



Comhairle Cathrach  
Bhaile Átha Cliath  
Dublin City Council

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**With reference to the proposed grant of a lease of Retail Unit B, Coultry  
Neighbourhood Centre, Santry Way, Ballymun, Dublin 9**

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Coultry Neighbourhood Centre, Santry Way, Ballymun, Dublin 9 was built in 2006 as part of the regeneration of Ballymun.

The Chief Valuer has agreed terms for the proposed grant of a lease of Unit B, Coultry Neighbourhood Centre to Bertoni Limited. The lease shall permit the property to be used as a café.

The subject unit, which has an area of 102sqm approximately is shown outlined red and coloured pink on map index SM-2015-0967, a copy which is submitted with this report.

It is proposed to grant a lease of Unit B, Coultry Neighbourhood Centre, Santry Way to Bertoni Limited subject to the following terms and conditions:

1. That Dublin City Council shall be prepared to grant a lease permitting café use (takeaway restricted user), commencing as soon as practically possible on a mutually agreed date in 2016, following receipt of planning permission.
2. That all development/fit out works shall be carried out in accordance with the plans and specifications of this planning permission and deviation from this planning consent is strictly prohibited unless carried out under further planning consents or permissions.
3. That the lease shall be on a full repairing and insuring basis and the lessee shall be responsible for the maintenance and repair of the windows and shutters.
4. That the rent shall be abated to €10,000 (ten thousand euro) per annum, for the initial term i.e. commencement date in 2016 to the 31 March 2017, exclusive of outgoings, payable quarterly in advance by electronic transfer.
5. That the rent for the initial term is acknowledged by the lessee as an abated/concessionary rent in order to facilitate a business start up and does not represent open market rental value of the subject unit.
6. That the lessee shall provide a minimum three months prior written notice to the Council of its intention to vacate the premises upon expiry of the initial term on the 31 March 2017.

7. That should the lessee wish to remain in occupation upon expiry of the initial term; the lease shall extend for a further period of fifteen years from the 1 April 2017.
8. That in order to facilitate the establishment of a new business the following stepped rents shall apply from the 1 April 2017:
  - 1 April 2017 – rent €15,000 (fifteen thousand euro) per annum plus VAT
  - 1 April 2018 – rent €17,500 (seventeen thousand and five hundred euro) per annum plus VAT
  - 1 April 2019 – rent €20,000 (twenty thousand euro) per annum plus VAT
  - 1 April 2020 – rent €20,000 (twenty thousand euro) per annum plus VAT
  - 1 April 2021 – rent €20,000 (twenty thousand euro) per annum plus VAT
9. That the rent shall be reviewed to open market rental value on the 1 April 2022 and at the end of every five year period thereafter.
10. That a break option in favour of the lessee shall be granted at the end of the fifth year of the extended period (i.e. 31 March 2022). Written notice of intention to operate the break option must be given not less than six months prior to the break option date.
11. That the lessee shall be liable for all rates, taxes, utilities, charges and outgoings (including Building Service charges & Estate Service charges if applicable).
12. That the lessee shall be responsible for fully insuring the premises and shall indemnify Dublin City Council against any and all claims arising from its use of the premises and surrounding site area/curtilage. The lessees shall take out and produce to Dublin City Council Public Liability Insurance in the sum of €6,500,000 (six million, five hundred thousand euro) and Employer Liability Insurance in the sum of €13,000,000 (thirteen million, seven hundred thousand euro).
13. That the lessee shall be responsible for the full 'fit-out' cost of the demised premises.
14. That the lessee shall not erect any signage on the external walls of the building without receiving the prior consent of the Council and full planning permission for same.
15. That the lessee shall not sublet or assign the lease without the prior written consent of the Council.
16. That the lessee shall meet each and every requirement of the City Council's Fire Officer and any Health and Safety Officer appointed by the Council, at all times. Failure to comply with this condition shall be a ground for forfeiture of the lease.
17. That the lease agreement shall contain covenants and conditions as normally contained in agreements of this type.
18. That each party shall be responsible for their own fees in this matter.

The site to be disposed of was acquired by agreement in fee simple from Johanna Lightfoot on the 27<sup>th</sup> July 1947.

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

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

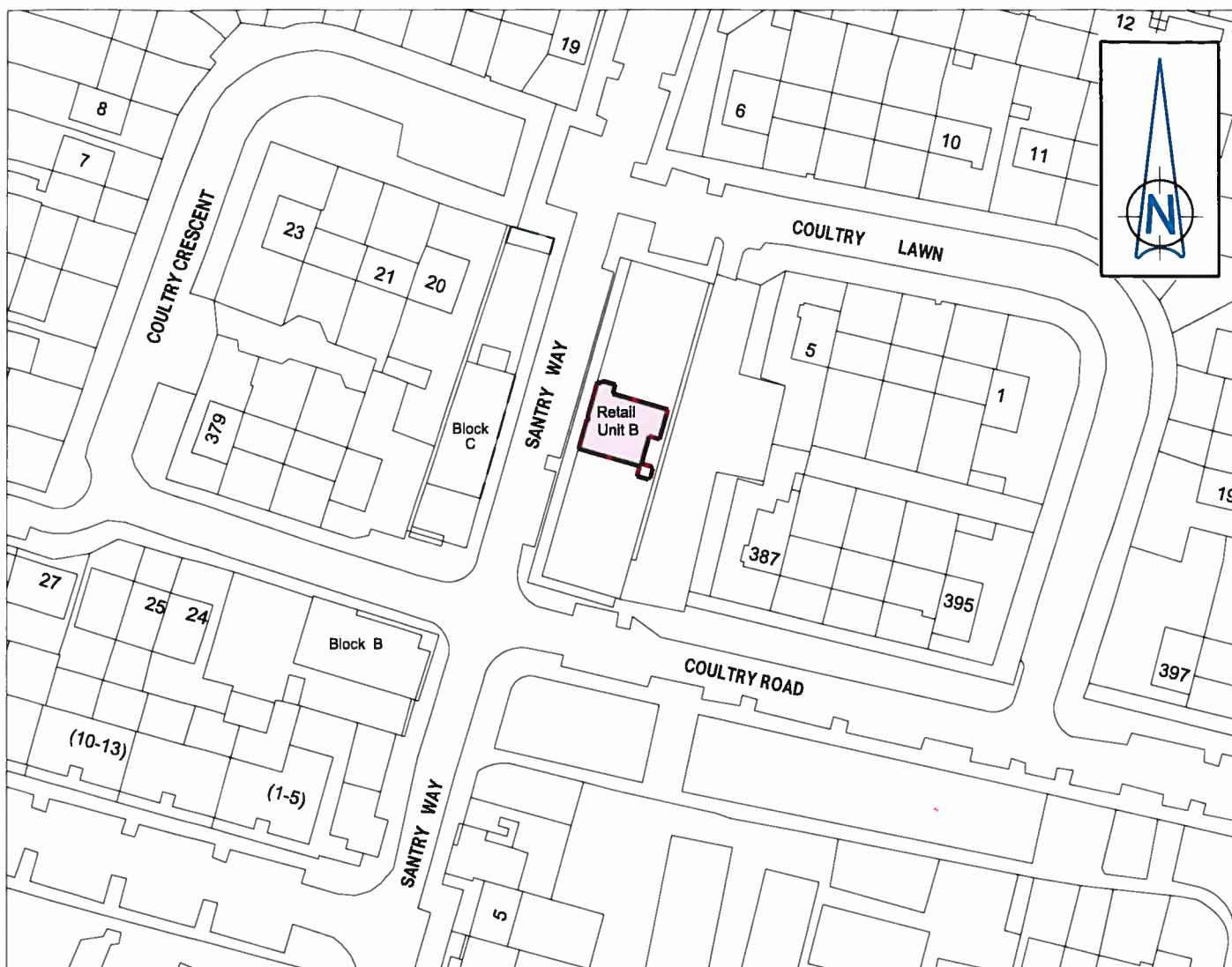
The dates for the performance of any of the requirements of the proposed agreement may be amended at the absolute discretion of the Executive Manager.

This proposal was approved by the North West Area Committee at its meeting on 15<sup>th</sup> December 2015.

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

Dated this 17<sup>th</sup> December 2015

**Paul Clegg**  
**Executive Manager**



# **COULTRY NEIGHBOURHOOD CENTRE, COULTRY ROAD, BALLYMUN, DUBLIN 9**

**Proposed lease of Retail Unit B**

**Map for Council**



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

<b>O.S REF</b> 3131-10,3132-06	<b>SCALE</b> 1-1000
<b>DATE</b> 25-11-2015	<b>SURVEYED / PRODUCED BY</b> PMcGinn

<b>FILE NO</b>	INDEX No	FOLDER No	CODE	DWG No	REV
SM-2015-0967-0204- 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

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

**INDEX No.**  
**SM-2015-0967**

**MICHAEL PHILLIPS**  
CITY ENGINEER