

## **EXPLANATORY MEMORANDUM TO**

### **The Park Drive / Hamilton Road, Bangor (Abandonment) Order (Northern Ireland) 2010**

**S.R. 2010 No. 255**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department for Regional Development 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 390 square metres of verge on Park Drive, and adjacent to 42 Hamilton Road, Bangor. The rule also provides for the removal of all existing cables, wires, mains, pipes or other apparatus placed along, across, over or under the abandoned area of road and for the extinguishment of all existing rights as to the use or maintenance of such cables, wires, mains, pipes or other apparatus

#### **3. Background**

- 3.1. The abandonment has been requested by the owner of No. 42 Hamilton Road. The Department is of the opinion that the area of road is not necessary for road traffic.
- 3.2. The bed and soil of the area of verge to be abandoned is owned by the Department which will dispose of it following the abandonment.

#### **4. Consultation**

- 4.1. The PSNI has been consulted. North Down Borough Council has been notified of the scheme and has no objection.
- 4.2. An objection was received from Northern Ireland Electricity plc (NIE) following the Department's initial consultation exercise. NIE have since advised that they would withdraw their objection following acceptance by the applicant of their quote for the removal of their equipment, payment in full and the completion of works. The applicant has confirmed that all costs will be met.
- 4.3. A notice in respect of the proposed abandonment was published in the local press for 2 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 cost 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**

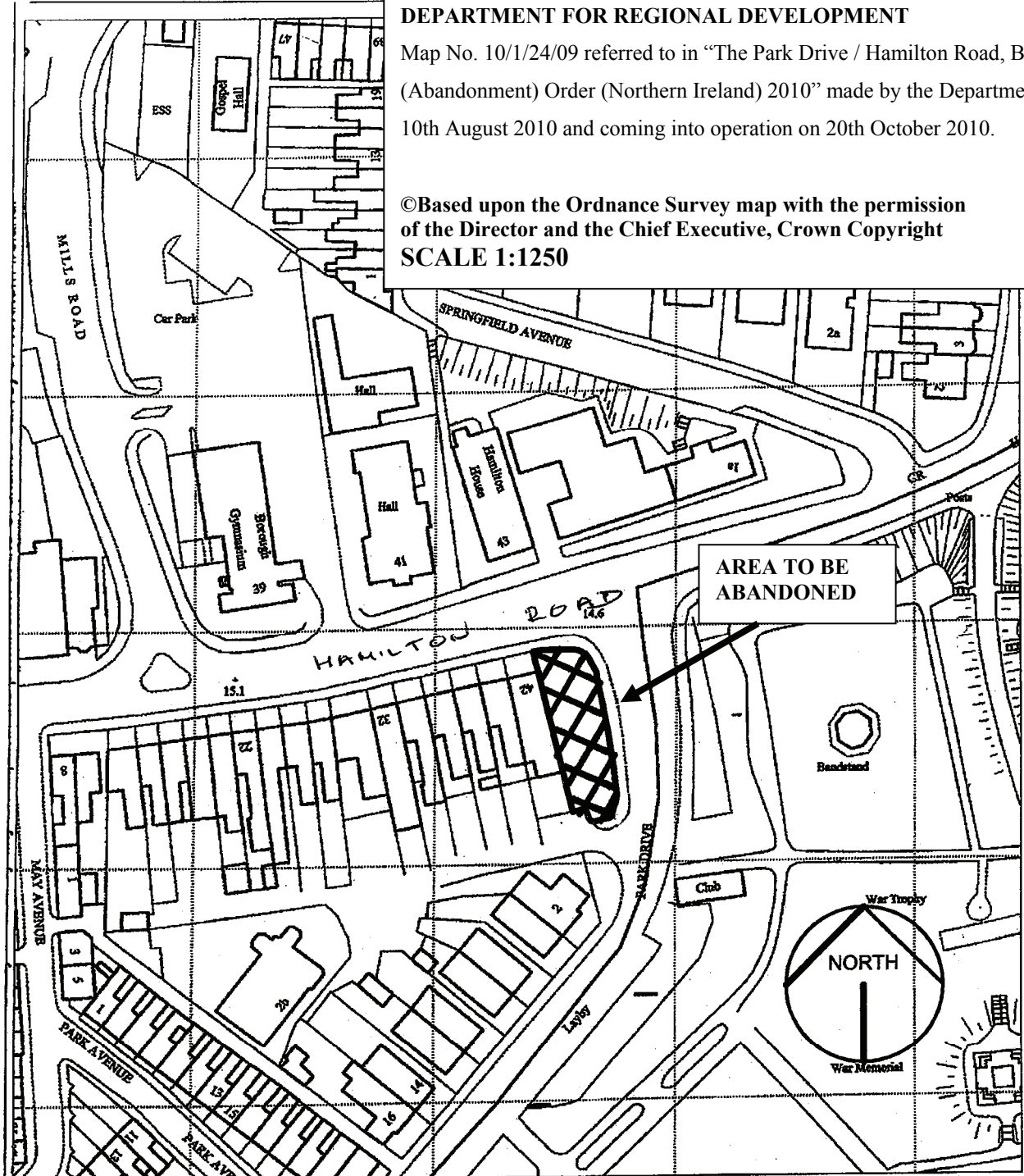
- 11.1. Not applicable.

# TRANSFER MAP

## DEPARTMENT FOR REGIONAL DEVELOPMENT

Map No. 10/1/24/09 referred to in "The Park Drive / Hamilton Road, Bangor (Abandonment) Order (Northern Ireland) 2010" made by the Department on 10th August 2010 and coming into operation on 20th October 2010.

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Scale 1:1250	OS Sheet No. 11512SE4
Area of site 0.039HA	Drawn by F.F.
Date APR.08	<input type="checkbox"/> EASEMENT
<input type="checkbox"/> MAIN SEWER EASEMENT	<input type="checkbox"/> RIGHT OF WAY