



Belfast City Council

Report to:	Parks and Leisure Committee
Subject:	Gallagher Bowling Club
Date:	14 April 2011
Reporting Officer:	Andrew Hassard, Director of Parks and Leisure
Contact Officer:	Celine Dunlop, Estates Management Unit Stephen Walker, Parks and Cemeteries

1	Relevant Background Information
1.1	The committee is asked to note that the former Gallagher's factory site, located off Severn Street, was sold to Anglo Irish Properties Ltd in 2000. Anglo Irish Properties Ltd has redeveloped most of the site for residential accommodation i.e. houses and apartments, with associated parking and landscaping. The existing bowling green, which formed part of the original Gallagher's site, was retained by Anglo Irish Properties Ltd and leased to the Gallagher Bowling Club. Prior to the redevelopment of the site, access to the bowling club was through the former factory site. However, owing to the redevelopment of the site, access was no longer possible both during construction and on subsequent completion.
1.2	Access to the bowling club is clearly a matter for the bowling club and their landlords, Anglo Irish Properties Ltd, and as such should have been dealt with as part of the planning application for the redevelopment of the former factory site.
1.3	The bowling club however continued to require access for delivery vehicles and a limited number of member's cars and following the sale of the former Gallagher's factory site the club took access over the area outlined red on the plan attached at Appendix 1. The land is owned by Belfast City Council and is known as the Black Path. The Black Path will form part of the Connswater Community Greenway providing the linkage between the Hollywood Arches and Mersey Street.
1.4	Council officers involved with the issue of land assembly for the Connswater Community Greenway have been in contact with the bowling club committee in early 2009 with a view to establishing the extent of any agreement between the club and the council. It would appear that

	<p>following some discussions between the club, council officers and local political representatives there was an informal arrangement which enabled the club access to the laneway. There is however nothing in writing to support this or any legal agreement in place. While it would appear that there has been a casual arrangement between the club and the council this should not have been seen as a permanent arrangement. Any such arrangement would require committee approval and this has not been sought.</p>
1.5	<p>The Department for Regional Development is in the process of acquiring the area of land shaded yellow on the attached plan at Appendix '1' from Anglo Irish Properties under a blight notice with respect to the Connswater Link and Holywood Arches Bypass Road Protection Corridor. In an effort to assist the club, council officers have facilitated a meeting between DRD and the bowling club to discuss the possibility of the club acquiring an access over the blighted lands once the purchase had been completed. However, the cost of creating an access over the lands being acquired by DRD might be prohibitive for the club. The date of the acquisition by DRD cannot be confirmed at this time.</p>
1.6	<p>Officers have contacted the club's landlords, Anglo Irish Properties Ltd, to seek their co-operation in provision of an appropriate access for the club but they are unwilling to engage with council officials on this matter at this time.</p>
1.7	<p>The bowling club has a reducing membership and the proposal to permanently close access to the club premises might have a detrimental impact on the club. The Committee may therefore be of a mind to establish an easement which would permit essential deliveries to be made to the club such as heating oil. This would however require an appropriate legal agreement to be put in place.</p>

2	Key Issues
2.1	<p>The committee is asked to note the following:</p> <ul style="list-style-type: none"> • The Gallagher Bowling Club currently use a piece of land owned by the council, the Black Path which is located off Severn Street for vehicular and pedestrian access to their leased premises. • Members will be aware that the construction of the Connswater Community Greenway started in March 2011 and the section of council land from Mersey Street to Severn Street is due to be handed over to the contractor on 20 December 2011. • there is currently vehicular access along the Black Path to the bowling club however upon completion of the works as part of the Connswater Community Greenway project it is intended that there will be increased pedestrian and cycle use by the general public and clearly this would not be compatible with vehicular use; • Discussions to date have failed to reach an accommodation; • The council now need to take the necessary steps to control the ongoing vehicular use of the Black Path by bowling club members

	<p>and associated service vehicles.</p> <ul style="list-style-type: none"> The bowling club has not established that they were given permission to use Council land to access their premises nor have they used the land for sufficient time to establish any sort of right of way over the lands. <p>Council officers would propose to write to the bowling club secretary giving the club a specific period, of say three months, after which access to the club will be restricted to essential deliveries on giving an appropriate period of notice to the council and in line with an appropriate legal agreement prepared through Legal Services.</p>
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3	Resource Implications
	None.

4	Equality and Good Relations Implications
4.1	The Connswater Community Greenway will have a positive impact in terms of equality of opportunity and good relations.

5	Recommendations
5.1	It is recommended that the committee grant approval for officials to write to the Secretary of the Bowling Club instructing the club to make alternative arrangements for vehicular access to the club within three months of the date of the letter, after such time the council will only allow access for essential deliveries and on receipt of due notice from the club and upon the entering into of an appropriate legal agreement.

6	Decision Tracking
	A further report will be brought to the committee by the Principal Parks and Cemeteries Development Manager in August 2011 to provide an update on the matter.

7.	Key to abbreviations
	None.

8	Documents Attached
	Plan at Appendix 1