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



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 11th October 2021**

**H-I 8 (b)**

**LD 1541 Proposed disposal of plot of land and grant of Right of Way to the ESB for substation site – St Mark’s Meadow, Clondalkin, Dublin 22**

The Electricity Supply Board (ESB) have made an application to acquire the freehold interest in a plot of land for a substation at the above address and a Right of Way (ROW) to access same.  The subject plot is outlined in red with the ROW coloured yellow on attached Indicative OSI Sheet No. 3261-08.

The substation will provide essential service to the proposed Part 8 social housing development of 41 units off St. Mark’s Avenue, St. Mark’s Grove and Rowlagh Crescent, Clondalkin, Dublin 22.

I recommend that South Dublin County Council disposes of its freehold interest in the plot of land outlined in red, and grants a ROW to access same as coloured yellow, on Indicative OSI Sheet No. 3261-08 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 Indicative OSI Sheet No. 3261-08.
2. That the Council grants a ROW to access the above plot as coloured yellow on Indicative OSI Sheet No. 32361-08.
3. That the ESB shall pay a contribution in respect of the Council’s legal fees.
4. 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.
5. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
6. That the Law Agent shall draft the necessary documents and include any further terms deemed appropriate in Agreements of this nature.
7. That no contract enforceable at law is created or intended to be created until such time as contracts have been exchanged.
8. 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 Dublin City Council (formerly Dublin Corporation) in 1997 under the Scheme of Transfer of Lands pursuant to the Local Government (Dublin) Act, 1993.

**Daniel McLoughlin**

**Chief Executive**