



## Belfast City Council

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| <b>Report to:</b>         | Parks and Leisure Committee   |
| <b>Subject:</b>           | Cliftonville Football Club Access Arrangements Over Council Land  |
| <b>Date:</b>              | 14 June 2012  |
| <b>Reporting Officer:</b> | Andrew Hassard, Director of Parks and Leisure   |
| <b>Contact Officer:</b>   | Stephen Walker, Departmental Portfolio Programme Manager<br>Cathy Reynolds, Estates Manager, Property and Projects Department |

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| <b>1</b> | <b>Relevant Background Information</b>  |
|          | <p>At its meeting on 7 November 2006 the former Parks and Cemeteries Services Committee approved a number of arrangements with Cliftonville Football Club (the Club) regarding access arrangements along the Council's laneway. The laneway forms the only access route directly off the Cliftonville Road to the Waterworks. The various arrangements were associated with access to the Club's ground (Solitude) following construction of a new spectator stand at the ground. In 2009 the (new) Club management sought to vary the terms of the previous Committee approval and draft legal arrangement which dealt with pedestrian and vehicle access along the laneway. Discussions with the Club have been on-going since 2009 and a number of reports have been presented to the Parks and Leisure Committee in the interim.</p> <p>At its meeting on 12 January 2012 Committee received a report on progress which had been made in discussions. Committee agreed to limit further access by Cliftonville Football Club along the laneway in the event of final agreement not being reached with the Club within six months. Committee also agreed to make a contribution to the cost of installing security gates and lighting along the laneway. These installations were required to facilitate the Club's use of the laneway and, in the absence of the Club's use, would not be a Council requirement. Committee agreed the Council contribution to these installations was not to exceed 50% of the cost of the works.</p> |

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|  | <p>Following the January 2012 Committee decision further discussions were held with the Club Chairman and officials in an effort to agree the outstanding matters. These discussions have resulted in provisional agreement with the Club (subject to respective Committee and Club Board approvals) on the terms which would be incorporated in a revised draft Grant of Easement. The agreed terms and a map showing the location of the laneway are provided as Appendix 1 to this report.</p> |
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| <b>2</b> | <p><b>Key Issues</b></p> <p>The agreed terms provide the Club with a range of uses of the Council's laneway. The terms endeavour to regulate the uses and provide clarity regarding the respective responsibilities of the parties. They also reflect input from the PSNI. To preserve public safety the proposed arrangements mean that new fencing and gates will be installed at the Waterworks end of the laneway and that public access along the laneway will not be available for a period before, during, and after, matches at Solitude.</p> <p>Club officials have undertaken to further engage with residents of Linden Gardens, which backs on to the laneway, regarding the proposed arrangements including the proposed lighting installations.</p> |
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| <b>3</b> | <p><b>Resource Implications</b></p> <p><u>Financial</u></p> <p>The Council has agreed a rent with the Club in respect of use of the laneway which brings 'third party' income to the Club in the form of franchise fees. However because the various rights being granted to the Club may be terminated at relatively short notice, it is considered inappropriate to seek rent from the Club for the grant of the various rights associated with use of the lane by spectators and players/officials. The Club will however reimburse the Council in respect of any additional staff costs and be responsible for any damage to the Council's property which may arise from the arrangements.</p> <p>In relation to the costs of providing new fencing/gates and lighting along the laneway, the estimated costs of these installations is put at £40,500. At its meeting on 12 January 2012 the Parks and Leisure Committee agreed to fund up to 50 % of these costs. On this basis the Council's contribution to these costs would be £20,250. No allowance was made for this in 2012-13 revenue budgets and therefore will have to be funded from savings elsewhere.</p> <p><u>Human Resources</u></p> <p>No additional human resources required. The drawing up of the detailed agreement and its implementation will draw on existing resources within Parks and Leisure Department, Legal Services and Estates Management Unit.</p> |
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|  | <p><u>Asset and Other Implications</u><br/>The potential to terminate all or some of the elements of the proposed arrangements mean the Council can recover full control of the laneway should the need arise.</p> |
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| <b>4</b> | <b>Equality and Good Relations Considerations</b>                                 |
|          | There are no known equality or good relations issues associated with this report. |

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| <b>5</b> | <b>Recommendations</b>  |
|          | Committee is recommended to approve the terms of the proposed Grant of Easement to Cliftonville Football Club, as set out in this report subject to the approval of the Strategic Policy and Resources Committee in accordance with Standing Orders 46 and 60 and incorporation of agreed terms within an appropriate legal agreement to be drawn up by Legal Services. |

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| <b>6</b> | <b>Decision Tracking</b>   |
|          | The Director of Parks and Leisure to liaise with the Director of Property and Projects with a view to bringing a report to the next meeting of the Strategic Policy and Resources Committee. |

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| <b>7</b> | <b>Key to Abbreviations</b>           |
|          | The Club – Cliftonville Football Club |

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| <b>8</b> | <b>Documents Attached</b>  |
|          | Appendix 1 – Map showing the laneway affected by the proposed arrangements (shaded blue and hatched black) and surrounding Council owned land at the Waterworks (shaded blue). The approximate position of the proposed new fence/gates is shown by a red line marked 'A', 'B', 'C'. |