

12th April 2022

**To: The Chairman and Members of
The South-East Area Committee**

With reference to queries raised in respect of the proposed Surrender and Grant of a new combined Lease of the Kiosk and former public toilets at the junction of Adelaide Road and Lesson Street, Dublin 2 to Perch Coffee Limited

I refer to queries raised at the meeting of this committee on 11th April 2022 in respect of the proposed surrender and grant of lease in this case and I set out hereunder responses to each:

1. Drainage pipework in the vicinity of the Kiosk

The western side of the Kiosk building was originally a pumping station. While the original pumping equipment is now obsolete this part of the building remains under the control of Dublin City Council's Drainage Division and is not part of the area leased as a coffee shop. There is however related pipework underneath the traffic island but this has never been an issue in relation to the use of the remainder as the coffee shop.

2. Works to the Kiosk and the matter of planning permission

The Kiosk is a single storey brick building constructed in the 1920s which originally comprised a pumping station, public toilets and a shop unit. In 2005 the public toilets had been closed and were amalgamated into the shop unit and let to Mr. Edward McCarthy as outlined in the disposal report.

By 2018 when the assignment of his leasehold interests was proposed the building required repairs to its brickwork and parapet and a contractor was engaged by Dublin City Council to carry out this work before the assignee took possession of the building. In the course of these works significant water ingress was identified on the roof and the decision was taken to undertake additional works to address this while the building was vacant. The works undertaken were repairs to the existing fabric of the building and no changes or additions were made that would have required planning permission.

The works were agreed with City Architects Division and were overseen throughout by a qualified Conservation Architect. The result of the repair works was to bring this landmark Council building up to standard and to future proof it for many years to come. The second page of this report contains photographs which show the dramatic effect of the works.

3. Placement of tables and chairs on the surrounding traffic island

The public realm of this traffic island will be upgraded as part of the Fitzwilliam Cycle Route scheme. Landscaping to this area will be provided and will consist of the provision of a semi-mature tree and low level hedging. As part of this plan the area which the coffee shop can use as an outside seating area will be clearly delineated. The Fitzwilliam Cycle Route project is expected to proceed later this year.

4. Rent payable under the original leases

As outlined in the disposal report the premises was previously held under two leases at a combined rent of €28,000 per annum. The rent proposed under the new lease will be an initial €40,000 per annum subject to review every fifth year of the term.

5. Sub-letting by commercial tenants without knowledge of the Council

It is an express condition of all leases that the tenant cannot assign, sub-let or part with possession without the prior consent in writing of the Council. To do so without such consent is a serious breach of the lease terms and in doing so the tenant risks forfeiture of the lease.

All commercial leases are subject to periodic rent reviews and as part of that process the premises are inspected by Dublin City Council.



Oliver Hickey
Administrative Officer

Before and after refurbishment:



Repair of original Dublin Corporation crest:

