

Lands & Legislation Branch
Room 201
Roads Service Headquarters

**SUBMISSION FOR MODIFICATION OF ABANDONMENT
ORDER UNDER ARTICLE 68 OF THE ROADS (NI) ORDER 1993**

1. DESCRIPTION

(a) Name of road (including Route No. where applicable):

U1244 Crockanboy Road Greencastle (Part of)

(b) Name of townland/s: Teebane West

(c) County:

Tyrone

(e) Council area:

Omagh + Fermanagh

(f) Proposal requested by:

Dalradian Gold Limited

(g) Proposal requested to facilitate:

Dalradian Gold Limited

COMPLETE RELEVANT SECTION Not applicable

2. REQUEST FOR STOPPING UP

(a) Stopping-Up is applicable to: * TICK APPROPRIATE BOX

- i. *All traffic (including pedestrians and cyclists).....
- ii. *Vehicular Traffic (including animal drawn vehicles).....
- iii. *Motor vehicles only.....

(b) Road will be stopped-up by means of : – (e.g. bollards)

(c) Description including all measurements and exact location

Abandon an area of 8640 square metres of road at Crockanboy Road, Greencastle, Co. Tyrone, from a point 300 metres north-west of its junction with Mullydoo Road extending for a distance of 1111.5 metres in a westernly direction.

3. REQUEST FOR ABANDONMENT

(a) Description including all measurements and exact location

IN1/20/780558 - Email dated 26 January 2016 from Hoy Dorman (Consultants) on behalf of Dalradian Gold Limited requesting abandonment.

PLEASE NOTE THIS IS A MODIFICATION OF AN EXISTING DRAFT ORDER

IN1/20/763227 - Abandonment map including replacement route to be constructed by Dalradian Gold Limited.

IN1/20/803204 - Abandonment map without replacement route to be constructed by Dalradian Gold Limited.

(b) The owner/s of the bed and soil of the length/area to be abandoned is –

Margaret Rose Mc Dermott 209 Crockanboy Road Teebane West OMAGH BT79 7RT.Folio No 2524.

Charles Ward + Bernadette Ward 106 Crockanboy Road Drumlea OMAGH. Folio No 2525

Margaret Rose Mc Dermott 209 Crockanboy Road Teebane West OMAGH BT79 7RT.Folio No 29867

(c) What will happen to land following abandonment?

IN1/20/763227 - Folios.

Charges registered by Dalradian Gold Limited.

Lands will be incorporated into Gold Mining site.

COMPLETE SECTIONS 4 TO 12

4. SERVICES *Not applicable*

Are there any services located in the area to be stopped-up/ abandoned? See trawls attached

(If the answer to the above is yes, please tick the appropriate box below)

i. Retained.....

ii. Removed and/or Relocated.....

5. REASON FOR STOPPING-UP/ABANDONMENT (TICK ONE ONLY)

I certify that:-

(a) The road is no longer necessary

(b) The road is no longer necessary and another road is available which provides alternative facilities

(c) The road is no longer necessary and will be stopped-up / abandoned on completion of works

6. TRAFFIC CONSIDERATIONS

Alternative route will be adopted YES

Name of the alternate route:

Crockanboy Road U1244 & new alternative route to be constructed.

Nature of works to be completed:

New alternative road to be constructed

Name and registered address of third party providing alternative facilities:

Dalradian Gold Limited

7. CONSULTATION

(a) I confirm that Roads Service has consulted the following agencies bodies:

- i. PSNI.....*YES
- ii. Local Council*YES
- iii. Fire Brigade.....*YES
- iv. Statutory undertakers.....*YES
(Water, Gas, Electricity and Telephone)
- v. Crown Estate Commissioners*YES / NO

(on any Order affecting the foreshore) **Not applicable**

and they have:

* (i) no objection..... **OR**

* (ii) (no.) objections have been received from the following:

This proposal is a modification to the draft Abandonment Order published in June 2016. During the consultation phase for that draft Order subsequent to the publication, the Department received the following:
- 1 objection has been received from Fermanagh & Omagh District Council

The Department proposes to carry this objection forward to the Modified Order unless advised otherwise by the objector.

(Attach copy of objection letter(s) and response issued to objector(s))

(b) I confirm that the frontagers/adjacent landowners, and any other persons likely to be affected by the proposed Order have been consulted by Roads Service.

YES NO

and they have:

* (i) have no objection..... **OR**

* (ii) (no.) objections have been received from the following:

This proposal is a modification to the draft Abandonment Order published in June 2016. During the consultation phase for that draft Order this proposal attracted substantial media attention.

There is strong opposition to the proposal particularly from the "Save Our Sperrins" lobby group. Given the nature of objections and the number of objectors Divisional Lands Staff have not met any of the objectors to date.

Subsequent to the publication, the Department received the following:
- 991 individual letters of objection
- a petition containing 827 names

The Department proposes to carry these objections forward to the Modified Order unless advised otherwise by the objector.

(Attach copy of objection letter(s) and response issued to objector(s))

(c) In case of footpaths, remote from carriageways *where applicable*:

N/A

8. CHARGING

I confirm that charging is appropriate YES NO

If Yes:

I confirm that the applicant/s has signed an undertaking to reimburse the Department and to pay any compensation due as a result of the making of the Order... YES NO

9. ENCLOSED IS A BLACK AND WHITE MAP SHOWING THE FOLLOWING –

TICK AS APPROPRIATE

- (a) Line of stopping-up marked A-B
- (b) The road to be abandoned hatched.....
- (c) A north point.....
- (d) Alternative route, if any.....
- (e) Name of townland/s (rural areas only)
- (f) Route No. (if applicable).....
- (g) Road name/s...
- (h) Any other works related to the stopping-up/abandonment.(eg turning head)
- (i) Ordnance Survey Scale 1:2500 or 1:5000
- Additional map showing the stopping-up/abandonment only
- Land ownership map (RURAL AREAS ONLY).

10. STATUTORY EQUALITY OBLIGATION ¹

- (a). An EQIA screening exercise has been carried out using the screening analysis form at: http://drdomsote/omtramet/mogpv/met/guidance_cs/content-equality-screening-pro-forma.htm YES NO

RSPPG S019 ABANDONMENT/STOPPING-UP ORDERS ARTICLE 68 OF THE ROADS (NI) ORDER 1993:

¹ Section 2.2 Equality

Paragraph 2.2.1 confirms that Divisions are no longer required to carry out a formal EQIA screening analysis exercise for individual proposals. The overarching policy / procedure has been screened-out.

- (b). Has the proposal any implications for the statutory obligations on equality of opportunity and promoting good relations?YES NO

- (c). If "YES" please give further details and if there are negative implications explain why, the legislation should be made.

- (d). Was an equality impact assessment undertaken?YES NO
If "YES" please include a copy of the assessment with your submission.

11. EUROPEAN CONVENTION ON HUMAN RIGHTS ²

Based on the information available have you any reason to believe that the proposal is incompatible with the European Convention on Human Rights?

YES NO

RSPPG S019 ABANDONMENT/STOPPING-UP ORDERS ARTICLE 68 OF THE ROADS (NI) ORDER 1993:

² Section 2.3 European Convention on Human Rights

Paragraph 2.3.2 confirms that as part of its submission to LLB the Division must assess whether its proposals comply with the Convention rights. A HR Pro Forma Form must be completed and signed by a PPTO or above. This is available at IN1/20/803207

If YES please give further details:

12. PUBLICATION

(a) Address of Section Office for inspection of the proposed Order by the Public.

County Hall
Drumragh Avenue
OMAGH
BT79 7AF

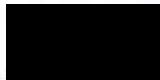
b) Names of two/three newspapers for publication of Nol

Ulster Herald
Tyrone Constitution

13. RECOMMENDATION

I confirm that all the required consultation has been completed and I recommend the preparation of a draft Order and the publication of this proposal.

Signed:

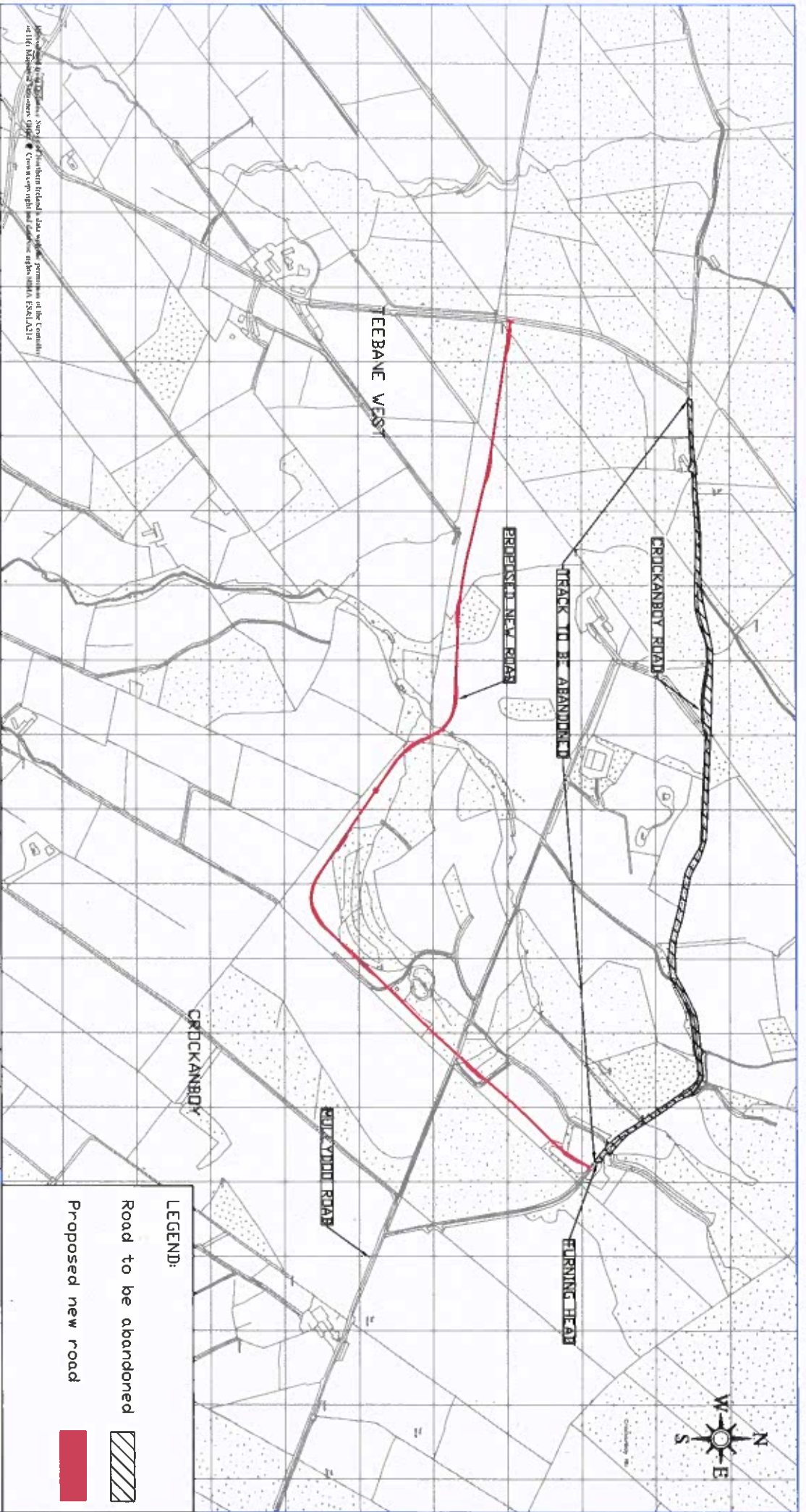


DRM

Roads Service Western Division

Dated: 20 November 2020

Enclosed:

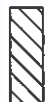



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PROJECT:
 Abandonment of adopted track U1244 at Crockanboy Hill and proposed new road as alternative

DRWG NO:	U1244-1	REV NO:		LAND AREA:	N/A	AMENDMENT	
		OS SHEET NO.:	10606NV 10606NE 10606SW 10606SE	ROADBED AREA:	0.864ha	INITIALS	SIGNATURE
		SCALE:	1:5000 (A3)	ROAD LENGTH:	1111.5m	DATE	
				TOTAL AREA:	0.864ha	17/11/20	
						17/11/20	
						17/11/20	
						17/11/20	

LEGEND:

Road to be abandoned 

Proposed new road 

Infrastructure
 Design & Construction
 Road and Urban Infrastructure Industry

County Hall
 Drumragh
 Ave Droagh
 BT79 7AF

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 Fax: 02882 234009
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