

EXPLANATORY MEMORANDUM TO

The Limavady Road, Garvagh (Abandonment) Order (Northern Ireland) 2018

S.R. 2018 No. 76

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 370 square metres of road on the north side of Limavady Road, Garvagh extending from a point 186 metres west of its junction with Main Street for a distance of 46 metres in a westerly direction, after the completion of such works as the Department considers necessary for the provision of alternative facilities for road traffic.
- 2.2. A new 2 metre wide pathway along Limavady Road will be created to provide alternative facilities.
- 2.3. 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 abandonment has been requested by Caldwell & Robinson Solicitors on behalf of Nonglak McFadden Limited who plan to develop the site.
- 3.2. The abandonment will facilitate a housing development on the site of the former PSNI station in Garvagh.
- 3.3. The Department owns the bed and soil of the area to be abandoned. Following the abandonment the land will be 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 informed and has advised it has no assets in the area. The Causeway Coast and Glens Borough Council has been advised and has no objection to 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.