

Report of the Assistant Chief Executive  
Planning & Property Development Department

To the Lord Mayor and  
Members of Dublin City Council



Comhairle Cathrach  
Bhaile Átha Cliath  
Dublin City Council

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### Iveagh Market Update

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As previously reported to the Elected Members, the City Council has been actively pursuing the most efficient means available to it to ensure the the Iveagh Market Building is refurbished and returned to beneficial use.

Background:

The Council by letter dated 2<sup>nd</sup> January 2018 served notice on Martin Keane, who claims to have a legal interest in the property by virtue of an unexecuted Agreement for Lease, to deliver possession of the property to the council by 31<sup>st</sup> January 2018. It was the council's intention to recover possession of the property and to defend its right to do so should legal action be taken by Mr. Keane. This would have involved protracted and expensive legal proceedings in the High Court. The Council was at the same time extremely concerned about the rapidly deteriorating condition of the buildings and urgently required access to the buildings to conduct a condition survey.

In subsequent correspondence with Mr. Keane, he agreed on a without prejudice basis, to allow access to the Council and its consultants to carry out the survey. This was considered the most expedient route to determine the condition of the buildings. Howley Hayes Consultants were commissioned and their Dilapidation Survey & Repair Recommendations Report was submitted in January 2019. This report estimated that the cost of stabilisation works would be in the region of €13m. It had previously been estimated that the entire project would cost circa €30m to deliver. This level of funding had not been provided for in the Council's Capital Programme.

Current Status:

Mr Keane was issued with a copy of the Dilapidation Report. He advised the Council that it he had the means to deliver the project and that he would submit a new planning application. He subsequently retained Henry J Lyons Architects who submitted a schematic design for the redevelopment of the entire block including Mother Redcaps and the Iveagh Market buildings in January 2019.

During the course of the year Mr. Keane advised the Council on a number of occasions that he would be in a position to lodge a planning application by the autumn. He did not do so until the 23<sup>rd</sup> December, 2019 when an application was lodged without the Council's consent as land owner. In the planning application Mr. Keane claims to hold the freehold interest in the property which he is untrue in relation to the Iveagh Markets element of the application.

Mr. Keane was also requested to provide evidence that he had sufficient funds available to deliver the project in a timely fashion. The documentation provided to date does not satisfy the Council that he has secured the appropriate funding.

The Council has written to Mr. Keane advising him that it is terminating all communication with him and that it is taking the necessary steps to repossess the property from him. The Council will defend this action in the courts if necessary.

**Richard Shakespeare**  
**Assistant Chief Executive**

**6<sup>th</sup> January 2020**