

EXPLANATORY MEMORANDUM TO

The old road off U1040 Lough Lane, Lurgan (Abandonment) Order (Northern Ireland) 2016

S. R. 2016 No. 323

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) 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 road at the old road off Lough Lane, Lurgan. The Department is of the opinion that the road is no longer necessary for road traffic.

3. Background

- 3.1. The abandonment is required in order to remove the public right of way over the old road which is no longer inspected or maintained by the Department. The ownership of the bed and soil of the old road is not registered and the Department does not hold title to it. The adjacent frontagers were all advised of the abandonment proposal and no objections were received.

4. Consultation

- 4.1. The PSNI has been consulted and has no objection. Armagh City, Banbridge and Craigavon Borough Council has also been advised of the proposed abandonment but no acknowledgement has been received.
- 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. Following publication of the notice, 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 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.