



With reference to the proposed Extinguishment of the Public Right of Way over a section of laneway located at 14-42 The Rise, 2-12A & 33 Hampstead Park, Glasnevin, Dublin 9.

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 a section of laneway located at 14-42 The Rise & 2-12A and 33 Hampstead Park was submitted to Dublin City Council's North Central Area Office by a majority of residents with properties abutting the laneway. The reason for requesting the closure is to prevent the ongoing issue of anti-social behaviour in the laneway and to improve the safety and security of their homes. The properties abutting this laneway are being targeted by criminals- The DS in Ballymun Garda Station has been liaising with residents and has instructed extra patrols of this area be put in place to help to deal with the situation. The proposed method of closure is by means of gates with coded padlocks. There will be 3 gates in total as follows:

Gate 1- Vehicular gate located at the rear of 14 The Rise & side of 2 Hampstead Park.

Gate 2- Pedestrian gate beside 33 Hampstead Park & 12A Hampstead Park

Gate 3- Pedestrian gate rear of 42 The Rise

The extent of the proposed extinguishment is shown on Drawing **RM 37615** (copy attached).

Statutory Requirement

By public advertisement on 5th July 2021, representations or objections were invited by 17th August 2021. We received 1 submission from the owner of a lockup located beside the proposed location for Gate 3. This person had concerns about the gate being attached to the wall of their lockup/garage and asked to look at the proposed fixing, frame surround and structure of the gate. This person did not want the gate to interfere with the foundation or wall structure of their premises. They were worried that it could compromise the structure with its weight and movement associated with the opening and closing of the gate. The Proposer was advised to make contact with this person immediately to come up with a workable solution. **Response received from the Proposer dated 7th September 2021 as follows:** We would like to engage with the owner of the lockups beside No. 33 Hampstead Park to ensure that he/she is entirely satisfied with the third gate positioning. We do not envisage placing any of the gate structure onto their wall - we hope to have an upright from the ground and the lock mechanism on the other side Gate No. 3 (not on the lockup side). We are presently trying to make contact with the owner and hope to clarify the situation before we go forward for quotes.

Service Check

A service check was carried out and no objections were received from the service providers. Irish Water highlighted the fact that an old sewer traverses the front garden of No. 2 Hampstead Park and there is a manhole at the end of the laneway. The gate proposed for this location should be set back a couple of meters to allow for continued access to this manhole. This information has been passed on to the proposer and they will ensure that the gate is set back from the manhole.

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 section of laneway located at 14-42 The Rise & 2-12A and 33 Hampstead Park as shown on the attached Drawing **RM 37615** is no longer required for public use, extinguish the public right of way in accordance with Section 73 of the Roads Act 1993.

Karl Mitchell

A/Director of Services – Dublin North City

21st September 2021



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laneway proposed to be 'closed'
 by gates indicated as shown.



Comhairle Cathrach
Bhaile Atha Cliath
Dublin City Council

ENVIRONMENT & TRANSPORTATION DEPARTMENT,
 CIVIC OFFICES,
 WOOD QUAY, DUBLIN 8.

Dr John W. Flanagan CEng FIEE FICE
 City Engineer

REVISION	DESCRIPTION	DATE	REFERENCE DRAWINGS
		/20	
		/20	
		/20	

ROADS MAINTENANCE DIVISION	
CAD. BY	CHECKED BY
DATUM	APPROVED BY

Roads Act 1993 Section 73(1). Proposed extinguishment of public r.o.w. over lane at 14-42 The Rise & 2-33 Hampstead Park as shown	
SCALE 1:11.5.	DRAWING No.
DATE 3/05/2021	R.M. 37615