COMHAIRLE CONTAE ÁTHA CLIATH THEAS

SOUTH DUBLIN COUNTY COUNCIL



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**MONDAY 11th MARCH 2024**

HEADED ITEM NO. 17

**PROPOSED EXTINGUISHMENT OF THE PUBLIC RIGHT OF WAY OVER THE LANEWAY AT THE REAR OF 3,5,1B AND 1A TYMONVILLE COURT, TALLAGHT, DUBLIN 24 (RT-4-364)**

An initial proposal to Extinguish the Public Right of Way (EPROW) over the Laneway at the rear of No’s 3,5,1B and 1A Tymonville Court, Tallaght, Dublin 24 was originally presented to a meeting of the Tallaght Area Committee held on **27th November 2023**, to request approval to initiate the EPROW process, which was agreed by the Councilors.

Following this meeting, a public consultation process was initiated. Public notices were erected on site and an advertisement was placed in the Tallaght Echo newspaper.

No objections were received on-foot of this public consultation. Furthermore, there were no objections from the public utility companies who were consulted or other departments within the Council.

On Monday, February 26th, 2024, the Proposed Extinguishment was **RECONSIDERED** at the meeting of the Tallaght Area Committee.

**The following report was circulated...**

**MEETING OF TALLAGHT AREA COMMITTEE**

**MONDAY 26th FEBRUARY 2024**

**HEADED ITEM NO. XX**

**PROPOSED EXTINGUISHMENT OF THE PUBLIC RIGHT OF WAY OVER LANEWAY** **AT THE REAR OF 3,5,1B AND 1A TYMONVILLE COURT, TALLAGHT, DUBLIN 24 (RT-4-364)**

This proposal was considered at the Tallaght Area Committee Meeting on Monday, 27th November 2023.

**“An application has been received requesting the extinguishment of the public right of way over the laneway at the rear of 3,5,1B and 1A Tymonville Court, Tallaght, Dublin 24. It is proposed to affect the closure by means of disposal. (map below).”**

Following consideration of the report, it was agreed to initiate the procedure.

The proposal to extinguish the public right-of-way at this location was advertised in the Tallaght Echo on Thursday, November 30th, 2023. Public Notices were also erected on site on this date in accordance with Section 73 of the Roads Act, 1993.

No submissions were received in response to the public advertisement/notice. There were also no objections from the various Council departments & public utility companies who were contacted regarding the proposal.

It is therefore proposed to proceed with the extinguishment of public right of way at this location.

The decision regarding the extinguishment of a public right-of-way and the granting of an oral hearing is a reserved function of the Council. Accordingly, if this committee agrees to proceed, the recommendation of this Committee will be brought to full Council.

**End of Report to Tallaght ACM February 2024**.

At the Tallaght ACM held on February 26th, 2024, it was proposed by Councilor Louise Dunne, and unanimously **AGREED:**

**“That this Committee recommends to the Council that the public right of way** **over the laneway at the rear of 3,5,1B and 1A Tymonville Court, Tallaght, Dublin 24 (RT-4-364) (Highlighted on Map No. RE-5011) be extinguished. The extinguishment is to be effected by means of a disposal”.**

Accordingly, as the decision regarding the extinguishment of a Public Right-of-Way and the granting of an oral hearing is a reserved function of the Council,

If the Council agrees to the recommendation, the following resolution is required.

**“South Dublin County Council in pursuance of its power under Section 3 of the Roads Act 1993, hereby orders that the Public Right-of-Way over the laneway at the rear of 3,5,1B and 1A Tymonville Court, Tallaght, Dublin 24 (RT-4-364) (Highlighted on Map No. RE-5011) be extinguished. The extinguishment is to be effected by means of a disposal.”**

This matter is now before the Council.

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