

Extract from minutes of –

DEVELOPMENT COMMITTEE

12th NOVEMBER, 2008

**“Transfer of the Management of the Former
Laganside Corporation’s Assets”**

The Committee considered the undernoted report:

“Relevant Background Information”

Committee will be aware that, in line with the Laganside Corporation Dissolution Order (Northern Ireland) 2006, the Laganside Corporation ceased to exist from 1st April 2007 and responsibility for all of their assets passed to the DSD from this date.

At a Special Meeting of the Development Committee on 16th May 2007 the Director of Development sought direction from the Committee on the approach the Council should adopt in considering taking responsibility for the management of the former Laganside Assets.

The Committee agreed that a Memorandum of Understanding should be developed between the Council and DSD in relation to their potential roles and responsibilities, including funding arrangements.

Key Issues

DSD are seeking the approval of BCC to enter into a Memorandum of Understanding with them for an initial one year period. During this period discussions will have been completed over complete transfer of the Assets to BCC in line with the Review of Public Administration implementation.

BCC will be responsible for the implementation of five service level agreements with DSD. The five proposed service level agreements are:

1. The River Lagan to include the Lagan Weir also to include the operation of the river itself and looking after navigational issues. The management of the River Lagan and Weir will require the secondment of the River Manager and River Warden to BCC. A close working relationship has been established with the River Manager through the Development Department’s work on the Lagan Canal Project.

2. The management and maintenance of Public Realm and Public Art.

There is currently a Service Level Agreement (S.L.A.) in place, between Parks and Cemeteries Service Section, Belfast City Council and DSD for Public Realm sites and Laganside designated area. Once BCC is responsible for the management of the sites an S.L.A. would be put in place between Development Department and Parks and Cemeteries Service Section. All aspects of work currently requiring DSD approval would now be approved by Development Department who will step into the shoes of DSD. Repairs and maintenance of the public art projects generally require individual contact with the art designers as repairs and maintenance can be unique to each individual piece. Details of the contractual agreements with artists for each piece can be managed within the Development Department.

3. The management and maintenance of workspace buildings.

BCC Development Department has taken part in a survey of the Cathedral Quarter Managed Workspaces as part of a review of the Managed Workspaces undertaken by BDO Stoy Hayward on behalf of DSD. DSD have a management agreement with Whelan Chartered Surveyors who provide a Property Management Service and are the link between DSD and the occupiers of the buildings. The Development Department's Estates resource can again take on the DSD role of responsibility for the budget/policy and strategy for the workspace buildings.

4. The management of the Lagan Lookout and Visitors Centre.

The Lagan Lookout and Visitors Centre are currently not open to the public, DSD's regeneration and planning consultants, Drivers Jonas are currently preparing a feasibility report for redevelopment of the Lookout building, increasing the size of the pontoon facility, improvements to the footbridge and the surrounding public realm. The location of the facility provides a welcome addition to the tourism product of the City centre and opens up many opportunities to be used as an educational and significant visitor attraction. The S.L.A. to be developed with DSD will have to factor in the output of the feasibility study.

- 5. Managing grants for Community-Based Organisations.**
DSD currently has grants for events and community activities – The future administration of these grants have been factored into the Development Departments Review of Departmental Grants. Areas requiring change have been identified by the Culture and Arts Unit and as the S.L.A is progressed with DSD administration of the grant can be made to fit BCC objectives.

It is proposed that BCC Facilities Management Section will undertake work currently being contracted out by CPD Property Division through their Measured Term Contracts. Contracts are being reviewed by Development Department, Legal Services and Facilities Management Section. Specification and level of service will be agreed between DSD and BCC as the core of the S.L.A. Facilities Management are preparing a detailed list of their requirements for undertaking this work. Faults would be reported to the Development Department Laganside Team who in conjunction with Facilities Management Section would ensure that a process for dealing with repairs and maintenance is set up within BCC to provide early reporting and completion of repairs to satisfy the S.L.A.

Details of the current staffing resource within the Laganside team at DSD have been provided to BCC. This resource needs to be replicated within the Development Department, subject to the outcome of a BCC B.I.S. Review, the costs of which, based on 2007/08 salaries, are estimated to be £228,346.

Due to the specialist nature of the posts the River Manager and River Warden would be seconded to BCC until the future ownership of the assets are decided on completion of R.P.A.

It is envisaged that BCC will not manage any major infrastructure projects to the River and Weir during the interim period until completion of R.P.A.

Next steps

A draft Memorandum of Understanding has been prepared and agreed for Members consideration as an overarching agreement to take forward the transfer of the management of the Laganside Assets. A substantial amount of engagement and exchange of information has taken place between DSD and BCC. Following BCC approval the Memorandum of Understanding will be submitted to the Minister for Social Development for agreement.

Resource Implications

Financial

DSD are to pay Council a management fee in consideration of Council managing the Public Assets. The Memorandum of Undertaking provides for the Department to reimburse Council for all expenses incurred by Council as a result of managing the Public Assets.

Human Resources

Potentially five staff as detailed above to comprise a Laganside Team, subject to BCC BIS review, and the secondment of the River Manager and River Warden.

Assets and Other Implications

Ownership of the Assets would remain with DSD.

BCC would only arrange insurance for their responsibilities to be agreed under the Service Level Agreements. If as expected the Assets transfer to BCC on completion of R.P.A. consideration should now be given to how Central Government will fund major civil engineering obligations post R.P.A. i.e. from Central taxation or Local taxation.

Recommendation

Committee are asked to note the content of this report and to agree to the completion of the Memorandum of Understanding with DSD as the next step in the process of the transfer of the management of the assets to BCC.

Abbreviations

DSD - Department for Social Development
SLA - Service Level Agreement
RPA - Review of Public Administration"

The Committee adopted the recommendation contained within the foregoing report."