



With reference to the proposed grant of new Licence of the Tea Room, at Harold's Cross Park, Dublin 6 to Noshington Park Limited t/a Harold's Cross Park Tea Room

Under Licence dated the 14th August 2019, the Tea Room at Harold's Cross Park, Harold's Cross, Dublin 6 as shown outlined in red on Map Index No. SM -2022-0022 was demised by Dublin City Council to Noshington Park Limited t/a Harold's Cross Park Tea Room for a term of 4 years from the 14th January 2018 with a current rent of €16,000 plus vat per annum.

The Licence expired on the 13th January 2022 with the option for the Licensee to request the extension of the Licence for a further two year period of one year each with the agreement of both parties. However, it has been decided to grant the Licensee a single two year Licence commencing on the 14th January 2022.

Accordingly it now proposed to grant a new Licence to Noshington Limited for the Tea Room at Harold Cross Park, Dublin 6, subject to approval of the following terms and conditions:

1. That the Licensor will be prepared to grant a 2 (two) years licence to the Licensee commencing on the 14th January 2022.
2. That the proposed licence area comprises Tea Rooms at Harold's Cross Park, Dublin 6 which is shown outlined in red on the attached map index no. SM-2022-0022.
3. That the licence fee between 14th January 2022 and 13th January 2023 shall be €16,000 (sixteen thousand euro) per annum + VAT and shall be exclusive of all outgoings. The licence fee is to be payable quarterly in advance by direct debit mandate.
4. That from 14th January 2023 the licence fee shall be €17,500 (seventeen thousand and five hundred euro) per annum + VAT and shall be exclusive of all outgoings. The licence fee is to be payable quarterly in advance by direct debit mandate.
5. That the Licensee shall be responsible for the payment of all taxes, rates, outgoings, utilities, operational costs and maintenance that may become payable in respect of the licensed area.
6. That the licensed area is to be used as a café only. The Licensee shall not permit the licensed area or any part thereof to be used for any other purpose. The Licensee shall not sell, manufacture or permit the consumption of alcohol in or about the Licenced area.
7. That 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 Employers 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.

8. That the Licensee will ensure that the highest levels of Health and Safety Standards apply to the use of the licensed area and ensure compliance with all relevant legislation.
9. That the Licensee shall operate the licenced area during agreed opening hours and ensure that there is sufficient trained staff on duty to provide a quality service at all times. The Licensee shall ensure that the highest standard of customer service is provided to the clientele of the licenced area. The Council shall provide the Licensee with a key for the park's side gate and early opening hours of the licenced area is permitted subject to agreement between both parties.
10. That the Licensee shall keep the licensed area in good condition and repair during the term of the Licence, including all fixtures and fittings, all kitchen equipment and furniture supplied by the Council. The Licensee shall not remove any fixtures or fittings provided by the Council.
11. That the Licensee shall be responsible for the cleaning and maintaining of the toilet facility.
12. That the Licensee shall not make any material changes to the property without the Licensor's written consent.
13. That the licence can be terminated by both parties giving 3 months written notice.
14. That the Licensee shall sign a Deed of Renunciation to a New Tenancy.
15. That the Licence is personal to the Licensee and it cannot be transferred or otherwise disposed of.
16. That the Licensee shall ensure that any branding notice or advertising shall be subject to the prior consent of the Licensor.
17. That the Licensee will permit the Council, its officers, agents and workmen to inspect the licensed area at all reasonable times.
18. That the Licensee is to notify the Licensor forthwith in writing of every notice received at the premises from any statutory, local or sanitary authority and to comply therewith.
19. That the licence shall contain such other covenants and conditions as deemed appropriate by the Council's Law Agent and as normally contained in Council licences of this nature. The agreement shall contain similar terms and conditions as per previous agreements.
20. That both parties shall be responsible for their own costs of this transaction.

Dublin City Council inherited the site from the Rathmines and Rathgar UDC when it was abolished in 1930.

The proposed disposal shall be subject to such conditions as to title to be furnished, as the Law Agent in her discretion shall stipulate.

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

This proposal was approved by the South East Area Committee at its meeting on the 12th December 2022.

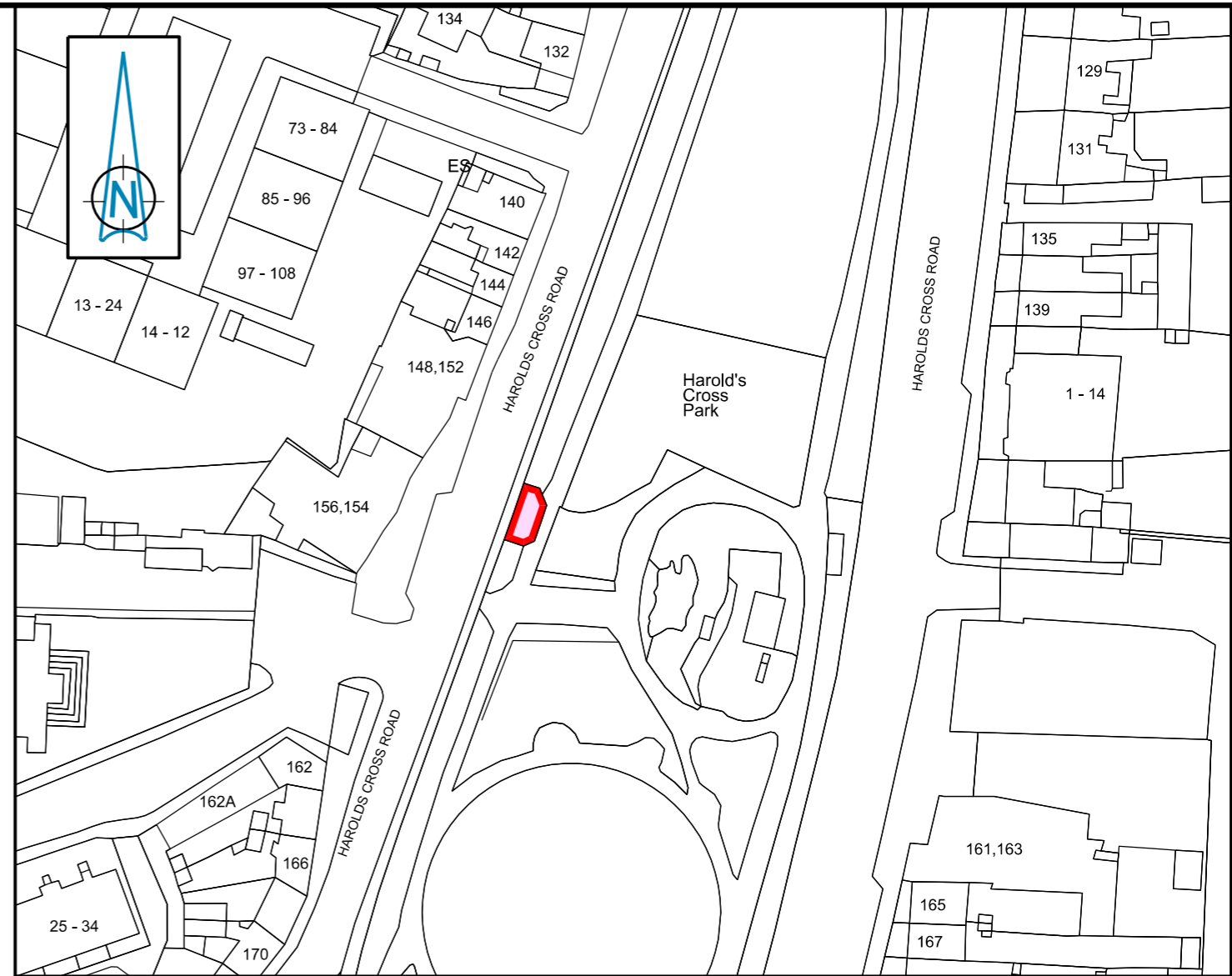
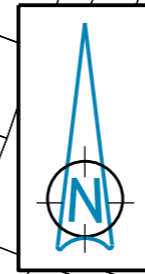
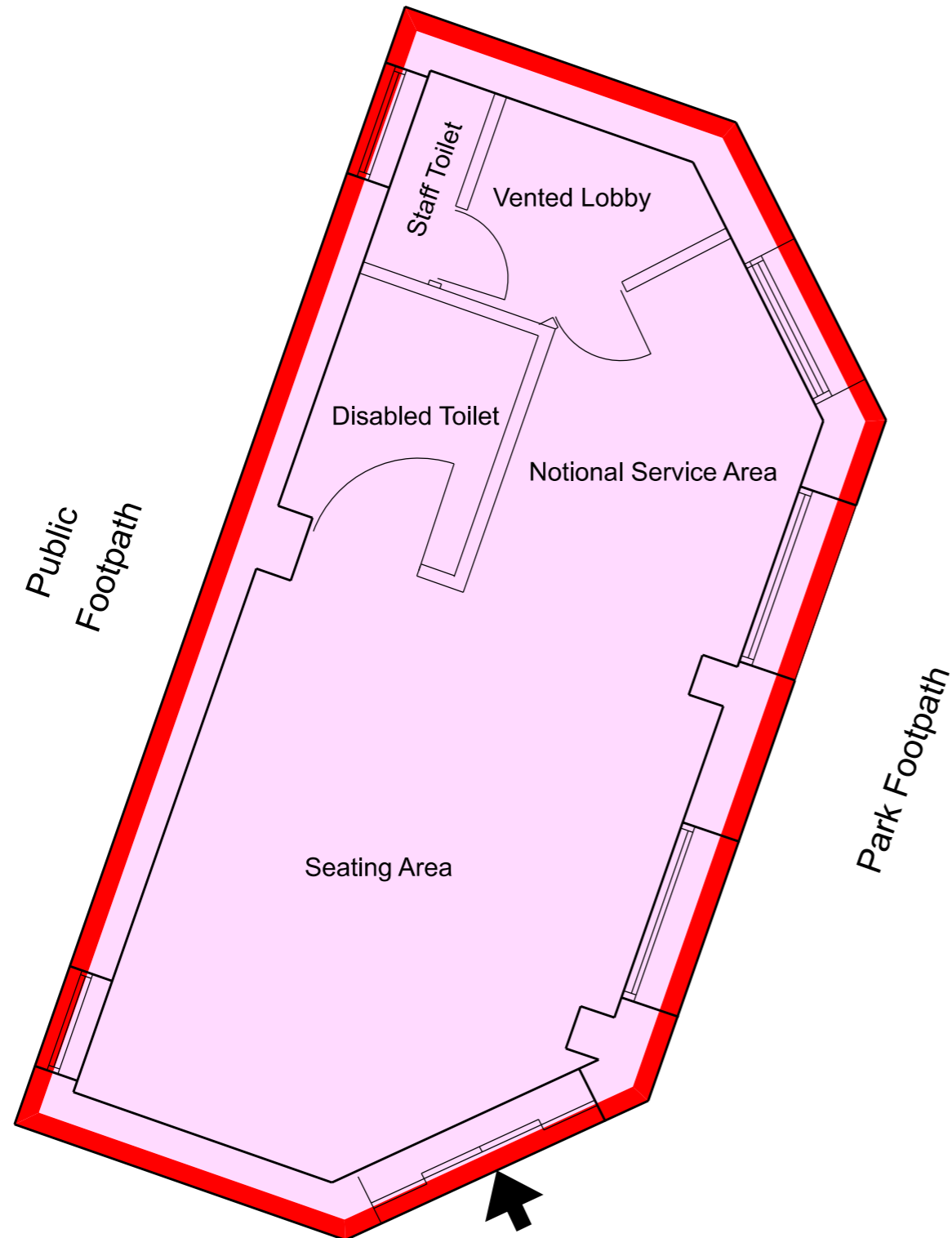
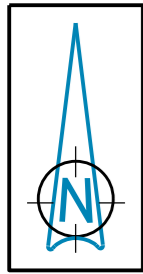
This report is submitted in accordance with the provisions of Section 183 of the Local Government Act, 2001.

Resolution:

That Dublin City Council notes the contents of this report and assents to the proposal outlined therein.

Dated this the 19th day of December 2022.

Máire Igoe
A/Executive Manager



HAROLDS CROSS PARK - Tea Rooms

Dublin City Council to Noshington Park Limited

Grant of 2 Year Licence



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 3328-04	SCALE 1:50, 1:1000
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DATE 08-11-2022	SURVEYED / PRODUCED BY T. Curran
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Dr JOHN W. FLANAGAN
CEng FIEI FICE
CITY ENGINEER

INDEX No	DWG No	REV
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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-2022-0022