

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

Meeting: 17th May 2023

Item No:

**With reference to a proposal to initiate the procedure for the extinguishment of the
public right of way at O'Devaney Gardens, Dublin 7**

Background

As part of the Phase 1A development of 56 units, the new O'Devaney Gardens Roadway was aligned along the new housing scheme. It is now required to further realign the road as part of Phase 2 to meet the requirements of DCC Roads & Traffic Dept. (such as allowing for broader bus sweeps etc.). The residents of Phase 1A that will be impacted by this realignment, specifically the residents of No. 9-21 have been consulted with and are fully aware of the need for these works and the timeframes for completion.

Local access for these residents will be maintained throughout the Phase 2 development.

Proposal

It is therefore proposed to extinguish the public right of way at the above location in order to facilitate the development of Phase 2 of the O'Devaney Gardens Housing Project. The extent of this proposed extinguishment is shown shaded in yellow on the attached Drawing Index No. SM-2023-0248-001-RevA. These were part of the public right of way (through road) within the former O'Devaney Gardens Complex.

Service Checks

A service check will be undertaken to establish the extent of the services located on this area.

Statutory Requirement

The statutory procedure involves giving public notice of the proposal in one or more newspapers circulating in the City and the affixing of that notice at the right of way for a period of not less than 14 days. Any objections or representations made and not withdrawn shall be considered. The extinguishment of a public right of way is a function reserved to the elected members of the City Council.

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 attached Drawing Index No. SM-2023-0248-001-RevA.

Karl Mitchell

Director of Services

Central and South East Areas