



<b>Subject:</b>	<b>Asset Management:</b> i) Kent Street Car Park – Renewal of Licence Agreement ii) Areema Play Park – Land swap and Wayleave with Apex Housing Association
<b>Date:</b>	16th December 2022
<b>Reporting Officer:</b>	Sinead Grimes, Director of Physical Programmes
<b>Contact Officer:</b>	Pamela Davison, Estates Manager

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.0	The purpose of this report is to seek approval from the Committee on asset related disposal, acquisition and estates matters.
<b>2.0</b>	<b>Recommendation</b>
2.1	The Committee is asked to: i. <b>Kent Street Car Park – Renewal of Licence Agreement</b>

	<ul style="list-style-type: none"> <li>- approve the renewal of a Licence agreement from the Department for Communities (DfC) to Belfast City Council (BCC) in relation to the Council operated off-street car park at Kent Street.</li> <li>ii. <b>Areema Play Park – Land swap and Wayleave with Apex Housing Association</b> <ul style="list-style-type: none"> <li>- approve a land swap and wayleave with Apex Housing Association.</li> </ul> </li> </ul>
<b>3.0</b>	<b>Main Report</b>
3.1	<p>i. <b><u>Kent Street car park – Licence renewal</u></b></p> <p><b><u>Key Issues</u></b></p> <p>As part of the Transfer of Functions legislation for off-street car parking from DRD, the car park at Kent Street transferred to the Council on 1st April, 2015. This car park is owned by the Department for Communities (DfC) and has been held by Council under Licence since the transfer date (See Appendix 1). The current Licence from DfC was for a term of 3 years and expired on 30/06/2022. DfC has proposed renewing the Licence for a further term of 3 years to 30/06/2025. Land &amp; Property Services (LPS) has provided a valuation for the Licence Fee of £23,474 for the initial year. The fee for the following two years will be agreed annually. Council will retain all revenue generated from its operation of the car park. Both DfC and Council will have a mutual break option given that development plans for the Inner North West (INW) Cluster include this site.</p> <p><b><u>Financial and Resources Implications</u></b></p> <p>The Licence shall be drafted by DSO acting on behalf of DfC. The Council's Legal Services shall act on the instructions of the Estate Management Unit to review the Licence. Council will be responsible for payment of an annual Licence fee to be assessed by LPS based on actual income and expenditure.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>None associated with this report.</p>
3.2	<p>ii. <b><u>Areema Play Park – Land Swap and Wayleave with Apex Housing Association</u></b></p> <p><b><u>Key Issues</u></b></p> <p>Areema Playground transferred from Lisburn Borough Council to Belfast City Council in April 2015, as part of Local Government Reform. It has been closed for several years and a new playground is now due to delivered as part of the Playground Improvement Programme.</p> <p>There is an opportunity for the Council to acquire additional lands adjoining Areema Playground which will enable a comprehensive refurbishment scheme. Apex Housing Association own the adjoining land on which they have built a new shared housing development named Areema Grove. Apex has left 370m2 of land undeveloped with the</p>

	<p>intention of transferring it to Council to extend the existing playground, which will serve their residents. Apex are unable to sell the land due to restrictions associated with Article 15 of the Housing Amendment Order, however propose to transfer the land to Council by way of a Long Lease subject to a peppercorn rent. The Council proposes to transfer 13.5m<sup>2</sup> of land to Apex which will sit outside of the playground boundary and form part of the new public footpath and road network. This transaction will release Council from liabilities associated with owning this land. It is also necessary to retrospectively put a 6m wide Wayleave in place between Council and Apex to regularise a storm drain serving the new housing development which travels through a corner of Areema Playground as shown at Appendix 2.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p>A budget of c. £145,000 has been allocated for Areema Playground refurbishment works, which is funded through the Capital Programme for financial year 2022-23. The value of the lands due to transfer from Apex to Council is c. £10,000. The total value of the small area of land to be disposed of by Council and the Wayleave area is c. £1,000. Subject to the relevant approvals, the parties have agreed to a land swap with no disposal costs payable by either party for the land transactions. Apex solicitor will draft the Lease and Wayleave. Council's Legal Services shall act on the instructions of the Estate Management Unit to review the documents.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>None associated with this report.</p>
<b>4.0</b>	<b>Documents Attached</b>
	<p>Appendix 1 – Map showing Kent Street Car Park</p> <p>Appendix 2 – Map showing lands at Areema Play Park subject to a Land swap and Wayleave</p>