



Belfast City Council

Report to:	Parks and Leisure Committee
Subject:	New Watermain at Musgrave Park
Date:	10 April 2008
Reporting Officer:	Andrew Hassard, Director of Parks and Leisure
Contact Officer:	Stephen Walker, Principal Parks and Cemeteries Services Manager Ken Anderson, Estates Management Unit

Relevant Background Information

The Committee is asked to note that by a Grant of Easement dated 8 December 1962 the former Belfast Corporation granted the former Northern Ireland Hospitals Authority a right to install, maintain and if necessary replace a watermain at Musgrave Park. Appendix 1 to this report shows the location of the 1962 Easement (coloured red).

The water main installed in 1962 is now in a poor condition and the Belfast Health and Social Care Trust wish to replace the existing pipe at a new location within the Council's land at Musgrave Park. As the route of the new main does fall outside the scope of the 1962 Grant of Easement the new main requires the drawing up of a new legal agreement.

Following discussions with the Trust the following terms have been agreed:

- i) The original Grant of Easement will be surrendered and in consideration of the grant of a new Easement the Trust will pay to the Council a sum of £2,500 and be responsible for the Council's reasonable legal fees and surveyors expenses.
- ii) The new Easement will grant the Trust a working width of 6 meters (i.e. 3 metres each side of the pipe) along the route of the new pipe (route shown coloured blue on Appendix 1).
- iii) The Trust will maintain the new installation and minimise disruption to the Park during such maintenance and will fully reinstate any disruption to the Council's lands as a result of maintenance activities.
- iv) The Trust may be required to re-locate the watermain at their own expense on request from the Council.

Key Issues

The Committee is asked to note the following main points:

- The Belfast Health & Social Care Trust proposes to lay a new watermain across Council owned land at Musgrave Park. This replaces an existing watermain (shown coloured red on Appendix 1) in the Park which was installed under the terms of a Grant of Easement dated 8 December 1962.
- The Trust has agreed to surrender the 1962 Easement in return for a new Easement along the route marked blue on Appendix 1. The new route falls outside the lands contained in the Facility Management Agreement between the Council and St Brigid's GAC.
- The main terms associated with the proposed new Grant of Easement are set out in the body of this report. These terms are similar to those previously agreed by the Parks and Cemeteries Services Sub-Committee (meeting 3 May 2007) in relation to a nearby watermain previously installed by the Trust.

Resource Implications

Financial

The Grant of the new Easement would provide a small capital sum to the Council and cover the Council's legal and surveyors fees in connection with the drawing up of the new legal agreement.

Human Resources

No additional human resources required.

Asset and Other Implications

The new Easement will have no greater impact upon the Council's property assets than the arrangements contained in the 1962 Grant of Easement.

Recommendations

Committee is recommended to approve the surrender of a Grant of Easement dated 8 December 1962 to the Northern Ireland Hospitals Authority and grant of a new six metre wide Easement to the Belfast Health and Social Care Trust along the route shown coloured blue on Appendix 1 to this report.

Key to Abbreviations

The Trust – Belfast Health and Social Care Trust

Documents Attached

Appendix 1 – Map showing route of Easement contained in Grant of Easement dated 8 December 1962 (coloured red) and route of proposed 6 metre wide Easement to the Belfast Health & Social Care Trust (coloured blue).