

29/10/2020

To the Chairperson and Members of
The Central Area Committee

Meeting: 10th November 2020

Item No:

With reference to the proposed grant of a lease of 14 Henrietta Street, Dublin 1 to Dublin City Council Culture Company CLG

Dublin City Council has completed the refurbishment and conservation of 14 Henrietta Street, Dublin 1 which is open to the public as a Museum. The premises is a building specifically dedicated to reciting the life of the Dublin tenements over a period of 100 years and so is a premises of historical importance.

Dublin City Council Culture Company CLG (DCCCC) operates and manages 14 Henrietta Street on behalf of Dublin City Council. DCCCC was established in March 2018 and is a wholly owned Dublin City Council company. It is incorporated as a company limited by guarantee.

DCCCC was established to create and deliver cultural initiatives in Dublin to include the management and implementation of cultural projects for the benefit of the citizens of Dublin. Dublin City Council and DCCCC have agreed to enter into this lease so that DCCCC may run its company functions from the premises as well as managing and maintaining the premises.

In order to formalise the operation and management of 14 Henrietta Street, it is now proposed to grant a 10-year lease of 14 Henrietta Street to DCCCC (the lessee) subject to the following terms and conditions:

1. That the property to be leased is No 14 Henrietta Street shown outlined in red and shaded pink on attached map SM-2018-0694
2. That the rent annual rent shall be the sum of €240,000 (two hundred and forty thousand euro), plus VAT if applicable, per annum exclusive of all outgoings, and that this rent will be subject to 5 yearly rent reviews linked to changes in the Consumer Price Index.
3. That this rent shall be abated to €200.00 (two hundred euro) per annum subject to the property being used for the permitted use set out in term No 6 below. In the event of it ceasing to be used for such purposes, the premises will revert, free of charge to the Council, or the appropriate open market yearly rent shall apply as determined by the Council's Valuer. The rent shall be payable twice yearly.
4. That the lease will be for a term of ten years, backdated to the 1st March 2018.
5. That the lessee will be required to sign a Deed of Renunciation, with the benefit of prior legal advice.

6. **Permitted Use:** The 14 Henrietta Street Museum will operate from the basement, ground and first floor. The second and third floors will be used as office space, which will enable the lessee to support and run the Museum, run cultural initiatives in Dublin City; run Dublin Culture Connects; and support the implementation of the Dublin City Cultural Strategy.
7. The premises is insured under Dublin City Council's property insurance policy.
8. That the lessee must comply at all times with the planning permission, fire safety and all other statutory approvals.
9. That the lessee will be responsible for the payment of all outgoings including rates, taxes, charges, fees, gas, electricity and water and any other utilities consumed that may become due on the premises during the period of the lease
10. That the lease shall be on an internal repairing and insuring (IRI) basis. All necessary repairs to be guided and carried out by specialist conservation consultants and contractors to be agreed by Dublin City Architects
11. That the lessee will keep the premises and fixtures, and fittings in good condition and repair during the term of the lease, in accordance with the provisions of the service level agreement (SLA) annexed hereto.
12. That all existing electrical maintenance contracts will be novated to the lessee. The maintenance of mechanical plant and equipment as currently undertaken by Dublin City Council Mechanical Section will be novated to the mechanical maintenance companies identified by the lessee. The lessee will schedule all preventative maintenance visits and keep up to date maintenance records as listed on the attached Schedule of Mechanical and Electrical Equipment.
13. That Dublin City Council, as landlord, will retain responsibility for the replacement of the plant machinery provided that it has been maintained properly in accordance with the Safety File.
14. That the lessee will adhere to the terms and conditions in the Fire Safety Strategy as set out in the attached Schedule and will note in particular that the second and third floors will serve as ancillary accommodation for office type usage and will not be used for the purposes of assembly by members of the public. Any deviation from this will necessitate a review of the Fire Safety Strategy and the approval of Dublin City Council as landlord.
15. An authorised Council official shall be permitted on reasonable notice to enter onto the premises to view the state and condition of the property, including the roof. If necessary, a schedule of dilapidations will be prepared and the necessary works (if any) shall be carried out by the lessee within a reasonable period of time, as stated by the Council.
16. That the lessee shall not sell, assign, grant any sub interests, sub-divide, alienate or part with the possession of the subject property without the prior written consent of the Council. The lessee shall require the consent of the Council to apply for planning permission for any part of the property to be assigned or sublet for commercial purposes.

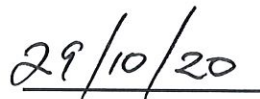
17. Any income derived from the assignment or subletting for commercial purposes to be payable to the Council towards the upkeep of the property as decided by the Chief Valuer. Any sub-lease must be subject to a rent not below the then market rent. Any sub-tenants must sign a Deed of Renunciation.
18. That the lessee shall keep all parts of the demised premises and its environs in a clean and tidy manner and comply with all present and future waste management and litter pollution legislation.
19. That the Collection at the premises is the property of Dublin City Council (furniture, ornaments, photographs etc). The Collection is specified in the digital collection database as created by Dublin City Council in 2018 .
20. That the lessee will not erect any signage on the external walls of the building without receiving the prior consent of Dublin City Council and full planning permission for same.
21. That the lessee will not erect any mast on the demised property without receiving the prior consent of Dublin City Council and full planning permission for same.
22. That the lessee will not carry out any alterations or development of the property without the prior written consent of the Council.
23. That the lessee will be responsible for VAT if applicable or other taxes due to the creation of this lease.
24. That upon expiration or sooner determination of the lease, the lessee shall at their own expense remove all materials not belonging to Dublin City Council (if the Council so require it) and shall leave the property clean and cleared to the satisfaction of the City Council.
25. That each party shall be responsible for their own costs in this matter

The agreement shall contain such other covenants and conditions as deemed appropriate by Dublin City Council's Law Agent.

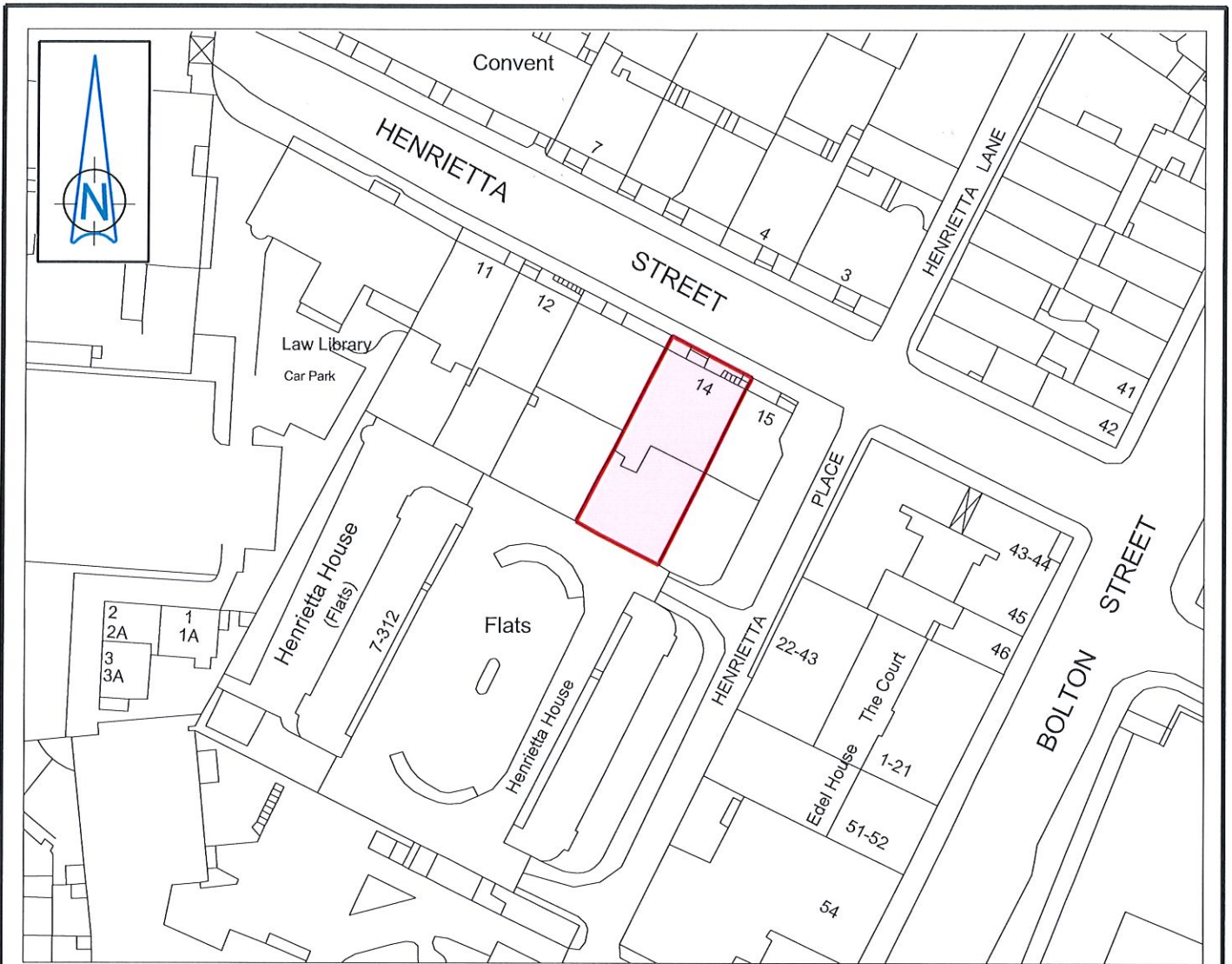
No agreement enforceable at law is created or intended to be created until exchange of contracts has taken place.



Assistant Chief Executive



Date



HENRIETTA STREET, DUBLIN 1 - No. 14

Dublin City Council to Dublin City Council Culture Company 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

O.S REF 3263-04,05	SCALE 1-1000
DATE 20-10-2020	SURVEYED / PRODUCED BY PMcGinn

FILE NO	INDEX No	FOLDER No	CODE	DWG No	REV
SM-2018-0694- 0204- C3 - 001 - B.dgn					

Dr JOHN W. FLANAGAN
CEng FIEI FICE
CITY ENGINEER

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-2018-0694

