

EXPLANATORY MEMORANDUM TO

The Llewellyn Drive, Lisburn (Abandonment) Order (Northern Ireland) 2020

S.R. 2020 No. 207

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 44.5 square metres of road comprising footway commencing at a point 45 metres north-west of the junction of Llewellyn Drive and Llewellyn Avenue, Lisburn.
- 2.2. On the coming into operation of the Rule, the area of road to be abandoned 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 in question is no longer necessary.

3. Background

- 3.1. The abandonment has been requested to facilitate construction of a new development.
- 3.2. The bed and soil of the area to be abandoned is owned by a private developer and following the abandonment the land will revert back to them.

4. Consultation

- 4.1. 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, neighbouring landowners and frontagers were consulted as part of the formal consultation process
- 4.2. The PSNI has been consulted and no objection has been received. Lisburn and Castlereagh City Council has also been advised of the proposed abandonment.
- 4.3. One objection was received from a local Councillor (via Lisburn and Castlereagh City Council). The objection was considered and the Department has responded to the objector but the objection has not been withdrawn.
- 4.4. The Department is satisfied that the appropriate processes have been followed in relation to the proposed abandonment and that the issues raised by the objector have been fully addressed.

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 applicant has signed an undertaking to reimburse the Department and to pay any compensation due as a result of making the Order.

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.