



---

**With reference to a proposed grant of a 25 year lease of the Brookhaven Centre, Bonnybrook, Glin Road, Dublin 17 to the Health Service Executive**

---

The Bonnybrook Centre on Glin Road, Dublin 17 as shown on map SM-2020-0209 is occupied by St Columban's F.C, Riverside Drug Awareness Group and the HSE.

The centre was constructed with the aid of grants from St Columban's F.C and the HSE, and construction was carried out on lands in the ownership of the Council by way of licence with the HSE controlling and managing construction.

Pending completion of a lease of the premises, a temporary Caretakers Agreement was granted to the HSE in 2004 who in turn granted further Caretaker Agreements to St Columban's F.C and the Riverside Drug Awareness Group for a period up to seven months.

Broad agreement was reached in 2008 to the general terms of the lease however the legal formalities were never completed. In 2019 Planning and Property Development received a request from the HSE to complete the process as they needed to regulate occupation by St Columban's F.C and the Riverside Drug Awareness Group.

It is now proposed to complete the formalities and grant a 25 year lease of the Brookhaven Centre, Bonnybrook, Glin Road, Dublin 17 to the Health Service Executive subject to the following terms and conditions, which the Chief Valuer considers fair and reasonable:

1. That the proposed lease shall cover the area shown outlined in red and the right of way coloured yellow on attached map SM-2020-0209
2. That the lease shall be for a term of 25 years, backdated to the 1<sup>st</sup> December 2004 and expiring on 1<sup>st</sup> December 2029. The HSE will have the option to terminate this lease in December 2025 for no consideration subject to serving not less than 4 weeks' notice.
3. That the rent shall be in the sum of €14,500 (Fourteen thousand five hundred euro), plus VAT if applicable, per annum exclusive of all outgoings, and that this rent will be subject to 5 yearly rent reviews linked to changes in the Consumer Price Index.
4. That the rent shall be abated to €200 per annum exclusive of all outgoings provided that the subject property is used solely as a sports clubhouse, for community purposes and by drug rehabilitation and awareness groups and, in the event of it ceasing to be used for such purposes, to revert free of charge to the Council, or the appropriate open market yearly rent shall apply as determined by the Council's Valuer and shall not be abated.
5. In the case of any future redesign or redevelopment of the car parking area (shaded in blue), the HSE shall agree to relinquish their lease of the area for no consideration. The Council shall relocate the Lessees temporarily or permanently to an equivalent area in the locality

6. That any signage will be subject to the prior approval of the Council
7. That the HSE shall not use the property or any part thereof as a residence.
8. That the HSE shall not sell, assign, sub-let, sub-divide, alienate or part with the possession of the subject property without the prior written consent of the Council. The Council shall receive early notice of the parties to, and the terms of, any proposed sub-letting or assignment.
9. That the leased area will not be used in connection with the consumption of alcohol.
10. That the HSE shall maintain the following levels of insurance: Public Liability Insurance indemnifying Dublin City Council in the sum of €6,500,000 for any one incident and Employers Liability of €13,000,000 proof of which must be provided to the Council annually.
11. That the HSE shall insure and keep insured the property and every part thereof in a sum equivalent to the full replacement value, at all times in the joint names of the Council and the Lessee against loss or damage by fire or other cause in an established insurance office to be approved by the Council and to pay all premiums or such sum of money necessary for that purpose and within 7 days after the same has become payable to produce to the Council the policy or policies of such insurance and the receipt for every such payment. In the event of loss or damage by fire or other cause, the Lessee is obliged to reinstate the property and every part thereof to its original state.
12. That the HSE shall at all times maintain proper order in or about the premises included in the Lease.
13. That the HSE shall keep the buildings and surrounding area and boundaries in a good state of repair and carry out all necessary maintenance on the building both internal and external. An authorised official of the Council, upon giving reasonable notice, shall be entitled to enter onto the property at any time to view the state and condition of the property and if necessary to prepare a schedule of dilapidation.
14. That the HSE shall not carry out any alteration or development of the site, or erect any structure or make any excavation without the prior written consent of the Council.
15. That the HSE shall comply at all times with the requirements of all present and future Waste Management and Litter Pollution legislation.
16. That the HSE shall be prohibited from erecting any mast, tower or aerial on the property.
17. That each party shall be responsible for their own costs in this matter.
18. That the Lessee shall be responsible for the payment of VAT, if any, that may arise for the granting of this lease.

The property to be disposed of was acquired from Julia Hayes.

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

This proposal was noted by the North Central Area Committee in March 2020

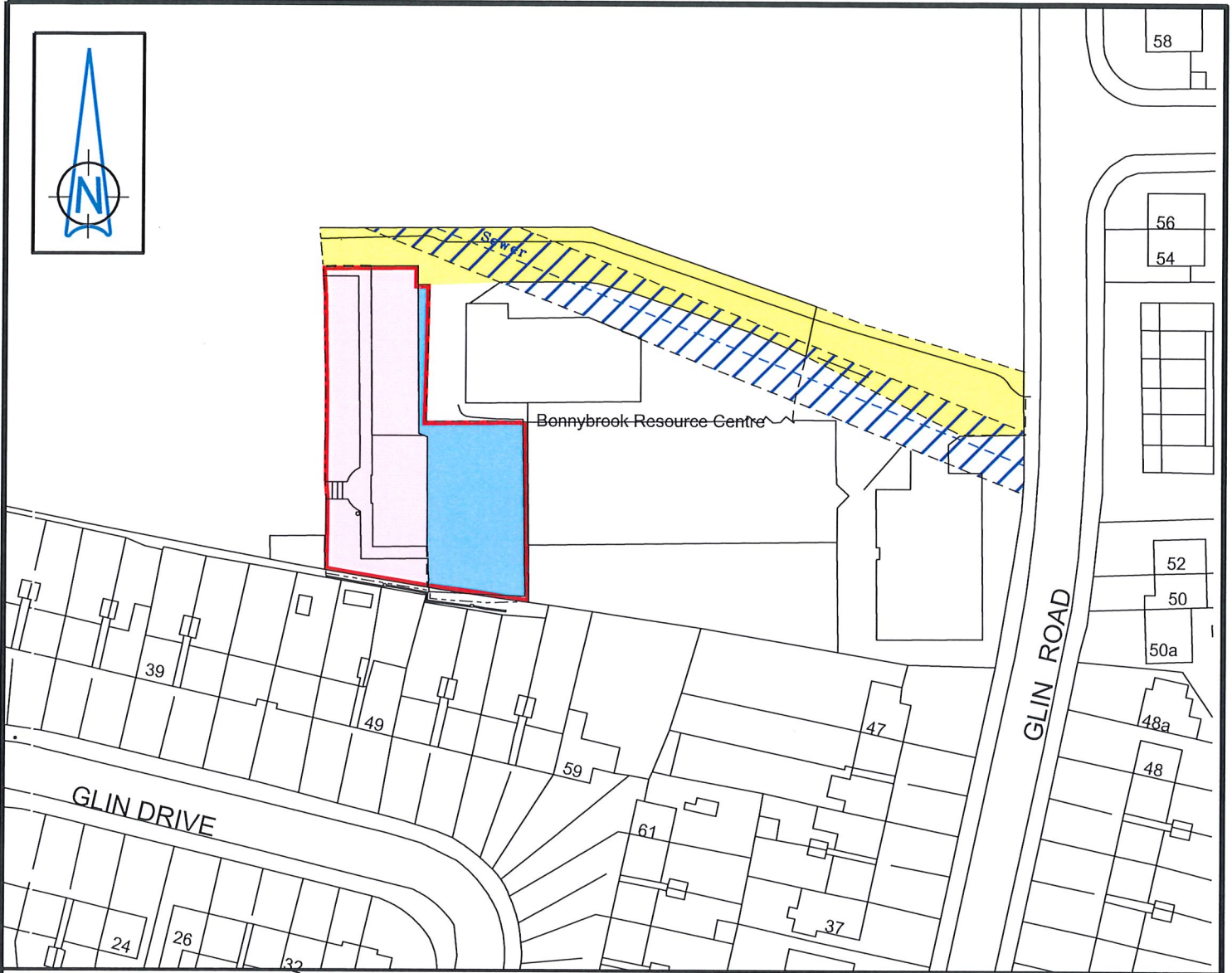
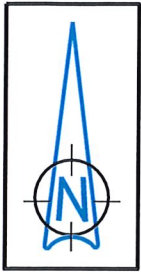
This report is submitted in accordance with the requirements of Section 183 of the Local Government Act, 2001.

**Resolution:**

“That Dublin City Council notes the contents of Report No. 111/2020 and assents to the proposal outlined therein”

**Paul Clegg**  
**Executive Manager**

**27<sup>th</sup> April 2020**



## GLIN ROAD

Dublin City Council to the H.S.E.

- Grant of lease over area coloured pink: 780m<sup>2</sup> -
- Grant of lease over area coloured blue: 485m<sup>2</sup> -
- Wayleave to Dublin City Council over shown thus -
- Right of way over 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

3132-10

SCALE

1:1000

DATE

28-02-2020

SURVEYED /  
PRODUCED BY

L. Butler

INDEX No

DWG  
No

REV

FILE NO

F:\SM-2020-0209- 001 - A.dgn

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

INDEX No.

SM-2020-0209

**Dr JOHN W. FLANAGAN**

CEng FIEI FICE

**CITY ENGINEER**