



---

**With reference to the proposed grant of lease of The Horizons Building, Balcurris Road, Ballymun, Dublin 11.**

---

The Horizons Building, Balcurris Road, Ballymun, Dublin 11 is a four storey building consisting of offices, training rooms and resource centre. The building is run by Ballymun Horizons CLG for the purpose of support and education of drug and alcohol users. These services are delivered by two occupying groups, Ballymun Youth Action Project CLG and the Star Project Ballymun CLG.

Terms and conditions have now been agreed with Ballymun Horizons CLG in respect of the grant of a ten year lease of the Horizons Building which is shown outlined in red on attached Map Index No.SM-2022-0060.

It is therefore proposed that a lease be granted to Ballymun Horizons CLG subject to the following terms and conditions which the Chief Valuer considers fair and reasonable:

1. That the demised premises comprise the Horizons Building, Ballymun which is shown outlined in red on attached Map Index No.SM-2022-0060.
2. That the lease shall be for a term of ten years commencing as soon as practically possible.
3. That the permitted use of the building shall be offices for the support and education of drug and alcohol users. No medical services (except counselling) to be provided on site.
4. That the commercial rent for the first five years of the term shall be €130,000 (one hundred & thirty thousand euro) per annum. The Tenant shall pay an abated rent of €200 (two hundred euro) per annum for the first five years of the term, payable quarterly in advance by standing order or electronic funds transfer, provided the user clause at term 3 above is complied with.
5. That the commercial rent and the abated rent shall be subject to review at the end of year five.
6. That the tenant shall be responsible for fully repairing and insuring the demise.
7. That the tenant shall be responsible for the payment of rates, service charges, utilities, taxes and all other charges for the demised premises.
8. That upon the commencement of this lease, the tenant shall grant subleases on similar terms and conditions as this lease and at nominal rents to the Ballymun Youth Action Project CLG and the Star Project Ballymun CLG, who currently occupy the demise providing drug & alcohol support services.
9. With the exception of the 2 groups specified in Term 8, the tenant shall not assign or sublet the demise or any part thereof without the prior written consent of Dublin City Council.

10. That the abated rent is strictly personal to the tenant and shall not apply to any assignee.
11. That the tenant shall not permit encroachment on any part of the demise to occur.
12. That in the event of the tenant ceasing to exist, Dublin City Council reserves the right to terminate the lease and take possession of the demise.
13. The tenant shall not carry out any structural alterations without the prior written consent of Dublin City Council.
14. That the tenant shall indemnify Dublin City Council against any and all claims arising from its use of the property. The tenant shall hold Public Liability Insurance (minimum of €6.7 million) and Employers Liability Insurance (minimum of €13 million) and contents insurance.
15. That the tenant shall sign a Deed of Renunciation prior to the granting of this lease. In addition any sub-tenants must sign a Deed of Renunciation.
16. That the tenant shall be responsible for the payment of any Stamp Duty liability that may arise on the creation of this lease.
17. That each party shall be responsible for their own fees and costs incurred in this matter.

The site to be disposed of was acquired from UCD in 1979.

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

The dates for the performance of any of the requirements of the proposed agreement may be amended at the absolute discretion of the Executive Manager.

This proposal was agreed by the North West Area Committee at its meeting on 18<sup>th</sup> October 2022.

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

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”.

Dated this the 24<sup>th</sup> day of October 2022.

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

