



Belfast City Council

Report to:	Parks and Leisure Committee
Subject:	Disposal of Land at Orangefield
Date:	11 December 2014
Reporting Officer:	Andrew Hassard, Director of Parks and Leisure, Ext 3400.
Contact Officer:	Cathy Reynolds, Estates Manager, Ext. 3493.

1	Relevant Background Information
1.1	In 1988 the former Parks Committee approved disposal of portions of land to the rear of properties at 90 to 118 Orby Drive, Belfast. The owner of 116/118 (trading as the Lawnmower Centre) subsequently purchased the land shaded blue on Appendix 1 (approx. 188 square metres) from the Council, for the sum of £340.
1.2	The Council has recently been approached by the new owner of 116/118 Orby Drive who is seeking to acquire the remaining small area of Council land which adjoins his premises (as outlined red on Appendix 1). This area which comprises approximately 54 square metres is currently unused by the Council (see attached photograph - Appendix 2 - which shows the main portion of the site). Some use of the land appears to have been made by the previous and new owners of 116/118 Orby Drive to obtain access to the rear of their premises.
1.3	Council Departments have been circulated to ascertain if any service needs exists for the subject land. No interest has been expressed by Departments.

2	Key Issues
2.1	The land forms part of Orangefield Playing Fields however in common with the other land to the rear of 90 to 118 Orby Drive it is cut-off from the remainder of the Council owned land by a steep sided stream. The land currently has no recreational purpose for the Council and it is not required in connection with provision of any other Council services (see 1.3 above).
2.2	On account of the small size of the plot and its location, the best price obtainable from its disposal, will be from the adjoining owner at 116/118 Orby Drive. An off-market disposal to the owner of the adjoining property is therefore considered to be the best

	<p>approach to disposal of the 54 square metres outlined red on Appendix 1. In view of this negotiations were opened with the adjoining owner and a value of £1500 was agreed. Taking account of the physical characteristics of the land and its location, this is considered to be the best price obtainable for the land in accordance with the Council's statutory obligations (Local Government (NI) Act 1972).</p>
2.3	<p>The Council's title at Orangefield is free of restrictive covenants. The other lands disposed of at 90 to 118 Orby Drive were sold without restrictions and it is proposed to maintain consistency with those disposals and not impose any restrictions on the future use of the subject land.</p>
2.4	<p>A Northern Ireland Electricity cable is installed across the land and a revision of any existing Wayleave Agreement with NIE, may be required to reflect the proposed change in ownership of the subject plot. NIE are currently checking their records.</p>

3	Resource Implications
3.1	<p>Finance The disposal of this land at best price, £1500, with each side bearing their own legal costs is considered advantageous to the Council.</p>
3.2	<p>Human Resources Resources in Estates Management Unit and Legal Services will be involved in drafting, agreeing and completion of legal documents associated with disposal. In view of the previous disposals at this location this process should be relatively simple and straightforward.</p>
3.3	<p>Asset and Other Implications The 54 square metres being considered for disposal is currently unused and appears not to be actively maintained by the Council. In view of this, plus the absence of any other service requirements and the existing physical separation of this land from the remainder of Orangefield Playing Fields, disposal is considered an appropriate option. The stream bed and banks are partly enclosed by a concrete post and wire fence, part of which lies on the subject 54 square metres. The purchaser has agreed to be responsible for provision of any fencing required on the land being disposed of with any new fencing to tie in with any existing fencing.</p>

4	Equality and Good Relations Considerations
4.1	<p>There are no equality or good relations issues associated with this report.</p>

5	Recommendations
5.1	<p>Committee is recommended to approve the disposal of the land, outlined red on Appendix 1, to Mr Jeffrey Blair, for the sum of £1,500 subject to the authorisation from the Strategic Policy and Resources Committee in accordance with Standing Orders and subject to appropriate legal documents to be prepared by the Town Solicitor. Committee is further recommended to provide approval to any appropriate revised Wayleave Arrangements as may be agreed between Estates Management Unit and Northern Ireland Electricity in connection with the existing cables through the subject</p>

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6	Decision Tracking
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.	

7	Key to Abbreviations
None	

8	Documents Attached
<p>Appendix 1 – Map showing, outlined red, the area being considered for disposal, with remaining land in Council ownership shaded yellow. The land shaded blue was previously disposed of by the Council to the previous owner of 118 Orby Drive.</p> <p>Appendix 2 - Photograph illustrating, outlined red, the main part of the land being considered for disposal.</p>	