

08//08/2018

To the Chairperson and Members of
The Central Area Committee

Meeting: 11th September 2018

Item No:

With reference to the grant of a wayleave to Irish Water through Sheriff Street Park, Dublin 1 as part of the Mayor Street Rising Main Scheme.

An application has been received from the Water Capital Projects Section on behalf of Irish Water regarding the Mayor Street Rising Main Scheme. Irish Water proposes to install a pipeline through Sheriff Street Park, Dublin 1 and they have requested a wayleave to access the pipeline in the future. The wayleave is shown delineated in red on map Index No. SM-2018-0523 which is in preparation. The wayleave is shaded in yellow on Drawing No. MDW0547WL0001 and Drawing No. MDW0547WL0002 for indicative purposes.

The Chief Valuer has reported that agreement has now been reached with Irish Water and GVA Donal O’Buachalla subject to the following terms and conditions:

1. That compensation in full and final settlement under all heads of claim shall be **€15,000 (Fifteen Thousand euro)** paid in staged payments as follows:
 - €1,500 Advance payment
 - €9,750 Further payment subject to all statutory consents.
 - €3,750 Balancing Payment upon completion.
2. That the Council shall grant a permanent wayleave of 318 metres in length or thereabouts, coloured yellow (10 metres width) except for 45 linear metres closest to Sherriff St which is 3 metres in width as shown on the attached copy maps and referenced above. That the pipe is 315 mm in diameter rising sewage main to be laid by “open cut technique”.
The Council shall also grant a temporary working area measuring c.200 Sq.M (20m x 10m) or thereabouts coloured green on attached copy map. The works period was for a period of 13 weeks which commenced during spring 2018. The works are now completed.
3. That Irish Water shall carry out all necessary accommodation and reinstatement works, as agreed with the Councils engineers.
4. That Irish Water shall pay the Councils valuers fee of **€1,500 plus VAT** in this matter and reasonable legal fees which are capped at **€750 plus VAT** plus outlay.

5. That Irish Water consent to a licence agreement already agreed between Dublin City Council and St Laurence O'Toole Trust for the use of lands that affect part of the wayleave area. See attached map Index No: SM-2017-0357. Planning permission (DCC Planning Ref no: 4114/17) has been granted for the installation of temporary classroom accommodation along with associated utilities and infrastructure. See attached Drawing No: 161008/C/051 Rev PL1.

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

20/08/2018

A/Assistant Chief Executive

Date