**Muirin Gowen**

| | |
|---|---|
| **From:** | Brian Ebbs <Brian.Ebbs@fingal.ie> |
| **Sent:** | Tuesday 14 July 2026 14:32 |
| **To:** | Muirin Gowen |
| **Cc:** | AislingS Doyle; Natalie Dineen |
| **Subject:** | PA148- Talbot Downs and Talbot Court- Additional Information for Section 45 (1) (C) and (D) |
| **Attachments:** | PA148-DOD- Talbot Downs and Talbot Court.pdf; PA148-Original CE- Talbot Downs and Talbot Court.pdf; PA148- TAlbot Downs and Talbot Court Map Associated With Deed of Dedication.pdf |
| **Follow Up Flag:** | Follow up |
| **Flag Status:** | Flagged |

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Good Morning Muirín,

Please see attached documentation to support our Section 45 application for Talbot Downs and Talbot Court.

Section 45 (1)(C):
I have attached the Deed of Dedication and CE Order to satisfy the above condition. The condition states,

(c) the planning authority has served on the owner of the land a written request that, within a period specified in the request (being a period of not less than 8 weeks commencing on the date of the request), he or she will provide, level, plant or otherwise adapt or maintain the land in a manner so specified, being a manner which in its opinion would make it suitable for the purpose for which the open space was to be provided, and

This Deed of Dedication states that the specified land is to be given up and dedicated to the Council for use as a public open space from the 12/10/1995. This Deed is signed by both parties. The attached CE order, dated 16/9/97, authorised the fixing of our seal and the transfer of title to the Council to begin. This process takes longer than 8 weeks to complete.

As such, condition (1)(C) would appear to be satisfied.

Section 45(1)(D):
I have attached the Deed of Dedication and CE Order to satisfy the above condition. The condition states,

(d) the owner fails to comply or to secure compliance with the request within the period so specified,

The signed Deed of Dedication specifies that the lands will be dedicated to the Council. The lands are currently not in the Council's name, therefore the transfer never completed and the request is not complied with.

As such condition (1)(D) would appear to be satisfied.

Can I ask you to review the additional information and revert your opinion. We are available to address any additional queries you might have,

Regards,

Brian

**Brian Ebbs**
Senior Staff Officer| Property Services| Economic, Community & Cultural Development Department
Fingal County Council| County Hall| Main Street| Swords| Co Dublin|K67 X8Y2
Email: brian.ebbs@fingal.ie
Phone: 087 457 2076
***All correspondence is Subject to Contract/Contract Denied/Without Prejudice***

**Comhairle Contae Fhine Gall**
Fingal County Council

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**THIS AGREEMENT** made the day of 1995 **BETWEEN LIDO CONSTRUCTION LIMITED** having its registered office at 19 St. Alphonsus Road, Drumcondra, Dublin 9 (hereinafter called "the Grantor") of the One Part and **THE COUNTY COUNCIL OF THE COUNCIL OF FINGAL** (hereinafter called "the Council") of the Other Part: **WHEREAS** the Grantor is seized in fee simple in possession free from incumbrances of the strip piece or parcel of land hereinafter mentioned and for the consideration hereinafter mentioned has consented and agreed to give up the same to the public for use as a public open space or such other use or uses as the Council in its discretion consider more beneficial in the interest of the public.

NOW THIS AGREEMENT WITNESSETH that it is hereby AGREED by and between the Grantor and the Council as follows:-

1. The Grantor agrees as on and from the 12th day of October 1995 to GIVE UP AND DEDICATE TO THE PUBLIC for the purpose aforesaid ALL THAT strip piece or parcel of land containing 8315 Sq Mtrs or thereabouts situated in the Townland of Blanchardstown Parish and Barony of Castleknock and County of Fingal as the same is more particularly delineated and described in the plan annexed to this Agreement and thereon coloured Green **TO THE INTENT** that the said strip piece or parcel of land shall be for the use of the public as hereinbefore set out.

2. The consideration for such agreement shall be the sum of £1 pound.

3. The Grantor shall within 21 days from the date of this Agreement furnish to the Council or their Solicitor (and at the expense of the Council) evidence proving the title as owner in fee simple free from incumbrances of the said strip or parcel of land.

4. The Council shall enter on and take possession of the said land upon the signing thereof and may execute such works thereon and use the land as open space or such other use or uses as the Council in its discretion considers more beneficial in the interest of the public.

5. The Grantor his heirs executors administrators or assigns shall if called upon by the Council so to do at any time within a period of 21 years from the date hereof execute at the expense of the Council a proper conveyance of the said strip piece or parcel of land to the Council free from incumbrances.

IN WITNESS WHEREOF LIDO CONSTRUCTION LIMITED and the Council have caused their respective Common Seals to be hereunto affixed the day and year first above WTITTEN

PRESENT when the Common
Seal of the GRANTOR was
affixed hereto:-

Thomas A Martin
30 Molesworth Dr
Dublin 2
Solicitor

Lawrence Wogan DIRECTOR

Patrick Mee DIRECTOR

Christopher Gallagher
Chairman: Nominated Member

Asst. County Manager/~~Approved Officer~~

Dated this day of 1995

LIDO CONSTRUCTION LIMITED

- and -

THE COUNTY COUNCIL OF
THE COUNCIL OF FINGAL

# DEED OF DEDICATION

O'Keeffe & Lynch,
Solicitors,
30 Molesworth Street,
DUBLIN 2.
(0018J 1 - 3)

COMHAIRLE CHONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDERS

Taking in Charge of Public Open Space
- Talbot Downs and Talbot Court, Castleknock

The Developers of a Housing Development at Talbot Downs and Talbot Court, Castleknock, i.e. Lido Construction Ltd., recently submitted Deeds of Dedication in respect of the Taking-in-charge of the open space associated with the Development. Mr. Michael Lynch, Senior Parks Superintendent, recommends that the Deeds of Dedication be accepted and sealed by the Council.

I concur in this recommendation and I also recommend that the County Solicitor be instructed to arrange for the transfer of the fee simple interest in the land to the Council and that the seal of the Council be affixed to the legal documents involved.

Senior Administrative Officer

ORDER:- The taking-in-charge of the open space at Talbot Downs and Talbot Court, Castleknock, as recommended by the Senior Administrative Officer, is hereby approved. I also authorise the affixing of the seal of the Council to the Deeds of Dedication submitted by Lido Construction Ltd., in respect of the open space at Talbot Downs and Talbot Court, Castleknock, and that the County Solicitor arrange for the transfer of the fee simple interest in the lands to the Council and that the seal of the Council be affixed to all legal documents.

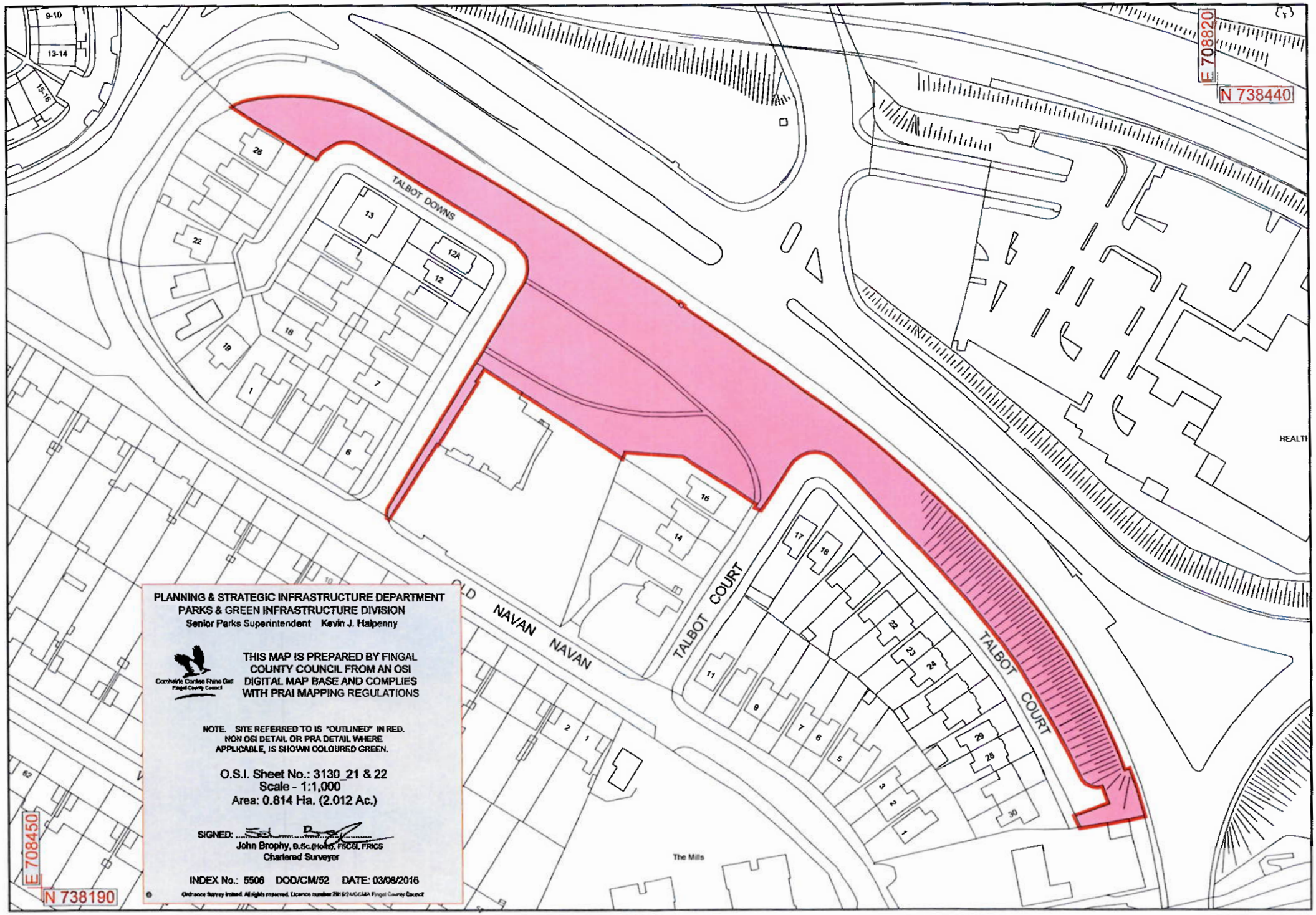
| Submissions | Date |
|---|---|
| Prepared | 9/9/97 |
| Checked | |
| Recommended | |
| Submitted | |

16/9/97

Date

Manager

Authorised thereunto empowered by Order No. C.M. 247 of Fingal County Council Manager delegating to me all the statutory functions and duties in relation to the Council of Fingal in respect of this matter.


E 708820
N 738440
E 708450
N 738190
TALBOT DOWNS
TALBOT COURT
TALBOT COURT
OLD NAVAN NAVAN
The Mills
HEALTH
PLANNING & STRATEGIC INFRASTRUCTURE DEPARTMENT
PARKS & GREEN INFRASTRUCTURE DIVISION
Senior Parks Superintendent Kevin J. Halpenny
Comhairle Contae Fhine Gall
Fingal County Council
THIS MAP IS PREPARED BY FINGAL COUNTY COUNCIL FROM AN OSI DIGITAL MAP BASE AND COMPLIES WITH PRAI MAPPING REGULATIONS
NOTE. SITE REFERRED TO IS "OUTLINED" IN RED. NON OSI DETAIL OR PRA DETAIL WHERE APPLICABLE, IS SHOWN COLOURED GREEN.
O.S.I. Sheet No.: 3130_21 & 22
Scale - 1:1,000
Area: 0.814 Ha. (2.012 Ac.)
SIGNED:
John Brophy, B.Sc.(Hons), FSCSI, FRICS
Chartered Surveyor
INDEX No.: 5506 DOD/CM/52 DATE: 03/08/2016
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