

To the Chairperson and Members of
The Central Area Committee

Meeting: 14th September 2021

Item No:

With further reference to the proposed grant of a licence of a portion of the Waste Management Section's Depot at Aldborough Parade and six Railway Arches adjoining the Depot to Sunflower Recycling Limited, Shamrock Terrace, Five Lamps, North Strand, Dublin 1.

Sunflower Recycling Limited is a community based project which has a social, employment and training function as well as carrying out the recycling of glass, paper and cans.

Order of the Principal Officer D17 dated 19th April 2000 approved terms and conditions for the grant of a lease from 1st April 2000 to 31st December 2002 of a portion of the Aldborough Parade Waste Management Depot as outlined red on Map Index number SM-2014-0628 to Sunflower Recycling Limited. Order of the Executive Manager D13 dated 11th November 2003 approved the grant of a further lease which expired on 30th June 2006.

A further lease was proposed at that time but it was not possible to complete the legal process when it came to light that a lease held by Dublin City Council from CIE in respect of a portion of the site occupied by Sunflower Recycling Limited expired on 31st July 2006.

Following a protracted process CIE granted Dublin City Council a ten-year lease dated 3rd June 2015 commencing on 1st April 2013 in respect of the subject plot. The grant of this lease enabled Dublin City Council grant to Sunflower Recycling Limited a two year licence from 1st January 2017 to the 31st December 2018 at a licence fee of €15,000 (fifteen thousand euros) abated to €500 (five hundred euros). Managers Order D335 dated 14th September 2017 refers. This licence was further extended for a two year period from the 1st January 2019 to the 31st December 2020.

It is now proposed to grant a further two-year licence in respect of the portion of the Waste Management Section's Depot at Aldborough Parade as outlined red on the attached map index number SM-2021-0125 subject to the following terms and conditions:

1. That the Council will be prepared to grant a 2 year licence commencing on the 1st January 2021 and terminating on the 31st December 2022.
2. That the licenced area is shown outlined in red on the attached No. SM-2021-0125 and comprises three arches and an ancillary site with an overall area of 814sq.m or thereabouts.
3. That the licence fee shall be €21,000 (twenty one thousand euro) per annum plus VAT, exclusive of all outgoings.

4. That the licence fee shall be abated to **€700 (seven hundred euro) per annum plus VAT**, provided that the property is used as recycling facility. If the property ceases to be used for that purpose the Licence fee shall revert to the consideration outlined at No.3 above.
5. That the licence fee is payable from the 1st January 2021.
6. That the licence fee is to be payable quarterly in advance by direct debit mandate.
7. That the lessee shall be liable for all taxes, charges and outgoings including water and electricity relating to the demised premises, except for Rates, which will continue to be paid by Dublin City Council.
8. That the subject area is to be used as a Recycling Centre only.
9. That the licensee will be required to sign a deed of renunciation.
10. That the licensee will be required to provide audited accounts to the Council each year.
11. That the licensee shall be responsible for fully insuring the premises and shall indemnify Dublin City Council against any and all claims arising from its use of the premises. The licensee shall take out and produce to Dublin City Council Public Liability Insurance in the sum of €6,500,000 (six million, five hundred thousand euro) and Employer Liability Insurance in the sum of €13,000,000 (thirteen million euro) 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.
12. That the licence can be terminated by either party giving one months' notice.
13. That the licence may be extended for a further period, at the discretion of the Council. Any future licence agreement and licence fee will be subject to the Councils future requirements for the site and a review of the licensees audited accounts.
14. That each party shall be responsible for their own fees in this matter.
15. That the above proposal is subject to the necessary approvals and consents being obtained.



Executive Manager