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



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 11th February 2019**

**H-I 7 (a)**

**LD 1488 Proposed disposal of plot of land at Cuthbert’s Meadow to ESB Networks**

The Council at its meeting on 13th February 2017 approved a Part 8 infill housing development currently under construction on lands at Cuthbert’s Meadow, Clondalkin, Dublin 22 – Certified Minute H11b)/0217 refers.

An application has been received from the ESB to acquire a plot of Council owned land adjacent the housing development for the erection of a substation to serve the development. The location of the proposed substation within the overall development is as indicated outlined hatched red on drawing P18019D-RAU-ZZ-ZZ-DR-A-MPL-81004. The plot of land to be acquired by the ESB is identified outlined in red on PRA compliant drawing LR/61/18.

I recommend that the Council dispose of its freehold interest in the plot of land outlined in red on Drawing No. LR/61/18 comprising 6.21sq. m. or thereabouts, in accordance with Section 211 of the Planning and Development Act, 2000 and subject to the provisions of Section 183 of the Local Government Act, 2001 subject to the following terms and conditions:-

1. That the Council dispose of its interest in the plot of land outlined in red on Drawing No. LR/61/18 comprising 6.21 sq. m. or thereabouts for the consideration of €10 (ten euro).
2. That the ESB shall pay a contribution in respect of the Council’s legal fees.
3. That in the event of any name change to applicant prior to formal completion of the legal transfer, the applicant must provide documentary evidence to the Council proving that the new named party is one and the same as the named applicant heretofore to enable the transfer to complete.
4. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
5. That the Law Agent shall draft the necessary documents and shall include any further terms deemed appropriate in Agreements of this nature.
6. That no contract enforceable at law is created or intended to be created until such time as contracts have been exchanged.
7. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of form part of the lands acquired from Daniel and Johanna Moynihan in 1974, for Housing purposes.

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**Daniel McLoughlin**

**Chief Executive**