

North Central Area Office,
Northside Civic Centre, Bunratty Road, Coolock, Dublin 17.

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Date: 15th October 2018

Ref: NCA/2386636/2018

**The Chairman and Members of
North Central Area Committee.**

**With reference to the proposed Extinguishment of the Public Right of Way over the
laneway at 1-5A Cecil Avenue & 7 Marino Avenue, Dublin 3.**

The legal procedure to extinguish the public right of way at the above location was initiated under Section 73 of the Roads Act 1993.

Proposal

A request to have the public right of way extinguished over the laneway at 1-5A Cecil Avenue & 7 Marino Avenue, Dublin 3 was received from all of the residents whose properties abut the laneway. The reason for the closure is to prevent anti-social behaviour & illegal dumping in the laneway and to improve the safety and security of their homes. The proposed method of closure is by means of a lockable gate. Residents are willing to provide access to all services that may require it. The extent of the proposed extinguishment is shown on Drawing **RM 37020** (copy attached).

Statutory Requirement

By public advertisement on 17th August 2018 representations or objections were invited by 8th October 2018. No objections or representation was received from the public.

Service Checks

A service check was carried out –

- Open EIR objected to the extinguishment of public right of way at the location because they have existing network in the laneway and stated that it is vital that their staff have access to it 24 hours a day 7 days a week. Key access causes Open EIR great difficulty as they have a large workforce any of which may require access to the laneway at any given time and they do not have a system to cover access to keys. Residents suggested that they could use a coded padlock on the gate which would allow for easy communication of the code to Open EIR staff thereby dealing with the access issue. Open EIR have now agreed to the extinguishment of public right of way once a coded padlock is used to lock the gate and they are given the access code immediately.

Recommendation

I recommend that the Committee approve the extinguishment of public right of way over the area shown on the attached drawing **RM 37020** for consideration later by the City Council.

Dave Dinnigan

Executive Manager