



Belfast City Council

Report to:	Parks and Leisure Committee
Subject:	Facility Management Agreement – Termination of Agreement
Date:	15 September 2011
Reporting Officer:	Andrew Hassard, Director of Parks and Leisure
Contact Officer:	Fiona Holdsworth, Principal Parks and Cemeteries Services Manager

1.0	Relevant Background Information
1.1	A facility management agreement (FMA) annual evaluation report was submitted to the August Parks and Leisure Committee setting out the current position in terms of compliance for the financial year ending March 2011.
1.2	It was reported that the club holding the existing FMA for Dixon Park Playing Fields had failed to provide their financial returns and more recent usage figures. As a consequence a notice of termination letter was issued by Legal Services. It was also reported that the club was working to meet the stipulated requirements within the dictated timeframe approved by Legal Services.
1.3	The report stated that any issues of non compliance would be addressed through the appropriate channels and may result in termination of the FMA for Dixon Park Playing Fields following advice from Legal Services and authority from Committee to terminate the agreement.
1.4	Council officers have been in communication with the club and made all reasonable attempts over many months to resolve the situation.
2.0	Key Issues
2.1	The key issue is the non submission of annual accounts by the football club as required under Clause 14.1 of the FMA. From 5 July 2010 the council has issued a number of demands requesting submission of their accounts. The Assistant Director of Parks and Leisure met with a representative of the club on 14 June 2011 to discuss the need to provide the accounts and the club was informed of possible termination if these were not forthcoming.

2.2	On 19 July 2011 Legal Services wrote to the club to once more request the accounts and warn that failure to comply would result in a termination letter being issued and the club being required to vacate Dixon Park Playing Fields. As yet the club has not provided the required accounts.
2.3	Every effort has been made on the part of officers to communicate the position to the club and extensions have been made to time scales to allow the club to submit accounts. Failure to do so by the club leaves the Council with no option other than to terminate the agreement.

3.0	Resource Implications
3.1	<u>Financial and Human Resources</u> The FMA fee and income will be retained by Parks and utilised to cover the costs of managing the facility in-house.

4.0	Equality and Good Relations Implications
4.1	None.

5.0	Recommendations
5.1	On the basis that the club is in breach of the FMA at Dixon Playing Fields it is recommended that steps are now taken to terminate the agreement in accordance with Clause 18(i) of the FMA.

6.0	Decision Tracking
	Principal Parks and Cemeteries Services Manager to action the decision of the committee.

7.0	Key to Abbreviations
	FMA: Facility Management Agreement

8.0	Documents Attached
	None.