

**To The Chairperson and Members of the  
South East Area Committee**

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**With reference to a proposal to extinguish the Public Right of Way at Stable Lane, off  
Harcourt Street, Dublin 2.**

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An application to have the public right of way extinguished at Stable Lane, off Harcourt Street, Dublin 2, has been made on behalf of the majority of the owners whose property is abutting or has access to the lane. The reason for the proposed extinguishment is to eliminate anti-social behaviour in the laneway and to facilitate a safer environment for those who live here and for those who legitimately use this laneway. The extent of the proposal is shown on the attached map ref. No. R.M. 36563 dated 24<sup>th</sup> March 2016. The laneway is under the charge of Dublin City Council. The laneway is not a through-way and suffers from poor passive surveillance.

In the event of this public right of way being extinguished, it is proposed to erect a gate, and access will be provided via a keypad operated lock on the gate. The gates will also be manned by an intercom system 24/7 with CCTV cameras linked to the reception desk in the nearby Harcourt Hotel, so that access can be maintained at all times. A management company will be set up representing the majority of the owners mentioned above and this management company will cover public liability and all other issues that may arise on the laneway post extinguishment in respect of all of the owners whose property is abutting or has access to the lane. Planning permission may be required for the gate and the specification will also be agreed with the Fire Officer.

The Gardaí in Pearse Street are supportive of the proposal as the area is prone to regular anti-social behaviour and is routinely littered with needles and other drug paraphernalia along with human waste. The applicants have undertaken to maintain this area in a clean and litter free condition, should it be gated, and to monitor and ensure that it is not used for the parking of private vehicles or otherwise obstructed, and that no unauthorised use of the laneway occurs by adjoining property owners or others.

**Service Check**

A service check has been initiated.

Virgin Media, Gas Networks Ireland and E.S.B. Networks have no objections but have stipulated that access will have to be maintained. Eircom Limited, trading as "open eir", has no objections but has stipulated that open eir's access and legal rights to the underground telecommunications plant in the lane are to be maintained and respected.

Road Maintenance Services, Road Design, Traffic Management & Control, Property Registration, Public Lighting & Electrical Services have no objections.

**Statutory Requirement**

The statutory procedure requires that public notice of the proposal is placed in one or more newspapers circulating in the city and that a notice is placed at each end of the right of way

for a period of not less than 14 days. Members of the public are given a month in which to view the plans of the proposed extinguishment and objections or representations in relation to the proposal can then be made within 14 days of the end of that period. The extinguishment of a public right of way is a function reserved to the elected members of the City Council who shall consider any objections or representations made and not withdrawn.

**Recommendation**

I recommend that procedures be initiated under Section 73 of the Roads Act 1993 to extinguish the public right of way over Stable Lane as indicated on map ref. no. R.M. 36563.

**Rose Kenny**  
**Area Manager**