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



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 12th July 2021**

**H-I 7 (a)**

**LD 1540 Proposed disposal of 4 substation sites to ESB – Kilcarbery,**

 **The Grange, Dublin 22**

South Dublin County Council developed a preliminary masterplan for a site at Kilcarbery which was brought before the elected members of the Clondalkin Area Committee on the 18th January 2017 and was noted. At a Special Meeting of the Council on the 18th April 2017, the process to be embarked upon in relation to the site was presented and was adopted and approved.

A two-stage procurement process commenced involving a multi-disciplinary project board led by South Dublin County Council. The initial stage was to identify experienced consortia with a track record and experience/capacity to deliver a scheme of this scale. Nine economic operators submitted expressions of interest, and these were shortlisted down to four to progress to the second stage - the competitive dialogue stage. Three tenders were received and assessed.

Following the tender assessment the project board recommended that Adwood Limited be the preferred economic operator who at the time proposed to construct 975 housing units, of which 294 of them will be for social housing, and the enabling works subject to planning permission. At the September 2018 Council Meeting the members approved the disposal of lands to Adwood Limited subject to the provisions of Section 183 of the Local Government Act, 2001 and in accordance with Section 211 of the Planning & Development Act, 2000. Planning permission was granted in December 2019 for 1,034 units of which 310 of them will be for social housing

Works have commenced on the development and the Electricity Supply Board (ESB) have made an application to acquire the freehold interest of four sites outlined in red on Drawing No. “ALLSUBS4” for the erection of substations which will provide essential service to the proposed Kilcarbery Integrated Housing Development.

I recommend that South Dublin County Council disposes of its freehold interest in the 4 plots of land outlined in red on Drawing No. “ALLSUBS4” 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 4 plots of land outlined in red on Drawing No. “ALLSUBS4”.
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 being disposed form part of the lands acquired by the Council in 1996 from Dublin Corporation under a Scheme of Transfer. The Scheme of Transfer was authorised by the Minister of Environment in accordance with the provisions of the Local Government (Dublin) Act, 1993.

**Daniel McLoughlin**

**Chief Executive**