



With reference to the proposed exchange of lands at St. Margaret's Road and Old St. Margaret's Road, Ballymun, Dublin 11 between Dublin City Council and ESB

An exchange of lands at St. Margaret's Road, Ballymun, Dublin 11 between the City Council and the ESB is required to facilitate the development of a north city operations depot on the adjacent land in the ownership of the Council.

The plot of land to be disposed of is shown as plot A and coloured blue on attached map Index No. SM-2016-0188 and the plot of land to be acquired is shown as plot B and coloured pink on the same map. The Chief Valuer has reported that agreement has now been reached with ESB Estates Management for the disposal of the Council interest in plot A to the ESB and the acquisition by the City Council, of the ESB's interest in plot B.

It is therefore proposed to complete the exchange of lands subject to the following terms and conditions:

1. That Dublin City Council shall dispose of its Fee Simple Interest in Plot A, for €1 if demanded. Plot A is shown coloured blue on attached map index number SM-2016-0188.
2. That Dublin City Council shall acquire the Fee Simple Interest in Plot B, for €1 if demanded. Plot B is shown coloured pink on attached map index number SM-2016-0188.
3. That this exchange of lands shall be subject to the receipt of full planning permission for the development of a Dublin City Council depot on the adjoining lands, together with a new vehicular access for the ESB to the substation over Plot A from St. Margaret's Road.
4. That Dublin City Council shall prepare and lodge a planning application to Fingal County Council for the depot development and the new proposed substation access over Plot A. The Council's design team shall consult directly with the ESB in order to meet the ESB's design & specification requirements.
5. That prior to the lodgement of the planning application the ESB shall issue a letter of consent to Dublin City Council, for the inclusion of ESB lands in the planning application.
6. That Dublin City Council shall pay the ESB's reasonable costs of erecting a new entrance to the substation, following the grant of planning permission for the depot and new substation entrance.
7. That Dublin City Council shall be responsible for all costs in relation to the planning process.

8. That Dublin City Council shall grant a wayleave over the entire of Plot B to the ESB, for €1 if demanded, in order to facilitate access to and maintenance of in-situ cables.
9. That Dublin City Council shall grant a right of way over Plot B to the ESB, for €1 if demanded, for emergency access to the substation and access to the in-situ cables.
10. That all outstanding charges, rates and taxes (if any) on the plots shall be cleared prior to the completion of this transaction.
11. That each party shall be responsible for their own costs (including any VAT, Stamp Duty and legal costs) in this matter.
12. That Dublin City Council shall be responsible for dismantling the boundaries on plot B and completing reinstatement works to the northern boundary of Plot B (if applicable). Prior to the completion of this transaction, Dublin City Council shall agree in writing reasonable reinstatement works to the northern boundary of Plot B.

Dublin City Council acquired this site from Nicholas Monks (Plot A) and Richard Warner Wilkinson (Plot B).

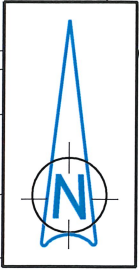
The disposal shall be subject to any such covenants and conditions as the Law Agent in his discretion shall stipulate.

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

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

Dated 19th day of January 2017.

Paul Clegg
Executive Manager



ST MARGARETS ROAD (R104)

A

E.S.B.
Facility

B

ST MARGARETS ROAD (Old)


Ballymun Industrial Estate

ST. MARGARET'S ROAD Lands at Map for Council

Plot A: 62.7m² shown thus  D.C.C. Registered Owner

Plot B: 234.8m² shown thus  E.S.B. Registered Owner

NOTE: Right of Way over area shown thus 

NOTE: Wayleave over area 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
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SCALE
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DATE
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SURVEYED /
PRODUCED BY
T. Curran

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SURVEY, MAPPING AND RELATED RESEARCH APPROVED

APPROVED _____
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