



With reference to the proposed Extinguishment of the Public Right of Way over the laneway at 5, 7 & 9 Marino Park 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 5, 7 & 9 Marino Park Avenue, Marino, Dublin 3 was received from the majority of residents whose properties abut the laneway. The reason for the closure is to prevent anti-social behaviour. The residents of numbers 7 & 9 Marino Park Avenue propose to incorporate the land into their gardens thus eliminating the requirement for a gate. The land at the rear of number 5 Marino Park Avenue was already incorporated into the garden of this property when the current owners purchased the house in the 1970's. The residents have already applied to Dublin City Council's Disposals Section for a disposal of land and this was assented to by the City Council at their meeting on the 2nd March 2020. The extent of the proposed extinguishment is shown on Drawing RM 37448 (copy attached).

Statutory Requirement

By public advertisement on 19th June 2020 representations or objections were invited by 11th August 2020. No objections or representations were received from the public.

Service Checks

A service check was carried out and no objections were received from the service providers. One requirement was submitted by Virgin Media-

Requirement from Virgin Media- There is Virgin Media overhead cabling at the location. Virgin Media have no objection to the extinguishment of the public right of way once they can get permission from the residents to access the location for maintenance purposes when the land is disposed of to them and they incorporate it into their gardens.

Response from Applicant- Residents have agreed to grant permission to Virgin Media to access the location for maintenance of the overhead cables in the future.

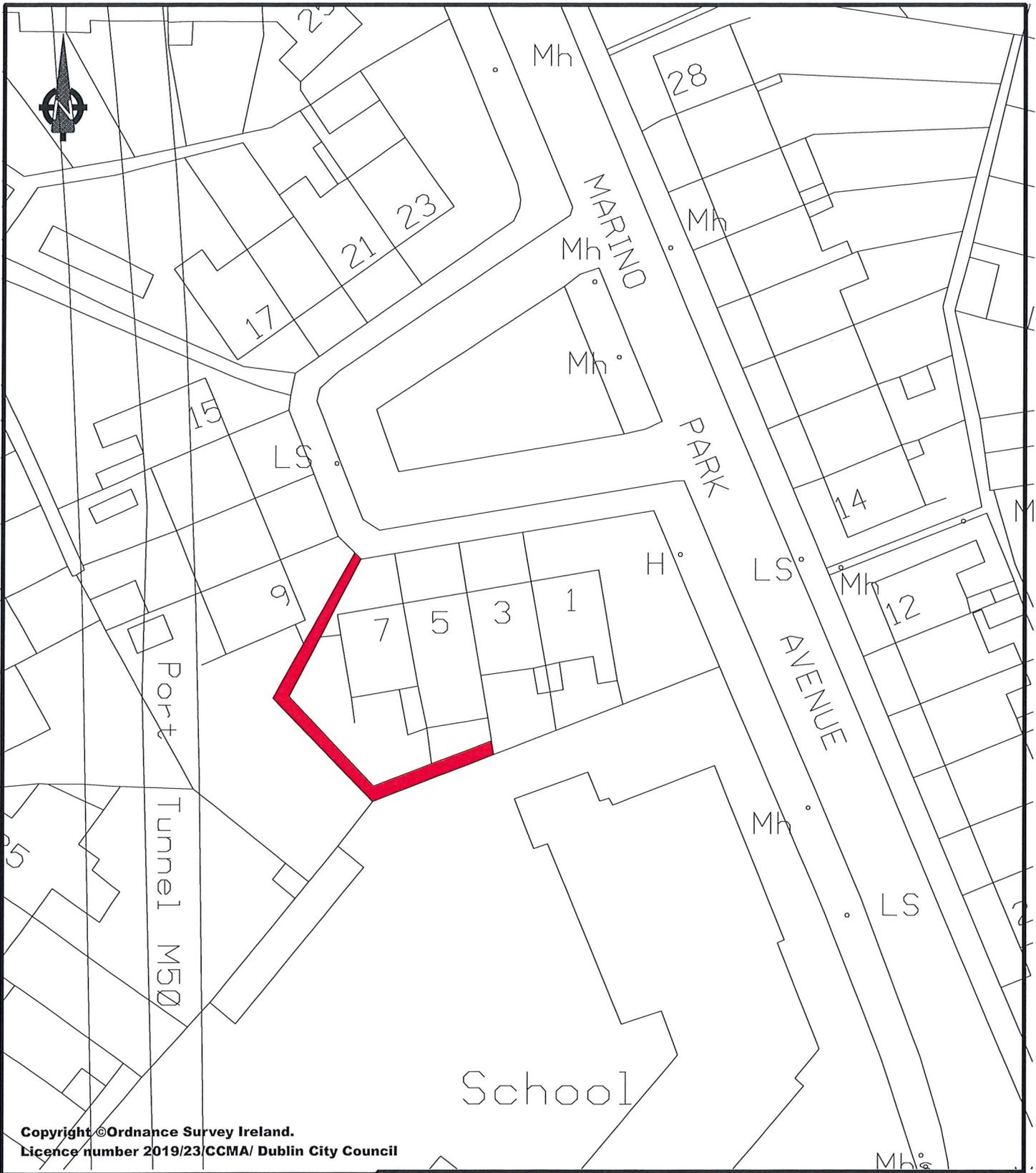
Resolution:

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 5, 7 & 9 Marino Park Avenue, Dublin 3 as shown on the attached Drawing RM 37448 is no longer required for public use, extinguish the public right of way in accordance with Section 73 of the Roads Act 1993.

Coilín O'Reilly

Director of Services – Dublin North City

22nd September 2020



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Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

ENVIRONMENT & TRANSPORTATION DEPARTMENT,

CIVIC OFFICES,

WOOD QUAY, DUBLIN 8.

Proposed closure of laneway at
5, 7 & 9 Marino Park Avenue.

ROADS MAINTENANCE DIVISION

R.M. 37448

Dr John W. Flanagan CEng FIEI FICE
City Engineer

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