

**To the Chairperson and Members of
the North West Area Committee**

Meeting: 19th September 2023

Item No:6

Grant of Lease of Unit S5, Poppintree Neighbourhood Centre, Ballymun, Dublin 11.

Unit S5 in Poppintree Neighbourhood Centre has been operated as a beautician's outlet for over 15 years. The unit has been occupied under a number of short term lettings to Lisa Whelan, the most recent of which was a one year licence which ran from 1st January 2022 to 31st December 2022. North West Area Management are in favour of a proposal to continue to facilitate the provision of this local service in the area.

Accordingly, it is proposed to grant a 5 year lease of Unit S5 Poppintree Neighbourhood Centre, Ballymun, Dublin 11, as shown outlined in red and coloured pink on Map Index No.SM-2015-0696-003 attached, to Lisa Whelan and Michelle Clarke, subject to the following terms and conditions:

1. That Dublin City Council shall grant a lease permitting beautician's outlet & hairdressing use for a term of five years, commencing on 1st January 2023.
2. That the rent shall be €20,000 (twenty thousand euro) per annum, payable monthly in advance. No VAT is applicable.
3. That the lease will provide a break option at the end of year three. Written notice of intention to operate the break option must be given not less than three months prior to the break option date.
4. That the lessee shall be responsible for all outgoings associated with the use of the unit including inter alia rates, taxes, utilities and service charges.
5. A review of payments will take place at the end of year two and the Council reserves the right to terminate this lease and take back possession of the unit.
6. That the lessees shall be responsible for the internal repair and upkeep of the leased area and shall be responsible for the maintenance of windows and doors including all plate glass.
7. That the lessees shall indemnify Dublin City Council against any and all claims arising from their use of the premises and surrounding site area/curtilage. The lessees 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).

8. That the lessees shall ensure that their use and occupation of the leased area complies with all statutory consents.
9. That this lease is strictly personal to the lessees and the lessees shall not assign, sublet or part with possession of the property or any part thereof without the consent of Dublin City Council.
10. That the lessees shall not carry out any structural alterations or erect any external signage without the prior written consent of the lessor.
11. That the lessees shall be responsible for the payment of any Stamp Duty and VAT liability that may arise on the creation and during the term of the lease.
12. That the lease can be terminated by either party giving three months prior written notice.
13. That upon expiry of the lease, the lessees shall at their own expense remove all materials not belonging to Dublin City Council and shall leave the property clean and cleared to the satisfaction of the City Council.
14. That the lessees shall sign a Deed of Renunciation.
15. That each party shall be responsible for their own fees and costs in this matter.

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.

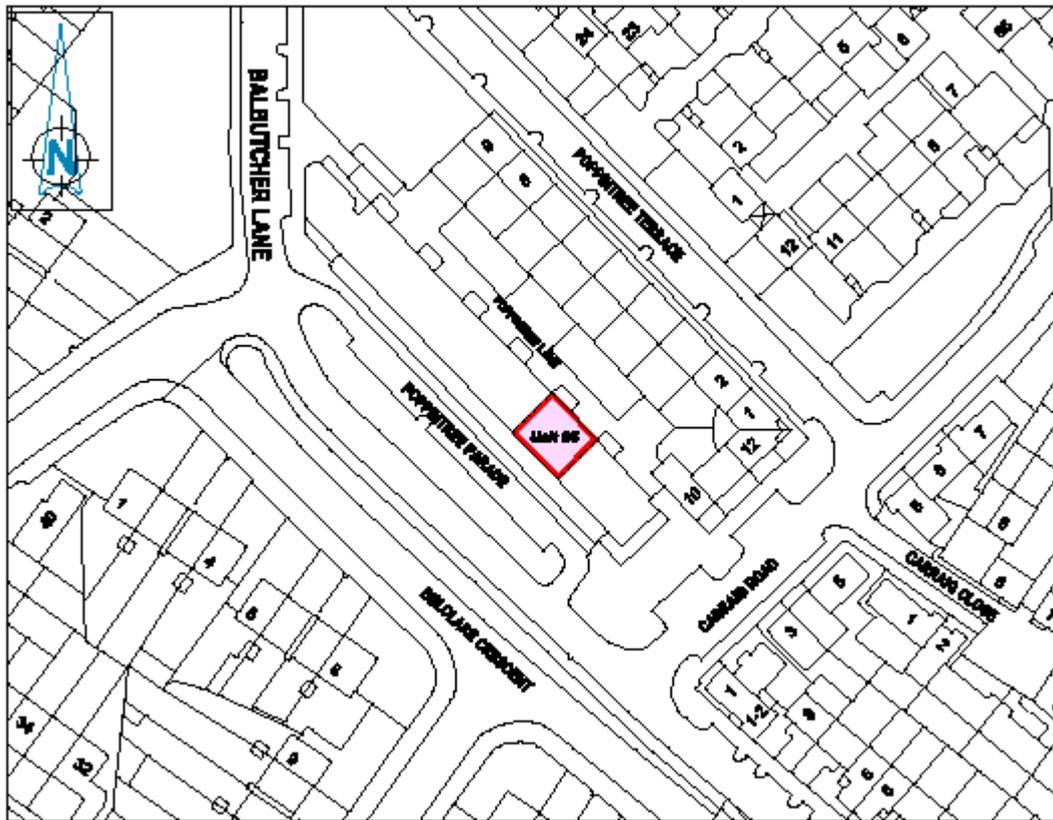
No agreement enforceable at law is created or is intended to be created until an exchange of contracts has taken place.

Máire Igoe

12/9/2023

Máire Igoe
Acting Executive Manager

Date



UNIT 85 POPPINTREE PARADE, POPPINTREE NEIGHBOURHOOD CENTRE, BALLYMUN, DUBLIN 11

Dublin City Council to Lisa Whelan & Michelle Clarke

Grant of a 5 year lease



Comhairle Cathrach
Bhailé Átha Cliath
Dublin City Council

**An Roinn Comhshaoll agus Iompair
Rannán Suirbhíreachtá agus Léarscáilíthe**
Environment and Transportation Department
Survey and Mapping Division

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DATE
26-02-2021

**SURVEYED /
PRODUCED BY**
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DUBLIN CITY COUNCIL UNDER GEOSMART SURVEY CONTROL. UNUSUAL
SURVEY, MAPPING AND RELATED RESEARCH APPROVED

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ACTING MANAGER LAND SURVEYING & MAPPING
DUBLIN CITY COUNCIL

INDEX No.
SM-2014-0696
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