

Dublin House Fishamble St. Queries & Responses

Note: These queries were submitted by email by interested parties. Only written responses to queries can be considered as factual and correct. Interested parties who have posed queries to the Dublin House team by telephone or in person during site visits are requested to submit these questions in writing (by email or post) to ensure that correct responses are issued and so they may be circulated to all other interested parties. Dublin City Council cannot confirm the accuracy or otherwise of oral responses to queries posed by telephone or during site visits.

(For questions and responses posted up to 7th August 2014):

Q1. My husband and I think that this is a good idea, however there is no way that we know anyone else who would want to do this.

I think that Dublin City Council should put suitable applicants in touch with each other as they would be in a key position to do this; they have the names and addresses of interested parties and this would give the project a much better chance of success. To depend on groups of people knowing each other in advance makes it much more difficult.

Groups of similar family types could be put together. In our case, should we be successful, we would be selling a house in the city and downsizing. We are not quite empty nesters but hope to be in the next year or so. So we could be put with other empty nesters and hope that we could be part of a movement to encourage maturing people to sell bigger homes to make room for young families.

Data protection laws prevent the City Council from sharing the personal details of Applicants who wish to meet other households. However, the City Council would welcome an initiative for example whereby Applicants could communicate with each other via an online discussion forum on a social media site. If such a forum were set up by an interested party, Dublin City Council could circulate a link to this forum on the Dublin House website.

Q2. I would like to enquire about the parking situation for the Dublin House project.

As there is a restriction on using the ground floor for parking, could you let me know if there would be a possibility for street permits as part of the scheme?

In trying to get families to live in the city centre it will be difficult to envisage that without having a car and my understanding at the moment is that street parking permits are not provided to residents of apartments.

Designated on-street parking permits for residents of the Dublin House Fishamble St. site will not be provided.

Due to archaeological constraints and in the interests of the proper planning and development of the area, basement level or ground floor level parking will not be permitted on the Dublin House Fishamble St. site.

Q3. Is there an age ceiling ?

I am 53 and own a one bed roomed Apartment. For family reasons I now wish to get a two bed apartment and am very interested in this scheme/invention!

What kind of Budget would be a requisite..?

There is no age ceiling for Applicants, however the Group Primary Contact who acts on behalf of the Group and the Leader of each Household must be over 18 years of age.

Indicative costs for the scheme illustrated in the Dublin House brochure is provided in the 'Terms and Conditions for the disposal of the Dublin House 29-30 Fishamble St. site', on the Dublin House

website. These building costs could vary depending on the number of Applicant households, the number of storeys proposed, proposed floor areas, the specification of finishes etc.

Q4. My partner and I are interested in helping to develop the Dublin House Project and would be interested in meeting up with other like minded individuals who would love to live in the City Centre. I bring a substantial knowledge of design, planning and building to the process. Anybody who wishes to contact me may do so at.....

Data protection laws prevent the City Council from sharing the personal details of Applicants who wish to meet other households. However, the City Council would welcome an initiative for example whereby Applicants could communicate with each other via an online discussion forum on a social media site. If such a forum were set up by an interested party, Dublin City Council could circulate a link to this forum on the Dublin House website.

Q5. I'm just looking at your website. Can you tell me more about this Dublin city project? Who can get involved, how does it work? Where in Dublin is it?

All information is available on the Dublin House website.

Q6. I'm in the process of building a crowd funding business to enable those seeking capital to build/develop real estate projects to obtain finance from the 'Crowd'. This is a regulated business which has blossomed in the UK, the US and elsewhere.

It would be great to discuss this in more detail with one of your team as I feel it mirrors your Dublin House project.

Dublin City Council will not be involved in how groups of households fund the Dublin House project. The City Council's only interest is that that the Group of households can provide verifiable confirmation from a fully regulated financial institution that they have sufficient funds in place to finance the development of the project to their needs. It is up to the Applicant households to decide whether they wish to avail of other alternative methods of financing the development of Dublin House Fishamble St., e.g. through crowdfunding.

Q7. Is there no application process for individual households to apply? It strikes me that having a group application process skews the whole project in favour of people with money rather than being an accessible family housing scheme which is what was portrayed by the media.

Applications must be made on the Dublin House Application form by a group of 2 to 4 households. An Application made by a single household will be deemed ineligible.

Q8. I am a Fire Safety Engineer from Dublin, currently living in London. I am looking for a move back home and would be able to use a lot of my skills which would aid in the design and layout of this project. I am currently working on (and have worked on) quite a large number of apartment buildings in London and throughout the UK and would be able to aid in the develop of more unique apartment layouts as opposed to the regular type designs (basically I could help in justifying a more interesting building and aid in the Building Regulations approval process).

Groups are welcome to include households who have skills which may be used in the development of the Dublin House project, e.g. which could include architects, engineers, quantity surveyors etc. It is up to the households to decide whether they wish to avail of inhouse skills or whether they decide to procure these skills from outside the household group.

Dublin City Council will not play a role in matching households with skill sets together to develop the Dublin House Fishamble St. site.

Q9. Are the drawings available in DWG/ DXF formats?

Yes. A copy of the survey of the site adjacent is available in dwg. format on the Dublin House website.

Q10. I can't imagine a young family wanting to live in an apartment in the city with no car and no choices of schools. It might be more desirable to try to attract empty nesters to sell their family homes with gardens and therefore make them available for young couples to buy. I think you should have categories on your web site which could match people up. For instance you could have questions: Are you an empty nester; Are you interested in green energy etc., All data could group like minded people in a database that you don't need to share but simply create suitable groups. You need to match people and their ideas if we are to build a sustainable future. I would like to be grouped with progressive empty nesters who want to use less energy, reduce their heating bills, and who want to live in the city and who like the Christchurch and St Patrick's Cathedral bells!! That could be a question!!

Dublin City Council will not play a role in matching households together to form a group. Data protection laws prevent the City Council from sharing the personal details of Applicants who wish to meet other households. However, the City Council would welcome an initiative for example whereby Applicants could communicate with each other via an online discussion forum on a social media site. If such a forum were set up by an interested party, Dublin City Council could circulate a link to this forum on the Dublin House website.

Q11. My family and my sister's family and my parents are extremely interested in your proposal. I have a couple of questions that I was hoping you could answer for me:

a) Can we select our own architect and builder?

Yes. Groups must select their own architect and builder.

b) Do you think we would likely get the planning permission you outlined? Also would there be any chance of a roof garden and basement parking? Obviously just seeking your opinion here as nothing definitive until granted planning.

The scheme in the brochure is indicative only and planning permission has not been applied for it. A roof garden could be permitted in principle, but it would depend on its final design and regard to other issues such as privacy, overlooking etc.

Due to archaeological constraints and in the interests of the proper planning and development of the area, basement level or ground floor level parking will not be permitted on the Dublin House Fishamble St. site.

c) Not to be negative but what happens if somebody dies or if there is a family separation? (In terms of no sale within x years)

Dublin City Council understands that circumstances may change in some of the households in the Group which may affect the occupancy agreement for Dublin House Fishamble St.

The Development Licence when drafted and finalised with the Winning Group will make reasonable allowances in the occupancy agreement for such circumstances.

d) What exactly do we need to provide you with so that we are considered?

A completed Dublin House application form must be submitted together with a letter from a financial institution confirming that sufficient funds are in place to develop the project.

e) Are you prioritizing applicants in any way? Can we just submit one application?

Only eligible Groups will be entered into the lottery.

Individual households may join as many different Groups as they wish. However, the other households in each Group must all be different in each case.

E.g. Household A joins Households B, C and D to form a Group. Household A may also join Households E, F and G to form a second Group. The partner households need all be different in both cases. The only common household is Household A.

f) How many applications do you guess you will receive? Less than 10 / 20 / 30 etc?

Dublin City Council cannot ascertain how many applications will be submitted at this time.

g) Any other advice you could give us to improve our chances would be much appreciated?!

As Dublin House Fishamble St. is a pilot initiative, Dublin City Council will be continuously reviewing the Dublin House process. Only eligible groups will be entered into the lottery.

h) What do you think is the likely living area we would be granted on Fishamble St. as Dublin House 2.0 is for Dominick St. Is it simply 6 floors times the 127 sq meter site?

The Dublin House 1.0 proposal for Dominick St. did not proceed, however Dublin House 2.0 for the Fishamble St. site is now being progressed.

Planning permission for a development is not granted on floor area alone. There are multiple other considerations that would have to be considered in the grant of planning permission, that could affect floor area. This could include the total number of storeys proposed in the development, the size of balconies and any setbacks in the facades or upper floors as part of the building composition, the size of common areas and service areas within the building (e.g. entrance foyer, lifts, corridors, communal stairs, bin stores etc) that would be separate from habitable areas etc. It is hence not possible to confirm what floor area would be permissible.

Q12. Love this idea. How can I get involved?

Applicants must submit as a Group of between 2 and 4 households. More information is provided on the Dublin House website.

Q13. I am really interested in the Fishamble st project, how many couples need to apply together 2 or 3?

A minimum of 2 and a maximum of 4 households can apply. Households need not be couples to apply: Households could contain a family or a number of cohabiting persons.

Q14. With regards to the application form, if I'm applying for a single dwelling/ apartment rather than as a group to undertake the complete project, which section do I need to fill out ?

Applications must be submitted by a group of between 2 and 4 households. An Application made by a single household will be deemed ineligible.

Q15. I am in the process of completing my application form and am unsure of section 3, as to what the letter from the group's financial institution confirming that sufficient finance is already in

place or that the mortgage approval in principle has been secured for the group. Does this mean that you have to have already applied for a mortgage?

If the Group of households do not already have sufficient funds in place, and are relying on their financial institution for a loan, then the letter from their financial institution must state that mortgage approval in principle has been secured for the Group. This letter must be issued from a single nominated financial institution for the entire group of households, and not as separate confirmations from multiple financial institutions for each of the applicant households.

Q16. I'm interested in the Dublin House initiative. Can you please confirm if I can apply for a single family unit or if I need to apply with a group of two or four?

Applications must be made on the Dublin House Application form by a group of 2 to 4 households. An Application made by a single household will be deemed ineligible.

(For questions and responses posted up to 21st August 2014):

Q17. By law does the co-op have to have to engage an external maintenance company and locked into exorbitant management fees and all the antics that go that it? Is this something that the co-op could do themselves?

The Dublin House scheme at Fishamble St. will not be subject to the Multi Unit Development Act 2011 as less than 5 units will be proposed for the site. The disposal of the Fishamble St. site can therefore be made to a company set up by the Winning Group without the requirement for the disposal of the common areas to a Management Company. However the Winning Group is free to set one up if they wish. Please note that a Management Company and Management Agent have different functions.

A critical requirement of the Dublin House disposal terms which impacts on the issue raised is as follows: The owners of all the apartments in the Dublin House Fishamble St. project must set up a limited company that will be responsible for the common areas of the buildings. This limited company fulfils the function of a Management Company. As part of that responsibility, the members of the company must decide how much annual management charges will cost per household to maintain the building (e.g. lifts, fire safety features, bin collection services, landscaped areas, window cleaning etc) and will also require the setting up of a sinking fund for future one-off works that will be required. It is up to the members of the company to decide how this should be organised and if they wish to undertake some of these maintenance works themselves such as putting out bins, undertaking landscape maintenance works etc, or if they would prefer to engage the services of a separate agency to undertake these works; i.e. the owners could be their own Management Agent instead of employing an external agent or could operate as a combination of both.

Q18. If an individual wants to sell within the 10 years due to change of circumstance what is the legal situation, if any with DCC?

Please note that the critical principle and requirement of the Dublin House disposal terms which impacts on the issue raised is as follows: The purpose of the project is to demonstrate that well designed apartments can be viable and attractive long term homes for households of all sizes. This is why the disposal is open to owner occupiers, not investors proposing to develop the site for rental accommodation. Given the considerable time and creativity that Dublin City Council has invested in developing this demonstration model, the City Council does not want this project and potential future Dublin House projects compromised in the event that a successful group develop as owner occupiers but with a view to making a short term financial profit.

Dublin City Council understands that circumstances may change in some of the households in the Group which may affect the occupancy agreement for Dublin House Fishamble St. The Development Licence when drafted and finalised with the Winning Group will make reasonable allowances in the occupancy agreement for such circumstances. Where a household wishes to sell their property within 10 years, Dublin City Council could exercise options such as the right to receive a percentage share of the sale price of the apartment (note that the longer the household has resided in the apartment, then the less money would be recouped by Dublin City Council), and/or may have first options to buy the apartment. These are both possible scenarios, however the details of the occupancy agreement and any 'clawbacks' will be finalised and agreed with the Winning Group.

Q19 I think the archaeological excavations could prove to be financially prohibitive and could put the group into difficulties at an early stage. It is actually a huge financial risk for any individual/family group.

Dublin City Council has already undertaken archaeological studies on the site, and an archaeological report is available to download from the Dublin House website. Critically, this identifies one possible schematic approach to design of the building foundations. This is not a design proposal but indicates an appropriate approach in response to our preliminary archaeological study. The Winning Group should envisage retaining their own Archaeologist during the design, planning and construction phases of the project. Dublin City Council will not undertake or bear any responsibility for any further archaeological excavations, and any costs associated with any archaeological finds must be borne by the Winning Group. Groups may wish to engage the services of an Archaeologist if they have concerns about the site prior to submitting an application for the Dublin House site at Fishamble St.

Q20. If one had financing via a family trust would confirmation from a solicitor acting on behalf of the trust suffice for proof of funding for the entire?

In submitting an application, each Group must be able to provide verifiable evidence from their financial institution confirming that sufficient funding is already in place, or that mortgage approval in principle has been secured for the Group. Confirmation that sufficient finance is in place or that mortgage approval in principle has been secured for the Group, must be issued from a single nominated financial institution for the entire group of households, and not as separate confirmations from multiple financial institutions for each of the applicant households. Where one or more of the households in a Group have sufficient funds already in place to finance the development of their share of the apartment building, e.g. through savings or a family trust, and other households in the same Group are reliant on a mortgage to finance their share of the apartment building, then confirmation that sufficient finance is in place must still be issued from a single nominated financial institution acting on behalf of the entire group of households. In submitting an application, where no mortgage is involved by any household, and/or where a family trust is being used to fund the entire development for a group of households, then verifiable confirmation from a registered solicitor in Ireland that sufficient funds are in place, will suffice in lieu of a letter from a financial institution.

Q21. We are two households (not related) who are sharing rented accommodation. Will the fact that both households have the same address disqualify us from applying?

No. Households who currently reside at the same address may make an application as a group of households for Dublin House Fishamble St.

**Q22. In your discussions with Permanent TSB and AIB did you liaise with a particular branch?
We have contacted Permanent TSB mortgages dept - they have no idea about Dublin House.**

Dublin City Council has contacted these banks who are in the process of setting up a liaison branch / person to deal with Dublin House queries. It is hoped that this will be complete by early September. These details will be circulated and posted on the Dublin House website when available.

Q23. Could you please forward a details of the contact people you have discussed the financing with in all/ any of the institutions you have held discussions with?

See Q22. Above.

Q24. Who owns the rear / east wall with smock court?

The rear / east wall belongs to Smock Alley Court housing and addresses the courtyard of this complex. This housing complex also borders the Dublin House Fishamble St. site to the north and south. This complex is owned and managed by Dublin City Council.

Q25. Are there any existing agreements or commitments made with neighbouring property owners/neighbours in relation to the proposed development?

No agreements or commitments have been made with residents of the Smock Alley Court housing complex. Interaction with adjoining owners and residents will be dealt with, as is normal, through the planning / pre-planning process.

Q26. What is the evaluation process and timescale for lottery and award following submission of an application?

To apply for the Dublin House Fishamble St. site, a completed Dublin House application form must be submitted together with a letter from a financial institution confirming that sufficient funds are in place to develop the project. Applications must be posted or delivered to arrive at the City Architects Division, Dublin City Council before 4pm, Friday 19th September 2014.

Applications will be assessed to confirm their eligibility as set out in the disposal terms. . Only eligible Groups will be entered into the lottery.

It would be anticipated that the lottery would be held in early October. Further details will be provided soon after the closing date on the 19th September.

The Winning Group will be required to form a legal entity to be agreed with the Council within 3 months of their notification of the lottery result. Once formed, the City Council will bring forward a recommendation to Council to dispose of the site to the Winning Group subject to a 'Development Licence'.

The process by which the City Council disposes of land and properties is covered by Section 183 of the Local Government Act 2011. The recommendation to dispose of the site is a reserved function of the elected members / Councillors of the City Council who may decide to accept, reject or amend the recommendation subject to conditions. The Councillors will require details of the project, purchasers, price/consideration being paid for the site and any licences that may apply to the disposal.

In the event that the Councillors accept the recommendation or amend it subject to conditions, the Council shall agree the terms and conditions of the Development Licence with the Winning Group.

Q27. I am disabled do you think it would be possible to have a lift in the building?

In order to satisfy the requirements of the Building Regulations 2010, Technical Guidance Document Part M (Access and Use) states that *'all buildings should be designed and constructed so that:*

- a) People can safely and independently approach, gain access and use a building, its facilities and its environs, and*
- b) Elements of the building do not constitute an undue hazard for people, especially for people with vision, hearing or mobility impairments'.*

Section 1.3.4.1.1. of Technical Guidance Document Part M (Access and Use) provides details on when lifts should be provided in multi-storey buildings. In the case of the Fishamble St. site, it is likely that a lift would be required particularly if more than 2 units are to be proposed above a ground floor office/ retail unit, but this would depend on the final design. Note that the example design included in the Dublin House booklet shows a lift. However, even if a building is designed so that there is no requirement to provide a lift, the group of households is still free to provide one if they wish.

Q28. Is there an online discussion forum on a social media site that you know of that I could join to form a co-op as I don't know anyone else who would be interested?

The City Architects Division of Dublin City Council has not been informed that an online discussion forum on a social media site has been set up for interested households to liaise with other interested households with a view to forming a Group. If such a forum were set up by an interested party, Dublin City Council could circulate a link to this forum on the Dublin House website.

Q29. Re Fishamble street project where can I find the site cost as we are 2 households interested in this . Finance is available but site cost has to be factored in.

The consideration for the site in full and final settlement has been conservatively valued at €150,000 (one hundred and fifty thousand euro)

- a. A 50% deposit shall be paid on the signing of the Development Licence.
- b. The remaining 50% will be paid on Completion of Contract, as per the terms of the Development Licence.

For further information on site costs, please refer to the 'Dublin House Terms and Conditions of Disposal' on the Dublin House website.

Q.30 I am writing to register the interest of myself and my partner as potential investors in the Dublin House. We are not however part of a larger group who could take the form of a co-op so we would be interested to meet other interested parties in order to form one.

If a forum is established between groups, in a similar situation, please let me know.

The City Architects Division of Dublin City Council has not been informed that an online discussion forum on a social media site has been set up for interested households to liaise with other interested households with a view to forming a Group. If such a forum were set up by an interested party, Dublin City Council could circulate a link to this forum on the Dublin House website.

Q.31. I am considering an application with two other households. I have mortgage approval for €XXX. What is the required amount in this instance?

In submitting an application, each Group must be able to provide verifiable evidence from their financial institution confirming that sufficient funding is already in place, or that mortgage approval in principle has been secured for the Group. Confirmation that sufficient finance is in place or that mortgage approval in principle has been secured for the Group, must be issued from a single

nominated financial institution for the entire group of households, and not as separate confirmations from multiple financial institutions for each of the applicant households. Where financing is to be arranged via a mortgage, it is up to the Group and the bank to decide how this is to be arranged, e.g. a single mortgage for the Group could be arranged for the purchase of the site and all the common works (e.g. the construction of the building shell and core/envelope, the fit-out of common areas, etc), and individual mortgages could be arranged for each household with regard to the fit-out costs for their own individual apartments.

Indicative costs for the scheme illustrated in the Dublin House brochure is provided in the '[Dublin House Terms and Conditions of Disposal](#)' on the Dublin House website. These building costs could vary depending on the number of Applicant households, the number of storeys proposed, proposed floor areas, the specification of finishes etc.

Q.32. I am interested in applying for the cooperative housing build project on Fishamble Street. I am an architectural technologist and think it's an interesting initiative. Can I apply if I am not in a group: there's just my family of myself my partner and our one year old son?

No. Applications must be submitted by a group of between 2 and 4 households. An Application made by a single household will be deemed ineligible.

(For questions and responses posted up to 29th August 2014):

Q33. Regarding your answer to Q22; *'Dublin City Council has contacted these banks who are in the process of setting up a liaison branch / person to deal with Dublin House queries. It is hoped that this will be complete by early September. These details will be circulated and posted on the Dublin House website when available'*

Your closing date for the Dublin House applications is September 19th – could you please be more specific, 'early September/ when available' will likely mean that we do not have reasonable time to; agree appointments with the institutions, present our case to them, follow with the required documentation and have a decision from them. Our experience with the banks on single, straightforward mortgages is that they need a huge amount of documentation; and not always consistent formats across the various institutions.

It is almost 1 year since we met with you at DCC for the presentation; at that meeting the overwhelming response from the audience to you and the team was the financing agreements would be road block for potential citizen developers – we are now left in a very frustrating situation' Permanent TSB won't talk to us, nor will the other institutions you have mentioned – they are saying they don't know anything about the project. We are essentially in the same position were 1 year ago.

The 'memo on financing' was produced following consultations that Dublin City Council had with two financial institutions; Permanent TSB and AIB. However Dublin City Council is not partnering with any particular nominated financial institutions; groups are free to approach whichever financial institution they wish. It would not have been feasible for Dublin City Council to approach every financial institution and prepare an individual memo with each of these financial institutions in the event that Groups of households potentially approached every financial institution operating in Ireland.

The memo was intended therefore as a possible template that could be used for groups of households to approach any branch of any financial institution to seek mortgage approval in principle for the group. We have not received communication from any other parties that they have experienced difficulties seeking mortgage approval in principle from any financial institutions.

However in order to assist with your query, we contacted Permanent TSB and AIB, who have confirmed that they will revert in due course with the names of individuals or particular branches that will be assigned to deal with queries relating to group mortgages, if groups have been unsuccessful with attempts elsewhere. These details will be posted when available.

Q34. I would very much like to be part of the discussion group, but find that when I try to join, I have to become involved with Link din, which I have avoided so far. Is there no other way of participating?

The [discussion forum](#) on the LinkedIn portal was not set up by, nor is it managed by Dublin City Council. This is a private members forum and permission must be sought on the website from the founder/moderator to join. Dublin City Council cannot facilitate access to this forum.

Parties are free to set up discussion forums using other social media platforms if desired.

(For questions and responses posted up to 5th September 2014):

Q35. Can an additional household enter the group/project after the selection and/or lottery? Say a group is formed by three households, but another party wants in during an early stage obviously with the approval of all group members.

It is intended to dispose of the site to the group of households identified on the application form.

Q36. What about the retail unit on ground floor...is it considered a household; is the ownership and lease rights mandatory for the group or can it be sold/transferred to another party?

Dublin House is primarily a residential initiative however given the central location of the Fishamble St. site, a number of different uses other than residential could be proposed for the ground floor (subject to planning permission) which would include retail, office, commercial etc.

A Household refers only to residential accommodation, hence a proposed retail use at ground floor for example would not constitute a separate household within the group of households making an application.

If a retail / office / commercial use is proposed for the ground floor, then it could be subject to terms that will be set out and described in the final Development Licence, e.g. it may not be sold off within the first 10 years. Ideally it would be envisaged that if a retail / office unit is proposed for the ground floor that it would be used by one of the households as a type of live-work unit.