

EXPLANATORY MEMORANDUM TO

The Ormeau Road, Belfast (Footway) (Abandonment) Order (Northern Ireland) 2020

S.R. 2020 No. 177

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 road comprising 3.328 square metres of footway adjacent to the Errigle Inn, Ormeau Road, Belfast.
- 2.2. The area of road in question will be abandoned as the Department is of the opinion that the road is no longer necessary.
- 2.3. On the coming into operation of the rule, the area of road in question shall cease to be maintainable as public road by the Department and the public right of way over it shall be extinguished.

3. Background

- 3.1. The Department is the owner of the bed and soil under the area of road in question.
- 3.2. The Department has received an application to purchase the land.
- 3.3. Where the Department is the owner of the bed and soil under an area of road an abandonment is required in order for the land to be disposed of.
- 3.4. In order to facilitate the disposal of a larger area of footway at this location an abandonment Order, S.R. 2017 No. 124, was made which came into effect on 3rd August 2017.
- 3.5. Due to a discrepancy between the description of the area of road abandoned in 2017 and the description of the area to be disposed of, the Department has been unable to finalise the formal disposal of the land.
- 3.6. The Department therefore proposes to abandon this additional area of footway in order to rectify the situation.
- 3.7. Following the abandonment, the land will be declared surplus and disposed of together with that abandoned in 2017 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. Belfast City 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. The abandonment will facilitate the disposal of government owned land no longer required for roads purposes. The Department will liaise with Land and Property Services as part of the disposal process to ascertain the value of the land.

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.