



Belfast City Council

Report to:	Parks and Leisure Committee
Subject:	Cliftonville Football Club – Access Arrangements
Date:	12 January 2012
Reporting Officer:	Rose Crozier, Assistant Director of Parks and Leisure
Contact Officer:	Stephen Walker, Departmental Portfolio Programme Manager Ken Anderson, Estates Management Unit, Property and Projects

1.	Relevant Background Information
1.1	The Committee is reminded that at its meeting on 11 November 2010 it had received a report in respect of the use of the laneway by Cliftonville football club (see Appendix 1). At the meeting the Committee agreed to defer consideration pending further discussions between council officers and the football club.
1.2	In the interim, the club has submitted further proposals regarding their requirements for access to the laneway. These requirements were passed to Legal Services. A draft agreement has been prepared and issued to the club. The club has responded to the draft and outlined a number of concerns regarding the content of the agreement. A response has been issued by officers and there has been a preliminary meeting between council officers, the club's chairman and several elected representatives. At subsequent meetings progress has been made on a number of points of detail within the agreement itself. However, there are two main issues outstanding which are delaying the bringing of this matter to a conclusion. A further meeting is scheduled to be held in January 2012 to further consider these issues.

2.	Key Issues
2.1	As Members will be aware the key issue is the need to regularise the access arrangements in respect of the laneway and to ensure that there is adequate provision within it to safeguard the council's interests. In the interim officers have been working with representatives of the club to permit and provide access on a case by case basis where the Club accepts liability. Whilst there has been progress it has not been possible to enter into the easement owing to an inability to reach an agreement on two main issues:

	<p>1) the need for a security gate to control and manage access to the laneway during match days to and from the park itself; and</p> <p>2) the provision of lighting in the lane to meet health and safety requirements for use at night time.</p>
2.2	<p>The Committee is reminded that the football club has received a substantial grant from Sport NI, this grant covered the construction of a new spectator stand and turnstiles for access to the ground; a condition of grant related to the provision of spectator access via the laneway. In essence, if the laneway is not in use for spectator access Sport NI may withhold a portion of the grant. It is therefore important to the club to bring the matter to a satisfactory conclusion.</p>
2.3	<p>There are a number of issues outstanding which are required in order to make the laneway usable for spectator use. These requirements are, as outlined previously, the provision of a security gate to manage and control access to and from the laneway to the park on match days and the provision of lighting for use during evening games. The former is a requirement to satisfy PSNI whilst the latter is a health and safety requirement. The provision of both is required to make the laneway usable and would have cost implications. It is the view of officers and the PSNI that the gate is required to ensure segregation of park users and football supporters on match days for a period of time during and after the game. In discussions the club to date has referred to its inability to meet these costs.</p>
2.4	<p>The council has no operational need for either the additional security gate or the lighting at this time. The club has stated that in its view there is no need for the gate. The full costs are not known without an appropriate specification of the works but it is likely that they would be in excess of £10,000; however, the actual cost could be significantly higher. This relates only to the capital cost and does not take account of any ongoing revenue implications. Officers have contended that these items should have been included as part of the original capital scheme.</p>
2.5	<p>It is intended to bring a further report to Committee later in the year to set out final details of the agreement for approval. The Committee is asked to consider three options:</p> <ul style="list-style-type: none"> • Option 1 is to continue as at present which is to permit access to the laneway on a largely unregulated basis with no easement in place; • Option 2 is similar to option 1 in so far as we permit access to enable the club to take delivery of fuels to run the generator and provide heating etc merchandising etc while seeking agreement on the easement issue; • Option 3 is to refuse further access to the laneway for any purpose until an agreement is in place; • Option 4 is similar to option 3 but provides a deadline, i.e. no further access will be granted if agreement cannot be reached within a 6 month period of time; and • Option 5 is for the council to agree to make a contribution, not exceeding 50% of the total cost of the work.
2.6	<p>Options 1, 2 and 3 are discounted at this time owing to the already lengthy period of time taken to reach the current position. Therefore Members are</p>

	asked to consider Options 4 and 5 in an attempt to bring the matter to a conclusion. For the reasons outlined in the report, the recommendation of officers would be for option 4. Officers are of the view that the expenditure is required to meet the needs of the club and not of the council and that the works are required to meet the condition of grant from SNI. However Members may wish to consider option 5 although no provision has been made for this within the estimates and it is not clear where the money would be found.
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3.	Resource Implications
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3.1	<p><u>Financial</u> Financial implications have yet to be determined and Members need to consider whether they wish to agree in principle to provide financial support. It is recognised that the club operates on a semi-professional basis and in order to sustain and develop the club it generates income from a number of sources such as ticket sales, advertising and TV rights. The council may wish to keep this commercial element in mind in any future arrangements with the club where such arrangements are likely to be to the commercial benefit of the club or any other commercial organisation/individual. Currently no provision has been made in the revenue estimates to cover any expenditure regarding this.</p>
3.2	<p><u>Human Resources</u> No additional human resources employed at this time. The possibility remains that overtime or additional security costs might arise as a result of any arrangements which may be arrived at between the council and the club.</p>
3.3	<p><u>Asset and Other Implications</u> Action is needed to prevent the development of unregulated rights, particularly of a commercial/semi-commercial nature, across council owned land.</p>

4.	Equality and good relations implications
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5.	Recommendations
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	Members are asked to consider the issues outlined and determine whether they wish to follow Option 4 or Option 5 as outlined above.
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6.	Decision Tracking
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	A further report to be brought to Committee by the Departmental Portfolio Programme Manager by March 2012.
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7.	Key to abbreviations
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	SNI: Sport NI
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8.	Documents Attached
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	Appendix 1: Report from November 2010.
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