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



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 9th September 2019**

**H-I 7 (f)**

**LD 1502 Disposal of freehold interest in substation site to ESB –**

 **Corkagh Grange, Old Nangor Road, Dublin 22**

Under the National Treasury Management Agency’s Public Private Partnership agreement with South Dublin County Council and the Comhar consortium (Developer/Operator), construction of 109 social housing units are to be delivered on Council owned land at Corkagh Grange, Old Nangor Road, Dublin 22.

The Electricity Supply Board (ESB) have made an application to acquire the freehold interest of site outlined in red on Drawing No. LD 1502 for the erection of a substation which will provide essential service to the proposed development above.

I recommend that South Dublin County Council disposes of its freehold interest in the plot of land outlined in red on Drawing No. LD 1502 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 freehold interest in the plot of land outlined in red on Drawing No. LD 1502.
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 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 were acquired from Kilcarberry Limited in 1983 for housing, open space and roads purposes.

**Daniel McLoughlin**

**Chief Executive**