



## Belfast City Council

<b>Report to:</b>	Parks and Leisure Committee
<b>Subject:</b>	<b>BELB Works at Flora Street Walkway</b>
<b>Date:</b>	14 March 2013
<b>Reporting Officer:</b>	Andrew Hassard, Director of Parks and Leisure
<b>Contact Officer:</b>	Cathy Reynolds, Estates Manager, Property and Projects Department

<b>1</b>	<b>Relevant Background Information</b>
1.1	The Belfast Education and Library Board's properties at Avoniel Primary School and Avoniel Nursery School adjoin Council owned land at Flora Street Walkway. The Primary and Nursery school sites are at a slightly higher level than the adjoining Council land and are supported by a brick retaining wall which is approximately one metre in height. A BELB palisade fence sits on top of the existing wall.
1.2	Because of instability in the existing retaining wall BELB propose to remove a length of approximately 80 metres of the existing wall and replace it with a new structure of similar size. Similar to the existing arrangement a palisade fence will be placed on top of the new structure.
1.3	To facilitate construction of the new wall BELB have sought access for their contractor through Flora Street Walkway and have also sought permission to enclose an area around the works for a period of approximately 10 weeks. The proposed access area is shown hatched orange on the attached map (Appendix 1) and the proposed compound area measuring approximately 6 metres x 70 metres is shown surrounded by a green/blue line.

<b>2</b>	<b>Key Issues</b>
2.1	BELB, on behalf of their contractor, have sought to enter into a Licence Agreement with the Council to provide access and the setting up of a contractor's compound area within Flora Street Walkway (the Licence Agreement will be between the Council and the contractor).

	<p>The proposed Licence will be for a period of approximately 10 weeks and will contain provisions relating to insurance, reinstatement and detailed arrangements for access as agreed with the Park Manager. The Licence will also incorporate a Fee to partly reflect the cost savings to BELB/their contractor as a result of being able to utilise Council land. The fee will also act as an incentive to the contractor to remain on the site for as short a time as possible.</p>
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<b>3</b>	<b>Resource Implications</b>
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3.1	<p><b>Finance</b> Income to Council from the proposed Licence Fee (yet to be agreed) for duration of temporary Licence, estimated at 10 weeks. No other capital or revenue costs should be incurred.</p>
3.2	<p><b>Human Resources</b> Resource in Parks and Leisure, Estate Management Unit and Legal Services involved in agreeing detailed terms, drafting and completion of proposed Licence Agreement.</p>
3.3	<p><b>Asset and Other Implications</b> The provision of a new retaining structure will stabilise the adjoining BELB site and prevent any future collapse of the site on to the Council's land.</p>

<b>4</b>	<b>Equality and Good Relations Considerations</b>
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4.1	<p>There are no equality or good relations issues associated with this report.</p>
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<b>5</b>	<b>Recommendations</b>
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5.1	<p>Committee is recommended to approve the grant of a Licence Agreement to Maurice Flynn &amp; Sons (BELB's contractor) to allow replacement of a boundary wall at Avoniel Primary and Nursery School, subject to detailed terms, including an appropriate Licence Fee, to be incorporated in a legal agreement to be drawn up by the Town Solicitor and approved by the Strategic Policy and Resources Committee in accordance with Standing Orders.</p>
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<b>6</b>	<b>Decision Tracking</b>
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	<p>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 available Strategic Policy and Resources Committee.</p>
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<b>7</b>	<b>Key to Abbreviations</b>
None BELB – Belfast Education and Library Board	

<b>8</b>	<b>Documents Attached</b>
Appendix 1 – Map showing proposed access area for contractor across Flora Street Walkway (hatched orange) and proposed contractor's compound area outlined blue/green.	