

North Central Area Office,  
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**Ref: JOS/2834560/2021**

**Date: 08/09/2021**

**The Chairman and Members of  
North Central Area Committee**

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**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.**

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### **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 whose properties abut 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 No RM 37615 (copy attached).

### **Statutory Requirement**

By public advertisement on 5<sup>th</sup> July 2021, representations or objections were invited by 17<sup>th</sup> 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 7<sup>th</sup> 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 his wall - we hope to have an upright from the ground and the lock mechanism on the other side Gate No. 3 (not on his lockup side). We are presently trying to make contact this person 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.

### **Recommendation**

I recommend that procedures be initiated under Section 73 of the Roads Act 1993 to extinguish the public right of way over the area indicated on Drawing No. RM 37615

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**Karl Mitchell**  
**Acting Director of Services- Dublin North City**