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### **Grant of a 3 year licence for a Café at Johnstown Park, Dublin 11**

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Parks, Biodiversity and Landscape Services Department oversaw a refurbishment of the existing building at Johnstown Park, Dublin 11 for use as a café unit. City Valuer's Office marketed the unit and an agreement has been reached to grant a 3 year licence of the café unit to The Tram Café Ltd with the option to extend for a further 2 years. The licence will be subject to the following terms and conditions which the Chief Valuer considers fair and reasonable:

1. That the proposed Licence area is outlined in red on the attached map (Index No. SM-2022-0295). The subject property comprises of a serving area, universal toilet, staff toilet, changing area, dry good and under counter storage area and a small indoor area for seating measuring at 6.8m x 2.4m.
2. That the Council shall be prepared to grant a 3 year Licence with the option to extend for a further period of 2 years commencing as soon as practicable.
3. That the Licensee shall sign a Deed of Renunciation.
4. That the Licence fee shall be stepped as follows: (VAT is not applicable)
  - Year one €8,000 (eight thousand euro)
  - Year two €8,000 (eight thousand euro)
  - Year three €8,500 (eight thousand five hundred euro)
  - Year four €8,500 ((eight thousand five hundred euro)
  - Year five €9,500 (nine thousand five hundred euro)

That the Licence fee shall be invoiced quarterly in advance.

5. That the Licensee must operate from 10am to 5pm at a minimum 7 days a week, however Dublin City Council preference is for 7 days a week with seasonal variations in line with park opening hours which vary according to daylight hours. Operating hours must be agreed with Dublin City Council in advance and may only be altered with the written consent of the Council.
6. That the Licensed area shall be used solely for the purposes of a vending trade concession and ancillary uses and not for any other purposes.
7. That the Licensee shall not sell, manufacture or permit the consumption of alcohol in or about the licensed area.
8. That Licensee will be responsible for the opening, locking up and management of the public toilet facilities each day, which will be opened during café opening hours only.

Dublin City Council will provide the toilet paper & soap for the public toilet. Dublin City Council will arrange for a once daily cleaning of the public toilets by a contractor at a time to be agreed with the Licensee. Dublin City Council will arrange a hygiene bin collection by a contractor for the public toilet.

9. That any proposal for the amount, design and layout of any tables or seating within the curtilage of the concession will be submitted by the Licensee and agreed with the Licensor prior to installation, any alteration will require consent from the Licensor.
10. That the Licensee must comply with the Environmental and Fire Safety Standards for a Casual Trading Vendor.
11. That the Licensee will ensure the highest levels of Health and Safety standards apply to the use of the premises and ensure compliance with all legislation.
12. That the Licence may be terminated by the Council on giving two months' notice in writing.
13. That the Licence is personal to the Licensee and it cannot be transferred or otherwise disposed of.
14. That all associated costs such as utilities, rates, services, management and storage of waste will be the responsibility of the Licensee. (location of bins to be incorporated into space provided out of view).
15. That the Licensee shall agree to the provided list of contents attached to the licence.
16. That the Licensee shall take out and produce to Dublin City Council Public/Product Liability Insurance in the sum of €6,500,000 (six million, five hundred thousand euro) and Employers Liability Insurance in the sum of €13,000,000 (thirteen 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.
17. That the Licensee shall permit the Licensor, its officers, agents and workmen to inspect the property at all reasonable times. That the Licensee is not to do or allow to be done or permit any act or thing which is or is likely to be or become a nuisance, danger or source of annoyance, inconvenience or disturbance to the Licensor or the occupiers of the neighbouring premises or to the public at large.
18. That the Licensee shall notify the Licensor forthwith in writing of every notice received at the premises from any statutory, local or sanitary authority and to comply therewith.
19. That the Licensee should have the appropriate waste management and circular economy principles in place.
20. That the Licensee will be required to secure the appropriate statutory consents and approvals as necessary for the demised area.
21. That the Licensee shall be prohibited from erecting any mast, hoarding or signage on the premises without prior written consent of the Council.
22. That both parties shall be responsible for their legal costs.

That the Licence is subject to any other terms deemed appropriate by the Council (including the Council's Law Agent).

The land was acquired from the Dublin Artisans Dwelling Co. Ltd by agreement on 24<sup>th</sup> august 1950.

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 is intended to be created until an exchange of Contracts has taken place

This proposal was approved by the North West Area Committee at its meeting on 10<sup>th</sup> December 2024.

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

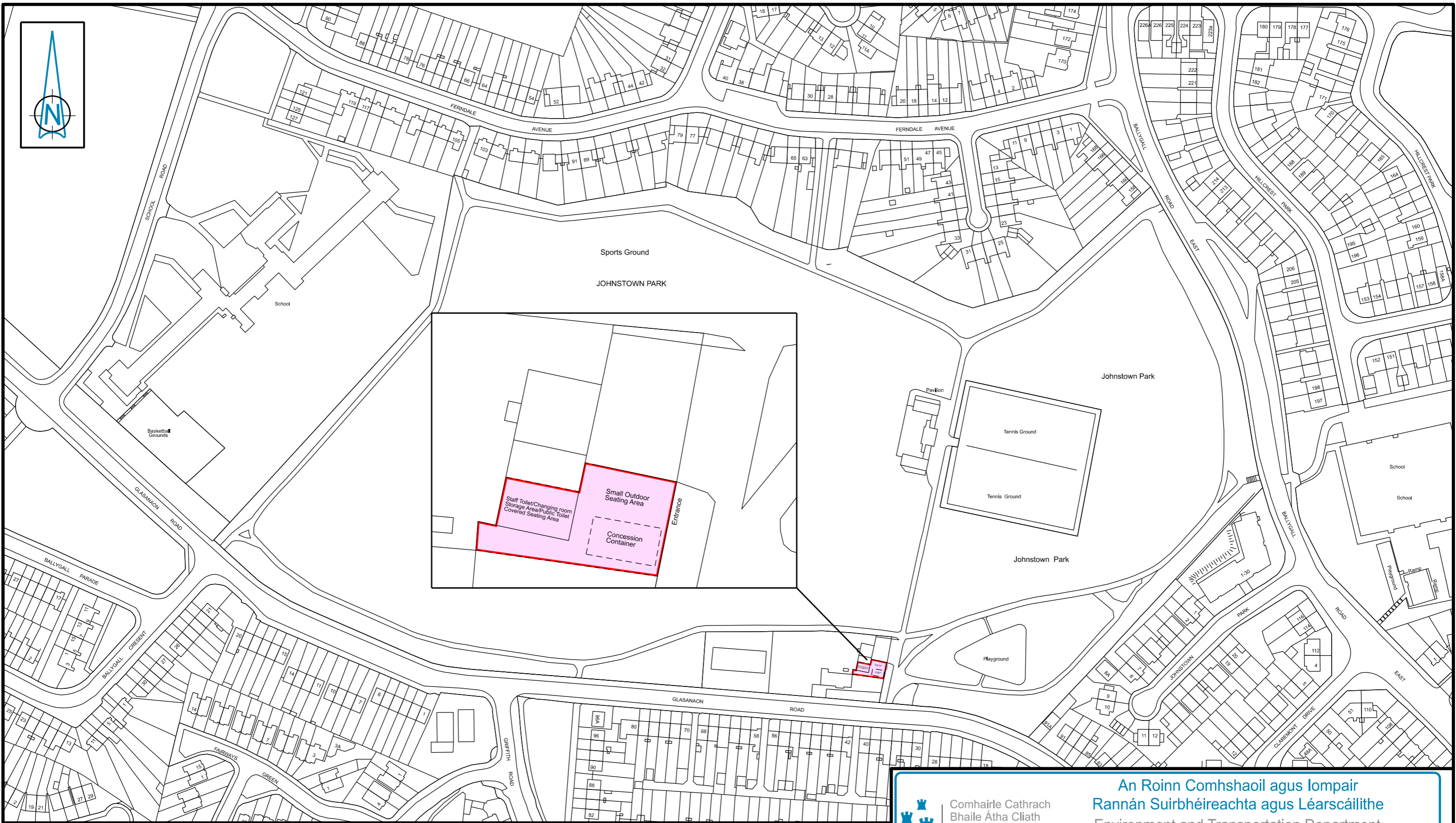
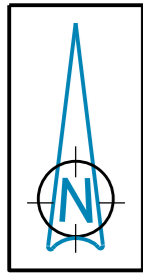
**Resolution:**

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

**Maire Igoe**

**13<sup>th</sup> December 2024**


**A/Assistant Chief Executive**



# JOHNSTOWN PARK - Café Unit

Proposed Grant of 3 Year Licence

Area 144m<sup>2</sup>

 Comhairle Cathrach Bhaile Átha Cliath Dublin City Council		An Roinn Comhshaoil agus Iompair Rannán Suirbhéireachta agus Léarscáilthe Environment and Transportation Department Survey and Mapping Division	
<b>O.S REF</b> 3131-18, -24	<b>SCALE</b> 1:2000 @A3	<b>FILE NO</b>	INDEX No   DWG No   REV F:\SM-2022-0295- 001 - B.dgn
<b>DATE</b> 29-11-2024	<b>SURVEYED / PRODUCED BY</b> D.White	THIS MAP IS CERTIFIED TO BE COMPUTER GENERATED BY DUBLIN CITY COUNCIL FROM ORDNANCE SURVEY DIGITAL MAPBASE SURVEY, MAPPING AND RELATED RESEARCH APPROVED	
<b>Dr JOHN W. FLANAGAN</b> CEng FIEI FICE CITY ENGINEER		<b>APPROVED</b> THOMAS CURRAN ACTING MANAGER LAND SURVEYING & MAPPING DUBLIN CITY COUNCIL	
		<b>INDEX No.</b> SM-2022-0295	