

## **EXPLANATORY MEMORANDUM TO**

### **The A29 New Road and B30 Newry Road, Silverbridge (Abandonment) Order (Northern Ireland) 2020**

**S.R. 2020 No. 180**

#### **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 3599 square metres of former road at the junction of New Road and Newry Road, Silverbridge.
- 2.2. 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.
- 2.3. The Department is of the opinion that the area of former road in question is not necessary for road traffic.

#### **3. Background**

- 3.1. The registered owner of the land in question is the local Gaelic Athletic Club (GAC). The GAC requested the Department circa 2005 to consider removing a registered burden on land in its ownership. The Department agreed in principle to release part of the burden, but this was never completed.
- 3.2. The GAC has since carried out extensive work to its grounds resulting in part of the now unused and superseded road being within the curtilage of the GAC's site and behind its current fence line.
- 3.3. The Department now proposes to abandon the area of superseded road to regularise the situation on the ground.

#### **4. Consultation**

- 4.1. The PSNI has been consulted and has no objection. Newry, Mourne and Down District 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.
- 4.3. Following publication of the notice one objection was received and subsequently withdrawn.

## **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. As the Applicant already owns the bed and soil of the area of superseded road at New Road / Newry Road, Silverbridge there are no financial implications.

## **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.