available to take forward the scheme immediately. At their meeting on 16 February, Belfast City Council Planning Committee recommended planning approval for the bridge project. The Department therefore proposes to make the Bridge Orders now so that if resources become available at a later stage, the necessary Statutory Rules are in place to facilitate construction of the bridge.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Department has carried out a Human Rights Act Screening Analysis and no human rights issues have been identified.

9. EU Implications

9.1. Not applicable

10. Parity or Replicatory Measure

10.1. None

11. Additional Information

11.1. Not applicable

March 2016