



**With reference to the proposal to extinguish the public right of way
over the laneway to the rear of 2-24 Kinvara Grove, 72-110 Kinvara Road,
between 34 & 36 Park Road and rear of 32 Park Road, Navan Road, Dublin 7**

The following report was considered by the North West Area Committee at its meeting held on the 19th June 2018.

Proposal

At its meeting held on 19th June 2018, the North West Area Committee agreed to initiate the statutory procedure to extinguish the public right of way under the provisions of Section 73 of the Roads Act 1993. The area is outlined on Drawing No. RM. 36890.

Statutory Requirement

The proposal was advertised in the public press on 24th January 2018 and signs were erected on site in accordance with Section 73 of the Roads Act 1993. The latest date for receipt of submissions regarding this proposal was 6th March 2018.

No objections were received in response to the public advertisement.

Service Checks

A service check to establish the extent of the services located on this area was conducted. Suitable arrangements will be put in place prior to completion of this proposal.

Public Lighting: There are three street lights on the laneway between Kinvara Road and Kinvara Grove, as seen on the map attached. Public Lighting section has agreed to remove the poles.

Irish Water would have no objection to the proposed extinguishment of the public right of way subject to the following conditions:

1. Irish Water will be granted a legal right of way / registered wayleave to ensure access to the area for maintenance / operation purposes and to prevent the building of walls or other structures on the laneway that could encroach on, or damage the water main, or prevent access for maintenance in the future
2. A key will be made available to Irish Water for access purposes to operate and maintain the water main going forward

ESB: ESB Networks has no objection to the extinguishment of the Public Right of Way at the above location. However, the existence of an ESB Medium Voltage substation and Medium and Low Voltage underground cables in the laneway between Kinvara Road and Kinvara Grove. This substation and associated underground cables supply electricity to the residential and commercial properties on Kinvara Road, Kinvara Grove and Ashtown Grove. ESB Networks require 24 hour, 7 day a week access to this plant to maintain continuity of supply to these premises. Access to this plant would have to be maintained by the provision of a key and key safe or access codes for the proposed gate at the entrance to the laneway at Kinvara Road and Kinvara Grove.

Should the ownership of the laneway change from Dublin City Council to a third party or parties ESB Networks will require a specific Right of Way from the entrance at Kinvara Road to the substation and a wayleave over the underground cables in the laneway. In this instance the existence of the above plant should be brought to the attention of the new owner(s) of the land should they be intending to develop over the site. This would include the erection of the proposed gates at the entrances to the laneway.

The ESB substation and cables in the area proposed for closure can be relocated. However for this to happen ESB would have to be provided with a suitable site and cable route with all costs associated with the relocation covered by the applicant. If it is required to have cables/network diverted, a formal request in writing should be made to Design Office, ESB Networks, South Lotts Road, Dublin 4.

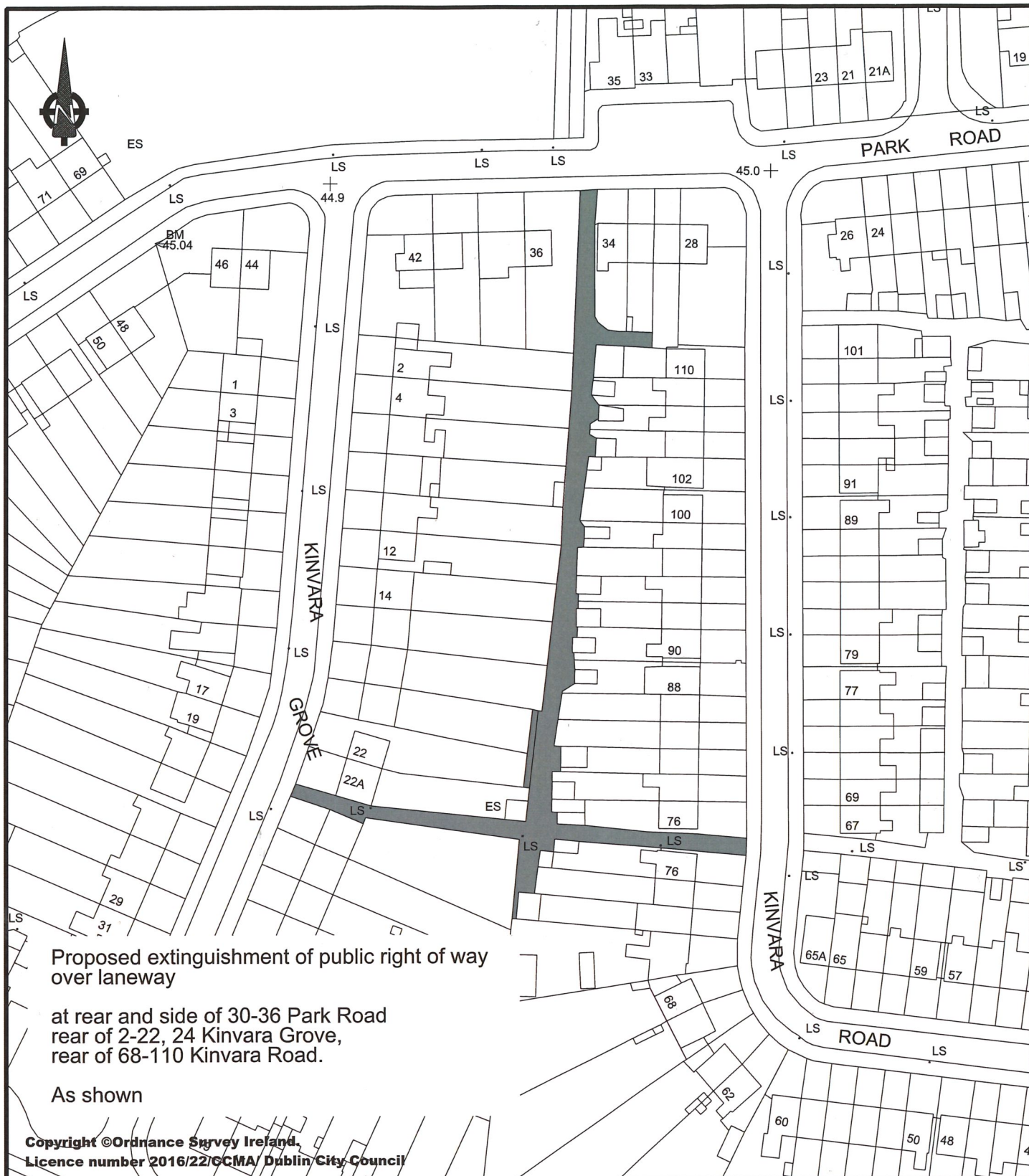
Recommendation

The Area Committee voted to recommend to the City Council that the right of way, as shown in the map RM. 36890 be extinguished.

Resolution:

"That Dublin City Council notes Report No 183/2018 and hereby assents to the proposal outlined therein."

Dave Dinnigan
Area Manager
21st June 2018



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

ENVIRONMENT & TRANSPORTATION DEPARTMENT,

CIVIC OFFICES,

WOOD QUAY, DUBLIN 8.

Roads Act 1993 Section 73(1)

Proposed extinguishment of public r.o.w.
over laneway at rear of Kinvara Grove,
Kinvara Road, Park Road, Dublin 7.

ROADS MAINTENANCE DIVISION

R.M. 36890

John W. Flanagan

PhD CEng Eur Ing FIEI FICE

Acting City Engineer

C.A.D. BY

DATE

REVISED

SCALE

r.j.h.

30/1/2017

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