



Belfast City Council

Report to:	Parks and Leisure Committee.
Subject:	Proposed Transfer of Facilities Management Agreement and Lease Agreement in relation to Lenadoon Park
Date:	16 January 2014
Reporting Officer:	Rose Crozier, Assistant Director of Parks and Leisure
Contact Officer:	Stephen Walker, Departmental Portfolio Programme Manager

1	Relevant Background Information
	<p>The Committee is asked to note that there is an existing Facilities Management Agreement in respect of Lenadoon Park in West Belfast. This agreement is currently held by the the Lenadoon Community Forum. This agreement is subject to a month by month renewal in line with the existing Council position on Facilities Management Agreements.</p> <p>Members are asked to note that the Forum has previously secured funding from Sport NI to construct a changing pavilion on land adjacent to the park, The intention was that this pavilion would be used by the Forum to support local clubs by providing modern changing facilities and meeting / reception area. This building is currently owned by the Forum and is known locally as the Lenadoon Sports Centre. In order to construct the building a strip of Council owned land, which formed part of the Lenadoon Park was required, This strip of land was subsequently leased to the forum under a 99 year lease agreement. .</p> <p>The Forum has advised Council Officers that following an internal reconstitution the Forum concluded that the the Lenadoon Sports Centre and the facility managed playing field would benefit from being managed through a more focused and dedicated organisation within the Community. The Forum has proposed the newly formed Lenadoon Amateur Sports Community Interest Company CIC to undertake the ownership and management of both the Sports Centre and the football pitch in Lenadoon Park and has requested that the Council transfer both a) the existing FMA; and b) the Lease Agreement to the Lenadoon Amateur Sports Community Interest Company and part of the pavilion was subsequently constructed upon this land.</p> <p>Officers have met with local elected representatives, the Forum and the Community Interest Community and have obtained the relevant documentation which would enable the transfer to take place. This information is currently being reviewed by our Estates management Unit and Legal Services.</p>

2	<p>Key Issues</p> <p>The Committee is asked to note the following points:</p> <ol style="list-style-type: none"> 1. There is provision within Facility Management Agreement for assignment / transfer, however, this has not been widely used; 2. The newly formed CIC is aware of the Council's proposal to terminate these agreements; 3. Subsequently discussions have established the Lenadoon Community Forum has recently re-established itself as a Limited company and therefore this should technically be reflected in the FMA; 4. The lease agreement relates to the recently constructed Lenadoon Sports Centre, part of the building currently sits on top of the leased land; the transfer of the building is subject to Sport NI approval, as the funding body, however, Sport NI has indicated that it will not consider the transfer until the new CIC has secured the lease on the land; 5. The transfer of the lease requires approval from Strategic Policy & Resources Committee and a report on this will be presented to that Committee by Estates Management setting out the detail of the transfer; 6. Members are asked to note that whilst there is no legal tie between the FMA in relation to the playing pitch and the Sports Centre, there is a practical and functional relationship between the two; this relationship will therefore have to be explored in the coming months in conjunction with Sport NI and the CIC; 7. The Committee has several options: <p style="margin-left: 40px;">Option 1 – Agree to the request to transfer the existing Facility Management Agreement under the existing terms and conditions;</p> <p style="margin-left: 40px;">Option 2 – Refuse the request;</p> <p style="margin-left: 40px;">Option 3 – Terminate the existing agreement</p> 8. It is the view of Officers that Option 1 should be followed at this stage.
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3	<p>Resource Implications</p> <p>Financial Implications</p> <p>There are no additional costs at this time, the existing arrangements will continue.</p> <p>Human Resources Implications</p> <p>There are no additional human resource implications at this time.</p> <p><u>Asset and other implications</u></p> <p>The management and maintenance operations as outlined in the existing FMA will transfer from the Forum to the CIC; and the existing lease will be transferred to the CIC.</p>
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4	Equality and Good Relations Considerations
4.1	There are no equality implications

5	Recommendations
5.1	<p>The Committee is asked to consider the report and agree to:</p> <ol style="list-style-type: none"> 1. The transfer of the existing FMA from the Lenadoon Community Forum to the Lenadoon Community Forum Limited; 2. The transfer of the existing FMA from the Lenadoon Community Forum Limited to the Lenadoon Amateur Sports Community Interest Company; 3. The transfer of the lease from the Lenadoon Community Forum Limited to the Lenadoon Amateur sports Community Interest Company, subject to approval by Strategic Policy and Resources.

6	Decision Tracking
An update report will be brought to Committee at a future date.	

7	Key to Abbreviations
<p>FMA – Facility Management Agreement</p> <p>CIC – Community Interest Company</p>	

8	Documents Attached
None	