

EXPLANATORY MEMORANDUM TO

The Finvoy Street, Belfast (Abandonment) Order (Northern Ireland) 2019

S. R. 2019 No. 96

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 102 square metres of road adjacent to the side and rear of the Walkway Community Centre, Finvoy Street, Belfast.
- 2.2. The area of road in question will be abandoned as the Department is of the opinion that the road is not necessary.
- 2.3. On the coming into operation of the rule, 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 Belfast City Council in order to facilitate redevelopment in the area. Following the abandonment the area of road in question will be incorporated into the redeveloped community centre building.
- 3.2. The area of road in question has been gated off as part of the existing community centre so this will rectify the situation on the ground.
- 3.3. The ownership of the bed and soil of the area of road to be abandoned is unregistered but the Department understands that Belfast City Council is working to rectify title to the area.

4. Consultation

- 4.1. The PSNI has been consulted and has no objection. Belfast City Council, as the applicant for the abandonment, has been kept informed of the progress of the proposal.
- 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.

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.