

To the Chairperson and Members of the
Central Area Committee

Meeting: July 2021

**Proposed Extinguishment of Public Right of Way at the Laneway to rear and adjoining
242 Phibsborough Road, 243 Phibsborough Road, Broadstone Hall
(244 Phibsborough Road) and 4 Royal Canal Bank, Dublin 7.**

Proposal

At its meeting held in April 2021, the Central 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 laneway is outlined on Drawing No. **RM 37614**. The laneway to the rear and adjoining 242 Phibsborough Road, 243 Phibsborough Road, Broadstone Hall (244 Phibsborough Road) and 4 Royal Canal Bank, Dublin 7.

Statutory Requirement

The proposal was advertised in the national press on 29th April 2021 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 11th June 2021.

Service Checks

A service check survey to establish the extent of the services located on this area was conducted amongst utility providers.

Eir made objections to the extinguishment as they have plant and equipment in the laneway and they are reluctant to accept a key for a gate *“as this would lead to an increase in their time spent on faults thus causing a liability to the company on both output and increasing clock hours.”*

Dublin Fire Brigade’s observations on gated laneways *“suggested that any new gate would require a lock that can easily be cut off in the event of an emergency.”*

Recommendation

We note Eir’s objection, however their equipment is currently located in an area which is difficult to access because overgrown shrubbery and a gate has existed in this location for many years.

We note Dublin Fire Brigade’s observations.

Having considered the above issues raised by our service check I recommend the extinguishment of the public right of way of the area shown on Drawing RM 37614

Karl Mitchell
A/Executive Manager