



**Belfast City Council**

<b>Report to:</b>	Development Committee.
<b>Subject:</b>	Shaftesbury Community & Recreation Centre
<b>Date:</b>	21 February 2008
<b>Reporting Officer:</b>	Ciaran Quigley, Director of Legal Services
<b>Contact Officer:</b>	Catherine Taggart, Community Development Manager Yvonne Coyle, Community Services Area Manager

<b>Relevant Background Information</b>
<p>Shaftesbury Recreation Centre has been leased by the Council to the Lower Ormeau and Markets Community Forum (LOMCF) for a period of ten years from 1<sup>st</sup> October 2000. The Lease Agreement includes an external sports pitch adjacent to the Centre. A Service Level Agreement forms the basis of a contract between LOMCF and the Lower Ormeau Residents Action Group (LORAG) under which LOMCF grants LORAG use of Shaftesbury to deliver a programme of activities in response to local community needs ensuring a broad base of activities and opportunities for each age group. LORAG have progressed an application with Sport NI (SNI) which will see an investment of £2,3 which includes a sports and health facility and upgrade of the sports pitch to a third generation pitch.</p> <ul style="list-style-type: none"><li>• The Development Committee at its meeting on 16 January 2008 considered a request from LOMCF that a Lease is granted directly from the Council to LORAG. Additional information relating to the request was provided in relation to LORAG'S governance/management arrangements. The Committee agreed to permit the Council to enter into a direct lease arrangement with LORAG in respect of Shaftesbury Community/Recreation Centre, subject to "the facility's management Committee, as required by SNI being cross- community, cross-Party and reflective of the population of South Belfast, and to this being in place prior to SNI releasing its funding". In addition, the Committee agreed, in order to facilitate this arrangement, that the Lease dated 20 December 2000 between the Council and LOMCF be surrendered, co-terminously. (Appendix 1).</li><li>• At the February Council meeting (4 February 2008) it was agreed that the Minute under the heading "Shaftesbury Community/Recreation Centre" be taken back to the Committee for further consideration.</li></ul>

### Current position

SNI as a result of legal advice have indicated its preference that a lease be granted directly to LORAG from Council as LORAG is the funding applicant and will be the body responsible for implementation of the scheme.

The Directors of Development and Legal Services met with representatives of SNI in order to clarify its requirements in relation to its offer of grant support, the current status of the offer and any specific conditions of offer.

The current position can be confirmed as follows:-

- SNI have a five stage process of assessment which is as follows:
  - (i) submission of Outline Proposal
  - (ii) formalising the Business Plan
  - (iii) Design and Tender Process
  - (v) Construction
  - (vi) Monitoring and evaluation.
- The Shaftesbury proposal is at stage 2 with an indicative time scale of SNI Board consideration in May 2008
- The finalised Business Plan will address any outstanding issues such as total project cost and funding deficit, governance arrangements etc
- SNI confirmed that subsequent to a positive consideration of the Business Plan SNI would develop a formal letter of offer which would set out the conditions of funding and monitoring arrangements. This will include the establishment of a facility development sub-committee of the LORAG Board populated by representatives of strategic stake holders, user groups and the local community.
- The Council also requires both the LORAG Board and the facility development sub-committee to demonstrate that they are reflective of the local community.
- Both SNI and the Council confirmed that any contract for funding and/or any lease agreement would as a matter of course contain the appropriate user clauses such as a Section 75 clause and a community user clause.
- SNI indicated in the course of the meeting with the Directors of Development and Legal Services that the previous deadline (February 2008) for execution of a Lease had now been extended. SNI outlined an indicative revised deadline of May 2008.

The Director of Legal Services had a meeting with representatives of LORAG at which it was confirmed that it is LORAG's intention to establish a facility development sub-committee to include user groups, stake holders and the local community.

LORAG were informed that Council will secure its interests in the proposed lease which will include the following conditions;

1. The lease will be subject to confirmation of SNI funding, together with any additional funding required to make the project viable.
2. The facility must be used in accordance with article 10 of the Recreation and Youth Services (NI) Order 1986 for recreational, social, physical and cultural purposes and for the purposes of serving the needs of the local community in that regard without distinction.
3. A facility development sub-committee be established
4. That Council will have the right to nominate members/observers to the facility development sub-committee in accordance with any Council policy in place from time to time in relation to community facilities generally in respect of which Council makes funding available.

### **Key Issues**

The Key issues for the Committee to consider are;

1. There is now a revised timescale for execution of the Lease.
2. The actual conditions of SNI are that a facility development sub-committee is established representative of User groups as outlined in the Business Plan.
3. To note the position as stated in relation to funding requirements of SNI.
4. Whether the Council should now proceed to grant a lease to LORAG in accordance with the various conditions recommended by the Director of Legal Services.

### **Resource Implications**

#### Financial

There are no capital cost implications. Council will be responsible for the insurance and maintenance of a larger building. Although this will result in some modest cost to the Council, the proposed development will increase the value of a Council owned building.

#### Human Resources

No human resource implications.

### **Recommendations**

Members are requested to note the contents of this report and approve the grant of a Lease from the Council to LORAG subject to the conditions set out in this report and a suitable legal agreement being entered into.

### **Key to Abbreviations**

LOMCF – Lower Ormeau Markets and Community Forum  
LORAG – Lower Ormeau Residents Action Group  
SNI – Sport Northern Ireland

### **Documents Attached**

Appendix 1 – Minute of Development Committee 16<sup>th</sup> January 2008