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



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 13th March 2023**

**H-I 7 (a)**

**LD 1575 Proposed disposal of substation site to the Electricity Supply Board (ESB) to service Pumping Station for Clonburris Strategic Development Zone (SDZ)**

At its meeting on 13 September 2021, the Council approved the disposal of plot of land and grant of permanent wayleaves, temporary wayleaves and permanent right of way to Irish Water in respect to Pumping Station for Clonburris SDZ - Certified Minute No. H7b/0921 refers.

The Electricity Supply Board (ESB) have now made an application to acquire the freehold interest in a plot of land for substation to service the Pumping Station at the above location. The subject plot is outlined in Red on attached Drawing No LR 03-23.

Accordingly, I recommend that South Dublin County Council disposes of its freehold interest in the plot of land outlined in red on Drawing No. LR 03-23 to the ESB in accordance with Section 211 & 212 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 disposes of its freehold interest in the plot of land outlined in red on attached Drawing No. LR 03-23.
2. That the subject plot comprises 7 square metres or thereabouts.
3. That the ESB agree to plant additional trees to ensure that the substation is adequately screened and visually disguised.  Landscape plan to be agreed with the Council’s Public Realm Section.
4. That the ESB is aware that the subject plot is encumbered with Irish Water wayleave.
5. That the ESB shall pay a contribution in respect of the Council’s legal fees.
6. 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.
7. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
8. That the Law Agent shall draft the necessary documents and include any further terms deemed appropriate in Agreements of this nature.
9. That no contract enforceable at law is created or intended to be created until such time as contracts have been exchanged.
10. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of form part of lands acquired from P. H. I Investments Limited in 1994 for road purposes, and form part of the land acquired from Dublin City Council (Formerly Dublin Corporation) in 1997 as part of the Scheme of Transfer of Lands pursuant to the Local Government (Dublin) Act, 1993.

**Daniel McLoughlin**

**Chief Executive**