

To the Chairperson and Members of the Central Area Committee

Report of the Area Manager

12th January 2021

**Proposal to declare a laneway to rear of 59 and 69 Drumcondra Road Lower
to be a public road**

The Central Area Office seeks the support of the Area Committee to initiate a process to take-in-charge laneway to rear of 59 and 69 Drumcondra Road Lower, by declaring this section of pavement to be a public road for the purposes of the Roads Act 1993. The declaring of land to be a public road is a reserved function.

Proposal

The proposal refers to a laneway to the rear of 59 and 69 Drumcondra Road Lower. Ownership of the laneway is unclear, although it is likely in DCC ownership. The Area Office have been dealing with this laneway for many years in respect of abandoned vehicles, rough sleeping and general anti-social behaviour occurring in the laneway itself. More recently, the Area Office has worked with the Gardaí as the lane facilitates a Dublin City Council funded Family Hub for Homeless clients and concerns over personal safety for residents have heightened.

A current planning permission (4044/15 granted in April 2016) exists for the construction of six houses to the rear of 59/69 Lower Drumcondra Road and the developer of the six houses has undertaken to carry out the necessary works as per the Planning Conditions to bring the laneway up to the standard required by relevant City Council Departments and on completion of works the Council will take the laneway in charge. The Roads Authority through the Central Area Office therefore propose to declare the laneway to be a public road to allow for its taking in charge by Roads Maintenance Services.

The taking in charge of this road is governed by the Roads Act 1993 Section 11. Under Section 11 (b) where a road authority proposes to declare a road to be a public road it must satisfy itself that the road is of a general public utility and it must consider the financial implications for the authority of the proposed declaration.

The Central Area Committee is requested to initiate procedures to have the laneway to rear 59 to 69 Lower Drumcondra Road taken in charge by Dublin City Council under Section 11 of the Roads Act 1993 as indicated on the attached map.

**Karl Mitchell
Area Manager**