

EXPLANATORY MEMORANDUM TO

The Back Street at Botanic Avenue and Donegall Pass, Belfast (Abandonment) Order (Northern Ireland) 2024

S.R. 2024 No. 35

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 The purpose of the rule is to abandon an area of 58 square metres of superseded road extending from Ratcliffe Street, Belfast to the rear of No. 12a Botanic Avenue, Belfast.

3. Background

- 3.1. The abandonment has been requested by Manet Property Developments Limited who are the owners of the bed and soil of the site. Following the abandonment TRAM Eastern colleagues advise that the area of land will revert back to the landowner. The abandonment will enable redevelopment work at the site to proceed.

4. Consultation

- 4.1. The PSNI has been consulted and has no objection to the abandonment. Belfast City Council has also been notified of the proposed abandonment but has not commented during the consultation period.
- 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 voluntary bodies.

7. Financial Implications

- 7.1. The costs relating to the provision of Abandonment Orders mainly consist of staff costs. The applicant has signed an undertaking to reimburse the Department's costs and expenses and to pay any compensation due as a result of the making of 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.