



## Belfast City Council

<b>Report to:</b>	Parks and Leisure Committee
<b>Subject:</b>	Lease of Land at Ormeau Park
<b>Date:</b>	14 October 2010
<b>Reporting Officer:</b>	Andrew Hassard, Director of Parks and Leisure
<b>Contact Officer:</b>	Stephen Walker, Principal Parks and Cemeteries Development Manager

### **Purpose of Report**

The purpose of this report is to obtain Committee approval to dispose of small portions of land within Ormeau Park to NI water to facilitate work to improve the quality of the sewage infrastructure and to facilitate future management and maintenance of the structures required.

### **Relevant Background Information**

Northern Ireland Water wish to upgrade the storm overflow plant currently installed underground near the main entrance to Ormeau Park. The purpose of the works is to improve the quality of any storm overflow waters which enter the River Lagan from the sewerage system. The work includes installation of a series of new underground pipes, cables and ducts as well as a substantial underground chamber.

Normally all these works would be carried out under NI Water's statutory powers and there would be no requirement to enter into formal Wayleave or other legal arrangements. In this case the normal approach will apply to all the 'below ground' installations, however there are some elements which will have a long term presence at ground level and above ground. In the case of these elements the Council will lose use of small areas of the Park. Council officers wish to ensure that the visible structures required are adequately maintained by NI Water at this important location close to the 'Listed' gates which form the main entrance to the Park. For these reasons NI Water has agreed to take small portions of land on lease from the Council with the lease stipulating requirements in relation to repair, graffiti removal and decoration.

There has been discussion with NI Water and their consultants to optimise the location of the structures and to minimise their size and visual impact. NI Water has also agreed to carry out agreed landscaping works around the above ground structures. NI Water will carry out all works at their own expense, including installation of an access path and re-surfacing of the main driveway following completion of the installations. The attached Planting Schedule (Appendix 2) shows the agreed new planting areas (shaded green) and species of plants which have been agreed with the Park Manager.

During the course of the works NI Water intend to set up a site compound immediately inside the main entrance gates to the Park. Pedestrian access to the Park will be maintained during the course of the works which are anticipated to last for a period of approximately 9 months. Following completion of the works NI Water will require periodic access to maintain their installations. This is likely to involve pedestrian access twice a month. In the unlikely event of out of hours access being required this would be by arrangement with the Park Manager who will remain as keyholder for the site.

### **Key Issues**

It is proposed to lease to NI Water the three small portions of land outlined red on the attached map (Appendix 1). On the southern side of the main entrance the land will contain a surface level access cover and surrounding plinth in total measuring 4.2 metres x 1.8 metres. The northern area will house a steel cabinet measuring 3.1 metres x 1.0 metres x 1.58 metres high and surrounding concrete base. The small circular area shows the approximate location of a 4 metre high x 150 mm diameter vent stack which will be located among taller trees. NI Water will be granted a right of way to the steel cabinet via the area shown shaded yellow and will be responsible for construction of a path and it's subsequent maintenance.

The lease arrangement agreed with NI Water (subject to Committee approval) would be for 99 years with NI Water paying to the Council a one off capital amount of £500. Use of the land other than for management of Storm Overflows will not be permitted and NI Water would be given the option to terminate the arrangement and reinstate the land should they no longer require the relevant equipment at this location.

### **Resource Implications**

#### Financial

Modest capital receipt would become payable by NI Water on grant of the lease. All capital costs to be met by NI Water. No additional maintenance costs to the Council are anticipated.

#### Human Resources

No additional human resources required.

#### Asset and Other Implications

While ideally the Council would wish to preserve the integrity of this part of Ormeau Park the proposed arrangements minimise the impact of the proposed NI Water scheme which is seen as being in the wider public interest.

**Recommendations**

It is recommended that the Committee agree to the disposal of the portions of land outlined in red together with a right of way shaded yellow on the attached map (Appendix 1) to NI Water, on a 99 year lease for the sum of £500, subject to detailed terms to be agreed by the Estates Manager, Property and Projects Department, a suitable legal agreement to be drawn up by the Town Solicitor and subject to the approval of the Strategic Policy and Resources Committee in accordance with Standing Orders 46 and 60.

**Decision Tracking**

The Director of Property and Projects to provide a report to Strategic Policy and Resources Committee before the end of November 2010.

**Key to Abbreviations**

NI Water – Northern Ireland Water

**Documents Attached**

- Appendix 1: Land areas to be leased to NI Water shown outlined red.  
Proposed right of way for NI Water shaded yellow.
- Appendix 2: Planting Schedule around proposed structures.