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

**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 11th June 2018**

**H-I 8 (b)**

**LD 1403 Addendum to variation in Proposal to dispose of plot of land at Brookfield Road, Tallaght, Dublin 24 to Elim Ministries Ireland**

It was agreed by the members to defer the report in relation to a variation in proposal to dispose of lands at Brookfield Road, Tallaght, Dublin 24 presented to the Council at its meeting of 14th May 2018 to the June County Council Meeting.

The Council at its meeting held on 22 September 2014, approved of the disposal of a plot of land at Brookfield Road, Tallaght, Dublin 24 to Elim Trust Corporation.

The Council has now been advised that the disposal should be in the name of Elim Ministries Ireland, for which a Certificate of Incorporation has been provided.

Elim Ministries Ireland have acted in good faith in accordance with the approved S183 disposal resolution. They applied and were granted with no appeal Planning permission pursuant to register reference SD16A/0004 for a two storey church building for Tallaght Family Church (843.12sq.m.). The accommodation includes: (a) auditorium for 119 people with gallery for 50 people; (b) charity shop; (c) cafe and kitchen; (d) counselling rooms; (e) YMCA offices; (f) youth, children and baby rooms; (g) toilets, lift, plant rooms and sundry supporting facilities; (h) car parking for 5 spaces, including one disabled space, to supplement existing enterprise centre car parking for 55 cars.

The name change amendment is the only change the original resolution for disposal of the subject site as approved by the elected members at meeting 22/9/14. Minute ref H7h)/0914 refers. The project to develop a community church on the site continues to be supported by both Community and Housing Departments.

The approval of the elected members for a name change to the original disposal resolution is in compliance with section 183 of the Local Government Act 2001.

The registered charity has an expectation that effect will be given to the original motion and have secured planning permission on foot of that expectation. For whatever reason they wish to take the property title in the form of a valid legal persona duly registered and which is noted in the Charites Register as an “other registered name”. Any unreasonable refusal to approve the alteration could be subject to legal challenge e.g. by way of judicial review.

Accordingly it is proposed, in accordance with Section 183 of the Local Government Act 2001 and in accordance with Section 211 of the Planning & Development Act 2000, to vary the name of the prospective purchaser of the lands at Brookfield Road, Tallaght to Elim Ministries Ireland.

**The terms of the disposal as reported to the members otherwise to remain unchanged.**

**Daniel McLoughlin**

**Chief Executive**