



Subject:	Asset Management: i) Clarendon Development Association – New Licence ii) Proposed surrender of lease and sub lease at 19 Greenway, Cregagh Rd iii) Belfast Transport Hub - Transfer of lands iv) Radius Housing Association - Grant of Licence and Easement v) Park & Ride, Dargan Road
Date:	24 November 2017
Reporting Officer:	Gerry Millar Director of Property & Projects
Contact Officer:	Cathy Reynolds Estates Manager

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	The purpose of this report is to seek approval from Members to asset related disposal, acquisition and lease matters.
2.0	Recommendations
2.1	i) Clarendon Development Association – New Licence The Committee is asked to:

Approve the recommendation of the People and Communities Committee of 9 May 2017 to the Council entering into a 10 year licence agreement with Clarendon Development Association to permit the locating of a modular building on Council land shown outlined red on the plan attached at Appendix 1 adjacent to the existing pitches and include with it access and key holding arrangements.

2.2 **ii) Proposed surrender of lease and sub lease at 19 Greenway, Cregagh Rd**

The Committee recommended to :

- (i) Approve the surrender of the 99 year lease from NIHE to BCC for premises at No. 19 Greenway, Cregagh Rd
- (ii) Approve the termination of the 15 year sublease from BCC to the Greenway Women's Group for the premises at No.19 Greenway, Cregagh Rd

2.3 **iii) Belfast Transport Hub - Transfer of lands**

It is recommended that the Committee

- (i) Approves the grant of a licence on lands as shown on Appendix 2 in accordance with the terms set out in the report. These lands will be used as builder's compounds for the duration of the works.
- (ii) Approves the transfer of lands as shown on Appendix 2 to NITHCo on the terms set out herein to facilitate the construction of a third railway line.

2.4 **iv) Radius Housing Association - Grant of Licence and Easement Agreement**

It is recommended that the Council enters into a Licence and Easement Agreement with Radius Housing Association to facilitate the installation and subsequent maintenance of a mains water pipe supplying the new sports pavilion adjoining the Sally Gardens Community Centre.

2.5 **v) Park & Ride, Dargan Road**

Members are requested to consider an approach from DfI to construct and operate a temporary Park & Ride facility on Council owned land at Dargan Road; and if agreeable to consent to further discussions with DfI for a short-term Lease. Any discussions with DfI would be on a without prejudice basis and the terms of any proposed lease would be brought back to this Committee for approval. If Members are agreeable this would include suspension of the current site marketing exercise to facilitate this DfI requirement.

3.0	Main report
	<p data-bbox="272 237 1038 271">i) Licence to Clarendon Development Association</p> <p data-bbox="272 286 419 320"><u>Key Issues</u></p> <p data-bbox="165 387 1414 568">3.1 At its meeting on the 9 of May 2017 the People and Communities Committee gave approval to Clarendon Development Association locating a modular building on Council owned land at Clarendon Playing Fields, subject to the Strategic Policy & Resources Committee and the grant of a licence for a period of 10 years.</p> <p data-bbox="165 636 1437 920">3.2 Clarendon Development Association had approached the Council seeking permission to provide this building, which would be used for homework clubs and will offer a range of opportunities for young people from the community to help improve educational attainments and social skills. It is proposed that this facility would be offered in parallel to the opportunity to participate in sporting activities which will provide additional health and wellbeing benefits.</p> <p data-bbox="165 987 1445 1525">3.3 The Association believes that the proposed building, delivering programmes in parallel to programmes of use linked to the sports facilities, will deliver significant potential outcomes in terms of health and wellbeing; tackling community safety issues as well as building life skills. To support this vision the Association had requested that the Council agree, in return for the investment, to enter into a preferential use agreement for use of the playing fields to support the initiative outlined above. This will be in line with a programme of use to be prepared by them. The Association acknowledge that it will be required to book and pay for use of the pitches in line with Council policy. This arrangement is in line with the arrangement in place with Ulster Council GAA for preferential use of 4 sites alongside an investment in the development of the sites. The People & Communities Committee had granted approval to this at their meeting on 9 May 2017.</p> <p data-bbox="165 1592 1458 1727">3.4 The Association has undertaken to meet the cost of providing and equipping the building, estimated to be £117,000; the Association have applied for and received Planning consent for the building and they will also resource it through use of volunteers.</p> <p data-bbox="165 1794 1458 1973">3.5 The licence would be for a period of 10 years and would be subject to the continued use of the building for the purposes outlined and an ongoing programme of use of the pitches agreed by Council each year. The arrangement would be reviewed in year 9 of the agreement.</p>

Financial & Resource Implications

3.6 All costs including repair, maintenance, insurance and utilities associated with the portable building and its resourcing will be met by the Association.

The Estates Management Unit have assessed an annual licence fee of £375 for the land required for the building.

Equality or Good Relations Implication

3.7 None.

ii) Proposed surrender of lease and sub lease at 19 Greenway, Cregagh Rd

Key Issues

3.8 In April 2015, as part of LGR, the Council stepped into Castlereagh Borough Council's shoes in respect of a 99 year lease dated 18 Feb 1985 from NIHE and a 15 year sublease from Castlereagh Borough Council to the Greenway Women's Group for premises at No.19 Greenway. The Greenway Women's Group hold the adjoining property at No. 21 & 23 Greenway by way of a 5 year lease direct from NIHE.

3.9 Members will be aware that the Council have been asked to deliver a number of Social Investment Fund projects including the refurbishment of premises at 19-23 Greenway, Cregagh Rd for the Greenway Women's Group; the Executive Office have allocated £241,362 for the project.

3.10 As a condition of the grant funding the Executive Office require the Greenway Women's Group to hold the premises by way of a minimum of a 25 year lease to allow to it to put a charge over the property proposed to be grant funded.

3.11 At its meeting on the 23 June 2017 members were asked to note the Executive Office requirements in relation to security of tenure issues relating to SIF projects on Council assets and Committee accepted the recommendation to approve the grant of a minimum 25 year lease extension of the existing sublease from the Council to Greenway Women's Group at No.19 Greenway.

3.12 However, following further discussions with the Executive Office and NIHE, it has been provisionally agreed with NIHE and the Greenway Women's Group that the Council

surrender their 99 year lease with NIHE and terminate the sub lease to Greenway Women's Group to allow the NIHE to grant the Group a single 25 year lease covering all of the premises occupied by the Group at Greenway. Under this proposal the Council will no longer have a role as landlord and the Greenway Women's Group will have a single lease and point of contact at NIHE in respect of their premises at No. 19-23 Greenway which are to be refurbished using SIF support.

Financial & Resource Implications

3.13 The Council do not pay any rent to NIHE or receive any rent from the Greenway Women's Group for the premises at No.19 Greenway.

Equality or Good Relations Implication

3.14 None.

iii) Belfast Transport Hub - Transfer of lands

Key Issues

3.15 At its meeting on 10 October 2017, the People & Communities Committee approved the grant of a licence and the transfer of lands at Blythfield to Northern Ireland Transport Holding Company (NITHCo), subject to Strategic Policy & Resources Committee approval in accordance with Standing Orders.

3.16 The land is required in order to facilitate the development of an integrated Public Transport Hub being progressed by Translink and DfI.

3.17 To facilitate construction works, NITHCo had identified two sites in Council ownership which are required as builder's compounds for the duration of the works – as shown outlined in red at Appendix 2. These plots adjoin the railway line at Blythfield Park and comprise:

- Open Space and a BMX track to the north of the railway line.
- Open Space and allotments to the south of the railway line.

3.18 It is proposed that these plots be licenced to NITHCo for periods of between one and three years, subject to a fee of £22,000 pa.

3.19	<p>The project also requires the introduction of a third railway line between Great Victoria Street and Central Station. This necessitates the acquisition of lands alongside the existing tracks and NITHCo has identified two plots of additional land in Council ownership for acquisition – as shown hatched in blue on the map at Appendix 2.</p>
3.20	<p>These plots would be transferred to NITHCo subject to a consideration of £10,000.</p> <p><u>Financial & Resource Implications</u></p>
3.21	<p>The lands to be licenced to NITHCo is subject to a fee of £22,000 pa. The land to be transferred is subject to a consideration of £10,000. LPS assessed the value of the lands. NITHCo has agreed to pay the Council’s legal costs on an ‘open book’ basis.</p> <p><u>Equality or Good Relations Implication</u></p>
3.22	<p>None.</p> <p>iv) Radius Housing Association - Grant of Licence and Easement</p> <p><u>Key Issues</u></p>
3.23	<p>The Council requires a licence from the Radius Housing Association to install a mains water supply pipe to its new sports pavilion adjoining the Sally Gardens Community Centre. On completion of the works, an Easement will be required to provide the Council with an access to repair and maintain the pipe as the need arises.</p> <p><u>Financial & Resource Implications</u></p>
3.24	<p>The Easement will be at nominal cost to the Council as the legal documentation will be prepared by the Council’s Legal Services department. The Easement will provide the necessary legal right to access, repair and maintain the pipe which serves the new sports pavilion.</p> <p><u>Equality or Good Relations Implications</u></p>
3.25	<p>None</p>

v) Park & Ride, Dargan Road

Key Issues

- 3.26 Members will be aware of the pending proposals for the York Street Interchange Scheme. As a result of consultation with local residents and key stakeholders the Department for Infrastructure (DfI) has developed a Temporary Traffic Management Strategy identifying alleviating measures for delivery before the main construction work commences on its high priority York Street Interchange scheme. This strategy has identified the requirement for a Park & Ride facility at Fortwilliam which would operate before and during the construction period with a dedicated bus service linking it to the city centre.
- 3.27 Following an initial meeting to discuss potential options in the Fortwilliam area DfI have identified currently vacant Council land fronting Dargan Road together with a portion of the Council's Duncrue Complex - outlined red on the site location plan (Appendix 4) as potentially suitable for their purposes. DfI have formally requested that the Council give consideration to leasing this land on a short-term basis to allow them to construct and operate a temporary Park & Ride facility.
- 3.28 Members will be aware that approval had previously been given by the Strategic Policy & Resources Committee to the appointment of agents for the open market disposal of the vacant land on Dargan Road - shaded blue on the site location plan (Appendix 4) This marketing process is now well advanced with a number of interested parties bidding for the site on the basis of a long-term leasing option (125 years)
- 3.29 In addition to the area of land shaded blue the DfI requirement includes a portion of the adjoining Duncrue Complex operational site, currently used by the Council's Waste Management for the storage of bins. However further detailed discussions will be required with the Council's Waste Management section to ascertain their ongoing operational requirements for this land and whether it can be accommodated elsewhere.
- 3.30 Should Members be minded to consider this approach from DfI then the current marketing campaign will have to be suspended/aborted and, if concluded on the basis required by DfI, accept a short-term letting (up to 5 years)
- 3.31 Following conclusion of DfI use and occupation as a Park & Ride, a new marketing campaign could be undertaken at that time to pursue the aim of securing a longer term use

<p>3.32</p> <p>3.33</p> <p>3.34</p> <p>3.35</p> <p>3.36</p>	<p>of the site.</p> <p>Dfl would undertake construction and operation of the facility following receipt of all requisite statutory consents and would pay a full commercial rent for duration of occupation together with all outgoings (utilities, rates etc.) Dfl would also be responsible for procuring and funding a dedicated bus service to connect the Park & Ride facility to the city centre. This bus service would prove an additional benefit to Council's tenants in the Duncrue Estate as well as for any development that will take place on the Council's land at Giants Park located directly opposite.</p> <p><u>Financial & Resource Implications</u></p> <p>A commercial rental income, which would be ratified by LPS could potentially be secured in early 2018. In addition, Dfl would need to pay for any costs associated with realignment of boundaries or other accommodation works.</p> <p>Payment of an abortive agent fee will be due in the event that the Council do not proceed with leasing the site currently on the market although this will need to be reflected in the financial/rental agreement with Dfl.</p> <p>Consideration would have to be given to an alternative solution for the storage of bins for Waste Management elsewhere within the Duncrue Complex.</p> <p><u>Equality or Good Relations Implications</u></p> <p>None</p>
<p>4.0</p>	<p>Appendices – Documents Attached</p>
	<p>Appendix 1 – Map showing lands to be licensed to the Clarendon Development Association.</p> <p>Appendix 2 – Map showing lands to be licensed to NITHCO for use as builder's compound and lands to be transferred to facilitate infrastructure improvements.</p> <p>Appendix 3 – Map showing location map of proposed Easement adjacent to Sally Gardens Community Centre.</p> <p>Appendix 4 – Map showing lands requested by Dfl for Park & Ride</p>