



**Belfast City Council**

<b>Report to:</b>	Parks and Leisure Committee
<b>Subject:</b>	<b>Connswater Community Greenway Orangefield Park</b>
<b>Date:</b>	12 June 2014
<b>Reporting Officer:</b>	Andrew Hassard Director of Parks and Leisure
<b>Contact Officer:</b>	Celine Dunlop–Estates Surveyor Ext: 3419

<b>1</b>	<b>Relevant Background Information</b>
1.1	The purpose of this report is to seek Members approval to commence the process to vest the area of land adjacent to Orangefield Park as shown outlined red on the plan attached at Appendix 1.
1.2	At its meeting on the 26 <sup>th</sup> Feb 2014 the East Area Working Group considered a report on the proposals in relation to the preliminary steps towards vesting the strip of land at Orangefield Park in connection with the relocation of the Knock River in order to achieve the required flood defences in the area. The East AWG agreed to the proposed vesting of the land as outlined.

<b>2</b>	<b>Key Issues</b>
2.1	Members will be aware that the Knock River has been relocated into Orangefield Park as part of Phase 1 of the FAS/CCG scheme in order to achieve the required flood defences in this area. Under the FAS/CCG proposals the residents's fences or gardens have not been disturbed by the work to relocate the river, however the relocation of the river has created a strip of land, incorporating the flood defences, along the former bed of the river. Half the bed of the former river is owned by the Council but, as outlined below, an owner has not been identified for the other half. The Council, as part of the CCG, has constructed the fence on the current Council's boundary, leaving a strip of land between the resident's rear garden fences and the Council's boundary fence. Clearly this, if left as is, will create issues around responsibility for maintenance and left unattended the land would become overgrown and a source of invasive species, litter and vermin.
2.2	The Estates Management Unit has carried out extensive research but has been unable to find out who owns this area of land. It has however been established that the land is not owned by the adjoining residential landowners. Given that a landowner cannot be identified, the only way the Council can acquire the land is by vesting under the Recreation and Youth Services (Northern Ireland) Order 1986.

2.3	In March 2013, prior to the commencement of Phase 1 of the FAS/CCG works the Estates Management Unit contacted all of the residents whose property backs on to the Knock River at this location to let them know that the FAS/CCG contractor would not require access to their gardens and inviting them to make contact to discuss the FAS/CCG proposals. In addition, East Belfast Partnership together with the Council officials and Rivers Agency staff held public meetings to which all residents affected by the FAS/CCG proposals were invited. The public response to the FAS/CCG proposals that the strip of land may be acquired and maintained by the Council has been largely favourable.
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<b>3</b>	<b>Resource Implications</b>
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3.1	<p><u>Finance</u></p> <p>The cost of the vesting will be taken from the CCG Land Acquisition funding and while the cost is currently unknown, the land has little or no value due to its location, lack of access and the presence of invasive species.</p>
3.2	<p><u>Assets</u></p> <p>The strip of land, if acquired, will be fenced into Orangefield Park and maintained by Parks staff.</p>
3.3	<p><u>Human Resources</u></p> <p>Officers from Estates and Legal Services will, subject to Members approval, commence action to vest the land shown outlined red on the plan attached at Appendix '1'.</p>

<b>4</b>	<b>Equality and Good Relations Considerations</b>
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4.1	None
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<b>5</b>	<b>Recommendations</b>
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5.1	Members are asked to approve the commencement of the process by Legal Services and the Estates Management Unit to vest the land outlined red on the attached plan under the Recreation and Youth Services (Northern Ireland) Order 1986 subject to SP&R Committee approval as set out in the standing orders.
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<b>6</b>	<b>Decision Tracking</b>
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	Estates Management Unit and Legal Services to complete the steps necessary to vest the land under the Recreation and Youth Services (Northern Ireland) Order 1986.
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<b>7</b>	<b>Key to Abbreviations</b>
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	FAS/CCG Flood Alleviation Scheme/Connswater Community Greenway.
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<b>8</b>	<b>Documents Attached</b>
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	Appendix 1 - Plan attached
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