

## **EXPLANATORY MEMORANDUM TO**

### **The Station Road, Moira (Abandonment) Order (Northern Ireland) 2018**

#### **S.R. 2018 No.118**

#### **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 1464.34 square metres of road (comprising former carriageway) fronting No. 3 Station Road, Moira.
- 2.2. On the coming into operation of the abandonment the area of road in question shall cease to be maintainable by the Department and the public right of way over it shall be extinguished.

#### **3. Background**

- 3.1. The area of road in question was superseded following construction of the M1 Motorway and consequent realignment of Station Road. It is now the subject of an adverse possession claim.
- 3.2. The Department considers that the area of road in question is no longer necessary for roads purposes and therefore proposes to abandon it.
- 3.3. The Department is the owner of the bed and soil of the area of road to be abandoned. Following the abandonment the land will be declared surplus and disposed of in accordance with the procedures laid down for the disposal of government owned land. The adjacent landowners have expressed an interest in acquiring the land.

#### **4. Consultation**

- 4.1. The PSNI was consulted and has no objections. Lisburn and Castlereagh City Council was notified but no acknowledgement was received.
- 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 and 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.