



With reference to the proposed grant of a further licence of the crèche facility at Pearse Memorial Park, Windmill Road, Crumlin, Dublin 12.

By way of Licence dated 26th November 2015 the crèche facility at Pearse Memorial Park, Crumlin, Dublin 12, which is more particularly delineated on Map Index No. SM2011-0053 was let by Dublin City Council to Dublin 12 Childcare Consortium CLG for a period of 3 years from 14th April 2014 to 13th April 2017 subject to a licence fee of €100.00 per annum. The licence was subsequently renewed by licence dated 10th January 2018 for a further 3 years and it will expire on 13th April 2020.

The South Central Area Office has reported that a Part 8 application which was prepared and lodged by the Parks Department, in relation to the redevelopment of the Pearse Memorial Park (Application 2391/19 refers) includes provision for an extension to the existing crèche premises and additional outside space to the licenced area which currently adjoins the former parks depot.

The redevelopment will entail the demolition of the former parks depot building and the installation of a Hurling Wall on part of the site. The remainder of the depot site will be incorporated with the crèche to provide an extension to the existing premises and additional outside space, as shown indicatively on attached map number 201 on which the proposed extension is shown coloured pink and the additional outside area is coloured grey.

Dublin 12 Childcare Consortium CLG wish to avail of funding from POBAL to carry out the extension to the premises and the deadline for this application is November 2019. While the redevelopment work will not be completed in advance of the expiry of the existing agreement in April 2020 the South Central Area Office has advised that certainty about the crèche's ongoing occupation once the existing agreement expires will be a key element of the funding application.

Accordingly, it is proposed to grant a new 5 year licence to Dublin 12 Childcare Consortium CLG on the expiry of the existing licence in April 2020 subject to the following terms and conditions.

1. That the licence shall be for a period of 5 years, commencing no later than 14th April 2020.
2. That the property is that shown outlined red on Map Index No. SM2011-0053 and shown coloured pink and grey on Map number 201. A new map showing the increased area will be prepared for inclusion in the necessary legal documents.
3. That the licence fee shall be €100.00 per annum payable in advance provided that the premises is used solely as a crèche and no other purpose.
4. That the licensee shall sign a Deed of Renunciation.

5. That the property shall be used solely as a crèche and that in the event of it ceasing to be used for such purposes the licenced premises will revert to Dublin City Council.
6. The licensee shall obtain a high level of public liability insurance and employer's liability insurance (if applicable) which shall indemnify the Council against any and all claims arising from the licensee's use of the premises. The council will have an absolute right to set a minimum level of public liability and employer's liability insurance and review the figures on a yearly basis (the current minimum levels are €6.5 million and €13 million respectively).
7. That the licensee shall be responsible for the full internal and external repairs including maintenance of the outdoor play area.
8. That the licensee shall not erect or exhibit any sign, board, placard, poster or advertising matter or any flag or banner on or outside the facility without first obtaining the written consent of the licensor.
9. That the licensee shall not carry out any alterations to the premises without the express permission of the licensor in writing save for the proposed extension which is included in the Part 8 application reference 2391/19.
10. The licensee shall not sub-let, sub-divide, alienate or part with possession of the subject property without the prior and express consent in writing of Dublin City Council.
11. That each party shall be responsible for their own legal fees in the transaction.
12. That the licence will be subject to any other terms and conditions deemed appropriate by the Council's Law Agent.
13. The dates for the performance of any of the requirements of the licence Agreement may be amended at the absolute discretion of the Executive Manager.

The property proposed to be licensed was acquired from the Imperial Tobacco Company Limited in 1947.

The proposed 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 October 2019.

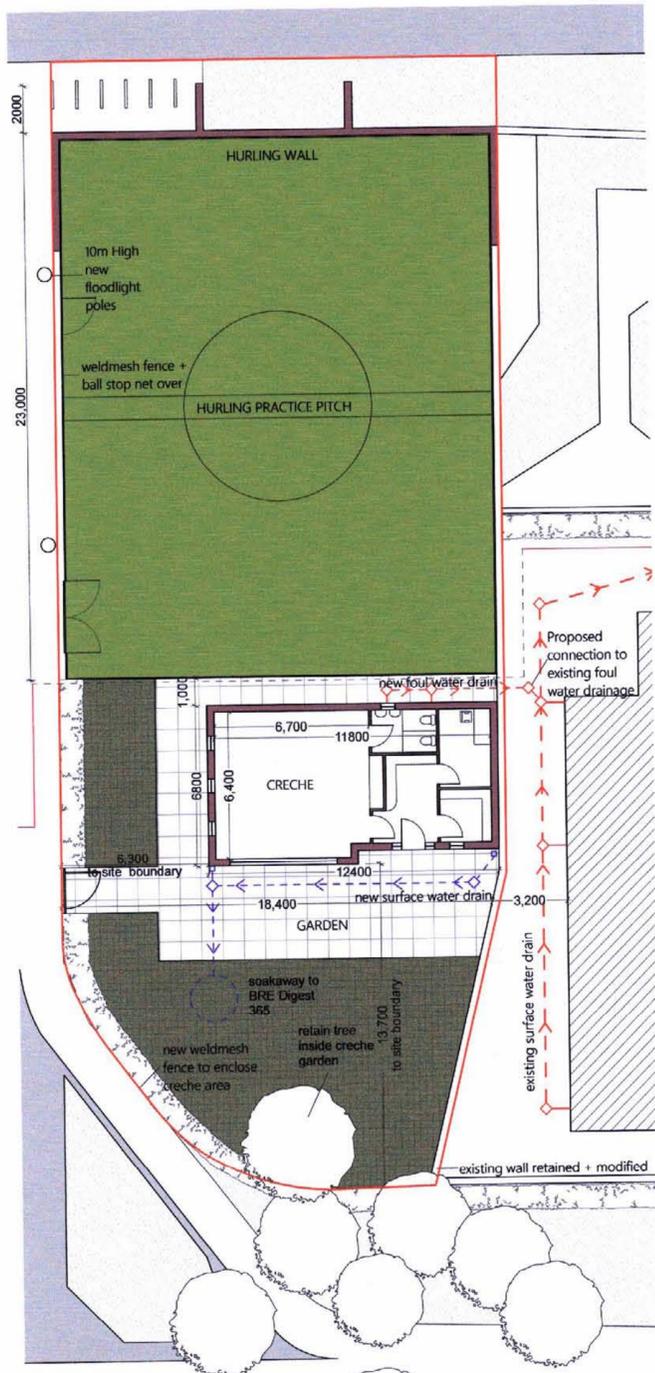
This report is submitted in accordance with the requirement of Section 183 of the Local Government Act 2001.

Resolution to be adopted:

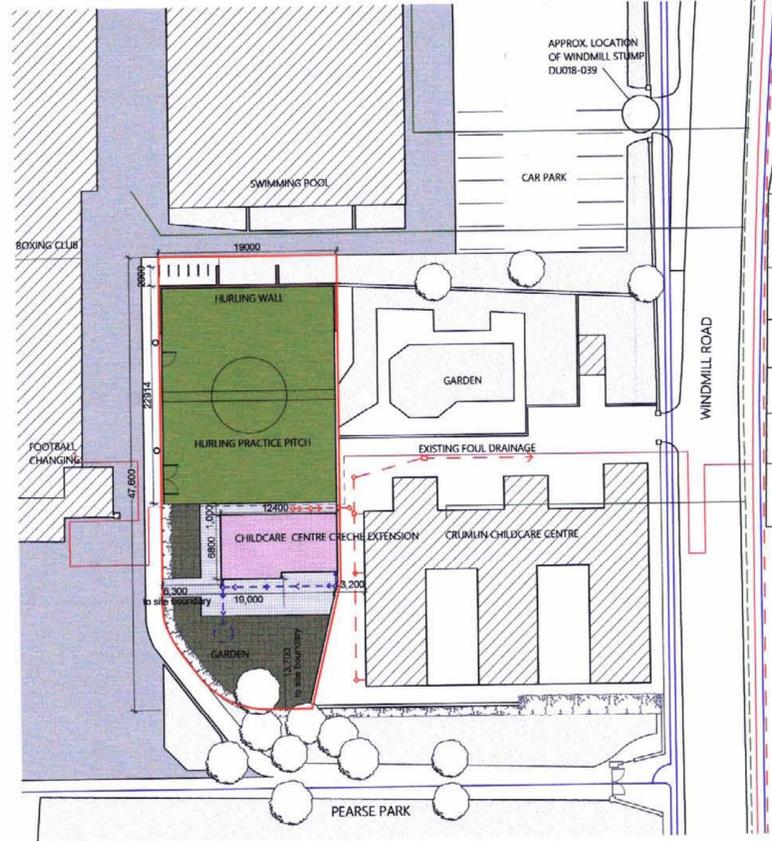
“That Dublin City Council notes the contents of Report No 328/2019 and assents to the proposal outlined therein.”

Dated this the 16th day of October 2019.

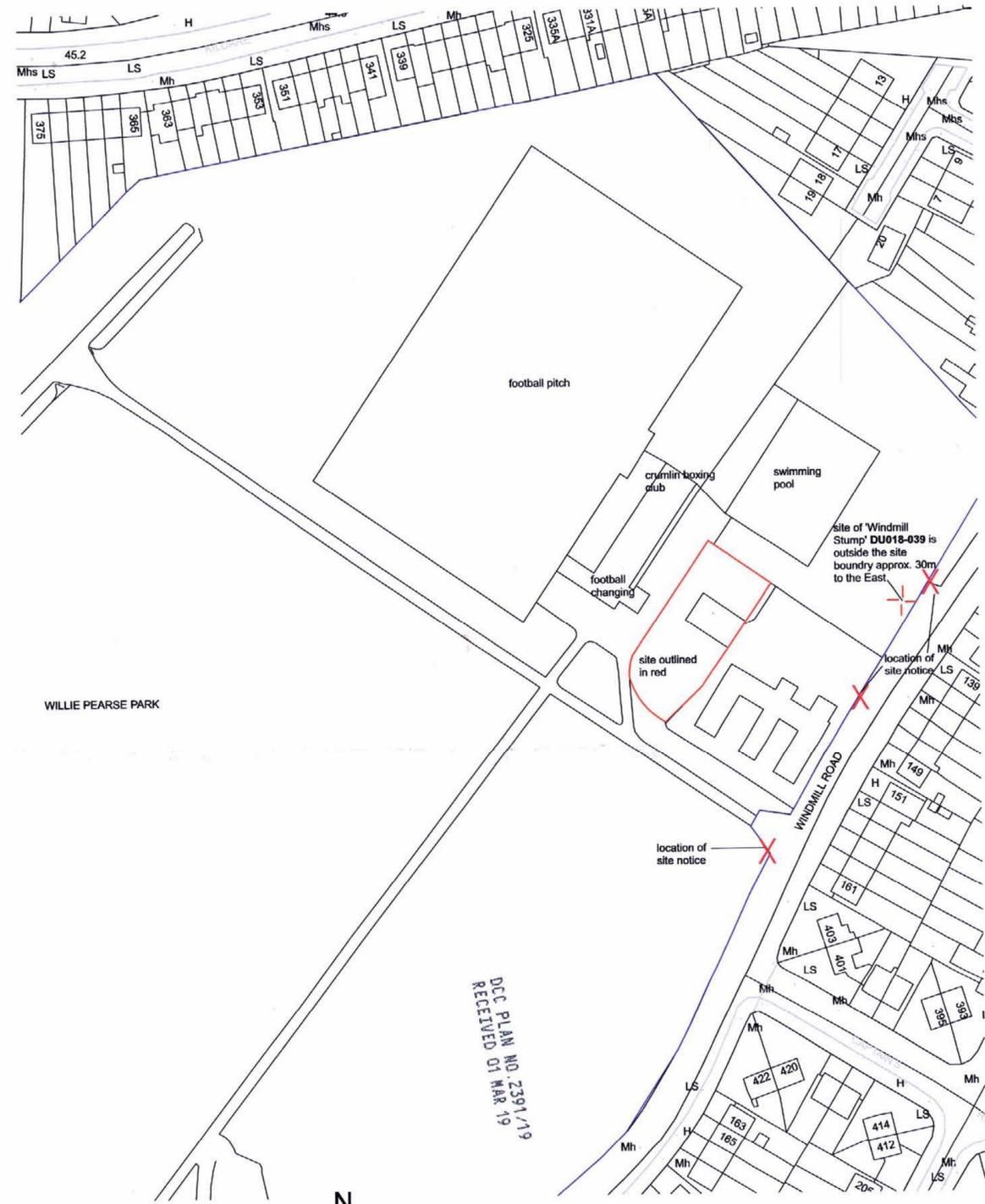
Paul Clegg
Executive Manager



PROPOSED PLAN 1:200
SCALE BAR 1:200



SITE LAYOUT MAP 1:500
SCALE BAR 1:500



PEARSE PARK OS MAP 1:1000
SCALE BAR 1:1000

KEY	
LOCATION OF SITE NOTICE	✗
SITE BOUNDARY LINE	—
OTHER LAND IN OWNERSHIP	—
PROPOSED NEW STRUCTURE	■
PROPOSED NEW BUILDING	■
PROPOSED HURLING PITCH	■
SURROUNDING BUILDINGS	■

GAS SERVICE UNDERGROUND PIPELINE	—
GAS INSERTED PIPELINE	- - -
MV/LV UNDERGROUND POWERLINE DIVERTED	- - -
MV/LV UNDERGROUND POWERLINE	—
IRISH WATER	—
PROPOSED FOUL DRAINAGE	- - -
PROPOSED SURFACE DRAINAGE	- - -
EXISTING FOUL DRAINAGE	- - -

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REVISION

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ISSUED FOR PART 8		
PROJECT	PROPOSED HURLING WALL, PEARSE MEMORIAL PARK, CRUMLIN, DUBLIN 12	JOB. NO. 18 PRS
DRAWING	PROPOSED PLANS	REVISION
DRAWN BY	IC	P8
DRAWING NO.	SCALE	DATE
201	1:200, 1:500, 1:1000	MAY 2018