

EXPLANATORY MEMORANDUM TO

The A509 Derrylin Road, Kinawley (Abandonment) Order (Northern Ireland) 2017

S. R. 2017 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 1266 square metres of the former A509 Derrylin Road, Kinawley. The Department is of the opinion that the road is no longer necessary.

3. Background

- 3.1. The area of road to be abandoned has been superseded as a result of a road realignment scheme and the area that is being abandoned no longer forms part of the route.
- 3.2. As part of the road realignment scheme the area of road has already been incorporated into the property of the neighbouring landowner.

4. Consultation

- 4.1. The PSNI has been consulted and has no objection. The former Fermanagh District Council was also 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.
- 4.3. Northern Ireland Electricity Limited (NIE) initially objected to the proposed abandonment but following extensive negotiations the objection has been withdrawn. No other objections or representations have been received.
- 4.4. Due to the length of time it took to resolve NIE's objection, the Department has confirmed that there are no changes and that the frontagers and adjacent landowners remain the same.

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.