



Lease of the Muriel Boothman Centre, Ballyowen House, Fonthill Road, Clondalkin, Dublin 22.

Clondalkin Addiction Support Programme Company Limited by Guarantee has been in occupation of the site outlined in red on map index number SM-2023-0556 since circa 1994, facilitated and funded by the HSE, however no occupancy agreement has been completed with the group to date.

Therefore, it is proposed to grant a lease of this site to Clondalkin Addiction Support Programme Company Limited by Guarantee subject to the following terms and conditions which the Chief Valuer considers to be fair and reasonable:

1. The demised property comprises the Muriel Boothman Centre, Ballyowen House, Fonthill Road, Clondalkin Dublin 22 which is shown outlined in red on the attached map index number SM-2023-0556.
2. The lease shall be for a term of twenty years commencing on the execution of the legal documents.
3. A wayleave shall be granted to Uisce Éireann over the area coloured yellow surrounding the blue Water Mains pipe on the attached map index number SM-2023-0556.
4. A wayleave shall be granted to Gas Networks Ireland over the area coloured yellow surrounding the red gas pipe on the attached map index number SM-2023-0556.
5. A wayleave shall be granted to the ESB over the area coloured yellow surrounding the orange ESB pipe on the attached map index number SM-2023-0556.
6. The permitted use is a community addiction treatment centre.
7. The commercial rent for the first five years of the term shall be €60,000 (sixty thousand euro). No VAT is applicable. The Lessee shall pay an abated rent of €200 (two hundred euro) per annum, no VAT applicable, 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 6 above is complied with.
8. The commercial rent and the abated rent shall be subject to review at the end of year five.
9. The Lessee shall be responsible for fully repairing and insuring the demised property.
10. The Lessee shall be responsible for the payment of rates, service charges, utilities, taxes and other charges for the demised property.
11. The abated rent is strictly personal to the Lessee and shall not apply to any assignee.

12. The Lessee shall not permit encroachment on any part of the demised property to occur. Upon the commencement of this lease, a temporary licence subject to a nominal licence fee and a Deed of Renunciation shall be granted by the Lessee to the Men's Shed Group, who are currently using the rear garden.
13. With the exception of the Men's Shed Group specified in Term 12 above, the Lessee shall not assign or sublet the demised property or any part thereof without the prior written consent of Dublin City Council.
14. The Lessee shall sign a Deed of Renunciation prior to the granting of this lease.
15. In the event of the Lessee ceasing to exist, Dublin City Council reserves the right to terminate the lease and take possession of the demised property.
16. The Lessee shall not carry out any structural alterations without the prior written consent of Dublin City Council.
17. The Lessee shall indemnify Dublin City Council against any and all claims arising from its use of the property. The Lessee shall hold building insurance, plant insurance, Public Liability insurance (minimum of €6.5 million) and Employers Liability insurance (minimum of €13 million) and contents insurance.
18. That the Lessee shall be responsible for the payment of any taxes or charges which might fall due from the creation of the lease.
19. Each party shall be responsible for their own fees and costs incurred in this matter.

The site to be disposed of was acquired from Bewley's Oriental Cafes Limited.

The Land Development Agency has advised that it is not intended to acquire the land for the purposes of Section 53(4) of the Land Development Agency Act 2021 and has notified the Council in writing to this effect.

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

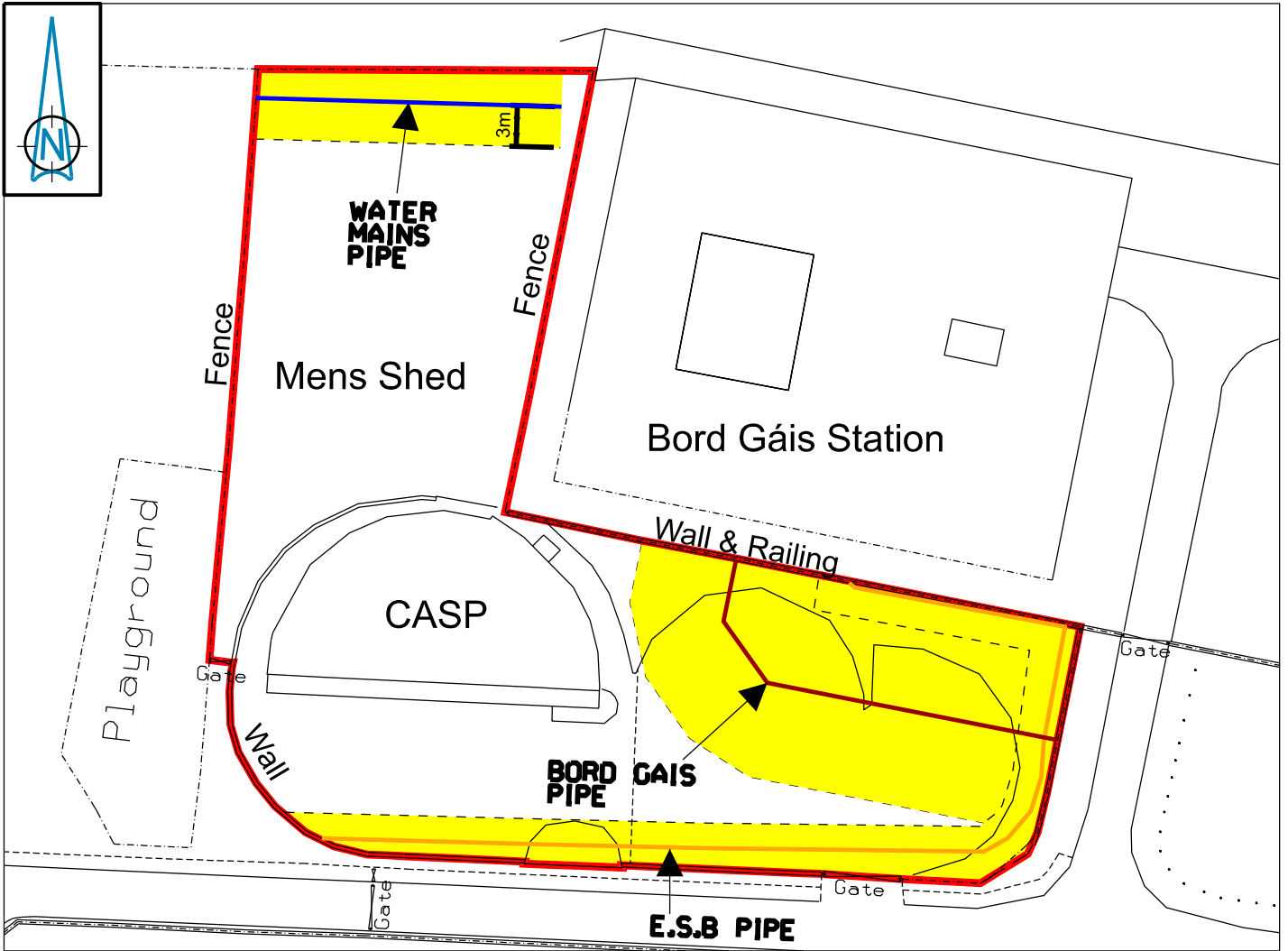
This proposal was approved by the South Central Area Committee at its meeting on 17th January 2024.

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
26th January 2024



Ballyowen House - Lands at
Fonthill Road, Clondalkin, Dublin 22
 Grant of Lease to Clondalkin Addiction Support
 Programme Company Ltd. by Guarantee
 Area 2128 SQ m delineated red thus: ———

Wayleave to ESB shown thus:
 Wayleave to Bord Gais shown thus:
 Wayleave (3m either side of pipe) to Uisce Éireann shown thus:



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
3261-08

SCALE
1:500 @ A4

DATE
18-09-23

**SURVEYED /
PRODUCED BY**
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INDEX No | **DWG No** | **REV**

FILE NO F:\SM-2023-0556 - 001 - B.dgn

Dr JOHN W. FLANAGAN
 CEng FIEI FICE
CITY ENGINEER

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

SURVEY, MAPPING AND RELATED RESEARCH APPROVED

APPROVED _____
THOMAS CURRAN
 ACTING MANAGER LAND SURVEYING & MAPPING
 DUBLIN CITY COUNCIL

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SM-2023-0556