

EXPLANATORY MEMORANDUM TO

The Ballydoogherty Road (U5003), Loughgilly (Abandonment) Order (Northern Ireland) 2012

S.R. 2012 No. 30

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) 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 The purpose of the rule is to abandon an area of 1321 square metres of superseded road at Ballydoogherty Road (U5003), Loughgilly.

3. Background

- 3.1. The abandonment has been requested by the adjacent landowner. The area of road in question was not formally abandoned when it was superseded by a realignment of the road. As this area currently forms part of the adjacent landowners private laneway it has caused legal difficulties when seeking a mortgage.
- 3.2. The Department owns the bed and soil of part of the area of road to be abandoned, another part is registered to the adjacent landowner and the remainder of the land is unregistered.
- 3.3. Following the abandonment the land owned by the Department will be declared surplus and disposed of in accordance with the procedures laid down for the disposal of government owned land, the remaining land (including the unregistered part) will revert to the adjacent landowner.

4. Consultation

- 4.1. The PSNI has been consulted and has no objection. Newry and Mourne District Council has been notified and has no objection.
- 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.

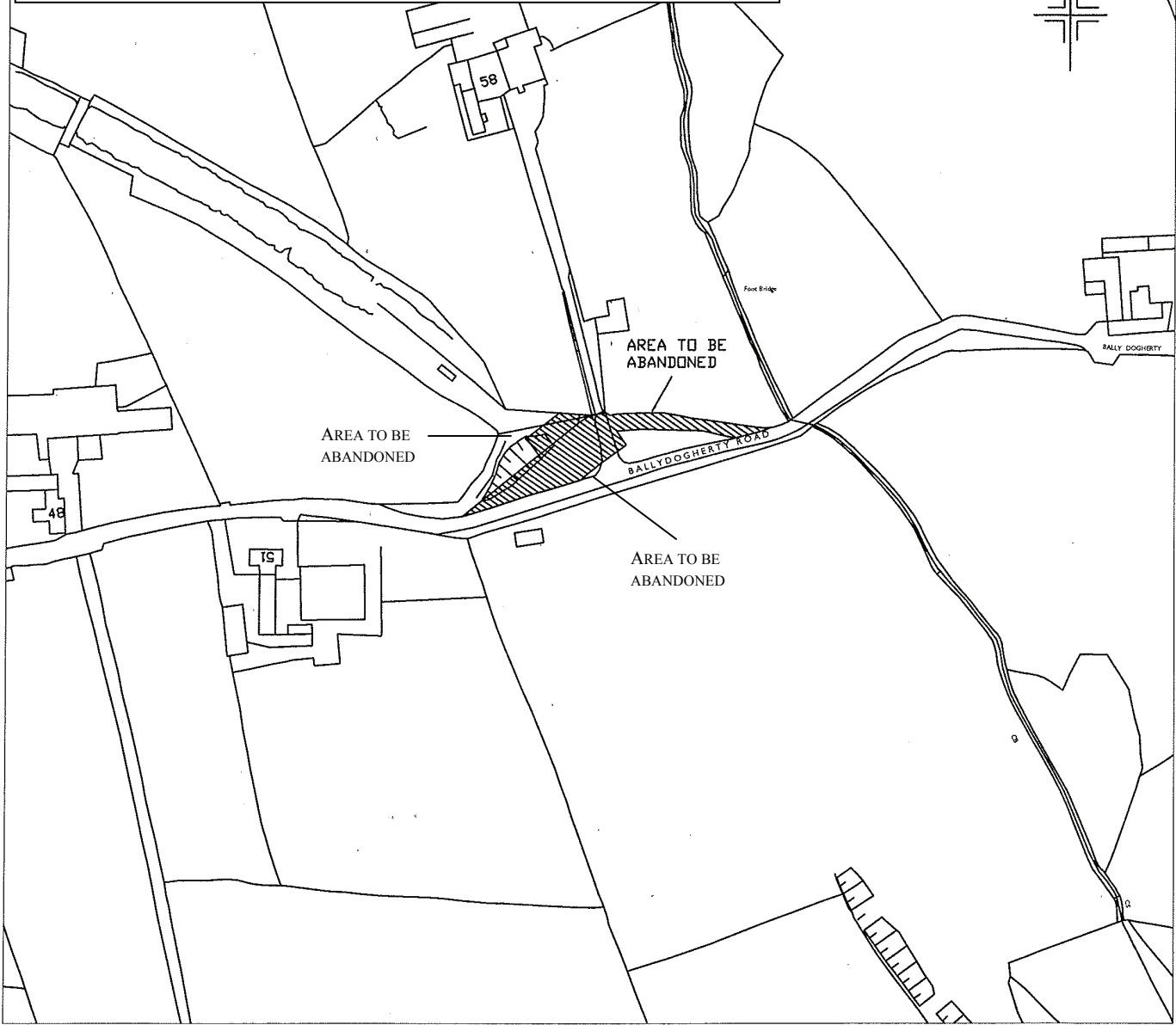
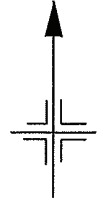
DEPARTMENT FOR REGIONAL DEVELOPMENT

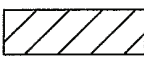
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Map No. 10/1/19/11 referred to in "The Ballydoogherty Road (U5003), Loughgilly (Abandonment) Order (Northern Ireland) 2012" made by the Department on 6th February 2012 and coming into operation on 14th March 2012.

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SCALE 1:2500



ABANDONED AREA	Area m sq
	1321

Abandonment at Ballydoogherty Road Loughgilly

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Scale 1:2500

September 2010