

2024 No. 184

ROADS

**The Private Accesses on the A5 Western Transport Corridor –
Sion Mills (North) to Ballygawley (West) (Stopping-Up) Order
(Northern Ireland) 2024**

Made - - - - *15th October 2024*

Coming into operation - *25th November 2024*

The Department for Infrastructure^(a) makes the following Order in exercise of the powers conferred by Article 69(1) of the Roads (Northern Ireland) Order 1993^(b) and now vested in it^(c).

The Department considers that the use of 3 private means of access from the roads specified in column (2) of the Schedule to the lands described in relation thereto in column (3) of that Schedule are likely to cause danger to, or interfere unreasonably with, traffic on those roads.

The Department, in accordance with Article 69(2)(b) of the Roads (Northern Ireland) Order 1993, is satisfied that another reasonably convenient means of access to the land will be provided.

Notice has been published and served in compliance with paragraphs 1, 2 and 3 of Schedule 5 to that Order.

The Department has modified the draft Order.

Citation and commencement

1. This Order may be cited as The Private Accesses on the A5 Western Transport Corridor – Sion Mills (North) to Ballygawley (West) (Stopping-Up) Order (Northern Ireland) 2024 and shall come into operation on 25th November 2024.

Application

2.—(1) The Department shall carry out works as it considers necessary for the provision of a new means of access from each of the roads specified in column (2) of the Schedule to the lands specified in relation thereto in column (3) of that Schedule.

(2) On completion of the works mentioned in paragraph (1), the private means of access from the roads specified in column (2) of the Schedule to the lands specified in relation thereto in

(a) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.))

(b) S.I. 1993/3160 (N.I. 15)

(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

column (3) in that Schedule shall be stopped-up to road traffic at the lines described in that Schedule.

Sealed with the Official Seal of the Department for Infrastructure on 15th October 2024.

(L.S.)

DJ Millar

A senior officer of the Department for Infrastructure

SCHEDULE

Article 2

PRIVATE ACCESSES TO BE STOPPED-UP TO ROAD TRAFFIC – ALTERNATIVE ACCESS TO BE PROVIDED

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
1.	A0004 Annaghilla Road, Drumcorke, Ballygawley	On the south-east side of A0004 Annaghilla Road, from a point 95 metres south-west of its junction with C0651 Ballynany Road to a point 86 metres south-west of that junction, more particularly delineated and marked A-B on Map No. 1 (Drawing No. 796036-Ph1B-OD70-01).
2.	A0004 Annaghilla Road, Drumcorke, Ballygawley	On the south-east side of A0004 Annaghilla Road, from a point 75 metres south-west of its junction with C0651 Ballynany Road to a point 70 metres south-west of that junction, more particularly delineated and marked C-D on Map No. 1 (Drawing No. 796036-Ph1B-OD70-01).
3.	C0631 Tullyrush Road, Tullyheeran, Omagh	On the south-east side of C0631 Tullyrush Road, from a point 267 metres south-west of its junction with A0005 Doogary Road to a point 260 metres south-west of that junction, more particularly delineated and marked E-F on Map No. 2 (Drawing No. 796036-Ph1B-OD70-02).

A copy of the maps has been deposited at the Department's Headquarters, Lands Branch, James House, Cromac Avenue, Belfast; and the DFI Roads, Western Division, County Hall, Drumragh Avenue, Omagh, County Tyrone.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the stopping-up to road traffic of the private accesses from the A0004 Annaghilla Road, Ballygawley and the C0631 Tullyrush Road, Omagh to the lands detailed in the Schedule.

Any person who acts in contravention of the Order shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1000).

Articles 19 and 69(7) of the Roads (Northern Ireland) Order 1993 (S.I. 1993 No. 3160 (N.I. 15)) provide that where access to any land has been stopped-up in pursuance of an order made under Article 69 and any person has suffered damage in consequence thereof by the depreciation of any estate in the land to which he is entitled or by being disturbed in his enjoyment of the land, he shall be entitled to recover from the Department compensation in respect of that damage.