



With reference to the proposed grant of a further licence of Lourdes Parish Hall, Rutland Street, Dublin 1 to Francesca Arkins and Christy Fagan.

By way of Agreement dated 6th June 2013 Dublin City Council granted an 11-month licence of the premises at Lourdes Parish Hall, Rutland Street, Dublin 1 which said premises is more particularly shown on Map Index No. SM2013-0248 to both Francesca Arkins and Christy Fagan to run a Dance Academy and a Tae Kwan Do Club respectively for a period of 11 months from 1st May 2013 and subject to a licence fee of €500.

This licence was subsequently renewed and the most recent licence expired on 30th November 2019. The Central Area Office has confirmed that they have no objection to the grant of a further licence.

Accordingly it is proposed to grant a 3-year licence of the premises known as Lourdes Parish Hall, Rutland Street, Dublin 1 to Francesca Arkins and Christy Fagan subject to the following terms and conditions:

- 1.) The licence shall be for a period of 3 years commencing on 1st December 2019.
- 2.) The licensed area which is more particularly shown on Map Index No. SM2013-0248 shall be used by Francesca Arkins and Christy Fagan as a Dance Academy and Taekwondo Club respectively and related activities thereto (which have been agreed in advance with the Council) only.
- 3.) The licence shall be subject to a licence fee of €30,000 (thirty thousand euro) per annum abated to €500 (five hundred euro) per annum.
- 4.) The licensees are obliged to sign a Deed of Renunciation.
- 5.) The licensed area may be used from Monday to Friday from 10am to 9.30pm, Saturday 9.30am to 6.30pm and Sunday (on occasions) 11.30am to 10.30pm. The licensed area may only be used outside of those hours with the expressed permission of Dublin City Council.
- 6.) Keys to the premises shall only be held by Francesca Arkins and Christy Fagan who shall be responsible for their use and all security issues associated with their use.
- 7.) The licence can be terminated by either party on giving the other one month's notice in writing.
- 8.) The licensees shall be responsible for all outgoings including electricity, water, rates and any taxes or charges which may be due on the licensed area.
- 9.) The licensees shall be responsible for their own waste removal from the premises and shall make their own arrangements for same.

- 10.) The licence is personal to the licensees and shall not be capable of transfer, sub-licence, assignment, mortgage or charge.
- 11.) The licensees shall keep the licensed area in good condition and repair during the term of the licence and shall not make any material changes to the subject property without the prior consent of the Council. The City Council shall only be responsible for any structural repairs\maintenance.
- 12.) The licensees shall abide by all protocol, systems and procedures laid down by Dublin City Council in relation to the premises.
- 13.) The licensees 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 to review the figures on a yearly basis (the current minimum levels are €6.5 million and €13 million respectively). Instructors not in the actual employ of the licensees must also have their own insurance as above, with the same indemnity to the Council
- 14.) On termination of the licence, the licensees shall be responsible for the removal of all their materials not belonging to the City Council from the premises.
- 15.) The licence will be subject to any additional terms and conditions deemed appropriate by the Law Agent.
- 16.) The dates for the performance of any requirements of the agreement may be amended at the absolute discretion of the Executive Manager.
- 17.) Each party shall be responsible for its own legal costs in this matter.

The property was acquired in Fee Simple in 2013 as part of an exchange of lands with St Laurence O'Toole Diocesan Trust.

The proposed disposal shall be subject to such conditions as to title to be furnished as the Law Agent in their 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 Central Area Committee at its meeting on the 13th July 2021.

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

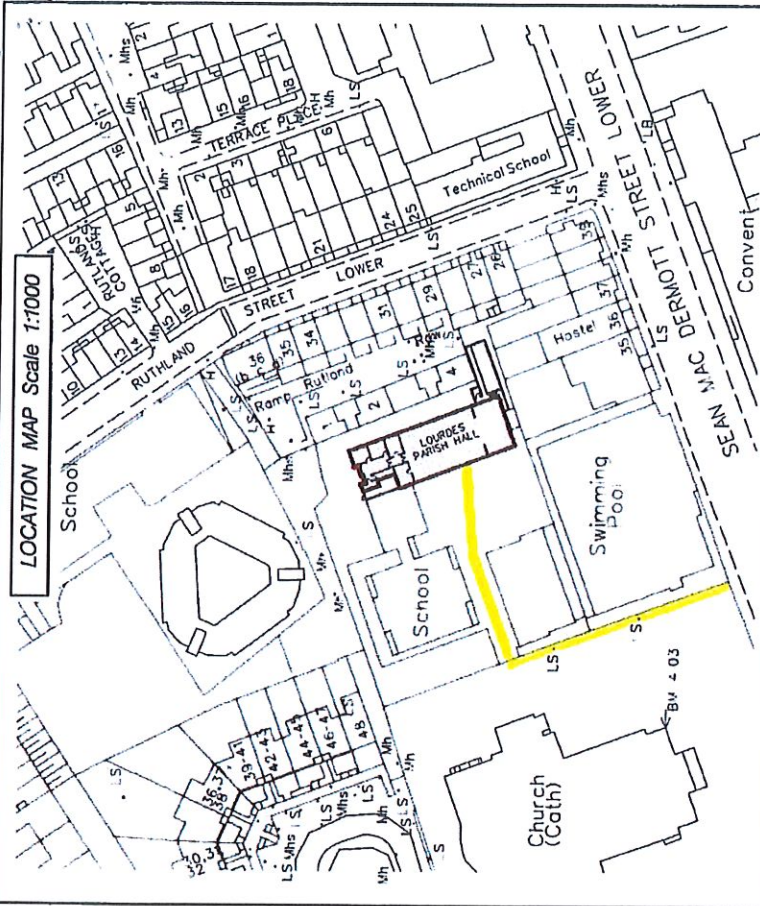
Resolution:

That Dublin City Council notes the contents of Report No. 246/2021 and assents to the proposal outlined therein.

Dated this 11th day of August 2021.

Paul Clegg
Executive Manager

LOCATION MAP Scale 1:1000



DUBLIN CITY COUNCIL TO FRANCESCA ARKINS AND CHRISTY FAGAN
FOR USE BY THE LOURDES PARISH COMMUNITY GROUP

SURVEY AND MAPPING DIVISION
Rannán Suirbhéireachta agus Léarscálaithe
ENVIRONMENT AND ENGINEERING DEPARTMENT
An Roinn Comhshaoil agus Innealtóireachta

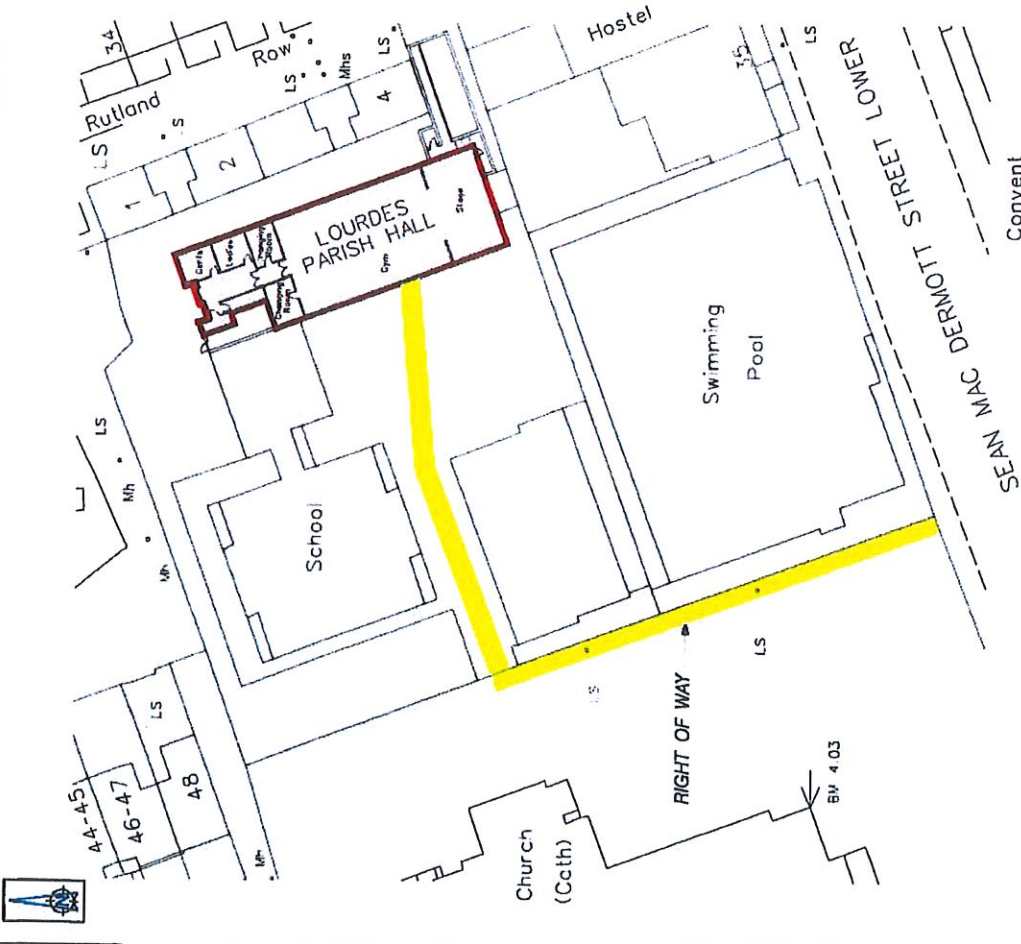


O.S REF	3198-21	SCALE	1:1000	INDEX No	FOLDER No	CODE	DWG No	REV
DATE	28-03-2013	SURVEYED / PRODUCED BY	FC	FILE NO	SM-2013-0248-0204-C3-001-A.dgn			

APPROVED
FRANCIS CONWAY
CHIEF TECHNICIAN LAND SURVEYING & MAPPING
DUBLIN CITY COUNCIL

INDEX No.
SM-2013-0248

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ENLARGEMENT (SCALE 1:500)

- GRANT OF LICENCE
- LICENCE AREA
- RIGHT OF WAY