

**EXPLANATORY MEMORANDUM TO**  
**The Beechfield Drive, Donaghadee (Abandonment) Order (Northern Ireland)**  
**2024**

**S.R. 2024 No. 33**

**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 70 square metres of road fronting Nos. 34, 36 and 38 Beechfield Drive, Donaghadee.
- 2.2. On the coming into operation of the Rule, the Department will no longer be responsible for maintenance of the road in question and the public right of way over it shall be extinguished.

**3. Background**

- 3.1. The abandonment has been requested by Clanmill Housing Group to facilitate the construction of houses at this location. Northern Ireland Housing Executive (NIHE) did not carry out an extinguishment prior to building works commencing so a retrospective abandonment is being carried out.
- 3.2. The Department is of the opinion the area of road is no longer necessary for road traffic purposes.
- 3.3. The bed and soil of the area of road in question is unregistered and following the abandonment, the land will revert to NIHE.

**4. Consultation**

- 4.1. The PSNI has been informed and has no objection to the abandonment. Ards and North Down Borough Council has also been notified.
- 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 voluntary bodies.

## **7. Financial Implications**

- 7.1. The applicant has signed an undertaking to reimburse the Department's costs and expenses and to pay any compensation due as a result from making the Rule.

## **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.