

COMHAIRLE CHONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL



MEETING OF SOUTH DUBLIN COUNTY COUNCIL

Monday, 11th May 2026

HI-7 (a) (i) Report

**LD 1639 Proposed Disposal of substation to ESB at Pearse Brothers Court
Dublin 16**

Public notice was given between 27th May 2021 and 9th July 2021 in relation to the proposed Social Housing Project for Independent Living for Older Persons consisting of 10 units on undeveloped lands at Pearse Brothers' Park, Rathfarnham, Dublin 16.

In order to facilitate power supply to this development, the ESB have made an application to acquire the freehold interest in a plot of land for a substation at the above address and Wayleave access to same. The subject plot is outlined in red and Wayleave hatched in yellow on attached Drawing No. LR-ASD-2025-20007-01 – Folio DN1624 refers.

Accordingly, I recommend that the Council disposes of its freehold interest in the plot of land outlined in red on Drawing No. LR-ASD-2025-20007-01, 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 comprising 5.7 square metres or thereabouts, on Drawing No. LR-ASD-2025-20007-01.
2. That the Council grants a Wayleave to access the above plot as coloured yellow, subject area comprising of approximately 6.2 square metres or thereabouts, on Drawing No. LR-ASD-2025-20007-01
3. On completion of the works, the ESB, shall have access to the wayleave area for the purpose of inspecting, repairing, and maintaining the underground cables. They shall provide satisfactory advance written notice to the Council of any intended works to the

cables and shall complete reinstatement works to the satisfaction of Council. All works to be carried out with minimum disruption to the Council and members of the public. All works and work procedures shall comply with Health and Safety regulations.

4. That the works are carried out in an efficient and reasonable timeframe once entry is made on site. All works to be carried out with minimum disruption to the Council and members of the public. All works and work procedures shall comply with Health and Safety regulations.
5. That the ESB shall pay a contribution in respect of the Council's legal fees in the amount of €750.
6. That South Dublin County Council holds the freehold title to the wayleave area.
7. 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.
8. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
9. That the Law Agent shall draft the necessary documents and include any further terms deemed appropriate in Agreements of this nature.
10. That no contract enforceable at law is created or intended to be created until such time as contracts have been exchanged.
11. That the disposal is subject to the necessary approvals and consents being obtained.

Colm Ward
Chief Executive