



With further reference to the proposed disposal of a site at Belmayne, Dublin 13, to the Minister for Education and Skills

The Minister for Education and Skills has requested a site at Belmayne Dublin 13, to build a primary and secondary school.

A report proposing the disposal was presented at the North Central Area Committee on 15 April 2019, but was deferred subject to the receipt of further information regarding the impact school traffic may have on the area.

To facilitate the Minister for Education and Skills, a two-year license was offered to allow the opening of a temporary primary and secondary school on the site. Report No.216/2019 was presented and agreed at the monthly Council meeting on the 1st July 2019.

The Minister received planning permission (Ref 3009/19) for a temporary primary and secondary school and the temporary primary school for 120 pupils opened in September 2020. The Minister has now submitted a planning application (Ref: 2600/20) to construct a permanent 1000 pupil secondary school on the site.

As part of both planning applications, the Minister submitted a Traffic Report (October 2019) for the primary school and a Traffic and Transport Assessment Report (March 2020) for the secondary school. The reports found that:

- The Secondary School will increase traffic on Belmayne Avenue by 16%, with an additional 146 two-way car trips generated at peak period.
- The Primary School will increase traffic on Belmayne Avenue by 7%, with an additional 40 two-way car trips generated at peak period.
- Car and cycle parking provision is in full compliance with the Dublin City Development Plan and a suitable set-down area for arriving vehicles is provided.

The reports conclude that both schools would have a low impact on traffic, with generated flows having an imperceptible impact on the movement of traffic at peak periods.

The Chief Valuer has reported that agreement has now been reached with the Minister for Education and Skills (the proposed Purchaser), and it is now proposed to dispose of the site, subject to the following terms and conditions which are considered fair and reasonable:

1. The site is shown outlined in red on attached map Index No. SM-2020-0538-Rev D and has an area of approximately 21,302 sqm / 5.264 acres
2. That Dublin City Council holds the Fee Simple Interest in the subject site.

3. That Dublin City Council shall transfer unencumbered freehold title with vacant possession of the site.
4. That the capital sum payable to the Council shall be in the sum of €1,250,000 (one million, two hundred and fifty thousand euro) per acre plus VAT (if applicable). The proposed disposal site of 5.264 acres equates to €6,580,000 (six million five hundred and eighty thousand euro).
5. The capital sum shall be payable as follows:
 - a. 10% of the price will be paid to the Council on the signing of contracts.
 - b. 90% of the price will be paid to the Council within two months from the date of final grant of planning permission for the permanent secondary school. If planning permission deemed suitable to the purchaser is not granted, then any sums paid shall be refunded in full immediately.
6. That the proposed purchaser shall be liable for any VAT and Stamp Duty arising from the transaction.
7. The full title will transfer on the payment of the full consideration.
8. That all outstanding charges, rates and taxes (if any) on the site shall be cleared prior to completion of the transaction.
9. That no outstanding monies will be due in respect of the existing licence between the Council and The Minister for Education and Skills at the date of transfer of title.
10. That the overhead ESB cables will be undergrounded as part of the upgrading of the Main Street and the costs of same will be borne by the Council. The disposal will be subject to the proposed Purchaser facilitating access to the ESB to carry out the subject works, when required.
11. That during the upgrade works to Main Street, access to the site will only be permitted from Belmayne Avenue.
12. That the subject site is to be transferred as is. Any site clearance works required will be undertaken by the proposed Purchaser as part of the development.
13. That the proposed Purchaser shall be responsible for the boundary treatment of the site, which is to be agreed with the Council.
14. That the proposed Purchaser shall satisfy themselves as to the availability of services and the costs of connection shall be borne by the proposed Purchaser.
15. That if development of a permanent school has not been completed within a 5-year period from the signing of contracts then the Council shall have a right to repurchase the site at the initial consideration agreed between the parties at term 4 above, index linked to any increase or decrease in the Consumer Price Index from the date of signing of contracts.
16. That each party shall be responsible for their own legal fees in this transaction.

The site was acquired from Livingstone Properties Limited, Kieran Finane and Belmayne Contracts Limited

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

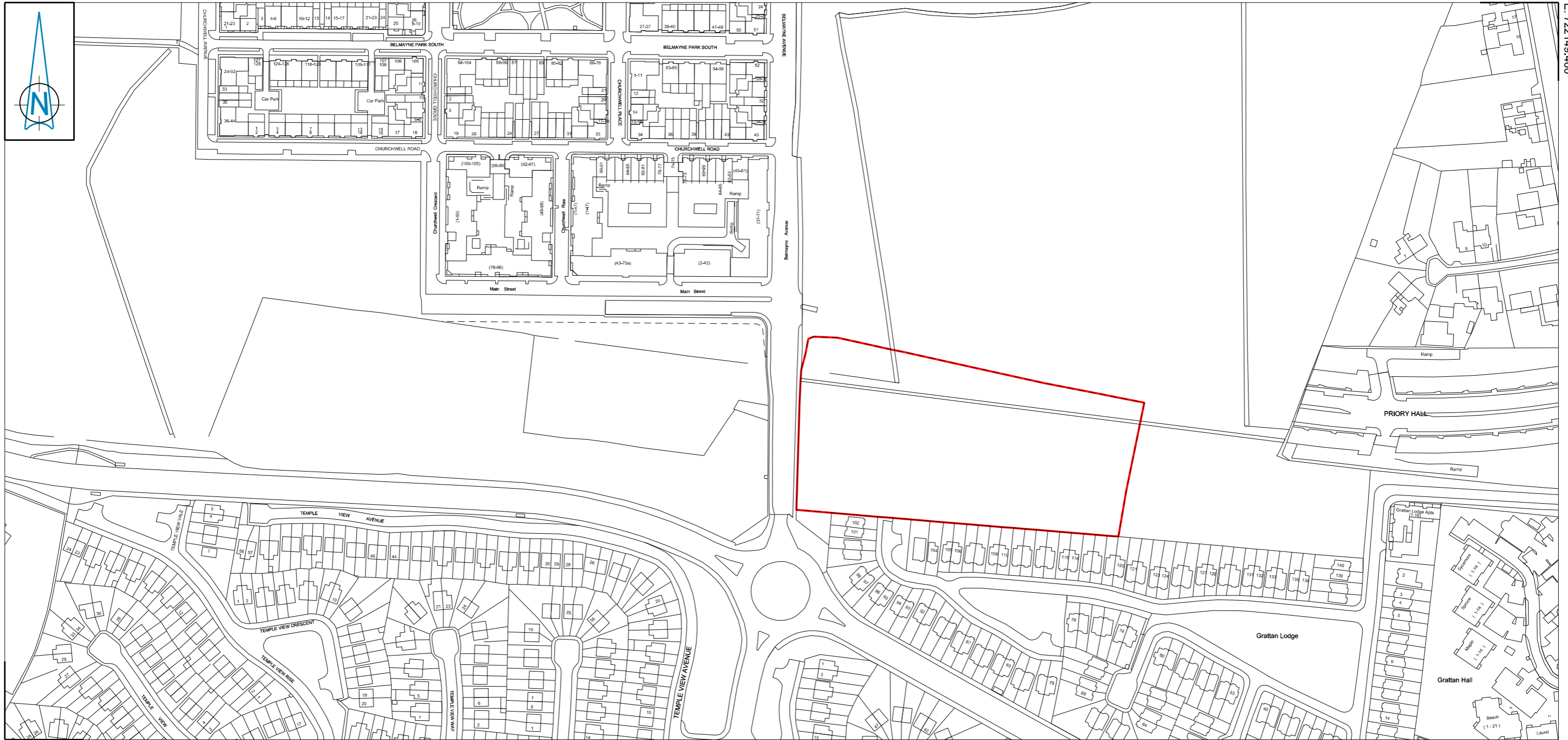
This proposal was noted by the North Central Area Committee at its meeting on 18th January 2021.

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 Report No. 43/2021 and assents to the proposal outlined therein.

Richard Shakespeare
Assistant Chief Executive
19th January 2021



BELMAYNE
Lands at

Dublin City Council to Department of Education and Skills

Disposal of Fee Simple

Area: 21,302m²



An Roinn Comhshaoil agus Iompair
Rannán Suirbhéireachta agus Léarscáilithe
Environment and Transportation Department
Survey and Mapping Division

O.S REF 3133-02, 3133-03	SCALE 1:2500@A3
DATE 15-10-2020	SURVEYED / PRODUCED BY S. Fador

INDEX No	DWG No	REV
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Dr JOHN W. FLANAGAN
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CITY ENGINEER

THIS MAP IS CERTIFIED TO BE COMPUTER GENERATED BY
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