



With reference to the proposed Extinguishment of the Public Right of Way over the laneway at 1-5 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 were received.

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.

Resolution

That We, the Lord Mayor and Members of Dublin City Council, being the Roads Authority for the City of Dublin and being of the opinion that the Public Right of Way over the laneway at 1-5 Cecil Avenue & 7 Marino Avenue, Dublin 3 as shown on the attached Drawing No R.M. 37020 is no longer required for public use, extinguish the public right of way in accordance with Section 73 of the Roads Act 1993”.

Dave Dinnigan
Executive Manager

20th November 2018



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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

1-5A Cecil Avenue & 7 Marino Ave, D.3.

ROADS MAINTENANCE DIVISION

R.M. 37020

Dr John W. Flanagan CEng FIEI FICE
City Engineer

C.A.D. BY	DATE	REVISED	SCALE
rjh	26062018	/ /20	1:n.t.s.