



With reference to the proposed disposal of property at Numbers 15-30 Beech Hill Terrace, Donnybrook, Dublin 4 to the Royal Hospital Donnybrook Voluntary Housing Association Limited

The Development Department has received instructions from the Housing and Community Services Department to dispose of the Fee Simple in the property as mentioned above to the Royal Hospital Donnybrook Voluntary Housing Association Limited (RHDVHA).

The Housing Association named above is an approved housing body and registered charity, who propose to refurbish the existing two blocks of bedsits providing units with bedrooms for elderly/disabled persons. Planning permission was granted on 8th November 2016 (Ref. No 3490/16).

It is now proposed to dispose of the Fee Simple in Numbers 15-30 Beech Hill Terrace, Donnybrook, Dublin 4 to RHDVHA, as shown outlined in red on Map Index No. SM-2017-0092, subject to the following terms and conditions:

1. That the subject property is located at 15-30 Beech Hill Terrace, Donnybrook, Dublin 4 and is shown outlined in red on the attached map Index No. SM-2017-0092.
2. That the RHDVHA has obtained planning permission (Ref. No. 3490/16) for the renovation of 16 existing social housing units and construction of 4 additional social housing units.
3. That the Council shall dispose of the fee simple title in the subject property under the terms of the Low Cost Sites Scheme, to the applicant, following the receipt of the requisite approvals.
4. That the disposal price shall be €127 (one hundred and twenty seven euro) plus VAT (if applicable) **per residential unit** (20 units in total).
5. That the Title to be transferred shall be subject to a building covenant that the development on the subject property shall comply with the planning permission (Ref No. 3490/16) granted and all other necessary statutory approvals.
6. That the development must be fully completed and made fit for occupation within the time frame agreed between the Executive Manager, Housing and Community Service and the RHDVA.
7. That prior to the transfer of title, the RHDVA and its contractor and professional team shall be permitted to enter onto the subject property under a Building Licence agreement, on standard terms to be agreed, for the purposes of commencing the approved development.
8. That the Council shall have 100% nomination rights to all of the units constructed on site.

9. That a charge in favour of Dublin City Council for the Capital Assistance Scheme (CAS) shall remain on the title for a term of 30 years. The applicant shall comply in full with the Deed of Mortgage in respect of the CAS charge.
10. That the Title is to be transferred when the development is completed and the Mortgage Deed is executed.
11. That there is an inhibition on the title that the subject property can only be used for social housing purposes.
12. That should subject property cease to be used for social housing purposes at any stage, then the land and the units will revert free of charge to Dublin City Council subject to and with the burden of the Capital Assistance Scheme Charge.
13. That in the event of the applicant's bankruptcy or insolvency, Dublin City Council reserves the right to take possession of the site and all of the housing units, (partially completed or otherwise), at no cost to the Council, save in the case of a financial institution which has entered into a mortgage with the purchaser subject to and with the burden of the Capital Assistance Scheme Charge.
14. That the applicant shall not sell, assign, sublet or part with possession of the property or part thereof without obtaining the written consent of the City Council.
15. That each party shall be responsible for the own legal fees.
16. That the Royal Hospital Donnybrook Voluntary Housing Association Limited shall be liable for the payment of VAT or Stamp Duty should any payments arise from this disposal.
17. That the legal agreement shall include any amendments and / or conditions deemed appropriate by Dublin City Council's Law Agent.

Dublin City Council acquired the property in fee simple from Kevin and Walter Byrne in 1951 under the Donnybrook Area CPO 1949.

The dates for the performances of any of the requirements of the proposed agreement may be amended at the absolute discretion of the Executive Manager.

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

This proposal was approved by the South East Area Committee meeting on 10th July 2017.

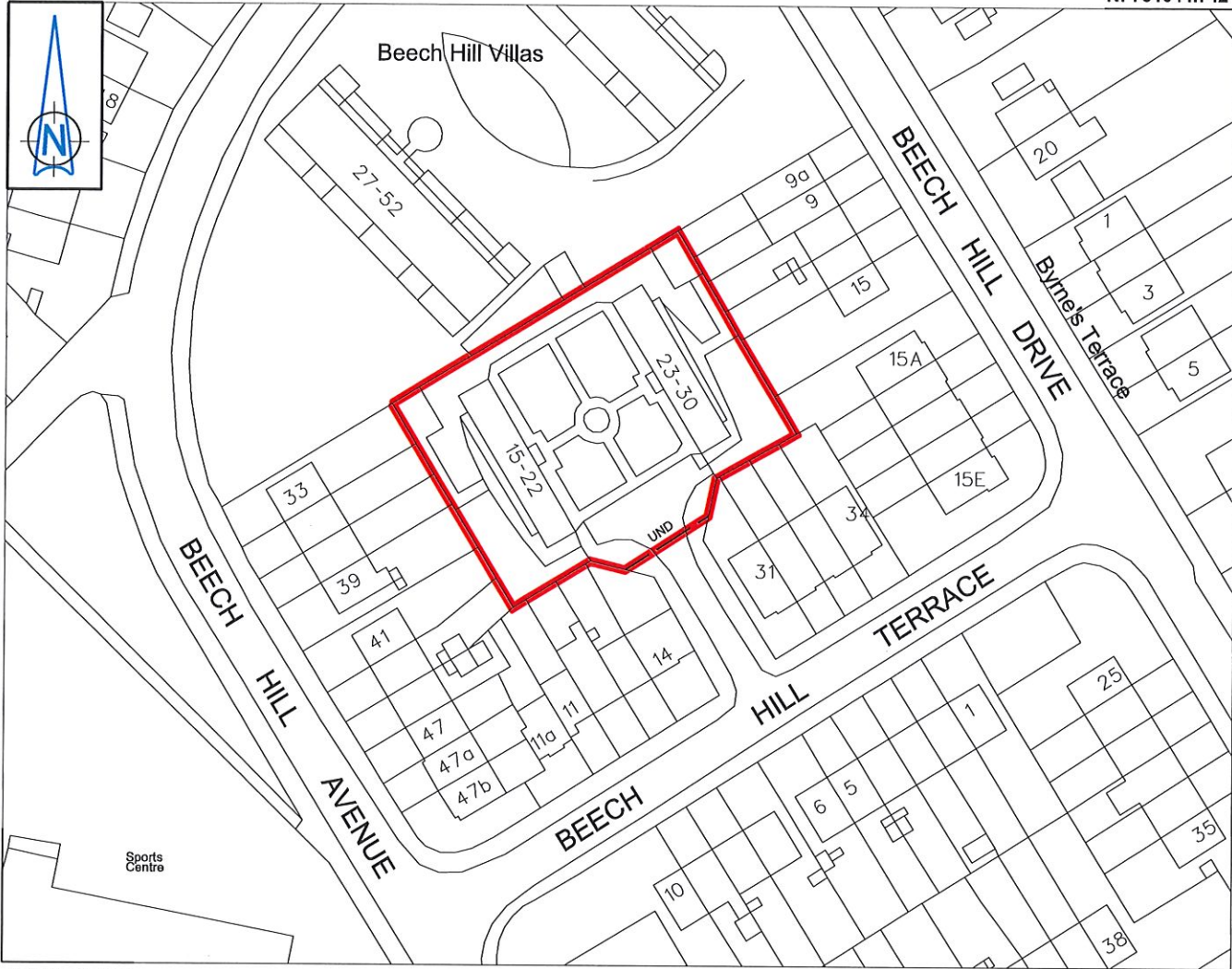
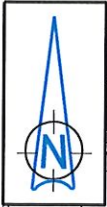
This report is submitted in accordance with the requirements of Section 183 of the Local Government Act, 2001.

Dated this day the 24th July 2017.

Richard Shakespeare
Assistant Chief Executive

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15 - 30 Beech Hill Villas, Donnybrook, D4
 Dublin City Council to
 The Royal Hospital Donnybrook Voluntary Housing Association
 Area Red Delineated Thus (1844 m/sq) - —————
 Map for Disposal


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

O.S REF 3329.08	SCALE 1:1000
DATE 12 - 07 - 2017	SURVEYED / PRODUCED BY E Ging

INDEX No	FOLDER No	CODE	DWG No	REV
FILE NO	SM-2017-0092- 0204- C3 - 001 - A.dgn			

THIS MAP IS CERTIFIED TO BE COMPUTER GENERATED BY
 DUBLIN CITY COUNCIL FROM ORDNANCE SURVEY DIGITAL MAPBASE
 SURVEY, MAPPING AND RELATED RESEARCH APPROVED

JOHN W. FLANAGAN
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ACTING CITY ENGINEER

APPROVED _____
THOMAS CURRAN
 ACTING MANAGER LAND SURVEYING & MAPPING
 DUBLIN CITY COUNCIL

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