**COMHAIRLE CHONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL**

**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 12th October 2015**

**ITEM NO. H – I (8) (d)**

**RE: Proposed disposal of site at Kingswood Castle, Ballymount, Dublin 24 to Jackie Green Construction Limited.**

At a meeting of Special Organisation Procedure and Finance Committee of the Council on 23/10/2014 approval was granted for market consideration for the above named site (Minute No. SOPF/14 refers).

A marketing brief in accordance with the agreed resolution of the elected members was prepared and the site advertised for public sale on 29/05/2015.

The site has an area of 0.485 hectares (1.2 acres) and is shown delineated in red on drawing reference LR/22/15.

A total of four (4) bids were received in respect of the subject site. The City Valuer examined all bids received and has recommended acceptance of the bid received from Jackie Green Construction Limited, 40 The Courtyard, College Drive, Terenure, Dublin, 6W in the sum of €720,000 (seven hundred and twenty thousand euro) subject to the following terms and conditions:

1. That the Council dispose of the subject site to Jackie Green Construction Limited, 40 The Courtyard, College Drive, Terenure, Dublin, 6w for a consideration of €720,000 (seven hundred and twenty thousand euro) pus VAT if applicable.
2. That the subject site is as shown outlined in red on drawing reference LR/22/15 comprising 0.485 hectares (1.2 acres) or thereabouts.
3. That the purchaser shall show proof of funding and 10% of the purchase prices shall be paid on the signing of contracts with the balance paid on the completing of sale which shall be within three months of the signing of contracts.
4. That the purchaser shall satisfy the Council that they have sufficient funds to develop the site in accordance with the permitted proper planning and development of the area.
5. That the Council’s Law Agent shall within 4 weeks of receipt of the necessary statutory consents and approvals issue a contract of sale to the purchasers who will return the contracts within 2 weeks to the Council fully executed together with a bank draft for 10% of the purchase price.
6. That the Council shall dispose of the unencumbered freehold titles with full vacant possession save for wayleaves (if any) required.
7. That the purchase price offered is exclusive of any taxes including VAT and stamp duty which the purchasers the purchaser is properly liable for.
8. That the developer shall satisfy themselves with regards access to the site.
9. That each party shall be liable for their own fees incurred in this transaction.
10. That the disposal is subject to any terms and conditions deemed appropriate by the Council’s Law Agent.
11. That the disposal is subject to the necessary consents and approvals of the Council.
12. That the Council is satisfied that any planning or urban design parameters will be achieved through planning permission.
13. That the Council will retain ownership of any boundary walls or sound barriers that adjoins the M50/LUAS and a wayleave to access these walls.
14. That it is a requirement of the Council that the purchaser submit a planning application on the subject site within 3 months of the completed disposal
15. That development of the subject site to commence no later than 6 months from the date of final grant of planning permission.
16. That if no development has been substantially commenced on the subject site within 2 years of the completion of the sale, the Council reserve the the right or option at any time during the third year following the date of completion of the sale, to acquire the site back at the same consideration for which it was sold, In the event that the Council wishes to exercise this right or optionit shall notify the purchaser in writing.

I recommend that the Council disposes of the site outlined in red on drawing LR/22/15 to Jackie Green Construction Limited, 40 The Courtyard, College Drive, Terenure, Dublin, 6W in accordance with Section 211 of the Planning & Development Act 2000 subject to the provisions of Section 183 o the Local Government Act 2001 in accordance with the recommendation of the City Valuer as set out in the terms and conditions outlined above.

The land being disposed of forms part of lands acquired from M.B. Investments Ltd/Leinster Friendly Society in 1984 for roads purposes..

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Daniel Mc Loughlin

Chief Executive