



**With reference to the proposed disposal of Coach Houses to rear of 14 and 15,
St Stephen's Green North, Dublin 2**

Following a national advertising campaign conducted by Savills on behalf of the City Council, 14 bids were submitted to purchase the premises known as the Mews Buildings, Rear 14 & 15, St Stephen's Green, Dublin 2. All 14 bids were assessed by a panel – which included the Chief Valuer and Conservation Architect – and all on initial examination appeared to satisfy the criteria as set out in our agent's Savills advertising brochure. Each firm bid on the understanding that it had the experience and capacity to undertake a considerable/sensitive conservation development. The uses proposed by all 14 bidders are compatible with the land use zoning of the area and the conservation status of the building. The panel decided that based on the level of financial consideration offered - starting with the highest – that companies be invited to further engage with the selection process for a preferred bidder.

The highest bidders have effectively withdrawn from the process for a variety of reasons e.g. failing to agree terms following protracted negotiations and declining to further engage with the process. Having conducted a comprehensive appraisal of the bid received from Anville Properties Ltd., the Chief Valuer has recommended that the property be disposed of to the company, subject to the following agreed Terms and Conditions.

1. That the consideration in full and final settlement shall be the sum of €620,000 (six hundred and twenty thousand euro) plus VAT if applicable, in full and final settlement, payable as follows:
 - a. 20% deposit on signing of contracts, which must be within one month of Council approval.
 - b. A further 70% payable when going on site to commence construction works
 - c. The 10% balance on transfer of title to the applicant

Interest at the rate of 12% per annum shall apply to outstanding amounts.

2. That the property is shown outlined red on the attached copy map Index No. SM-2015-0181 (for identification purposes only) and has a site area of approximately 249 square metres. A Right of Access, shown hatched pink on the map, will be retained by the Council.
3. That a shared Right of Way shall exist between the applicant and the owners of No's 20 and 21 Dawson Street over the access laneway adjoining the subject property.
4. That the Council shall transfer its freehold title or equivalent.

5. That the contract must be signed and the deposit paid within 1 month of obtaining Council approval.
6. That the applicant must lodge a planning application for its intended retail/commercial proposal within two months of signing of contracts. If this does not occur the Council, at its absolute discretion, may decide not to pursue this transaction.
7. That the applicant shall be allowed one opportunity to submit a planning application to Dublin City Council and, if necessary, an appeal to An Bord Pleanála. In the event that a satisfactory planning permission is not achieved or planning is refused the full deposit paid by the applicant will be returned (without payment of interest).
8. That if planning permission for a development is either refused (by Dublin City Council or An Bord Pleanála), or granted subject to onerous conditions, then either party may rescind the agreement within four weeks of the refusal or final grant of planning permission without penalty or compensation due to the other party. All planning application related costs to be borne by the applicant.
9. That the applicant must commence work on site under licence from the City Council within three months of the date of final grant of planning permission and must complete the development under one building contract within twelve months from the date of commencement on site.
10. That all site investigations (including archaeological investigations), ground works, services connections, planning fees, development and associated professional costs incurred in the delivery of the completed development on the site shall be paid by the applicant.
11. That in the event of the applicant failing to commence and/or complete the building works in accordance with the planning permission, the Council shall be entitled to re-take possession of the site, together with the building or structures erected thereon.
12. That Dublin City Council reserves the right to re-enter on the site and resume possession thereof should the applicant fail to commence and complete the buildings within the specified period.
13. That the applicant shall ensure that all necessary safety precautions are taken in accordance with Health & Safety Regulations and all other statutory requirements.
14. That during the building period, the applicant will insure the buildings against fire and all other insurable risks with an approved insurance company and pay all necessary premiums or in the event of the applicant's bankruptcy or insolvency save in the case of a Financial Institution which has entered into a mortgage with the applicant for the purposes of financing development of the site.
15. That the insurance shall be in the joint names of the applicant and the City Council and will be for such an amount as will provide cover for full reinstatement value of so much of the building as is erected at any time together with a sum for Professional Fees and removal of debris charges. The applicant's financial institution may be a mentioned party on this insurance policy.

16. That the applicant and its design team shall also indemnify the City Council against any claim for compensation which may be made by any party arising out of building works being carried out on the site, or any working areas, or on any access points/routes thereto.
17. That the fee simple title to the subject property shall be transferred on full completion of the approved development, as certified by the City Architect.
18. That the applicant shall be required to establish a management company to manage common areas (if applicable).
19. That the City Council's Law Agent, on receipt of the necessary statutory approval to the disposal, shall forward a Contract for Sale which must be executed within 2 weeks of the date of issue.
20. That each party shall be liable for their own fees incurred in this transaction.
21. That the agreement shall be subject to any other such terms and conditions as deemed appropriate by Dublin City Council's Law Agent.
22. That no agreement enforceable at law is created or intended to be created until an exchange of contracts has taken place.
23. That this proposal is subject to the necessary approvals and consents being obtained.

The proposed disposal is fully compliant with the conservation objectives of this Protected Structure and will bring back into use a building which has been vacant and unused.

The property was acquired from the Governors of the Kings Hospital.

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

The disposal shall be subject to such conditions as to title to be furnished as the Law Agent in his discretion shall stipulate.

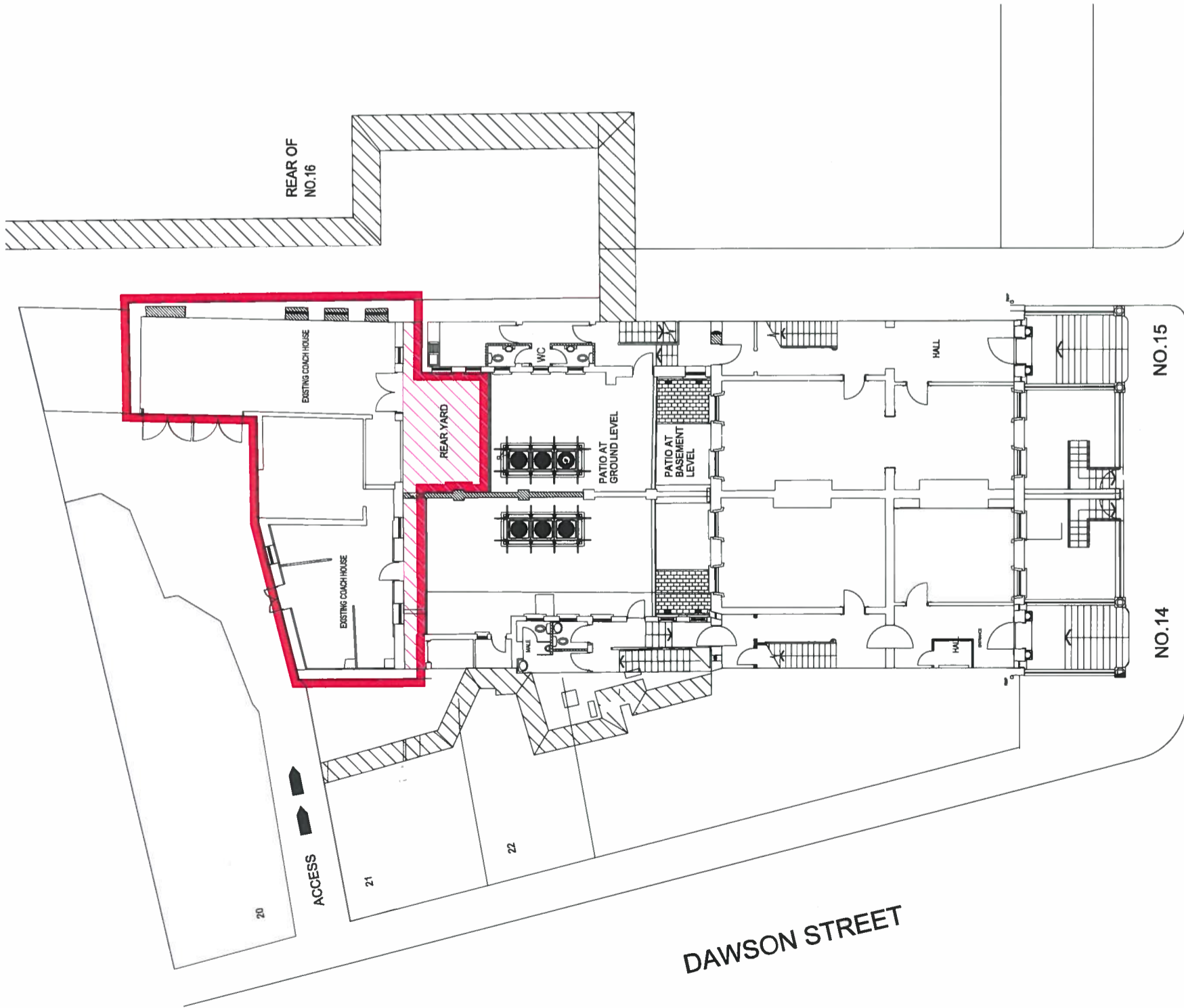
No Agreement enforceable at law is created or intended to be created until an exchange of contracts has taken place.

This proposal was approved by the South East Area Committee at its meeting on the 14th December 2015.

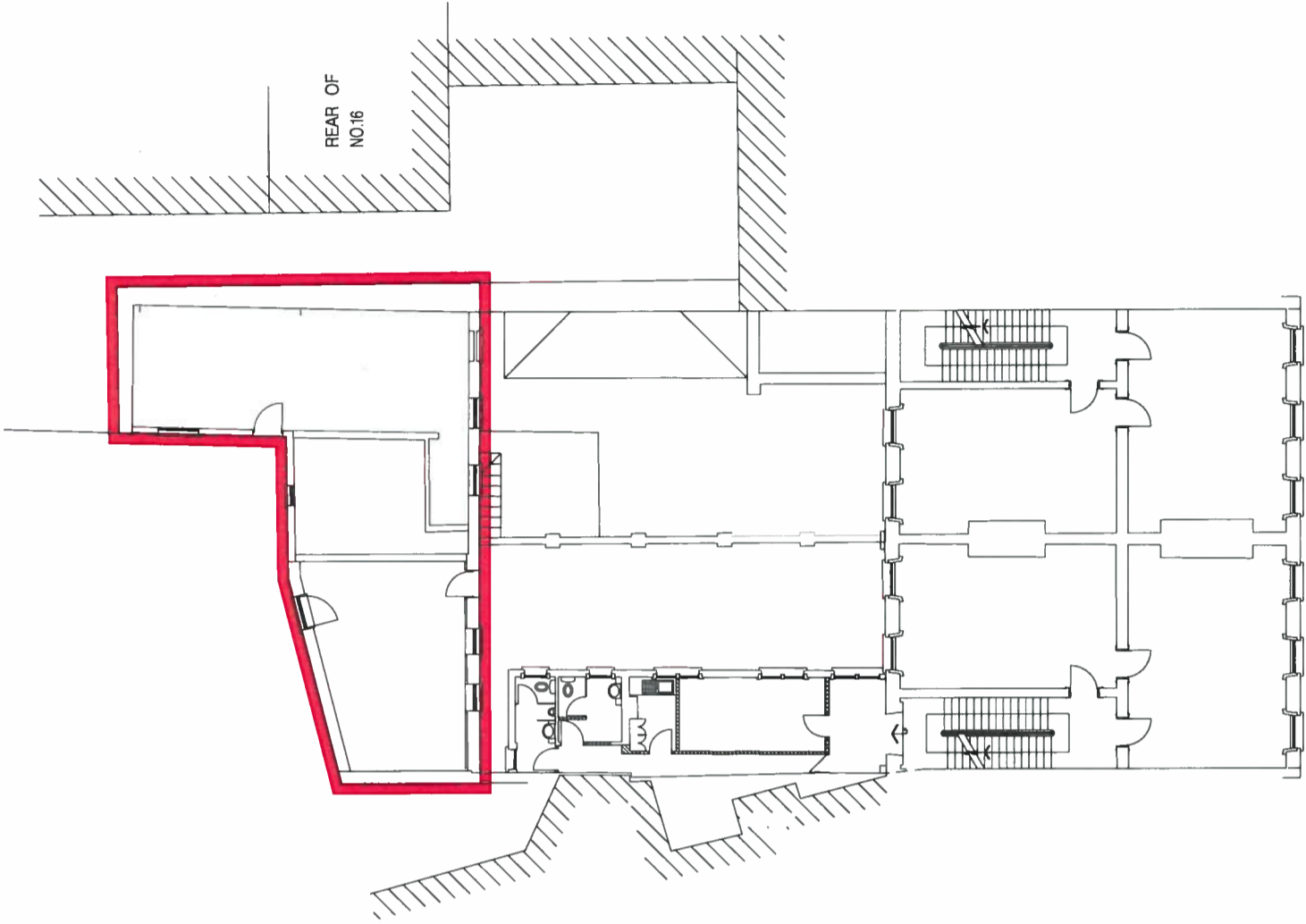
This report is submitted in accordance with the requirements of Section 183 of the Local Government Act, 2001.

Dated 21st day of December 2015.

Jim Keogan
Assistant Chief Executive



FIRST FLOOR PLAN



RIGHT OF ACCESS RESERVED TO DCC OVER AREA HATCHED PINK

 Comhairle Cathrach Bhaile Átha Cliath Dublin City Council		An Roinn Comhshaoil agus Iompair Rannán Suirbhéireachta agus Léarscáilithe Environment and Transportation Department Survey and Mapping Division	
O.S REF	SCALE	FILE NO	INDEX No
3284-11	1:250	SM-2015-0181_0204-C3-001-A.dgn	SM-2015-0181
DATE	SURVEYED / PRODUCED BY	THIS MAP IS CERTIFIED TO BE COMPUTER GENERATED BY DUBLIN CITY COUNCIL FROM ORIGINALLY SURVEYED DATA. ALL RIGHTS RESERVED. SURVEY, SURVEYING AND RELATED RESEARCH APPROVED	
14-04-2015	P. K.	APPROVED THOMAS CURRAN ACTING MANAGER LAND SURVEYING & MAPPING DUBLIN CITY COUNCIL	
MICHAEL PHILLIPS CITY ENGINEER		INDEX No. SM-2015-00181	

St. Stephen's Green North - Coach Houses to Rear of Nos 14 and 15
 Map for Disposal Purposes

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