



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Gasworks Estate :- (a) additional floor for Ormeau Gasworks Ltd Plot 4 (b) road safety measures
Date:	April 2008
Reporting Officer:	Mr Gerry Millar Director of Improvement Ext. 3494
Contact Officers:	Mr Adrian Ferguson Estates Surveyor Ext 3503

Relevant Background Information

(a) additional floor for Ormeau Gasworks Ltd Plot 4

Members are reminded that Council entered into a Master Development Agreement with Ormeau Gasworks Ltd dated 21st May 1999 for development of six plots with the Gasworks Estate.

At its meeting on 15th June 2005 the Development Committee approved an initial revision of the specified floor space in respect of Plot 4 to construct an office building with a total floor area of approximately 25,500 sq feet over four floors.

Upon completion of the building Council granted Ormeau Gasworks Ltd a 250 year Lease from 6th April 2006 who immediately in turn effectively sold the completed development to Tullyraine Ltd. This sale reserved a reviewable ground rent payable to Council which reflects the lettable floor space of the building. Currently Council receive an annual rent of £26,000 per annum.

It is believed that Tullyraine Ltd have agreed terms with DFP (Industrial Tribunals Office - ITO) for a 15 year term for the entire building as it stands. DFP have requested the provision of additional space, through the addition of a further floor, in order to fully meet the operational needs of the ITO.

Ormeau Gasworks Ltd submitted a planning application for construction of an additional and fifth floor on Plot 4 and formally sought Council's consent for this variation to the originally approved development. The addition of a fifth floor will add a further 5,670 sq feet of office space to Plot 4 (**Appendix 1** – sketch proposals)

(b) road safety measures

At its meeting of 15th June 2005 the Developmet Committee were advised that a report had been commissioned from Kirk McClure & Morton (now RPS Consulting Engineers) to assess disabled access within the Estate and examine the need for additional road safety measures resulting from increased volume of pedestrian and vehicular traffic.

Some recommendations have already been addressed such as a right turn filter on the traffic signals from Ormeau Avenue (Roads Service), an additional exit lane and pedestrian crossing at the main entrance of the Estate (£3,700) In addition the developer of the Klondyke Building provided an enhanced turning head at his cost under instruction from the Estate Management Unit.

In order to complete the DDA compliance work identified within the RPS Report it has been agreed that Ormeau Gasworks Ltd carry out installation of the "wheelchair friendly" access on Council land as part of their contract to provide the required access road on adjacent land at Plot 3 (**Appendix 2** – location map)

Key Issues

(a) additional floor for Ormeau Gasworks Ltd Plot 4

- Clause 5.5.1.2 of the Superior Lease contains an outright prohibition against any alterations to the premises without prior consent from the Council. A premium of £30,000 has been agreed for a specific variation of the Clause.
- Planning permission has now been secured for the addition of a further floor providing approximately 5,670 sq feet of additional office accommodation. In addition to the statutory neighbourhood notification Council officers have also canvassed opinion from Inislyn Ltd whose hotel development (Radisson SAS) will be affected – they had no particular objections.
- Consarc, Council's consultant architects, reviewed an additional fifth floor on Plot 4 and confirmed broad support for the proposals having considered the effect on the Estate in terms of its architectural merit.
- Parks have confirmed no objection to the increased height given the proximity of a taller building and its effect on natural light to the existing areas of adjoining landscaping.
- This building has remained vacant since its completion in April 2006. Consent to the additional floor will progress upgrading and completion of the occupational fit-out and finish outstanding exterior works including a new entrance porch, automatic vehicular access barrier, completion of external lighting, surfacing and landscaping schemes.
- Permission had previously granted approval to the location of an NIE sub-station on Plot 4 which still requires construction of a suitable structure that will provide appropriate screening. Ormeau Gasworks Ltd have yet to complete the scheme, for which approval has been given, that provides a suitable screening solution. Council consent to construct additional floor onto the existing building would require the NIE sub-station to be screened.

(b) road safety measures

- The work required to provide a "wheelchair friendly" route is needed to comply with DDA requirements. The opportunity exists to have this work undertaken by Ormeau Gasworks Ltd who has an obligation to provide a quality shared access route linking the main pedestrian access to the rest of the Estate.

- Ormeau Gasworks Ltd have negotiated a price with Marmic (used recently by Council for upgrading the City centre entries) Disability Action has also been engaged by the Developer to endorse the scheme design.
- Council's Landscape Planning and Development Unit, who were responsible for design of the Gasworks public realm, have approved the design of both schemes using high quality natural Caithness stone finishes.
- PMU have confirmed Marmic as an appropriate contractor to undertake this nature of work and that the following negotiated prices represent value for money (all of the project fees are being absorbed by the Developer)
 - Total Contract £170,768
 - Council Works £25,597 (approx 15%)
- Included within the above cost is the repair of broken and damaged sandstone on Limetree Walk will also be replaced with more durable Caithness stone specifically designed to meet the recent DDA recommendations.
- Based on report from PMU this appointment has been endorsed by Council's Procurement Unit.

Resource Implications

Financial

- Ormeau Gasworks Ltd have agreed to payment of a premium of £30,000 to vary the terms of their Lease and secure the required Council consent.
- Council will take the benefit of an uplift in the annual equity rent from Plot 4 attributable to the increased floor area. This is estimated at approximately £7,000 per annum additional income.
- The cost associated with the road safety and DDA works will be funded from the Gasworks Estate rental income with some elements such as the pedestrian crossing recharged to the Estate's tenants through the annual service charge.

Asset and Other Implications

- Approval of an additional floor for Plot 4 could lead to other requests from Developers in the Gasworks to intensify development of other already completed plots.
- In addition to the payment of a premium Council's consent is conditional upon completion of the approved screening of the NIE sub-station as part of the contract to construct the additional floor.
- Compliance with DDA recommendations for the Estate.

Recommendations

(a) additional floor for Ormeau Gasworks Ltd Plot 4

Members are asked to approve the addition of a further and fifth floor to the existing development on Plot 4 subject to payment of a premium of £30,000 and further terms and conditions to be agreed by the Estates Management Unit.

(b) road safety measures

Members are requested to note the works undertaken to date and to approve the initiation of works to provide DDA improvements to the existing road/footpath

infrastructure in the Gasworks Estate as detailed above including endorsement of the tender process identified for the completion of these works.

Key to Abbreviations

DFP – Department of Finance and Personnel
ITO – Industrial Tribunals Office
NIE – Northern Ireland Electricity
DDA – Disability Discrimination Act
PMU – Project Management Unit

Documents Attached

Appendix 1 – sketch proposals for Plot 4
Appendix 2 – location map of DDA works