**COMHAIRLE CONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL**

**MEETING OF LUCAN / PALMERSTOWN / NORTH CLONDALKIN AREA COMMITTEE**

**Tuesday, February 28, 2023**

**HEADED ITEM NO. 18(2)**

**HEADED ITEM: Transportation**

**Extinguishment of Public Right of Way**

2). 46 -48 Moorfield Avenue, Clondalkin

**REPORT:**

The following report was considered at the Lucan, Palmerstown, North Clondalkin Area Committee meeting in September, 2021

“An application has been received from the residents of Moorfield Avenue to formally extinguish the public right-of-way in the laneway between 46 & 48 Moorfield Avenue, Clondalkin, Dublin 22.

It is proposed to affect the closure by erecting a gate to prevent anti-social behaviour. The Housing Department, Estate Management Section are willing to support the residents with funds in this regard.  A petition from residents who agree has been submitted.

If the Committee agree, the procedure to extinguish the public right-of-way as above of this laneway will be initiated”.

 Following consideration of the report, it was agreed to initiate the procedure.  **END OF ACM REPORT**

The proposal to extinguish the public right-of-way was advertised in the Echo newspaper on 2nd December 2021 and signs were erected on site in accordance with Section 73 of the Roads Act, 1993.  The latest date for receipt of objections, representations and requests for an oral hearing was 17th January 2021.  No correspondence was received in response to the public advertisement/notice.

**Council/Utility Reports received**

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| Public Lighting Section | No objection |
| Public Realm Section | Public Realm have no objections to this proposal provided that the future maintenance and upkeep of the area to include litter picking is addressed as part of the extinguishment and does not become a function of the Public Realm Section.**Housing Estate Management will assume responsibility for this function.** |
| Water and Drainage Section | No Objections |
| Traffic Section | No Objections  |
| Eircom/ EIR | No Objections |
| Bord Gais  | No Objections |
| ESB | No Objection |
| Civils/Virgin Media | There are existing Virgin Media underground services adjacent to and in the above location. Access would  be required on occasion to service the overhead cabling.**A key will be provided to contractor to gain access by Housing Estate Management Section.**  |

The decision regarding the extinguishment of a public right of way is a reserved function of the Council.

The recommendation of the Committee will be brought to the attention of the Council.

**It is recommended that the Extinguishment proceed at this location**