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**With reference to the proposed grant of lease of Rosary Park, Harold's Cross to Harold's Cross Youth Club CLG, known as Harold's Cross Youth Football Club.**

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In 2019 a football pitch and community building known as Rosary Park, Harold's Cross was acquired for a nominal sum by Dublin City Council from the St. Laurence O'Toole Diocesan Trust. The Trust had overseen the management and use of the premises for many years and a condition of the transfer to the Council was that existing users of the premises would continue to be facilitated.

None of the users of the premises had any formal lease or licence agreements with the Trust and it is necessary for Dublin City Council to regularise the position.

The principal user of the premises and football pitch for many years has been Harold's Cross Youth Club CLG, known as Harold's Cross Youth Football Club and it is considered appropriate that this club be primarily responsible for the management and upkeep of the football pitch and the premises. However, in order to ensure that a fair and equitable procedure for all users of the community building is in place a Supervisory Committee has been established, comprising officials from Harold's Cross YFC, Harold's Cross Village Community Council and Dublin City Council and this committee must agree a protocol for the management of the use of the community building on the site. The protocol is to include, inter alia, the fees payable by (a) community/voluntary groups and (b) commercial users for use of the spaces in the building.

Following negotiations with the club it is now proposed to grant a lease to Harold's Cross Youth Club CLG known as Harold's Cross Youth Football Club, subject to the following terms and conditions, which the Chief Valuer considers to be fair and reasonable:

- 1.) That the subject property comprises a sports ground, car parking and a community building as shown outlined in red on the attached Map Index No. SM-2022-0193.
- 2.) That the lease shall be for a period of 10 (ten) years and shall commence on the date agreed between parties.
- 3.) That the Market Rental Value of the property is €69,000 (sixty nine thousand euro) per annum. The commercial rent shall be abated to €1,000 (one thousand euro) per annum, plus VAT if applicable, provided the Lessee complies with terms and conditions of this agreement.
- 4.) That the Market Rental Value will be subject to review every five years. That the Council reserves the right to review the abated rent every five years.
- 5.) That the Lessee shall use the leased area for sporting and community use in accordance with the protocol to be agreed between the Lessee, the Harold's Cross Village Community Council and Dublin City Council. The agreed protocol for the management of use of the building is to be included in the lease agreement.

- 6.) That the Lessee shall be responsible for the upkeep of the pitch/ sports ground and also for internal repair, upkeep and maintenance of the community building, including windows, doors and all plate glass. The Lessee must immediately notify the Council if there is any structural damage or repair works required to the property. A condition survey with photographs will be agreed prior to the commencement of the lease.
- 7.) That the Council will fund the cost of refurbishing the building and the Lessee will be expected to establish a Sinking Fund for future building maintenance works. The details of the Sinking Fund will be agreed between the Council and the Lessee by a separate agreement.
- 8.) That the Lessee shall not at any time make any structural change or material alteration to the property without prior written consent from the Council.
- 9.) That the Lessee shall be responsible for all outgoings associated with its use of the subject property including, inter alia, rates, taxes, utilities, service charges and any other charges.
- 10.) That the Lessee shall at all times be responsible for the proper storage and removal of waste and pay for all associated charges.
- 11.) That the Lessee shall not sublet, subdivide, alienate or assign the lease, or any part thereof, without receiving prior consent in writing from the Council.
- 12.) That on termination of the lease, the Lessee shall at their own expense remove all items not belonging to the Council and shall leave the property in a clean condition to the satisfaction of the Council.
- 13.) That the Lessee shall indemnify Dublin City Council against any and all claims arising from its use of the subject premises. The Lessee shall take out and produce Public Liability Insurance in the sum of €6.5 million and Employer Liability Insurance in the sum of €13 million for any incident with a recognised Insurance company with offices in the State and the policy shall indemnify the Council against all liability as owner of the property.
- 14.) That the Lessee shall ensure that its use and occupation of the subject property complies with all statutory consents.
- 15.) That no alcohol shall be consumed on the subject premises.
- 16.) That each party shall be responsible for their own legal fees.
- 17.) That the Lessee shall sign a Deed of Renunciation.
- 18.) That these terms and any other terms, conditions or covenants as deemed necessary by the Law Agent, will be incorporated into a legal agreement which will be prepared by the Council's Law Agent and completed by both parties.

The site to be leased was acquired from the St. Laurence O'Toole Diocesan Trust.

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 South East Area Committee at its meeting on 13th June 2022.

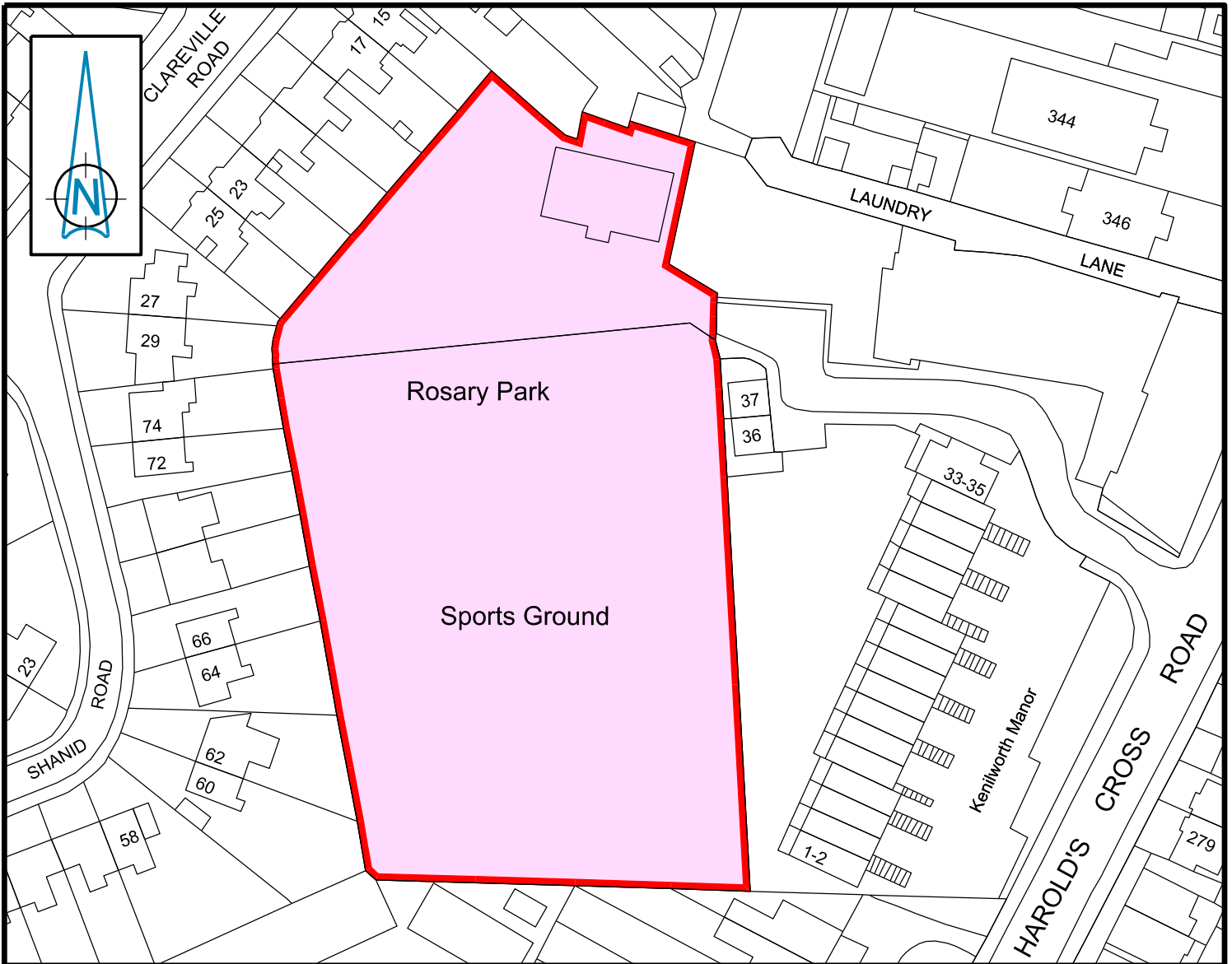
This report is submitted in accordance with the requirements of Section 183 of the Local Government Act, 2001.

**Resolution:**

That Dublin City Council notes the contents of this report and assents to the proposal outlined therein.

**Máire Igoe**  
**A/Executive Manager**

**20<sup>th</sup> June 2022**



# ROSARY PARK

Dublin City Council to Harold's Cross Youth and Football Club

Grant of 10 Year 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

3328-09

SCALE

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INDEX No

DWG No

REV

FILE NO

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DATE

26-04-2022

SURVEYED /  
PRODUCED BY

T. Curran

THIS MAP IS CERTIFIED TO BE COMPUTER GENERATED BY  
DUBLIN CITY COUNCIL FROM ORDNANCE SURVEY DIGITAL MAPBASE

SURVEY, MAPPING AND RELATED RESEARCH APPROVED

**Dr JOHN W. FLANAGAN**

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CITY ENGINEER

APPROVED

**THOMAS CURRAN**  
ACTING MANAGER LAND SURVEYING & MAPPING  
DUBLIN CITY COUNCIL

**INDEX No.**

**SM-2022-0193**