

EXPLANATORY MEMORANDUM TO

The Annaghilla Road Augher, Dungannon (Abandonment) Order (Northern Ireland) 2018

S.R. 2018 No. 160

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) 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 verge adjacent to No. 38 Annaghilla Road, Augher, Dungannon extending from a point 226 metres north-east of its eastern junction with the Annaloughan Road for a distance of 35 metres in a north-easterly direction.
- 2.2. On the coming into operation of the rule, the area of road verge 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 Department is of the opinion that the area of road in question is no longer necessary for road traffic.
- 3.2. The Department is the owner of the bed and soil of the area of road to be abandoned.
- 3.3. On completion of the abandonment the land will be declared surplus to the Department's requirements and disposed of in accordance with the statutory procedures laid down for the disposal of government owned land.

4. Consultation

- 4.1. The PSNI has been consulted and has no objection to the proposed abandonment. Mid Ulster District Council has also been advised of the proposed abandonment.
- 4.2. In accordance with the statutory consultation process a notice in respect of the proposed abandonment was published in the local press for two successive weeks. In addition, 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.