

EXPLANATORY MEMORANDUM TO

The New Line, Carrickfergus (Abandonment) Order (Northern Ireland) 2018

S.R. 2018 No. 22

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 a length of 213 metres of road at New Line, Upper Woodburn, Carrickfergus.
- 2.2. On the coming into operation of the abandonment the length 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 abandonment has been requested by an adjacent landowner to address the problem of people parking on the road to eat food and leaving waste food and wrappers behind. There is also an issue of fly-tipping along the road and into his fields.
- 3.2. The Department is the owner of the bed and soil of the length of road to be abandoned. Following the abandonment the land will be declared surplus and disposed of in accordance with the statutory procedures laid down for the disposal of government owned land.
- 3.3. Following the abandonment the length of road will be unused and the adjacent landowner proposes to acquire the land and will be responsible for maintaining the current road drainage system.
- 3.4. The landowner has indicated that he will erect a fence at the start of the abandoned length of road but access will be allowed for any Statutory Bodies as required.

4. Consultation

- 4.1. The PSNI has been informed and has no assets in the area. Mid & East Antrim Borough Council has been advised and has confirmed they are not affected by the abandonment.
- 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.