

## **SL1 – To Departmental Committee Clerk**

Dear Michael

### **The Quay Pass, Enniskillen (Abandonment) Order (Northern Ireland) 2026**

The Department for Infrastructure proposes to make a Statutory Rule under powers conferred by Article 68 of the Roads (Northern Ireland) Order 1993. The Statutory Rule is subject to negative resolution procedure before the Assembly.

Article 68 of the 1993 Order enables the Department, by Order, to provide for the abandonment of any road. On the coming into operation of an Order for abandonment the Department is no longer responsible for maintenance of the road and any public right of way over the road shall be extinguished. The 1993 Order further provides that the Department should not make an Abandonment Order unless (a) it is of the opinion that the road is not necessary for road traffic or that another road is available which provides, or is capable, if improved, of providing alternative facilities for road traffic; or (b) the Order provides for the carrying out by the Department or any other person of such works as the Department considers necessary for the provision of alternative facilities for road traffic before the road is abandoned.

#### **Purpose of the Statutory Rule**

The Rule will abandon an area of 182.73 square metres of former road within Quay Lane South Car Park at Quay Pass, Enniskillen.

The proposal has been requested by the Department to facilitate Fermanagh and Omagh District Council. The area is currently incorporated into Quay Lane South Car Park and is unregistered. The Department does not appear to hold any title to the area to be abandoned. Following the abandonment the land will revert to Fermanagh and Omagh District Council.

#### **Previous Engagement with the Committee**

None.

#### **Consultations**

The PSNI has been consulted and has no objection to the proposal. Fermanagh and Omagh District Council has also been advised of the proposal but has not commented.

Following completion of the required statutory consultation process, which opened on 5 November 2025 and closed on 15 December 2025 and included advertising the Notice of Intention in respect of the proposed abandonment in the local press for two consecutive weeks; a notice being posted on site and statutory undertakers being notified of the proposal, no objections were received during the objection period. A copy of the Notice of Intention is attached.

#### **Equality Impact**

There are no known Section 75 implications. Following publication of the Notice of Intention in the local press, no Section 75 issues have been raised.

#### **Regulatory Impact**

A Regulatory Impact Assessment was not considered necessary as the proposal does not result in any costs or savings for businesses, charities or voluntary bodies.

**Rural Needs Impact**

A Rural Needs Impact Assessment was not considered necessary.

**Data Protection Impact**

A Data Protection Impact Assessment was not considered necessary.

**Child Rights Impact**

A separate Child Rights Impact Assessment was not considered necessary as impacts on children and young people have been captured in the appropriate section of the Section 75 screening form.

**Position in Great Britain**

Not applicable.

**Any Other Information**

None.

**Financial Implications**

Spend will be incurred in 2025-26 and relates to departmental staff costs as well as any physical infrastructure costs, for which there is sufficient budget.

**Compliance with Section 24 of the Northern Ireland Act 1998**

The Department has carried out a Human Rights Act Screening Analysis and no human rights issues have been identified.

**Consideration by the Executive**

Not required.

**Proposed Timing of Consideration of the SL1**

This SL1 has been submitted in accordance with the minimum four-week timeframe and it is proposed the Committee considers the SL1 as soon as possible.

**Proposed Operational Date**

It is proposed that the Rule will come into operation on 3 April 2026.

A draft of the proposed Statutory Rule and explanatory Memorandum along with the related map are attached and you will wish to bring this matter to the attention of the Committee for Infrastructure.

Yours sincerely

A handwritten signature in black ink, appearing to be 'JOSEPH HEATH', written over a horizontal line.

**JOSEPH HEATH**

**Departmental Assembly Liaison Officer**

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**Date:** 22 January 2026

**cc:    Human Rights Commission  
         Equality Commission**