

EXPLANATORY MEMORANDUM TO

The U7882 Old Road, Poyntzpass (Abandonment) Order (Northern Ireland) 2018

S. R. 2018 No. 20

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 The purpose of the rule is to abandon an area of 849.5 square metres of superseded road at the U7882 Old Road, Poyntzpass from a point 65 metres south-east of its junction with the A27 Church Road extending for a distance of 248 metres in a northerly direction.
- 2.2. The area of road in question will be abandoned as the Department is of the opinion that the road is no longer necessary.
- 2.3. On the coming into operation of the rule, the area of road in question shall cease to be maintainable by the Department and the public right of way over it shall be extinguished.

3. Background

- 3.1. The Department is the registered owner of the bed and soil of 2 portions of the area of road to be abandoned. The remainder of the area of road to be abandoned is registered to a member of the public.
- 3.2. The abandonment has been initiated by the Department as the road has not been used since the construction of the new junction with the A27 Newry Road circa 1991. This superseded road will be abandoned retrospectively in order to regularise the situation on the ground.
- 3.3. Following the abandonment, the land will revert to the registered owners with the majority of the area to be abandoned reverting to private ownership and the remainder to the Department.
- 3.4. The Department's land will be declared surplus and 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. Armagh City, Banbridge & Craigavon Borough Council has also been advised of the proposed abandonment.
- 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.

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.