

## **EXPLANATORY MEMORANDUM TO**

### **The Ballybeen Park, Dundonald (Abandonment) Order (Northern Ireland) 2019**

#### **S.R. 2019 No. 100**

#### **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 10.7 square metres of footway between No. 12 and No. 14 Ballybeen Park, Dundonald commencing at a point 110 metres south-east of its junction with Dungoyne Park for a distance of 5.1 metres in a south-easterly direction. This was the site of a former bus shelter.
- 2.2. The Department is of the opinion that the area of road is no longer necessary for road traffic.
- 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 Choice Housing Limited.
- 3.2. The bed and soil of the area to be abandoned is owned by the applicant.
- 3.3. Following the abandonment the land will revert to the registered owners and the area of road in question will be incorporated into the driveway/parking area for a new development in the area.

#### **4. Consultation**

- 4.1. The PSNI has been informed and has no objection to the abandonment. Lisburn and Castlereagh City Council has been advised and has no objection.
- 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.