

## **EXPLANATORY MEMORANDUM TO**

### **The Clifton Street and Glenravel Street, Belfast (Footpath) (Abandonment) Order (Northern Ireland) 2009**

**S.R. 2009 No. 278**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department for Regional Development 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) 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 363.4 square metres of footpath between Clifton Street and Glenravel Street, Belfast, parallel to the Westlink. The Department considers that the footpath is no longer necessary for road traffic.

#### **3. Background**

- 3.1. The abandonment has been requested by Ashton Community Centre and it is intended to incorporate the footpath into the re-development of the Centre. The Department owns part of the bed and soil of the area involved and it is the Department's intention to dispose of its interest in the land once the abandonment process is completed. On the coming into operation of the rule, the area of footpath in question shall cease to be maintainable by the Department and the public right of way over it shall be extinguished.

#### **4. Consultation**

- 4.1. The police have been consulted and have no objections. Belfast City Council was notified about the proposal. NIHE, who own part of the bed and soil have been consulted and have no objection to the proposal.
- 4.2. A notice in respect of the proposed abandonment was published in the local press for 2 successive weeks and statutory undertakers 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. 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.

R Sherman

24th July 2009