



**WESTMEATH COUNTY COUNCIL**  
Comhairle Chontae na hIarmhí

Date: 19<sup>th</sup> January, 2017

**To: Each Member of Westmeath County Council**

**Re: *Proposed disposal of site at Farran, Mullingar, Co. Westmeath to Túath Housing, 29 Meriron Square North, Dublin 2.***

A Chara,

I set out below, in compliance with the provisions of Section 183(1) of the Local Government Act, 2001, particulars of the proposed disposal of lands which are the property of Westmeath County Council and which are not required for the purposes of the powers and duties of the Council.

**The text of Section 183(1) of the Local Government Act, 2001 is as follows:-**

**183(1)** *The following provisions have effect in relation to any proposed disposal (not being by demise for a term not exceeding one year) of land which is held by a local authority:-*

- (a) notices shall be sent or delivered to the members of the local authority giving particulars of :-*
  - (i) the land,*
  - (ii) the name of the person from whom such land was acquired, if this can be ascertained by reasonable inquiries,*
  - (iii) the person to whom the land is to be disposed of,*
  - (iv) the consideration proposed in respect of the disposal,*
  - (v) any covenants, conditions or agreements to have effect in connection with the disposal;*
- (b) at the first meeting of the local authority held after the expiration of 10 days after the day on which such notices are sent or delivered, the local authority may resolve that the disposal shall not be carried out or that it shall be carried out in accordance with terms specified in the resolution;*
- (c) if the local authority resolves by virtue of paragraph (b) that the disposal shall not be carried out, it shall not be carried out;*
- (d) if the local authority does not pass a resolution pursuant to paragraph (b), the disposal may be carried out;*
- (e) if the local authority resolves by virtue of paragraph (b) that the disposal shall be carried out in accordance with terms specified in the resolution, the disposal may be carried out in accordance with those terms;*

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- (f) *the disposal shall not be carried out otherwise than in accordance with paragraph (d) or (e) and subject to the consent of the Minister where consent is required under Section 211 (2) of the Act of 2000.*

**Article 206 of the Planning and Development Regulations 2001 states that:-**

1. *Subject to the conditions specified in sub-article (2) the consent of the Minister to a disposal of land under Section 211 (1) of the Act, as required by subsection (2) of that section, shall not be required where a local authority is of the opinion that, for economic or social reasons, it is reasonable that the disposal of land be carried out in accordance with the terms specified by the authority in the notice which is to be given to the members of the authority in relation to the proposed disposal of land in accordance with Section 183 of the Local Government Act, 2001.*
2. *The following conditions shall apply in relation to a disposal of land referred to in sub-article (1):*
  - (a) *The Manager shall prepare a report setting out the economic or social reasons which apply in relation to a disposal of land;*
  - (b) *The report shall be incorporated in or accompany the notice referred to in sub-article(1); and,*
  - (c) *The notice referred to in sub-article (1) and the report referred to in paragraph (a) shall be made available for public inspection at the local authority during office hours for a period of one year.*
3. *A disposal of land under this article shall be carried out in accordance with the terms of the notice referred to in sub-article (1)*

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### PARTICULARS OF PROPOSED DISPOSAL

1.	Description of Property:	Site measuring 0.458 hectares (1.132 acres) at Farran, Mullingar, Co. Westmeath.
2.	Persons from whom the property was acquired:	In long ownership of Westmeath County Council.
3.	Persons to whom the property is to be disposed of:-	Túath Housing, 29 Merrion Square North, Dublin 2.
4.	Consideration of sale:	Site is to accommodate construction of 13 social housing units under the Capital Assistance and Capital Advance Leasing Facility schemes. The consideration for the individual site for each unit is €127 each, under the Low Cost Sites scheme.
5.	Particulars of any covenants or Agreements to have effect in connection with the disposal :	<ul style="list-style-type: none"><li>• Prior Approval of the Dept of Housing, Planning, Community &amp; Local Government of Túath's proposal under the CAS &amp; CALF Scheme ;</li><li>• Necessary Planning Approval ;</li><li>• 100% nomination rights to units for Westmeath County Council ;</li><li>and,</li><li>• Túath Housing enter into an appropriate licence agreement for development of the site.</li></ul>

Mise le meas,



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**Billy Coughlan,**  
**Meetings Administrator,**  
**Corporate Services.**