

EXPLANATORY MEMORANDUM TO

The Cairnmartin Crescent, Belfast (Abandonment) Order (Northern Ireland) 2024

SR 2024 No. 13

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 2 areas of 273 square metres of turning heads totalling 546 square metres at Cairnmartin Crescent, Belfast. On the coming into operation of the Rule, the areas of road in question shall cease to be maintainable by the Department and the public right of way over it shall be extinguished. The areas of road in question will be abandoned after completion of such works as the Department considers necessary.

3. Background

- 3.1. The abandonment has been requested by Choice Housing Association. The proposed abandonment is required to facilitate a re-development of the area by Choice Housing, who are the contractors developing the area and the current owners of the areas of land to be abandoned. The abandonment is necessary to allow for a new housing development. The Department is of the opinion that the areas to be abandoned are no longer necessary and will be abandoned after the completion of new turning head facilities and extension of the existing roads. Following the abandonment the land will revert to the landowners and be used for residential development.

4. Consultation

- 4.1. The PSNI has been consulted and has no objection. Belfast City 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. Following the advertisement of the notice in the local press, 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. The applicant has signed an undertaking to reimburse the Department's costs and expenses and to pay for any compensation due as a result of making the Rule.

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.