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**With reference to the proposed grant of a Short Term Business Letting in Shangan Nursery, Shangan Green, Ballymun, Dublin 9.**

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Since September 2014 and by way of successive licence agreements BCFRC CLG (Ballymun Child and Family Resource Centre) has been in occupation of Shangan Nursery, Shangan Green, Ballymun, Dublin 9.

The last licence agreement terminated on the 26<sup>th</sup> February 2018 however the company has remained in occupation since that date. The company provides a number of community services for adults and children and in order to facilitate the continuance of these services it is proposed to grant a Short Term Business Letting to BCFRC CLG, subject to the following terms and conditions.

1. That the property is outlined red and coloured pink on Map Index No. SM-2014-0548.
2. That the lease shall be for a period of three years commencing on the 27<sup>th</sup> February 2018.
3. That the subject property shall be used solely for community, educational and training purposes.
4. That the market rent is €50,000 (fifty thousand euro) per annum which shall be abated to €3,350 (three thousand, three hundred and fifty euro) subject to compliance with the above user clause.
5. That the abated rent shall be payable monthly in advance.
6. That the tenant shall be responsible for all outgoing associated with its use of the subject property including inter alia rates, taxes, utilities, service charges and any other charges including building insurance cost as per clause No. 9.
7. That the tenant shall be responsible for the internal repair and upkeep of the subject property, including windows and doors and all plate glass.
8. That the tenant shall indemnify the Council against all claims as a result of their use and occupation of the subject property and shall arrange for insurance cover as follows: Public Liability Insurance (minimum of €6.5 million) and Employers Liability insurance (minimum of €13 million).
9. That upon the separation of the subject property from the management company, the Council shall take over the provision of building insurance for the property. The Council shall have the option to charge an annual insurance rent to the tenant in respect of the building insurance premium.

10. That the tenant shall ensure that its use and occupation of the subject property complies with all statutory consents.
11. That the tenant shall not assign or sublet the subject property. The abated rent is strictly personal to the BCFRC CLG.
12. That the tenant shall not carry out any structural alterations.
13. That the permitted business hours shall be 8.30am to 9.30pm, Monday to Friday (occasional weekend use permitted).
14. That the tenant shall not erect any sign or advertisement on the premises.
15. That upon expiry of the lease, the tenant shall at its own expense remove all materials not belonging to the Council and shall leave the property clean and cleared to the satisfaction of the Council.
16. That the tenant shall sign a Deed of Renunciation to a new tenancy.
17. That the lease shall be subject to any other terms and conditions as deemed appropriate by the Council's Law Agent.
18. That each party shall be responsible for their own fees and costs in this matter.

The premises to be leased was acquired by Dublin City Council from the representatives of Elizabeth Collins (deceased) in 1977.

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

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

This proposal was approved by the North West Area Committee at its meeting on 18<sup>th</sup> September 2018.

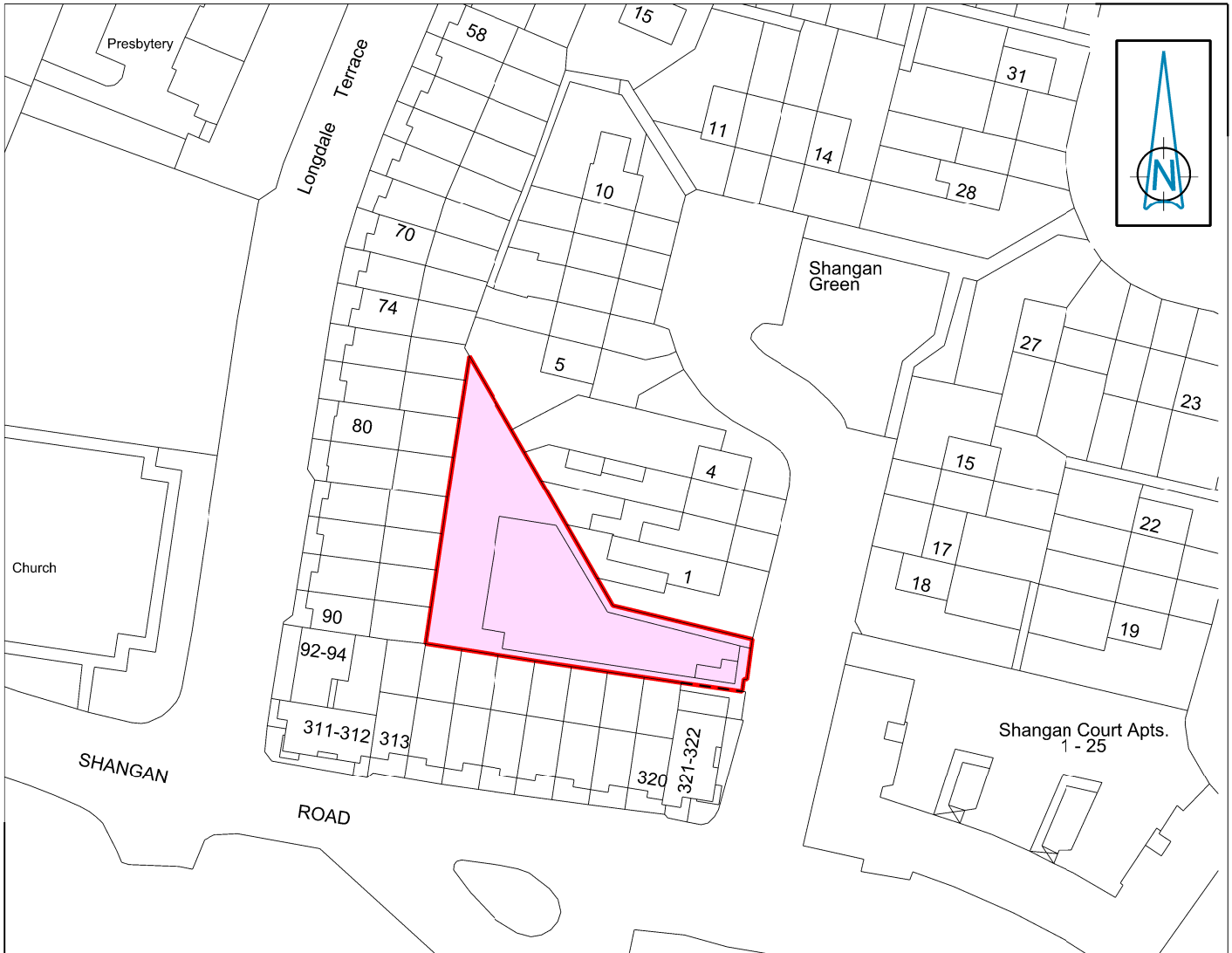
This report is submitted in accordance with the requirements of Section 183 of the Local Government Act, 2001.

**Resolution to be adopted**

“That Dublin City Council notes the contents of this report and assents to the proposals outlined therein.”

Dated this 19<sup>th</sup> day of September 2018.

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



**SHANGAN GREEN, BALLYMUN, DUBLIN 11**  
**Dublin City Council to BCFRC CLG**  
**Grant of Lease**



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> 3131-15	<b>SCALE</b> 1-1000
<b>DATE</b> 18-07-2018 (Rev.C)	<b>SURVEYED / PRODUCED BY</b> PMcGinn

<b>INDEX No</b>	<b>FOLDER No</b>	<b>CODE</b>	<b>DWG No</b>	<b>REV</b>
<b>FILE NO</b>	SM-2014-00548-_0204- C3 - 001 - C.dgn			

**Dr JOHN W. FLANAGAN**  
 CEng FIEI FICE  
 CITY ENGINEER

THIS MAP IS CERTIFIED TO BE COMPUTER GENERATED BY  
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**APPROVED** \_\_\_\_\_  
**THOMAS CURRAN**  
 ACTING MANAGER LAND SURVEYING & MAPPING  
 DUBLIN CITY COUNCIL

**INDEX No.**  
  
**SM-2014-0548**