



<b>Subject:</b>	i) Plot 70 Balmoral Estate – Proposed Deed of Variation ii) Ballysillan Playing Fields – Proposed disposal and acquisition of land - NIE
<b>Date:</b>	24 <sup>th</sup> April 2020
<b>Reporting Officer:</b>	Sinead Grimes, Director of Physical Programmes
<b>Contact Officer:</b>	Pamela Davison & Celine Dunlop, Estates Team Leader

<b>Restricted Reports</b>	
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"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	The purpose of this report is to seek approval from Members to asset related disposal, acquisition and estates matters.
<b>2.0</b>	<b>Recommendations</b>
2.1	The Committee is asked to – <b>i) Plot 70 Balmoral Estate – Proposed Deed of Variation</b> - approve the grant of a Deed of Variation of the current 99 year ground lease to Frederick Jones (Belfast) Ltd in respect of Plot 70 Balmoral Estate to extend the term to

	<p>149 years with effect from 1 November 1970, subject to the payment of a premium of £5,000.</p> <p><b>ii) Ballysillan Playing Fields – Proposed disposal and acquisition of land</b></p> <ul style="list-style-type: none"> <li>- approve the disposal of C. 0.09 acres of land along with a cable easement and right of way at Ballysillan Playing Fields to Northern Ireland Electricity Ltd (NIE) for the purpose of constructing a replacement electricity substation, subject to a premium of £4,800. Members are also asked to approve the acquisition of C. 0.08 acres of land which will become surplus to NIE's requirements at a nominal value, subject to a contribution by NIE of £40,000 to cover costs the Council will incur integrating this land within the Playing Fields and improving the entrance at this location. In addition to this, approval is needed for a contractor's compound licence agreement for 18 months to facilitate NIE's works, subject to a fee of £3,000.</li> </ul>
<b>3.0</b>	<b>Main report</b>
	<p><b>i) Plot 70 Balmoral Estate – Proposed Lease Extension</b></p> <p><u>Key Issues</u></p> <p>3.1 Plot 70 Balmoral Estate is currently leased to Frederick Jones (Belfast) Ltd on a 99 year ground lease (the Head Lease) from 1 November 1970. The current rent passing is £ 28,000 per annum. The tenant operates a packaging business from this Plot and has recently acquired a new packaging machine which requires a new electricity connection from NIE Networks. The tenant has approached Council with a request to enter into a sub-lease with NIE Networks in order to facilitate the new electricity connection and NIE has advised that they require a sub-lease with a minimum term of 99 years. Frederick Jones (Belfast) Ltd has approached Council with a request to extend the current 99 year lease to 149 years, to accommodate NIE's requirement for a 99 year sub lease at this Plot. A Deed of Variation will be required to record the extended term, if approved by Members.</p> <p><u>Financial and Resource Implications</u></p> <p>3.2 Officers from the Estates Unit and Legal Services will prepare the Deed of Variation. Frederick Jones (Belfast) Ltd will pay a premium of £5,000 in consideration of the Deed.</p> <p><u>Equality and Good Relations Implications/Rural Needs Assessment</u></p> <p>3.3 None</p>

3.4	<p><b>ii) Ballysillan Playing Fields – Proposed disposal and acquisition of land</b></p> <p>NIE's existing Alliance Road electricity substation, which is adjacent Ballysillan Playing Fields, is approaching the end of its useful life. NIE therefore intend to upgrade and replace the substation. To facilitate these works NIE have sought to acquire a portion of the Playing Fields to allow them to install and energise new substation equipment beside the existing substation whilst it is still operational, this will ensure that there will be no disruption to supply when the existing equipment is decommissioned.</p>
3.5	<p>Under NIE's proposals there will be a new direct access to the substation from Alliance Parade and the existing entrance from Alliance Road will become surplus to requirements. NIE have therefore offered to transfer this land to the Council so that the existing adjoining pedestrian entrance to the Playing Fields can be widened and improved with measures to reduce the likelihood of antisocial behaviour. NIE will also cover the costs of carrying out these works, which will be undertaken by the Council. Subject to Members approval, agreement has been reached with NIE to dispose of C. 0.09 acres of land at the Playing Fields to include a cable easement and right of way subject to a premium of £4,800. This land is outlined blue on the map attached at Appendix 1. Agreement has also been reached to acquire C. 0.08 acres of land which will become surplus to NIE's requirements at a nominal value. This will be subject to a contribution by NIE of £40,000 to cover costs the Council will incur integrating this land with the Playing Fields site and improving the entrance at this location. This land is outlined red on the map attached at Appendix 1. In addition to this, NIE require an 18 month contractor's licence agreement to facilitate their works and have agreed to pay for this a licence fee of £3,000.</p>
3.6	<p><u>Financial and Resource Implications</u></p> <p>Suitable legal documents will be prepared by Legal Services on the instruction of the Estates Management Unit. The Council will receive a premium of £4,800 for the disposal of land to NIE and acquire a similar sized area of land from NIE at a nominal amount along with £40,000 to cover the cost of integration works. Furthermore, the Council will receive a licence fee of £3,000 for the requested 18 month contractor's compound licence.</p>
3.7	<p><u>Equality and Good Relations Implications/Rural Needs Assessment</u></p> <p>None</p>
4.0	<p><b>Appendices – Documents Attached</b></p>
	<p>Appendix 1 – Map showing portion of Ballysillan Playing Fields shaded green, land to be disposed of to NIE shaded blue and land to be acquired from NIE shaded red.</p>

