



**With Reference to the Proposed Grant of Lease of Unit 4, Shangan
Neighbourhood Centre, Ballymun, Dublin 9.**

An application has been received from the Health Service Executive to take a lease in respect of Unit 4, Shangan Neighbourhood Centre, Ballymun, Dublin 9 for use as a medical day clinic.

The proposed facility is to offer an alternative to in-patient admission for certain service users where social and psychological therapy programmes would be offered in addition to medication for people with acute mental disorders whose needs can be met in a day hospital setting. Day clinics provide a therapeutic environment for people who are acutely ill or need intensive support over a period of time and also support for their families during this process. It can serve to either provide an alternative to hospital admission or shorten the length of stay in hospital. The unit in question is shown outlined in red on Map Index No.SM-2020-0004, a copy of which is submitted with this report.

There are no objections to this proposal and accordingly it is proposed to grant a lease to the Health Service Executive subject to the following terms and conditions which the Chief Valuer considers fair and reasonable:

1. That the demised premises comprises Unit 4, Shangan Neighbourhood Centre, which is a self-contained ground floor retail unit shown outlined in red on attached Map Index No.SM-2020-0004.
2. That Dublin City Council shall be prepared to grant a ten year lease permitting medical day clinic use only, commencing as soon as practically possible in 2020, following receipt of planning permission.
3. That the proposed tenant shall lodge a Planning Application in respect of the subject unit, with the consent of Dublin City Council, within four weeks of Council approval, or as soon as practically possible on a date mutually agreed between the parties.
4. That all fit out works and structural alterations (if applicable) shall be agreed in writing with the Council's Architect prior to the commencement of such works.
5. That the tenant shall carry out all fit out works including any structural alterations at its own cost, in accordance with the plans and specifications of the Final Grant of Planning Permission and the consent of the Council's Architect and all costs associated with this planning process shall be borne by the tenant (HSE). The HSE shall be permitted to lodge one planning application only.

6. That the initial rent for the first five years of the term shall be the sum of €30,000 (thirty thousand euro) plus VAT if applicable, per annum, payable quarterly in advance by standing order or electronic funds transfer.
7. That the first four months of the lease shall be rent free.
8. That the rent shall be subject to a rent review on the last day of year five of the lease, to the market rental value of the unit at that time, on a vacant possession basis, disregarding tenant improvement works.
9. That a break option in favour of the tenant shall be granted at the end of year five at no cost or penalty. Written notice of intention to operate the break option must be given not less than six months prior to the break option date.
10. That the tenant shall be responsible for fully repairing and insuring the demise including all doors, windows and plate glass.
11. That the tenant shall be responsible for the payment of rates, service charges building insurance, waste collection, utilities, taxes and all other charges for the demised unit.
12. That the tenant shall not assign or sublet the demise without prior written consent of the Landlord which shall not be unreasonably withheld.
13. That the tenant shall not carry out any structural alterations or erect any external signage without the prior written consent of Dublin City Council.
14. That the Council shall retain a right of access for the purposes of maintaining services running through the demised unit.
15. That the tenant shall ensure that its use and occupation of the demised premises complies with all necessary statutory consents including inter alia, Planning, Fire, DAC & Building Regulations.
16. That the HSE shall indemnify Dublin City Council against any and all claims arising from its use and occupation of the demised premises including fit out/development works. The Lessee shall hold Public Liability Insurance (minimum of €6.5 million) and Employers Liability Insurance (minimum of €13 million) and contents insurance.
17. That the tenant shall be responsible for the payment of any Stamp Duty that may arise on the creation of the lease.
18. That each party shall be responsible for their own fees and costs incurred in this matter.

The property to be leased is comprised within Shangan Neighbourhood Centre, which was built on property acquired from the Representatives of Elizabeth Collins (Deceased) in 1977 and 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.

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

This proposal was approved by the North West Area Committee at its meeting on 21st January 2020.

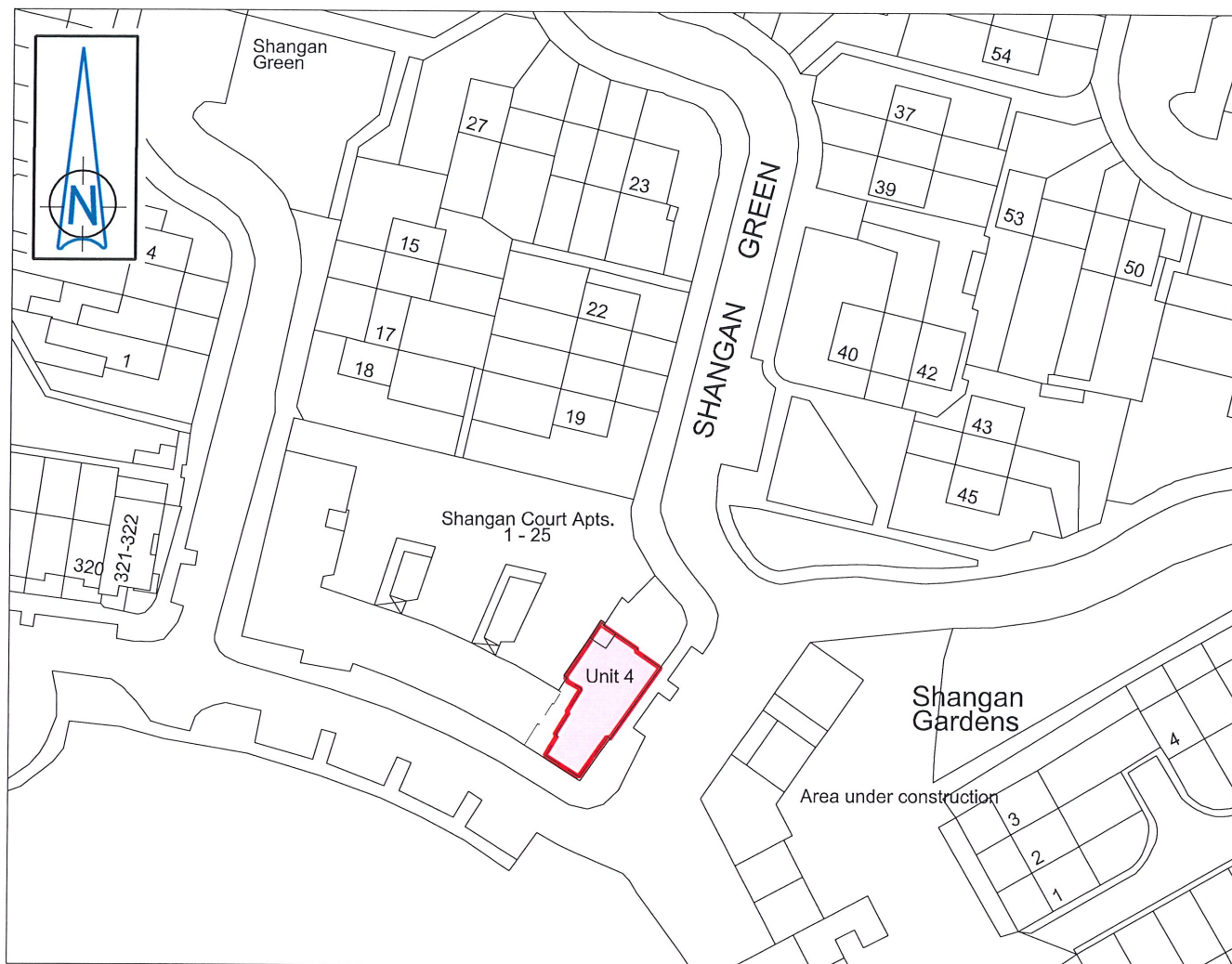
This report is submitted in accordance with the requirements of Section 183 of the Local Government Act, 2001.

Resolution:

“That Dublin City Council notes the contents of Report No. 67/2020 and assents to the proposals outlined therein”.

Paul Clegg
Executive Manager

Date: 22/01/2020



SHANGAN NEIGHBOURHOOD CENTRE, SHANGAN ROAD, BALLYMUN, DUBLIN 9 - Unit 4

Dublin City Council to the HSE

Grant of 10 year lease



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
3131-15,3132-11

SCALE
1-1000

DATE
16-01-2020

**SURVEYED /
PRODUCED BY**
PMcGinn

FILE NO

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SURVEY, MAPPING AND RELATED RESEARCH APPROVED

APPROVED

THOMAS CURRAN

ACTING MANAGER LAND SURVEYING & MAPPING
DUBLIN CITY COUNCIL

INDEX No.

SM-2020-0004

(Rev B)

Dr JOHN W. FLANAGAN
CEng FIEI FICE
CITY ENGINEER