To: Each Member of Westmeath County Council.

Re: Proposed disposal of Property at 150 Dalton Park, Mullingar, Co. Westmeath.

Dear Chairman and Members,

This report is for the Members’ consideration of the Section 183 Notice in connection with the above.

The Council vested No 150 Dalton Park originally in the name of a Thomas McCauley on 1st October 1976. The property changed hands several times and the current owner Yuly Demidov acquired the property in June 2009. Mr Demidov is now disposing of his interest in the property but it transpires that title to the property is incorrectly registered to Westmeath County Council on Folio 19632 Co. Westmeath. This came about from incorrect mapping attached to the original transfer order for this property. Approval of the disposal of this property is recommended in order to regularise Mr. Demidov’s title to his property.

Yours faithfully,

Pat Gallagher,
Chief Executive.
Date: 12 June, 2019

To: Each Member of Westmeath County Council

Re: Proposed disposal of 150 Dalton Park, Mullingar, Co. Westmeath to Yuly Demidov, 150 Dalton Park, Mullingar, Co. Westmeath.

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; /... ... ... ... ... ...

(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)
# PARTICULARS OF PROPOSED DISPOSAL

<table>
<thead>
<tr>
<th></th>
<th>Description of Property:</th>
<th>House and Garden at 150 Dalton Park, Mullingar, Co. Westmeath.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Persons from whom the property was acquired:</td>
<td>Midland Health Board.</td>
</tr>
<tr>
<td>3</td>
<td>Persons to whom the property is to be disposed of:</td>
<td>Yuly Demidov, 150 Dalton Park, Mullingar, Co. Westmeath.</td>
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<tr>
<td>4</td>
<td>Consideration of sale of freehold interest:</td>
<td>€1.00.</td>
</tr>
<tr>
<td>5</td>
<td>Particulars of any covenants or Agreements to have effect in connection with the disposal:</td>
<td>None.</td>
</tr>
</tbody>
</table>

Mise le meas,

Anne Galvin,
Meetings Administrator,
Corporate Services.