



<b>Subject:</b>	<b>Assets Management</b>  I. Sewer relocation easement & licence for works – Knocknagoney Linear Park II. New sewer installation easement & licence for works – Lagan Meadows III. Licence Renewal – Ligoniel Community Centre IV. Sally Gardens – Lease Extension to Poleglass Community Association V. Springfield Dam – Acquisition of Land from Invest Northern Ireland VI. Encroachment at 133 Mount Eagles Avenue VII. Musgrave Park – Northern Ireland Water Sewer Scheme
<b>Date:</b>	23 October 2020
<b>Reporting Officer:</b>	Sinead Grimes, Director of Physical Programmes
<b>Contact Officer:</b>	Pamela Davison, Estates Team Leader

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

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	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	Members are asked to -

	<p><b>I. Sewer relocation easement &amp; licence for works – Knocknagoney Linear Park</b></p> <ul style="list-style-type: none"> <li>– approve the grant of an easement for a proposed sewer relocation and subsequent licence for works at Knocknagoney Linear Park.</li> </ul> <p><b>II. New sewer installation easement &amp; licence for works – Lagan Meadows</b></p> <ul style="list-style-type: none"> <li>– approve the grant of an easement for a proposed new sewer and subsequent licence for works at Lagan Meadows.</li> </ul> <p><b>III. Licence Renewal – Ligoniel Community Centre</b></p> <ul style="list-style-type: none"> <li>– approve a new licence agreement between the Council and Belfast Health &amp; Social Care Trust for their continued use of Ligoniel Community Centre.</li> </ul> <p><b>IV. Sally Gardens – Lease Extension to Poleglass Community Association</b></p> <ul style="list-style-type: none"> <li>– approve a lease extension to Poleglass Community Association for the community centre at Sally Gardens.</li> </ul> <p><b>V. Springfield Dam – Acquisition of Land from Invest Northern Ireland (INI)</b></p> <ul style="list-style-type: none"> <li>– approve the acquisition of c.0.400 acres of land from INI as part of the Springfield Dam project.</li> </ul> <p><b>VI. Encroachment at 133 Mount Eagles Avenue</b></p> <ul style="list-style-type: none"> <li>– approve the revised terms of an agreed disposal of a small plot of grassland to the owner of 133 Mount Eagles Avenue.</li> </ul> <p><b>VII. Musgrave Park – Northern Ireland Water (NIW) Sewer Scheme</b></p> <ul style="list-style-type: none"> <li>– note and approve the proposed works by NIW at Musgrave Park and approve the granting of a licence to NIW to carry out these works</li> </ul>
<b>3.0</b>	<b>Main report</b>
3.1	<p><b>I. Sewer relocation easement and licence for works – Knocknagoney Linear Park</b></p> <p><u>Key Issues</u></p> <p>Kirk Bryson &amp; Co Ltd ('the developer') have approached the Council seeking to relocate a portion of the main NI Water sewer which currently runs through their site known as 'Lesley Parklands' onto Council lands at Knocknagoney Linear Park to facilitate development of the approved housing development on the site. The plan attached at Appendix 1 shows the route of the proposed easement. The easement fee of £55,600 was assessed by Estates and agreed with the developers Estate Agent subject to Member's approval. The easement will be for a term of 99 years subject to a yearly rent of 5p. If the Committee agrees to the proposed easement a licence for works will be put in place which will include provision for payment of a licence fee of £500+VAT for the first four weeks access followed by £100+VAT for each week thereafter. The developer will also cover the costs for replacement trees.</p>

Financial and Resource Implications

The Council will receive an easement fee of £55,600, a licence fee of £500+VAT for the first four weeks plus £100+VAT for each week thereafter for the works and £2,400 for replacement tree planting. The developer has also agreed to pay Council's legal costs. Staff from Estates and Legal Services will be required to complete the easement.

Equality and Good Relations Implications/Rural Needs Assessment

None

3.2 **II. New sewer installation easement and licence for works – Lagan Meadows**

Key Issues

RUC Athletic Association Ltd have sought Council approval for a proposed new sewer installation over Council lands at Lagan Meadows which would link their new sports complex at New Forge Lane to the main NI Water sewer. The route of the proposed new sewer is shown on the plan attached at Appendix 2. A proportion of the path will be required to be closed for the duration of the works. However, RUC Athletic Association Ltd have agreed to install a temporary path to enable the continued use of Lagan Meadows by members of the public. Heras fencing will be installed for public safety and to prevent pedestrian access to and from the working area during the period of the works. The easement fee of £6,000 was assessed by Estates and has also been agreed with RUC Athletic Association Ltd subject to Member's approval. The easement will be for a term of 99 years subject to a yearly rent of 5p. If the Committee agree to the proposed easement a licence for works will be put in place which will include provision for payment of a licence fee of £500+VAT for the first four weeks access followed by £100+VAT every week thereafter.

Financial and Resource Implications

The Council will receive an easement fee of £6,000, a licence fee of £500+VAT for the first four weeks plus £100+VAT for each week thereafter for the duration of the works and £500 to cover the costs of replacement tree planting. The developer has agreed to pay the Council's legal costs. Staff from Estates and Legal Services will be required to complete the easement.

Equality and Good Relations Implications/Rural Needs Assessment

None

3.3 **III. Licence Renewal – Ligoniel Community Centre**

Key Issues

The Belfast Health and Social Care Trust currently occupy, by way of a Licence, part of the Minor Hall and store at Ligoniel Community Centre. The BH&SCT have requested a new 5 year licence with a 3 year break option. BH&SCT are currently charged £37 per week for the use of the minor hall from 9.00 am to 1.00 pm Monday - Friday and there is an additional

charge of £100 per annum for the use of the storage area. It has also been agreed that the Trust may place an outdoor storage unit upon the adjoining Ligoniel Community Centre lands.

Financial and Resource Implications

The Council will receive an annual licence fee of £2,024. Staff from the Estates Management Unit and Legal Services will be required to complete the Licence Agreement renewal.

Equality and Good Relations Implications/Rural Needs Assessment

None

3.4 **IV. Sally Gardens – Lease Extension to Poleglass Community Association**

Key Issues

The Sally Gardens Community Centre is currently held under a 10 year lease (from 20<sup>th</sup> December 2016) by the Poleglass Community Association (PCA). The Council recently completed construction of new changing facilities and a 3G pitch on the land to the rear of the site. The Executive Office, under the Urban Villages Initiative, have proposed a project to enhance the existing community centre to include a gym and changing rooms attached to the existing buildings. The extension of the existing facility will replace a disused external soft play area at the building gable. Please refer to Appendix 3. Urban Villages is the only funder for this project, PCA are the project promoters and the Council will be the delivery agent. Following discussions with Urban Villages it was agreed that the Council would seek approval to grant a 25 year Lease by means of extension to the current Lease for this group to include the Community Centre and extension of the existing facility.

Financial and Resources Implications

Rental income will be assessed by Estates and taken back to Committee for approval. Staff resources from the Estates Management Unit and Legal Services will be involved in the completion of the proposed Lease extension.

Equality and Good Relations Implications

None

3.5 **V. Springfield Dam – Acquisition of Land from Invest Northern Ireland**

Key Issues

At its meeting on 16<sup>th</sup> December 2016 Committee granted approval to accept the transfer of the land shown outlined red at Appendix 4 from DfC at Springfield Dam following completion of capital works to enhance the site. The proposed completion date for the capital works is end of October 2020 at which point the DfC lands will transfer to the Council. Estates Officers from the Council have been in discussions with Invest Northern Ireland (INI) in relation to the transfer of c.0.400 acres of land shown outlined blue at Appendix 4 following completion of the capital works to enhance the site. The INI lands are essential to the project in order to

provide a safe and secure pedestrian access from Millennium Way to the Springfield Dam site. LPS have independently assessed the market value of the land to be transferred at £8,200 Member's approval is sought to agree this sum with INI. If approval is granted it is intended that the Council will pay for this land using the agreed project budget for the capital works which are being funded by DFC.

Financial and Resources Implications

£8,200 for the transfer of the land from INI to the Council to come from the agreed budget for the Springfield Dam project. Staff resources from the Estates Management Unit and Legal Services will be involved in the completion of the land transfer.

Equality and Good Relations Implications/Rural Needs Assessment

None

3.6

**VI. Encroachment at 133 Mount Eagles Avenue**

Key Issues

In November 2019 the Committee approved the disposal of a small plot of Council owned grassland to the owner of 133 Mount Eagles Avenue who had encroached on the land. This was inadvertently reported to Committee as a consideration of £1350 for the land and each party paying their own legal fees. Members are asked to note that this should have been £350 and not £1350. Members are asked to note that it the owner has agreed to cover the Council's legal costs plus his own legal fees.

Financial and Resource Implications

Council will receive £350 for the land with the Council's legal costs to be covered.

Equality and Good Relations Implications/Rural Needs Assessment

None

3.7

**VII. Musgrave Park – Northern Ireland Water (NIW) Sewer Scheme**

Following several incidences of severe flooding in the vicinity of Marguerite/Sicily Park in the Finaghy area, NIW, after consideration of their options, approached the Council seeking to include Musgrave Park in a redesigned scheme which will involve laying large diameter sewers between Musgrave Park and Lisburn Rd. This route has been designed to address the various complexities and challenges which exist whilst endeavouring to keep disruption to a minimum. The works will be carried out under NIW's statutory powers. The works in the Park are scheduled to commence in January 2021 and are expected to last for 12-15 months. A site compound will remain on site for a further 6-9 months to facilitate completion of the remainder of the scheme on lands owned by the Hospital Trust and Malone College. Given the nature, scale and duration of the works, it will be necessary to implement a temporary partial closure of the main pathway in the park. An existing secondary pathway will provide an alternative route around Grovelands. In order to minimise disruption and to comply with

good Health & Safety practice this will take place on a phased basis which has been agreed with Estates, the client department and the Parks Manager. Full pedestrian and vehicular access will be maintained with a traffic management system in operation. The bowling club and grounds will also remain fully operational. A working compound area and turning circle for construction traffic will be provided at the entrance to Grovelands and will result in the temporary loss of 5 no car parking spaces and 3 no allotments bays as outlined in yellow in Appendix 6. It will be necessary to remove a number of mature trees to facilitate the works and the location and number of trees have been agreed with the Council's Tree Preservation Officer. Replacement planting of trees and greenery displaced by the works has been agreed and will take place during the appropriate season post scheme completion and in conjunction with Council officers. Members are asked to note and approve the proposed works and the grant of a licence to NIW for access on Council land as detailed in Appendix 5.

Financial and Resource Implications

The Council will receive a licence fee of £10,100 for the first year plus £200 for each week thereafter. Statutory compensation for the works will be agreed with LPS on completion of the scheme. Staff from the Estates Management Unit and Legal Services will be required to complete the licence.

Equality and Good Relations Implications/Rural Needs Assessment

None

<b>4.0</b>	<b>Documents Attached</b>
	<p>Appendix 1 - Map showing the route of the proposed sewer relocation delineated in red.</p> <p>Appendix 2 – Map showing the proposed route of the new sewer installation delineated in red.</p> <p>Appendix 3 –Plan showing the extent of the land to be leased to PCA outlined in red.</p> <p>Appendix 4 –Map showing the land to be acquired from Invest Northern Ireland at Springfield Dam outlined in blue.</p> <p>Appendix 5 - Map showing the route of the sewer running through Musgrave Park and associated work compounds.</p> <p>Appendix 6 - Map showing the 3. No. allotments and 5. No. car parking spaces at Musgrave Park which will be taken out of operation temporarily.</p>