

7th December 2019

To the Chairperson and Members of the
South East Area Committee

With reference to the proposed grant of a further licence of the Crèche facility at Pearse Memorial Park, Windmill Road, Crumlin, Dublin 12

At the October meeting a further five year licence was granted to the crèche facility at Pearse Memorial Park, Windmill Road. This proposed granting of the licence was subsequently assented to at the November City Council meeting.

It has come to light that in order for the crèche to obtain loan funding in respect of the construction of an extension to the building a licence term of five years is considered to be too short. The Area Manager is agreeable to a longer term and accordingly it is proposed to proceed with the grant of licence subject to the terms and conditions already agreed but that the licence term will be increased from 5 to 10 years. This change will require the consent of the City Council and it is proposed to have a report on this added to the agenda for the January 2020 Council meeting.

Copy of the report to the October South East Area Committee enclosed for your information.

John MacEvilly
Area Manager, Kimmage - Rathmines



**The Chairperson and Members
South East Area Committee**

With reference to the proposed grant of a further licence of the crèche facility at Pearse Memorial Park, Windmill Road, Crumlin, Dublin 12.

By way of Licence dated 26th November 2015 the crèche facility at Pearse Memorial Park, Crumlin, Dublin 12, which is more particularly delineated on Map Index No. SM2011-0053 was let by Dublin City Council to Dublin 12 Childcare Consortium CLG for a period of 3 years from 14th April 2014 to 13th April 2017 subject to a licence fee of €100.00 per annum. The licence was subsequently renewed by licence dated 10th January 2018 for a further 3 years and it will expire on 13th April 2020. **The crèche facility was formerly in the South Central Area and is now in the South East Area.**

The South East Area Office has reported that a Part 8 application which was prepared and lodged by the Parks Department, in relation to the redevelopment of the Pearse Memorial Park (Application 2391/19 refers) includes provision for an extension to the existing crèche premises and additional outside space to the licenced area which currently adjoins the former parks depot.

The redevelopment will entail the demolition of the former parks depot building and the installation of a Hurling Wall on part of the site. The remainder of the depot site will be incorporated with the crèche to provide an extension to the existing premises and additional outside space, as shown indicatively on attached map number 201 on which the proposed extension is shown coloured pink and the additional outside area is coloured grey.

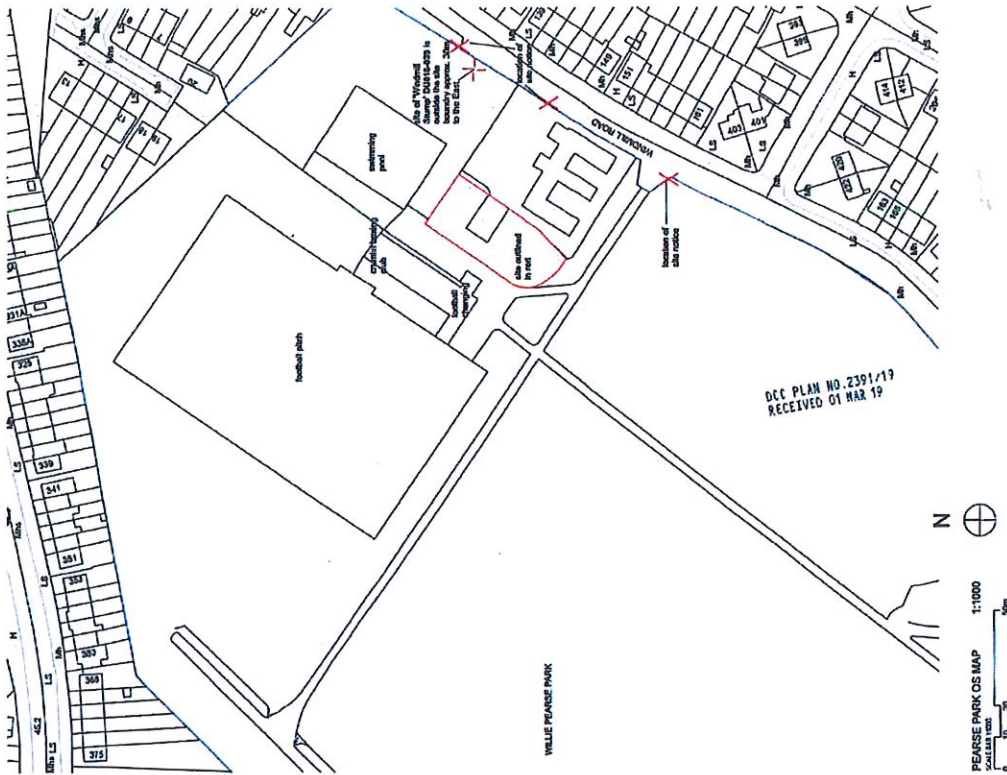
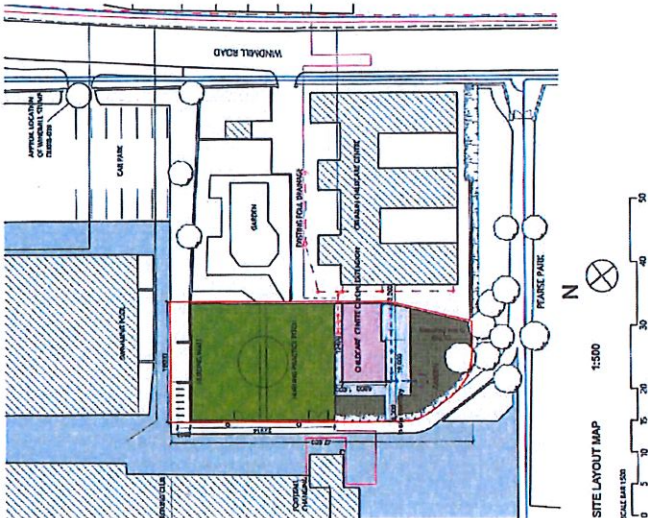
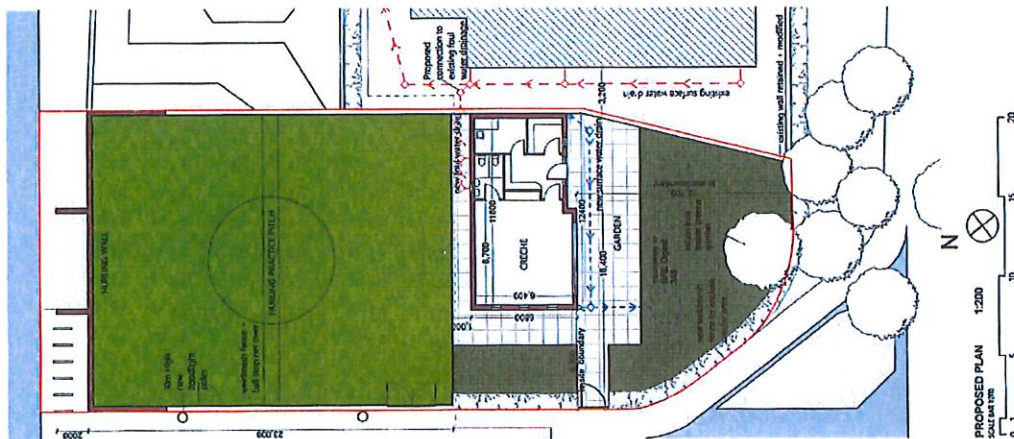
Dublin 12 Childcare Consortium CLG wish to avail of funding from POBAL to carry out the extension to the premises and the deadline for this application is November 2019. While the redevelopment work will not be completed in advance of the expiry of the existing agreement in April 2020 the South East Area Office has advised that certainty about the crèche's ongoing occupation once the existing agreement expires will be a key element of the funding application.

Accordingly, it is proposed to grant a new 5 year licence to Dublin 12 Childcare Consortium CLG on the expiry of the existing licence in April 2020 subject to the following terms and conditions.

1. That the licence shall be for a period of 5 years, commencing no later than 14th April 2020.
2. That the property is that shown outlined red on Map Index No. SM2011-0053 and shown coloured pink and grey on Map number 201. A new map showing the increased area will be prepared for inclusion the necessary legal documents.
3. That the licence shall be €100.00 per annum payable in advance provided that the premises is used solely as a crèche and no other purpose.

4. That the licensee shall sign a Deed of Renunciation.
5. That the property shall be used solely as a crèche and that in the event of it ceasing to be used for such purposes the licenced premises will revert to Dublin City Council.
6. The licensee shall obtain a high level of public liability insurance and employer's liability insurance (if applicable) which shall indemnify the Council against any and all claims arising from the licensee's use of the premises. The council will have an absolute right to set a minimum level of public liability and employer's liability insurance and review the figures on a yearly basis (the current minimum levels are €6.5 million and €13 million respectively).
7. That the licensee shall be responsible for the full internal and external repairs including maintenance of the outdoor play area.
8. That the licensee shall not erect or exhibit any sign, board, placard, poster or advertising matter or any flag or banner on or outside the facility without first obtaining the written consent of the licensor.
9. That the licensee shall not carry out any alterations to the premises without the express permission of the licensor in writing save for the proposed extension which is included in the Part 8 application reference 2391/19.
10. The licensee shall not sub-let, sub-divide, alienate or part with possession of the subject property without the prior and express consent in writing of Dublin City Council.
11. That each party shall be responsible for their own legal fees in the transaction.
12. That the licence will be subject to any other terms and conditions deemed appropriate by the Council's Law Agent.
13. The dates for the performance of any of the requirements of the licence Agreement may be amended at the absolute discretion of the Executive Manager.

Paul Clegg
Executive Manager



KEY

- LOCATION OF SITE NOTICE
- SITE BOUNDARY LINE
- OTHER LAND IN OWNERSHIP
- PROPOSED NEW BUILDING
- PROPOSED HURLING PITCH
- SURROUNDING BUILDINGS

- GAS SERVICE UNDERGROUND PIPELINE
- GAS INSERTED PIPELINE
- M/V/V UNDERGROUND POWERLINE
- M/V/V UNDERGROUND POWERLINE INVERTED
- IRISH WATER
- PROPOSED FOUL DRAINAGE
- PROPOSED SURFACE DRAINAGE
- EXISTING FOUL DRAINAGE

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REVISION

COMPLIANT WITH THE BUILDING REGULATIONS 2006 AND THE BUILDING ACT 1990. THIS DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF DORMAN ENGINEERS.

PROJECT		FOR NO.
PROPOSED HURLING WALL, PEARSE PARK, DUBLIN 1, IRELAND		18 PPS
DRAWING		REVISION
PROPOSED PLANS		P8
DRAWING NO.		DATE
201		MAY 2018
SCALE		SCALE
1:500, 1:1000, 1:2000		1:500, 1:1000, 1:2000

