

## **EXPLANATORY MEMORANDUM TO**

### **The Westbourne Avenue, Ballymena (Abandonment) Order (Northern Ireland) 2012**

**S.R. 2012 No. 70**

#### **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 104 square metres of road comprising a turning head opposite No. 27 Westbourne Avenue, Ballymena, commencing at a point 85 metres east of the junction of Westbourne Avenue with Carniny Road for a distance of 22.5 metres in an easterly direction.

#### **3. Background**

- 3.1. The abandonment has been requested by Joseph E. Mc Kernan & Son for JFM Construction Ltd, the owners of the bed and soil of the area of road to be abandoned.
- 3.2. The proposal has been requested to facilitate further development of the adjacent housing site and following the abandonment the area of road in question will be included in the new development.
- 3.3. No statutory undertakers equipment is affected by the proposal.

#### **4. Consultation**

- 4.1. The PSNI and Ballymena Borough Council have been notified of the proposal.
- 4.2. 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 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**

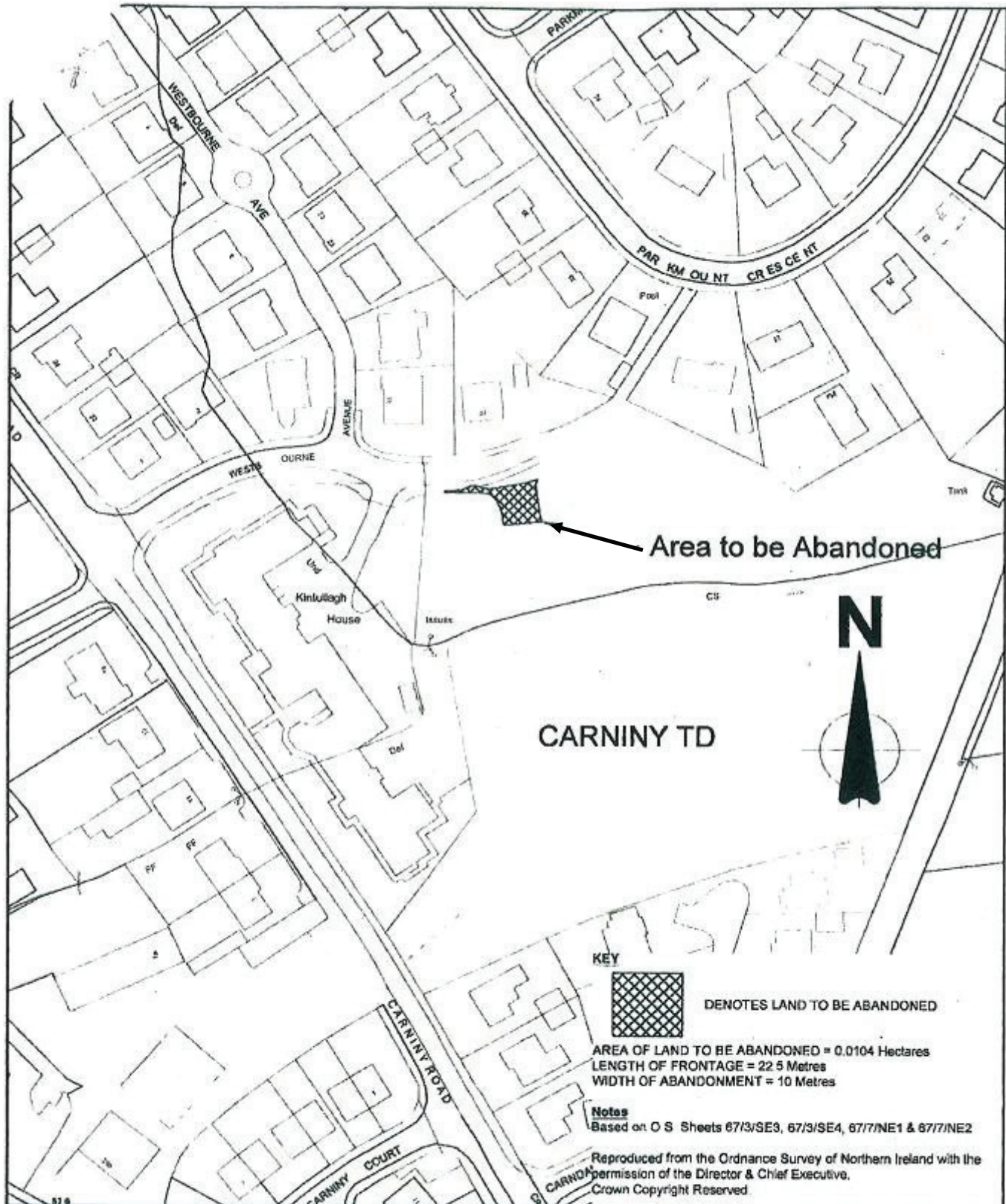
9.1. Not applicable.

## **10. Parity or Replicatory Measure**

10.1. Not applicable.

## **11. Additional Information**

11.1. Not applicable.



**DEPARTMENT FOR REGIONAL DEVELOPMENT**

Map No. 10/1/20/11 referred to in "The Westbourne Avenue, Ballymena (Abandonment) Order (Northern Ireland) 2012" made by the Department on 27th February 2012 and coming into operation on 25th April 2012.

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