

Proposed disposal of St. Mary's Mansions to Cluid Housing Association

St. Mary's Mansions was deemed to be in need of major redevelopment, however, due to financial constraints, Dublin City Council was not in a position to initiate the project.

After the Government's June 2011 'Housing Policy Statement' which put the Voluntary Housing sector at the centre of future social housing delivery, Dublin City Council saw access to private finance via an Approved Housing Body as a means of improving the living standards of the residents of St. Marys Mansions. In that context Dublin City Council held initial discussions in 2012 with Cluid Housing Association who were already in the Area, having developed St. Josephs (Killarney Court – 102 units).

Cluid held their first meeting with residents on 29/1/2013. A presentation was made at this meeting and the residents were informed that a feasibility study was required and residents would be met individually as part of the process. One-to-one consultations were held with residents in March 2013. A feasibility study with outline designs and costs was sent to Dublin City Council in August 2013. The initial design for 56 units was not sufficient and a redesign was required. Two additional floors were incorporated to the design to accommodate residents, bringing the total number of units to 80. A second presentation to residents was held in December 2013.

Having considered the feasibility study an agreement was reached between Dublin City Council and Cluid Housing Association to carry out the redevelopment. In late 2014, Cluid Housing Association procured a design team and an application for planning was lodged on 6th May 2016. The decision to grant was issued on 8/08/2016.

The funding mechanism for the development is that Cluid will obtain finance from the Housing Finance Agency as well as Departmental funding for the development. Should Cluid wind up as an Approved Housing Body during the period of the loan agreement and an alternative Approved Housing Body cannot be found, the land and any outstanding loans revert to Dublin City Council. Should Cluid wish to sell the land at a future date, Dublin City Council (City Councillors) must give consent.

A copy of the terms and conditions of the Disposal Report is attached.

Dymphna Farrell

Senior Executive Officer

Law Agent's Responses to queries from Councillors

If DCC dispose of the site to Cluid do they lose control of it completely?

The answer to that is no. The disposal terms specify that , while Cluid own the land, they cannot dispose of it without the consent of DCC. Furthermore the land can only be used for the provision of social housing units with 100% nomination rights reserved to DCC. This condition will be registered on the title to the land.

Can the Mortgagor take over the lands in the event that Cluid reneges on its loan repayments?

The answer is yes but once more the land will be subject to the same terms and conditions as to its use, e.g. only for social housing purposes.

It is also important to note that If the property ceases to be used by Cluid for social housing purposes then it transfers free of charge to DCC subject to any charge on the property being discharged first.

It is clear from these terms and conditions that the interests of DCC are well protected.

**To the Chairperson and Members of
The Central Area Committee**

With reference to the proposed disposal of property at St. Mary's Mansions, Sean MacDermott, Dublin 1 to Cluid Housing Association

Housing and Community Services has requested the proposed disposal of a property at St. Mary's Mansions, Sean MacDermott Street, Dublin 1 to Cluid Housing Association, an approved housing body and registered charity, who propose to redevelop the property to provide 80 units of residential accommodation. Cluid Housing Association is funding the development with private finance under the Social Housing Leasing Initiative. Dublin City Council will enter into a Payment and Availability Agreement with Cluid Housing Association and in turn the Council will have 100% nomination rights to the units. The property is shown delineated in red on Map Index No. SM-2016-0406.

The Chief Valuer has reported that agreement has now been reached with Lorraine Nolan on behalf of Cluid Housing Association, subject to the following terms and conditions:

1. That the property shall be disposed of under the terms of the Low Cost Sites Scheme.
2. That the disposal price shall be €127 (one hundred and twenty seven euro) plus VAT if applicable per residential unit (80 units in total).
3. That the development complies with the planning permission P.A. 2812/16.
4. That there is an inhibition on the title that the property can only be used for social housing purposes with 100% nomination rights from Dublin City Council.
5. That should the property cease to be used by Cluid Housing Association for social housing it will transfer free of charge to Dublin City Council subject to any outstanding borrowing from the Housing Finance Agency being discharged to the HFA in advance of such a transfer.

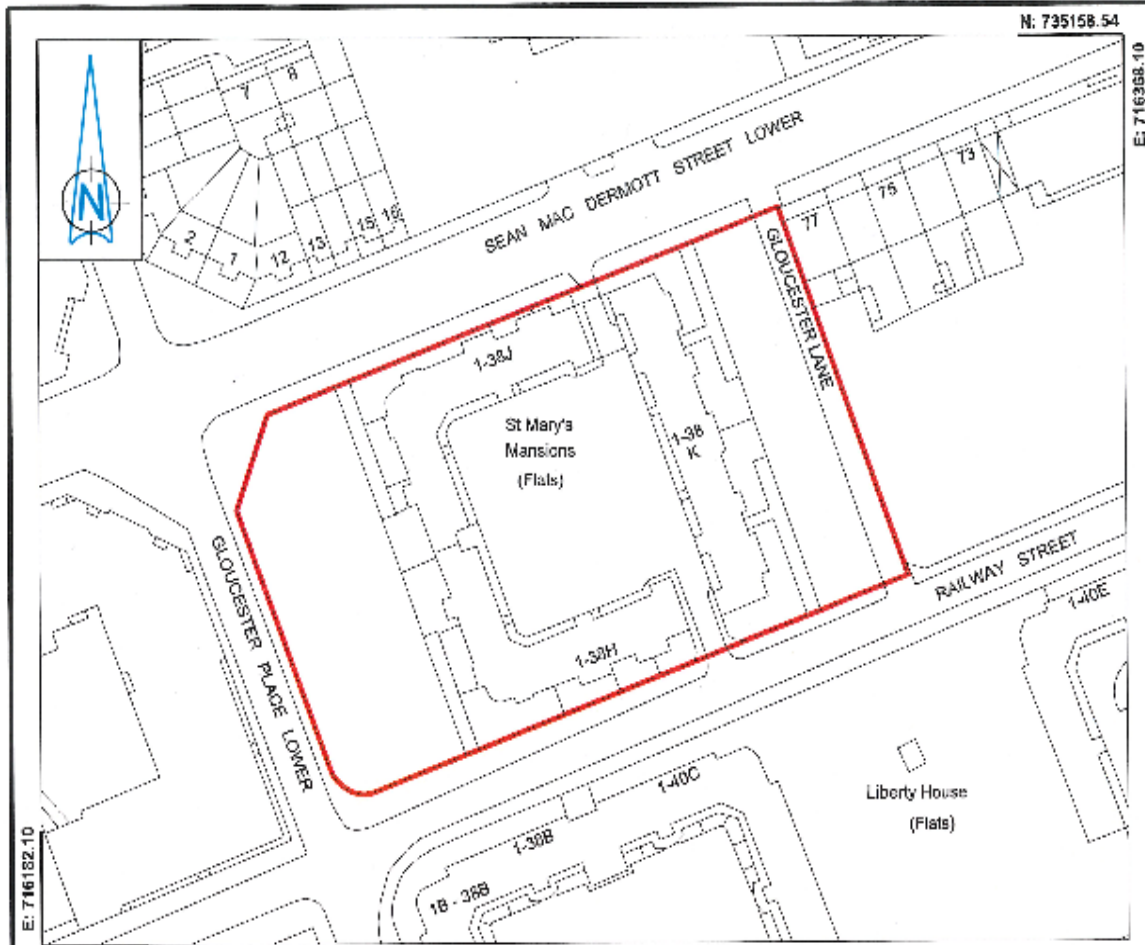
6. That the title to be transferred to Cluid Housing Association is subject to a Building Covenant and the execution of a Payment and Availability Agreement and a Capital Advance Agreement between Dublin City Council and Cluid Housing Association.
7. That Cluid Housing Association shall not sell, assign, sublet or part with possession of the premises or part thereof without obtaining the written consent of the City Council.
8. That each party shall be responsible for their own legal fees.
9. That Cluid Housing Association shall be liable for the payment of VAT or Stamp Duty should any payments arise from this disposal.
10. That the legal agreement shall include any amendments and / or conditions deemed appropriate by Dublin City Council's Law Agent.
11. That the City Council reserves the right to re-enter the site and resume possession thereof should the purchaser fail to commence and complete the development for which planning permission has been granted within 24 months following the transfer of title or in the event of the purchaser's bankruptcy or insolvency save in the case of a Financial Institution which has entered into a mortgage with the purchaser for the purpose of financing the development.

The disposal shall be subject to any such covenants and conditions as the Law Agent in his discretion shall stipulate.

No agreement enforceable at law is created or intended to be created until an exchange of contracts has taken place.


Paul Clegg

Executive Manager



ST MARY'S MANSIONS
MAP FOR DISPOSAL
DUBLIN CITY COUNCIL TO CLUID HOUSING ASSOCIATION

BOUNDARY LINE BASED ON COADY ARCHITECTS SURVEY


 An Roinn Comhshaoil agus Iompair
 Rannán Suirbhéireachta agus Léarscáilithe
 Environment and Transportation Department
 Survey and Mapping Division

O.S REF	SCALE
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DATE	SURVEYED / PRODUCED BY
30.08.2016	T.JC

INDEX No	FOLDER No	CODE	DWG No	REV
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APPROVED *TC 18.10.16*
THOMAS CURRAN
 ACTING MANAGER LAND SURVEYING & MAPPING
 DUBLIN CITY COUNCIL

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