



With reference to a 3-year Licence to the National Paediatric Hospital Development Board at Grand Canal Spur Linear Park, St James's Walk, Dublin 8.

In 2016 the National Paediatric Hospital Development Board applied for a licence for the use of Dublin City Council land at Grand Canal Spur Linear Park in order to construct a temporary road to facilitate development of the National Paediatric Hospital.

Terms and conditions for the grant of a 5 year Licence were noted by the South Central Area Committee at its meeting on 15th June 2016 (Report 389 (i)/2016 refers) and approved by the City Council at its meeting on 4th July 2016.

The licence will expire on 28th September 2021 and Parks and Landscape Services have now advised that the Board has requested an extension to the Licence until July 2024.

It is therefore proposed to grant a further licence for a period from 29th September 2021 – 31st July 2024 subject to the following:

- 1.) That the subject site is shown outlined red and shaded pink on map index no. SM-2016-0206 Rev B and extends to an approximate area of 925 sq. m.
- 2.) That the Licence fee shall be a sum of €100 (one hundred euro) per annum.
- 3.) That the Licensed area shall be used by the Licensee solely for the construction of a temporary road and ancillary construction works to facilitate development of the National Paediatric Hospital.
- 4.) That the Licence is personal to the Licensee only or their agents and the Licensee shall not assign, sublet or part with possession of the licensed area or part thereof without obtaining the written consent of the City Council.
- 5.) That the Licensee shall erect a temporary hoarding and a temporary concrete footpath.
- 6.) That the temporary footpath shall be constructed to allow for public access and shall be in compliance with the Disability Act and all health and safety regulation.
- 7.) That the Licensee or their agents shall comply with all safety regulations with regard to critical distances to the nearby Luas line and platform and shall consult and comply with the Railway Procurement Agency (RPA) in this matter.
- 8.) That the Licensee shall be responsible for the repair and or re-construction of the site boundary walls, footpaths, roadway, underground or over ground cables or ducting which may be damaged resulting from the proposed works.

- 9.) That on termination of the Licence the Licensee shall remove the temporary hoarding, footpath and all soil and excess materials from the licensed area and the site and park environs shall be reconstructed as per drawings prepared by BDP Landscape Architects in coordination with and to the satisfaction of the City Parks Superintendent.
- 10.) That the Licensee or their agents shall be responsible for the proper storage and removal of waste from the subject property and pay for all associated charges.
- 11.) That the Licensee or their agents shall not carry out any alterations or development of the proposed licensed area or erect any signage, structure or mast without prior consent of the Council.
- 12.) That the Licensee or their agents shall at all times ensure the licensed area is not used in such a way to be a nuisance to the public or adjacent occupiers.
- 13.) That the Licensee shall be responsible for the appropriate insurances as determined by Dublin City Council, including Public Liability Insurance of €6.5m and Employer's Liability Insurance of €13m and shall indemnify Dublin City Council against all actions, proceedings, costs, claims, demands and liabilities whatsoever arising from all and every activity carried out or promoted by the Licensee and its agents in connection with the facilities on the premises. It shall not do or suffer to be done any activity in any part of the premises which would render void or voidable the insurances of the premises.
- 14.) That on the termination of the agreement, the Licensee shall, at their own expense, remove all items not belonging to the Council and shall leave the property clean and cleared to the satisfaction of the City Council.
- 15.) That each party shall be responsible for their own fees in this matter.

The site to be disposed of was acquired from C.I.E in 2013.

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

The disposal shall be subject to covenants and conditions as the Law Agent in her discretion shall stipulate.

This proposal was approved by the South Central Area Committee at its meeting on 21st July 2021.

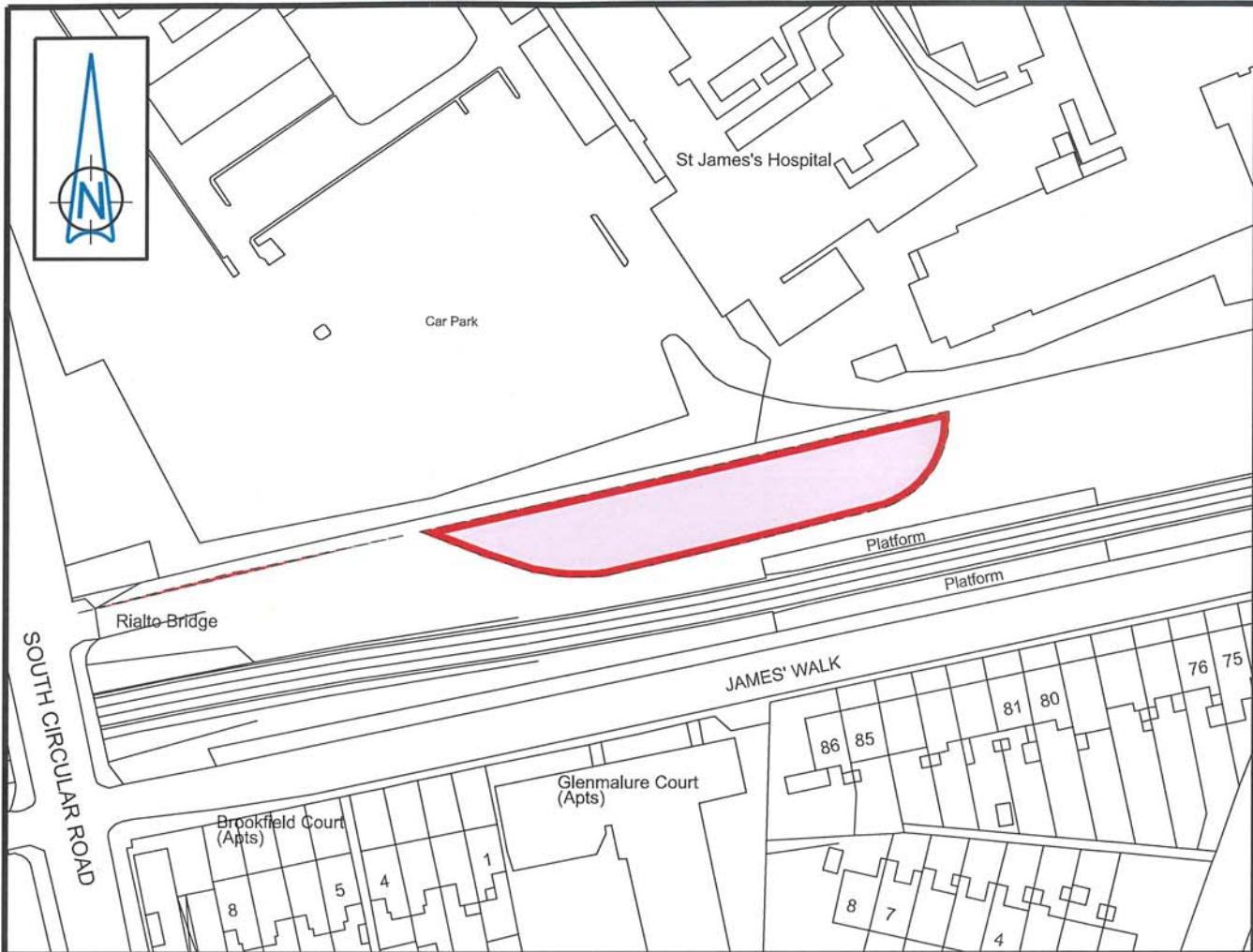
This report is submitted in accordance with the requirements of Section 183 of the Local Government Act, 2001.

Resolution:

That Dublin City Council notes the contents of Report No. 243/2021 and assents to the proposal outlined therein.

Dated this day 3rd August 2021.

Paul Clegg
Executive Manager



JAMES' WALK - Lands at Dublin City Council to The National Paediatric Hospital Development board

Grant of 3 Year Licence

Area: 925m²



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
3263-12

SCALE
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DATE
05-07-2021

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ACTING CITY ENGINEER

FILE NO

INDEX No

FOLDER
No

CODE
DWG
No

REV

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SURVEY, MAPPING AND RELATED RESEARCH APPROVED

APPROVED

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DUBLIN CITY COUNCIL

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SM-2016-0206