

EXPLANATORY MEMORANDUM TO

The Gardiners Cross Road, Maguiresbridge (Abandonment) Order (Northern Ireland) 2018

S.R. 2018 No. 73

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 268 square metres of road (comprising grass verge) at Gardiners Cross Road, Maguiresbridge.
- 2.2. On the coming into operation of the abandonment 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 abandonment has been requested to facilitate the construction of a footway link to a newly constructed 3G pitch adjacent to Gardiners Cross Road, Maguiresbridge.
- 3.2. The bed and soil of the area of road to be abandoned is owned by the Department.
- 3.3. The Department and the developer have agreed to swap the ownership of the land in question for an adjacent portion of land. The agreement includes the provision of a new footway by the developer. The footway has already been constructed.

4. Consultation

- 4.1. The PSNI was consulted and has no objections. Fermanagh and Omagh District Council was notified but made no comment on the proposal.
- 4.2. A notice in respect of the proposed abandonment was published in the local press for two successive weeks, a notice was posted on site and the statutory undertakers were notified of the proposal. 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.