

1 April 2015

**DEPARTMENT FOR REGIONAL DEVELOPMENT**

**SCHEME FOR THE TRANSFER OF DESIGNATED OFF-  
STREET CAR PARK ASSETS AND LIABILITIES**

**FROM Department for Regional Development TO Belfast City  
Council**

## **OFF-STREET CAR PARK ASSETS AND LIABILITIES TRANSFER SCHEME**

**The Local Government Act (Northern Ireland) 2014**

**The Department for Regional Development to Belfast City Council (Transfer of  
Designated Off-Street Car Parks, Assets and Liabilities) Scheme 2015**

### **Citation and interpretation**

1.
  - a) This Scheme may be cited as the Department for Regional Development to Belfast City Council (Transfer of Designated Off-Street Car Parks, Assets and Liabilities) Scheme 2015.
  - b) In this scheme –  
  
“transferor” means the Department for Regional Development;  
“transferee” means Belfast City Council;  
“transfer date” means the date specified in Article 2.

### **Transfer date**

2. This Scheme has effect on 1 April 2015.

### **Designated off-street car parks, assets and liabilities.**

3. In relation to this scheme, the designated off-street car parks' assets are: -
  - a) Specified respectively in Schedule 1 and delineated on boundary maps attached;
  - b) If not so specified, determined by agreement between the transferor and transferee or in default of agreement by the transferor;
  - c) The transferor and transferee shall execute and do and/or procure the execution and doing of all such further deeds, documents and acts as may be necessary to carry the provisions of this Scheme into full force and effect;
  - d) The transferor shall grant the transferee all necessary rights over any lands retained by the transferor as may be required in order to maintain all and any equipment or fixtures (such as lighting columns/signage) that continue to be used in connection with the designated assets. Such access will be at reasonable times, require reasonable prior notice to the transferor and with responsibility on the transferee to make good any damage caused as a result of the exercise of such rights;

- e) The Transferor agrees to transfer all pay and display machine equipment, barriers, signs, bins, street lighting deemed serving car parks alone, to include all such equipment in the licensed car parks and any other associated assets of less than £3,000 in value per item, required by the Transferee to carry out its functions as a parking authority; and
- f) All outstanding debt accrued and arising from Off-Street Penalty Charge Notices as at 31 March 2015.

**Responsibility for Public Liability Claims**

4. In relation to this scheme, the designated off-street car parks' liabilities are :-

- a) Any public claim made prior to 1 April 2015 for which the cause of action relates to an asset owned by the transferor in the period prior to 1 April 2015, will remain the responsibility of the transferor to resolve and will not transfer to the transferee on 1 April 2015.
- b) Any public liability claim made after 1 April 2015 for which the cause of action occurred before 1 April 2015 and relates to an asset owned by the transferor prior to 1 April 2015, will remain the responsibility of the transferor to resolve and will not transfer to the transferee on 1 April 2015.
- c) Any public liability claim made after the 1 April 2015 for which the cause occurred on or after the 1 April 2015 will be the responsibility of the transferee. The transferor will make available to the transferee all relevant maintenance records to assist the transferee's investigation of any such claim.

Sealed with the official seal of the Department for Regional Development on the day of 31 / 3 / 2015

*Signature*  
A senior officer of the  
Department for Regional Development

Both Civil Servants of Clarence Court  
10-18 Adelaide Street, Belfast

# SCHEDULE 1

A Scheme for the transfer of designated off-street car parks, assets and liabilities.

## Off-Street Car Parks

Off Street Parking Order NI 2000 Schedule Ref No.	Name	Town	No. Spaces	Leased/ Owned	Title Held	Licence / Lease Details	Restrictive Covenants / Wayleaves
72	Ashdale Street	Belfast	90	owned	Freehold - Registered AN8564 (DOE)		
73	Bankmore Street	Belfast	46	leased	Licence with NIHE (01/04/13 - 30/03/14 - hasn't been renewed)		
75	Charlotte Street	Belfast	90	owned	No original Title Documents. Copy Title covers the whole car park.	Agreement 934 - Licence to CBS for Advertising Hoarding expires 03/02/15. £283.33 per month.	
76	Corporation Square	Belfast	193	owned	Freehold - Part Registered AN46573 (DRD) and AN87416 (DSD); AN 23162: Part Unregistered. Title Docs Fee Farm Grant 12/2/20 Edward Coey and others to Irwin and Sellers, and Conveyance 1/8/72 Irish Agricultural Wholesale Society Ltd to Belfast Corporation		NIE Wayleave Agreement for 2No Electric Vehicle Charge Posts
77	Cromac Street	Belfast	104	leased	Licence with NIHE - Unregistered. Title Docs Lease 1/9/64 Ernest Wilson Ltd to Hamill; and Assignment 28/9/73 Hamill to Belfast Corporation (No 88) , Agreement 30/7/74 Berry to DOE (No62). Fee Farm Grant 1/1/1867 Wallace to Donald (No62). Conveyance 12/2/1867 McDonald to Dunlop, Conveyance 14/11/74 Acheson to DOE (No62), Conveyance 1/2/50 Colvin to Acheson; Lease 13/6/50 Acheson to Murray; Lease 3/11/1829 Wallace to Ellidge (No 62) We have Title Docs for part of the car park.		NIE Wayleave Agreement for 2No Electric Vehicle Charge Posts
79	Dunbar Street	Belfast	34	owned	Freehold - Part Registered 32157 (DRD) Part Unregistered. Title Docs Lease 14/8/36 Finlay to John McKibben Ltd; and Conveyance 16/10/78 John McKibben Ltd to DOE (No9), and Lease 3/2/1892 Butler to McConnell Ltd; and Assignment 15/1/73 Robertson and Peacock to Belfast Corporation (No15-19); Fee Farm Grant 9/10/1851 Mayor of Belfast to McClure and an; and Conveyance Enid and Harold Cosby to DOE (No11-13); Conveyance 30/10/68 Westcott Property to Harold Smith and ; and Conveyance 15/3/72 Harold Smith and to Belfast Corporation (No5-7), Conveyance 3/1/69 William Finlay and Sons to Wylie and Hazlett; and Conveyance 12/9/73 Wylie and Hazlett to Lord Mayor of Belfast (No 11-13)		
80	Dundela Crescent	Belfast	26	owned	Freehold - Part Registered AN14527 (DRD) and Part Unregistered Lease 9/7/55 Annie Reid to Annie Galbraith; and Assignment dated 11/11/88 Anna Doherty to DOE		
81	Exchange Street	Belfast	48	owned	Freehold - Unregistered. Title Docs Conveyance Maud Smith and Hugh Sayers to DOE(NI)		
84	Gramplan Avenue	Belfast	42	owned	Freehold - Part Registered 39139 (BIH Housing). Title Docs Lease 18/1/18 Carson to Shannon; and Assignment Scott to Belfast Corporation (No19), and Lease 6/12/66 Flora Brown to Wilson; and Assignment Denis Kearney to DOE (No27), and Lease 19/3/1897 Sir Daniel Dixon, Robert Harvey and Ellen Hunter; and Assignment Edward Duff to DOE (No 21)		
86	Hope Street North	Belfast	41	owned	Freehold - Registered AN6484 (DRD)	Agreement 937 - Licence to CBS for Advertising Hoarding expires 12/03/15. £1600 per annum.	

Off Street Parking Order NI 2000 Schedule Ref No.	Name	Town	No. Spaces	Leased/ Owned	Title Held	Licence / Lease Details	Restrictive Covenants / Wayleaves
88	Kent Street	Belfast	68	leased	Held under Licence from DSD		
90	Little Donegall Street	Belfast	109	owned	Unregistered - Title Docs lost		NIE Wayleave Agreement for 2No Electric Vehicle Charge Posts
91	Little Victoria Street	Belfast	88	owned	Freehold - Registered AN6484 (DRD)	Agreement 896 - Licence to Clear Channel for Advertising Hoarding expires 31/05/15. £1,600 per annum.  Agreement 178 - Licence to Chest Heart & Stroke for Right of Way. Expires 31/03/18. £500 per annum.	NIE Wayleave Agreement for 2No Electric Vehicle Charge Posts
93	Marlborough Avenue	Belfast	36	owned	Freehold - Registered AN30715 (DOE) and AN36370 (DOE)		
96	Northumberland Street	Belfast	88	owned	Freehold - Unregistered. Title Docs- Fee Farm Grant 19/3/80 NIHE to DOE		
98	Ravenscroft Avenue	Belfast	55	owned	Freehold - Unregistered. Title Docs - Agreement 9/1/53 Ulster Transport Authority to James Hutton; and Vesting Order 10/8/82		
99	Sandown Road	Belfast	54	owned	Freehold - Unregistered. Title Docs - Lease 19/4/29 Bell to Wilson Weir; and Lease Wilson Weir to Belfast Corporation; and Lease Samuel Bell to Belfast Corporation; and Lease Hugh Skillen to William Bennett and other; and Assignment Samuel Bell to Mc Farland Bros Ltd Title does not appear to cover all of the car park.		
100	Smithfield Market	Belfast	109	leased	Part of car park registered to DOE AN13148. Rest of car park held under licence from Belfast City Council dated 10/10/2004		
101	Station Street	Belfast	114	leased	Car Park owned by DSD, held for regeneration purposes. Licence with DSD dated 29/03/13. Open ended with DSD to give 6 months notice to terminate.		
103	Wandsworth Road	Belfast	24	owned	Freehold - Part Registered 37460 (DRD)		
104	Westminster Avenue East	Belfast	11	owned	Freehold- Part Unregistered (no Title). Part Registered AN123619(DRD)		
105	Westminster Avenue West	Belfast	10	owned	Freehold - Registered AN123619 (DRD)		
106	Westminster Avenue North	Belfast	70	owned	Freehold - Part Unregistered (no Title). Part Registered AN123619(DRD)		
107	Whitley Street	Belfast	50	owned	Freehold - Registered AN11093 (DRD)		
108	York Street (No1) 60 York Street	Belfast	53	owned	Freehold - Registered 31621 (DOE); and AN11093 (DRD)	Agreement 945 - 99 year lease to Phoenix Gas from 01/05/98. 5p per annum (if demanded).	
140	Parkgate Avenue	Belfast	40	owned	Freehold - Unregistered. Title Docs Assignment 23/11/90 S&R Electric to DOE; Lease S&R Electric to Khairuddin and ; and Indenture Khairuddin and to DOE		
148	Shaws Bridge	Belfast	57	owned	Freehold - Unregistered. Title Docs Conveyance 31/7/73 Wilson and others to Lord Mayor of Belfast		
169	Glenburn Road	Dunmurry	123	owned	Held under 900 year Indenture dated 25th June 1979 from Lilliput (Dunmurry) Limited		NIE Wayleave Agreement for 2No Electric Vehicle Charge Posts

ASHDALE STREET

SCHEDULE REF: 7-2



11 13

4

29

OAKDALE STREET

23

27

OAKDALE STREET

Car Park  
Ashdale Street

ASHDALE STREET

Scale 1:500

18

BANKMORE STREET

SCHEDULE REF. 73



Govt Office

81

B

Car Park

Car Park  
Bankmore Street

3

1

5

13

2

13

7

5

3

3

1

7

CRAIGMORE WAY

4

12

2

LEY STREET

Scale 1:500

C. ARLOTTE STREET

SCHEDULE REF. 75



ALFRED STREET

JOY S

11a

ORMEAU AVENUE

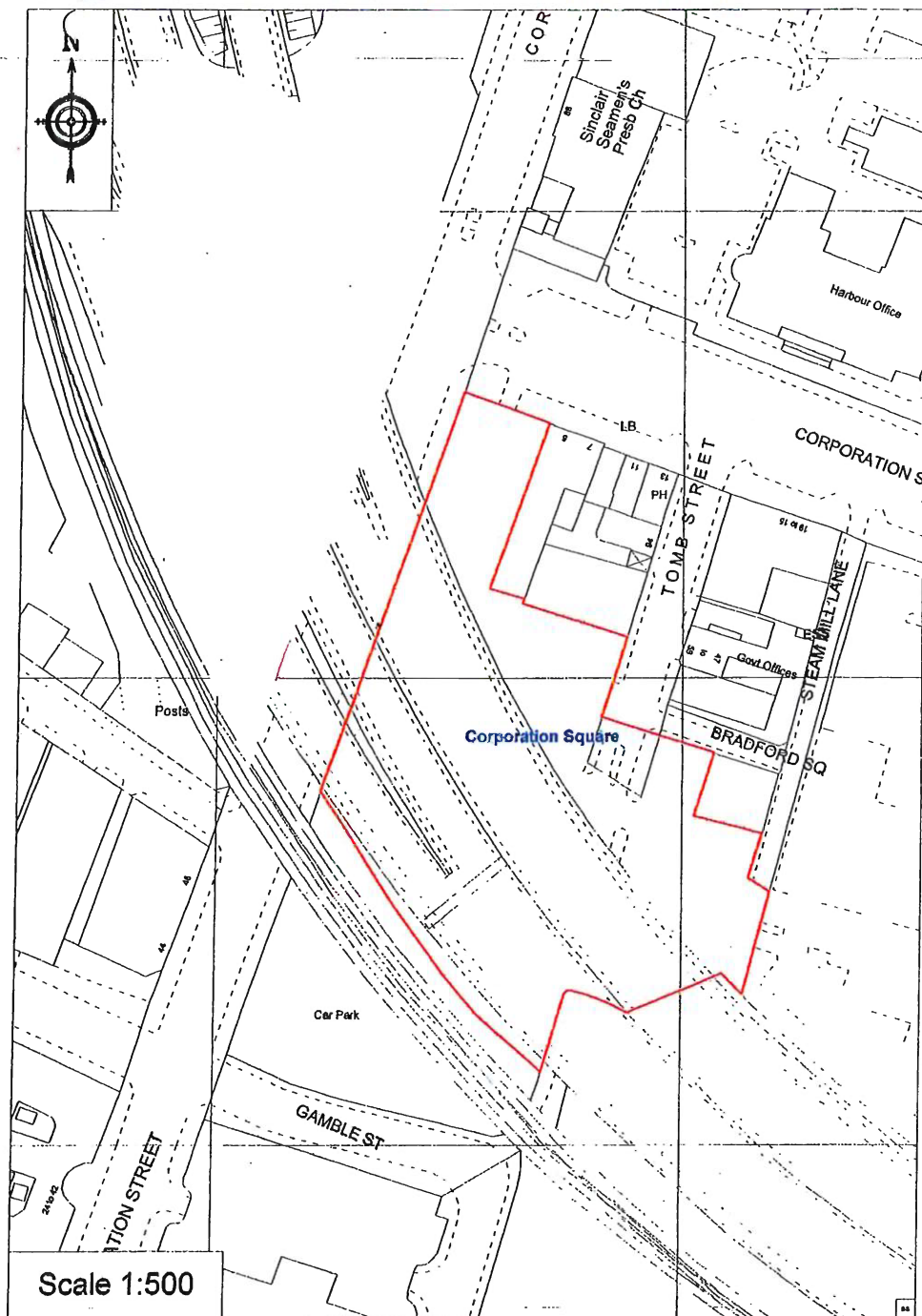
Car Park

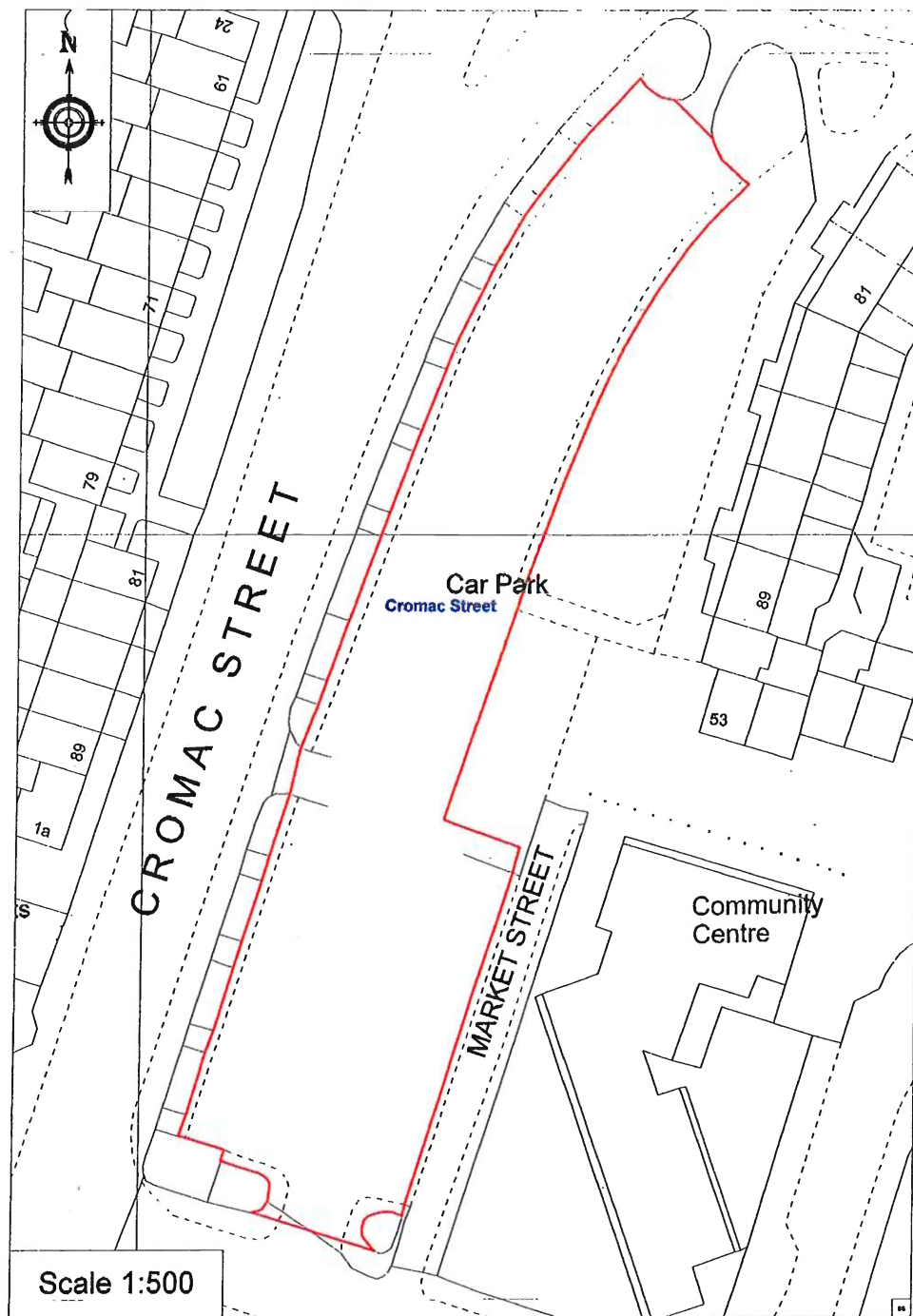
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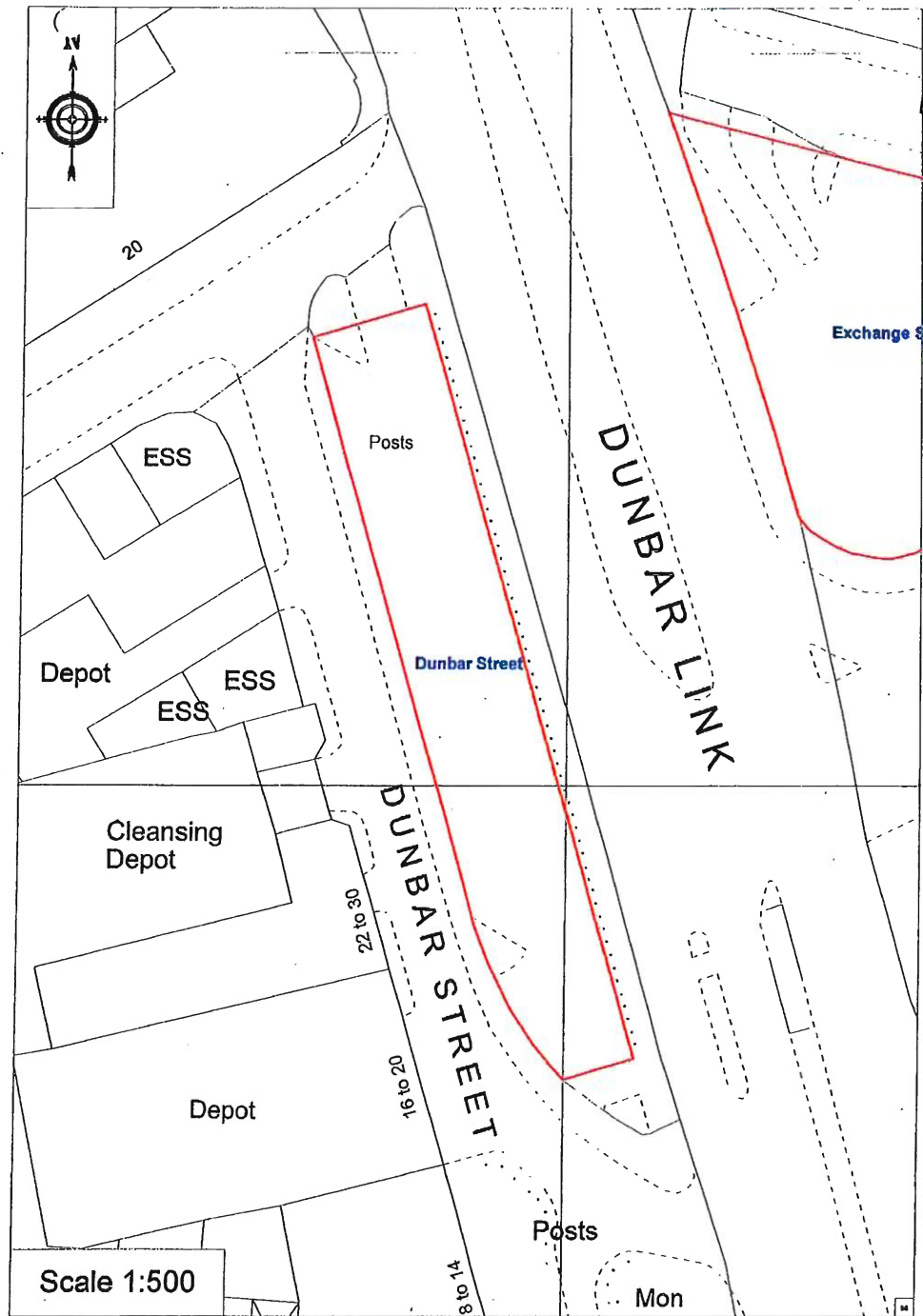


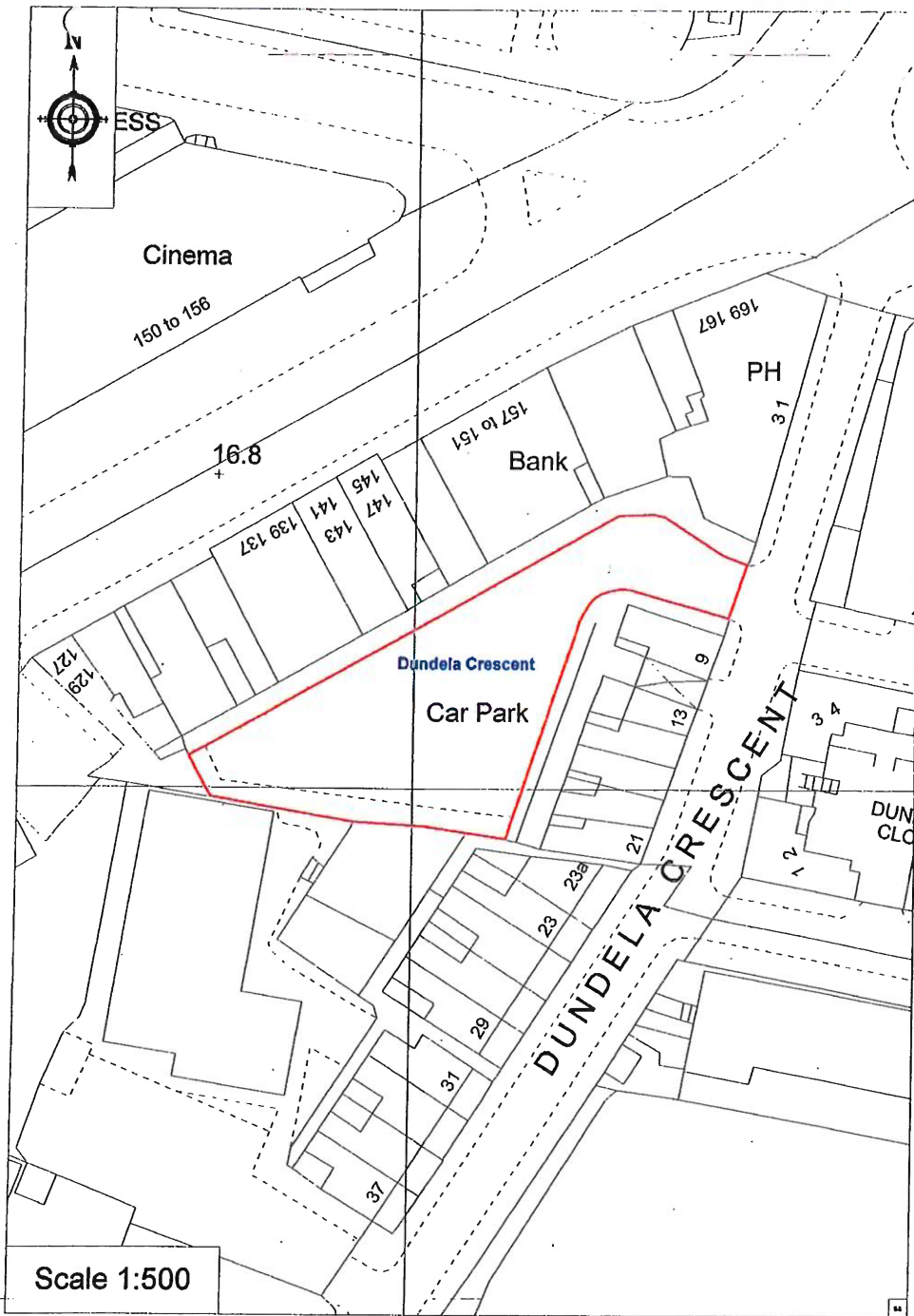




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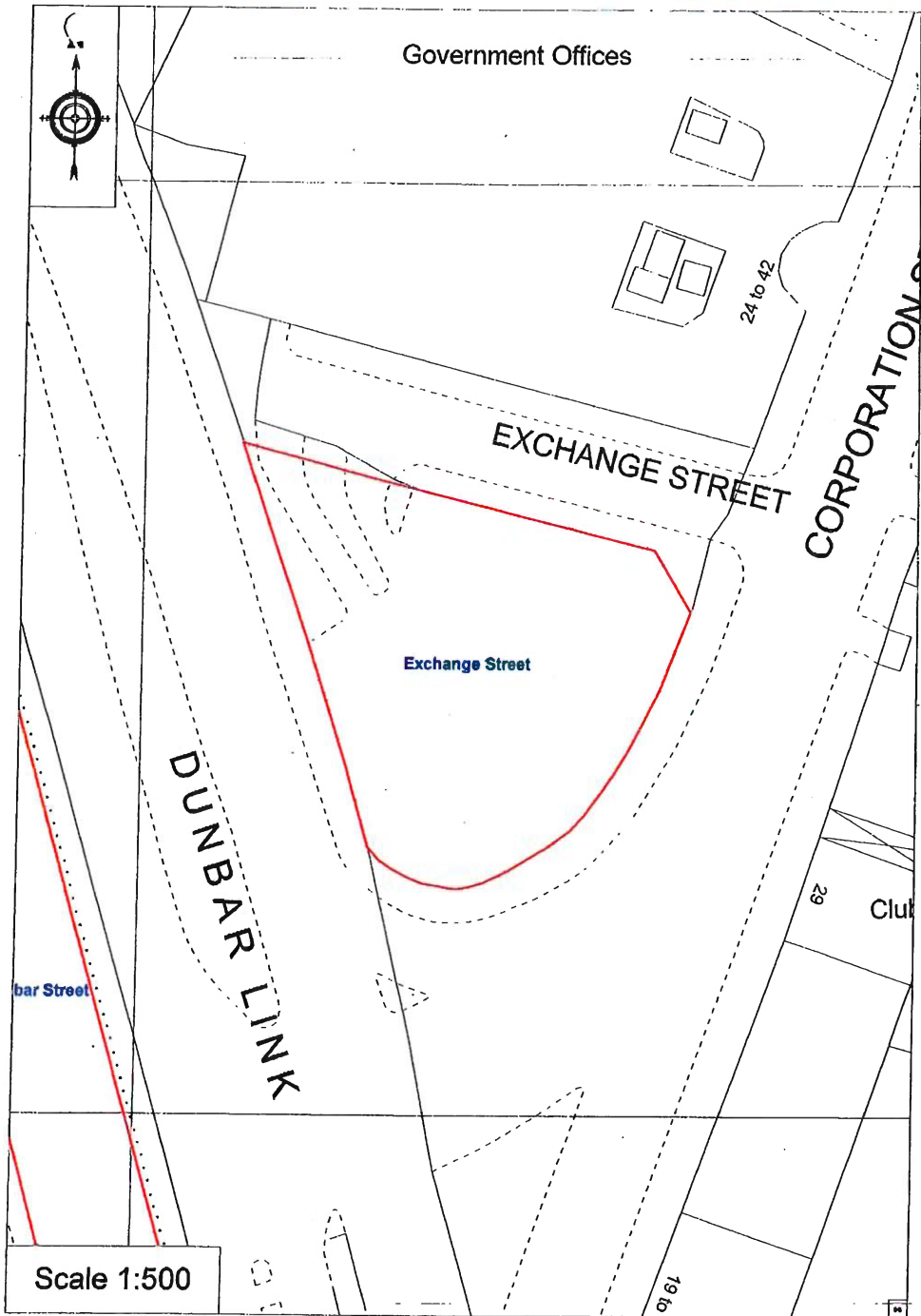
SCHEDULE REF 79





EXCHANGE STREET

SCHEDULE REF. 81

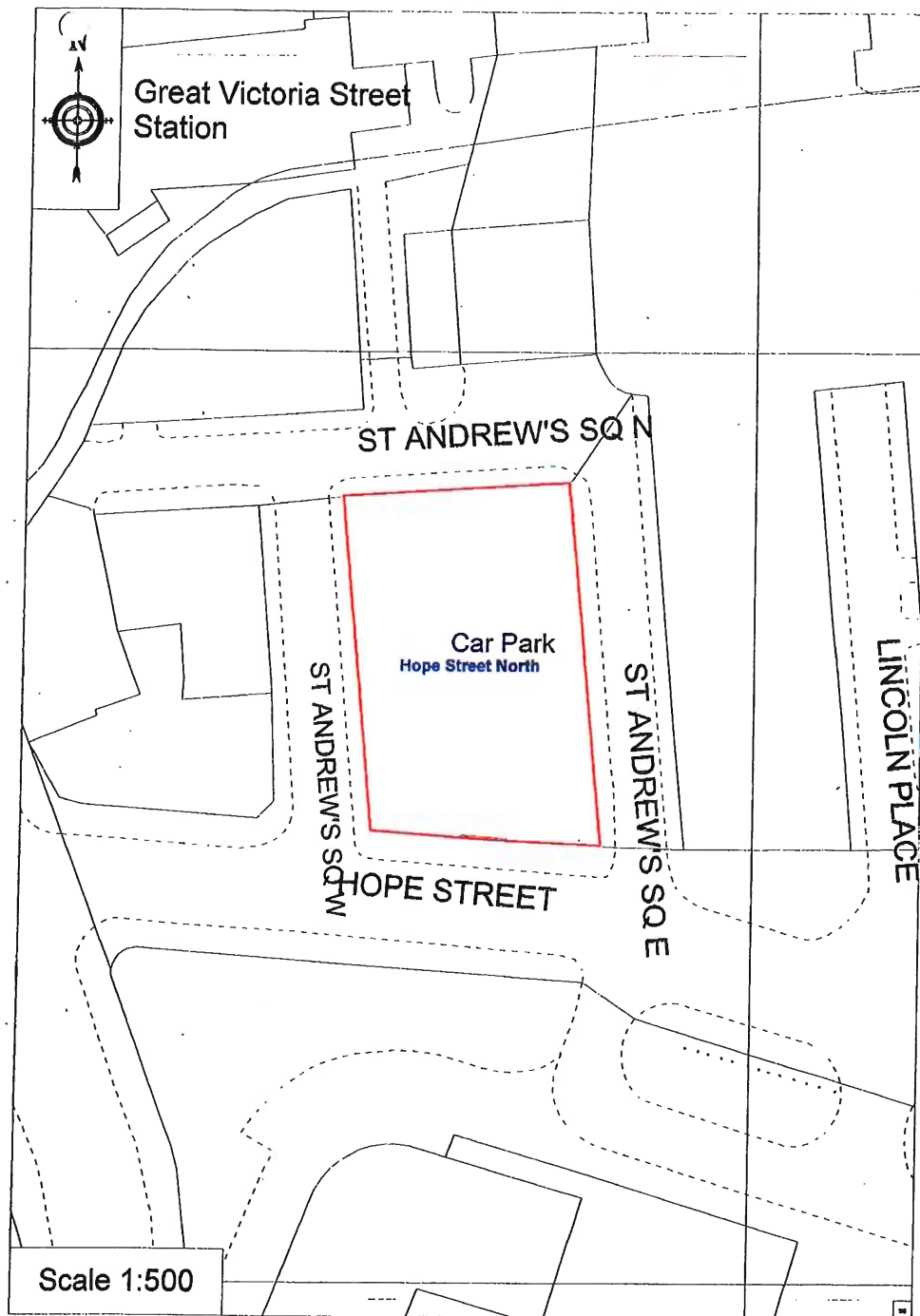


CRAMPAN AVENUE — SCHEDULE REF. 84

~~SCHEDULE REF. 84~~

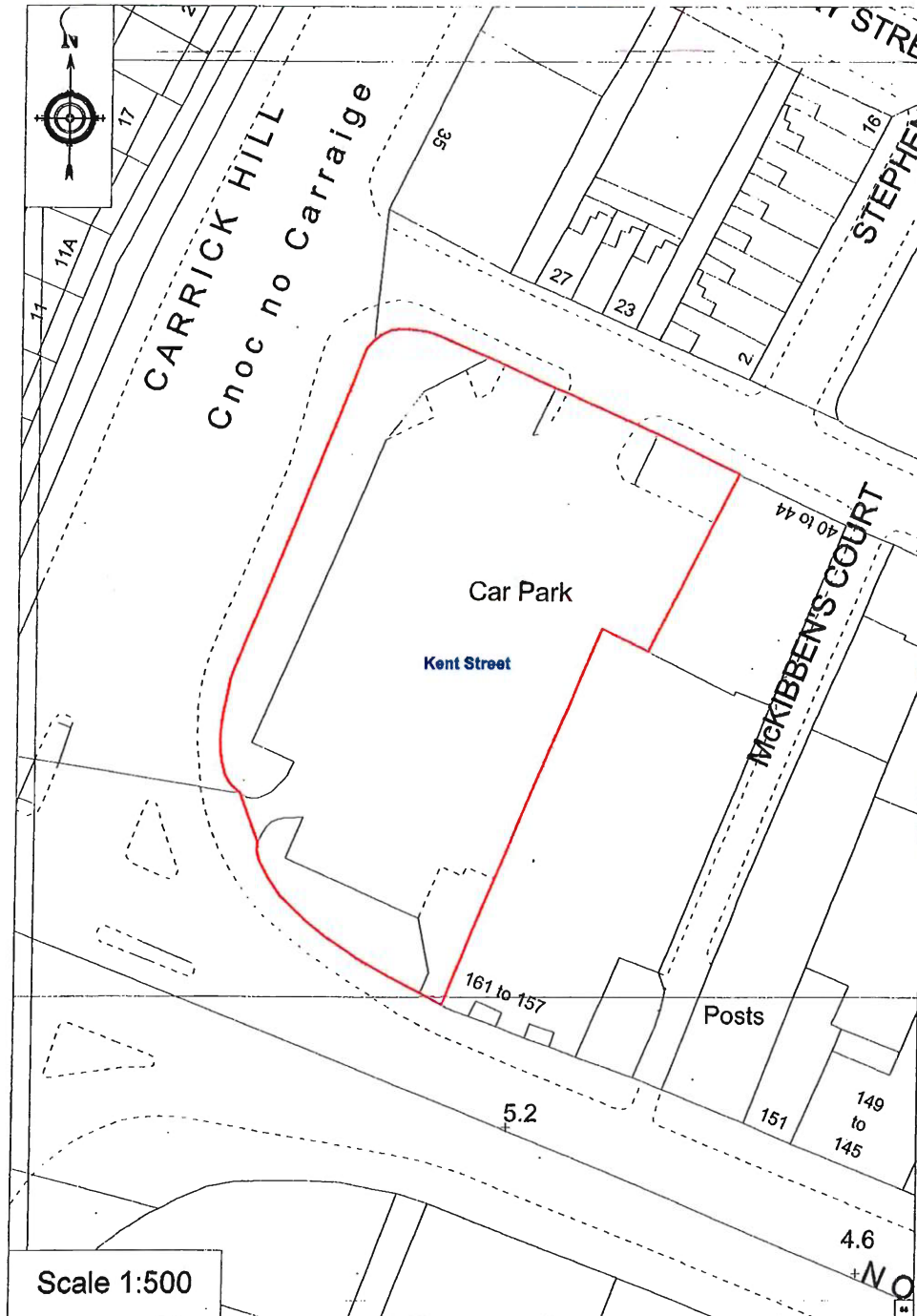






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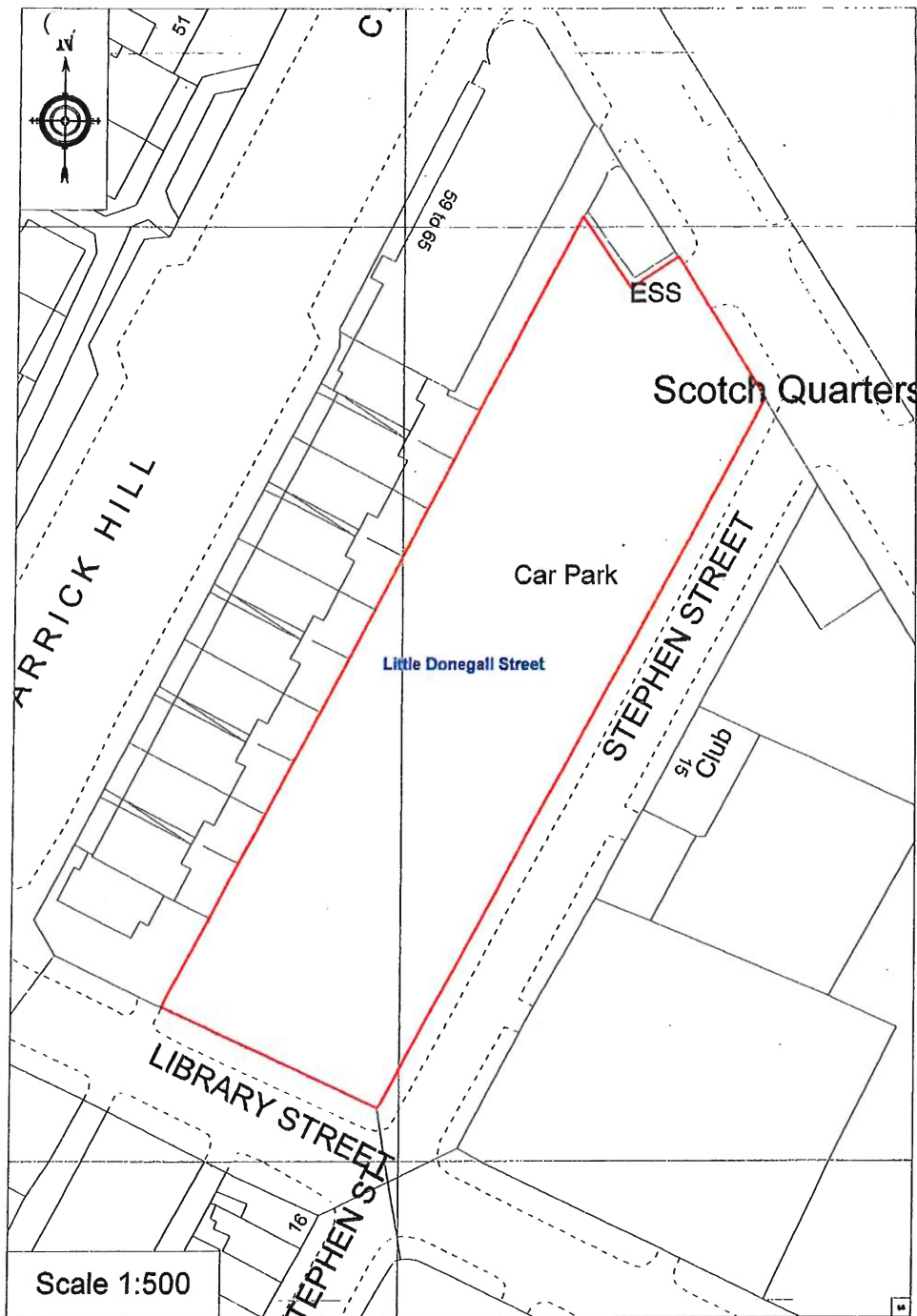
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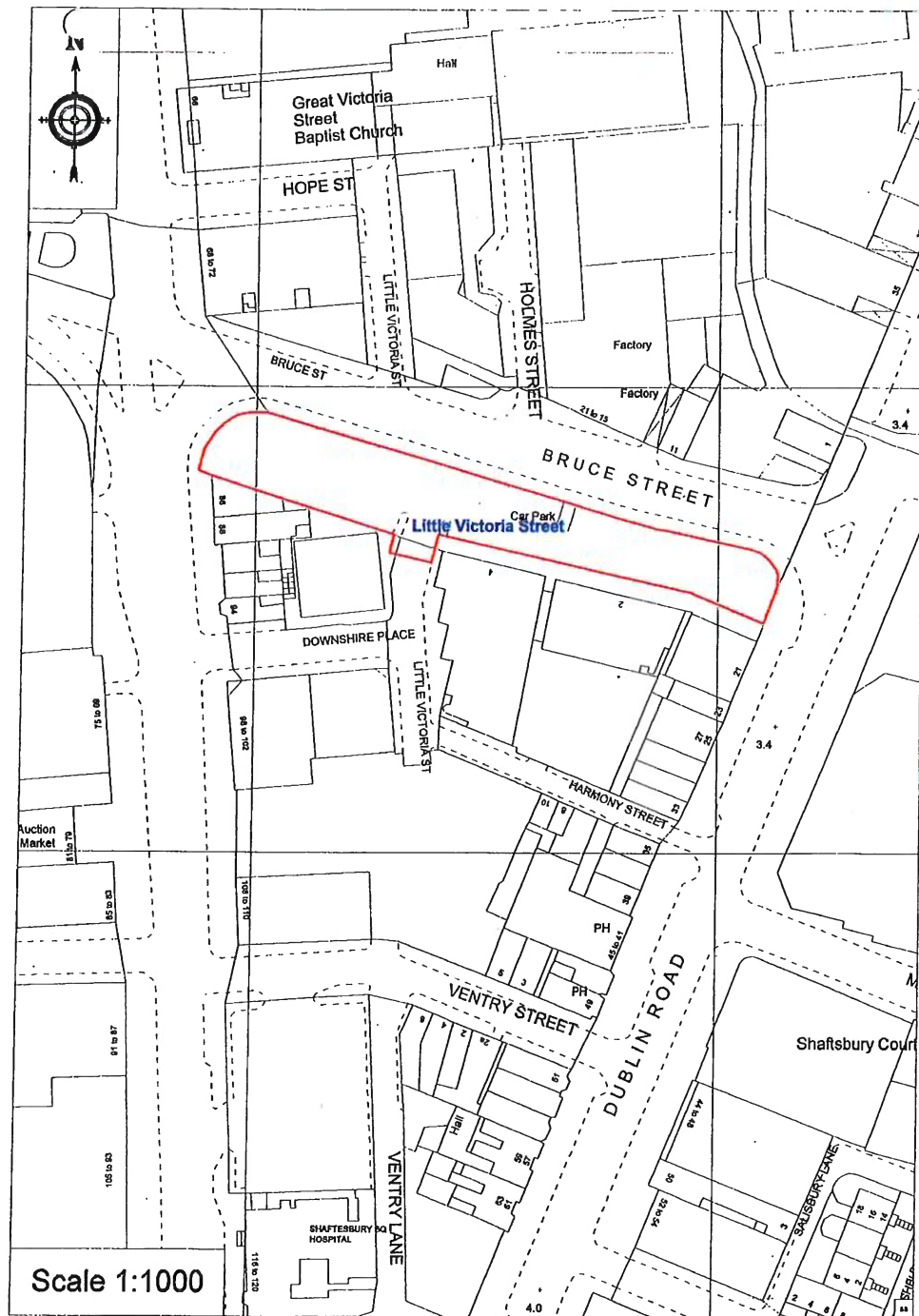


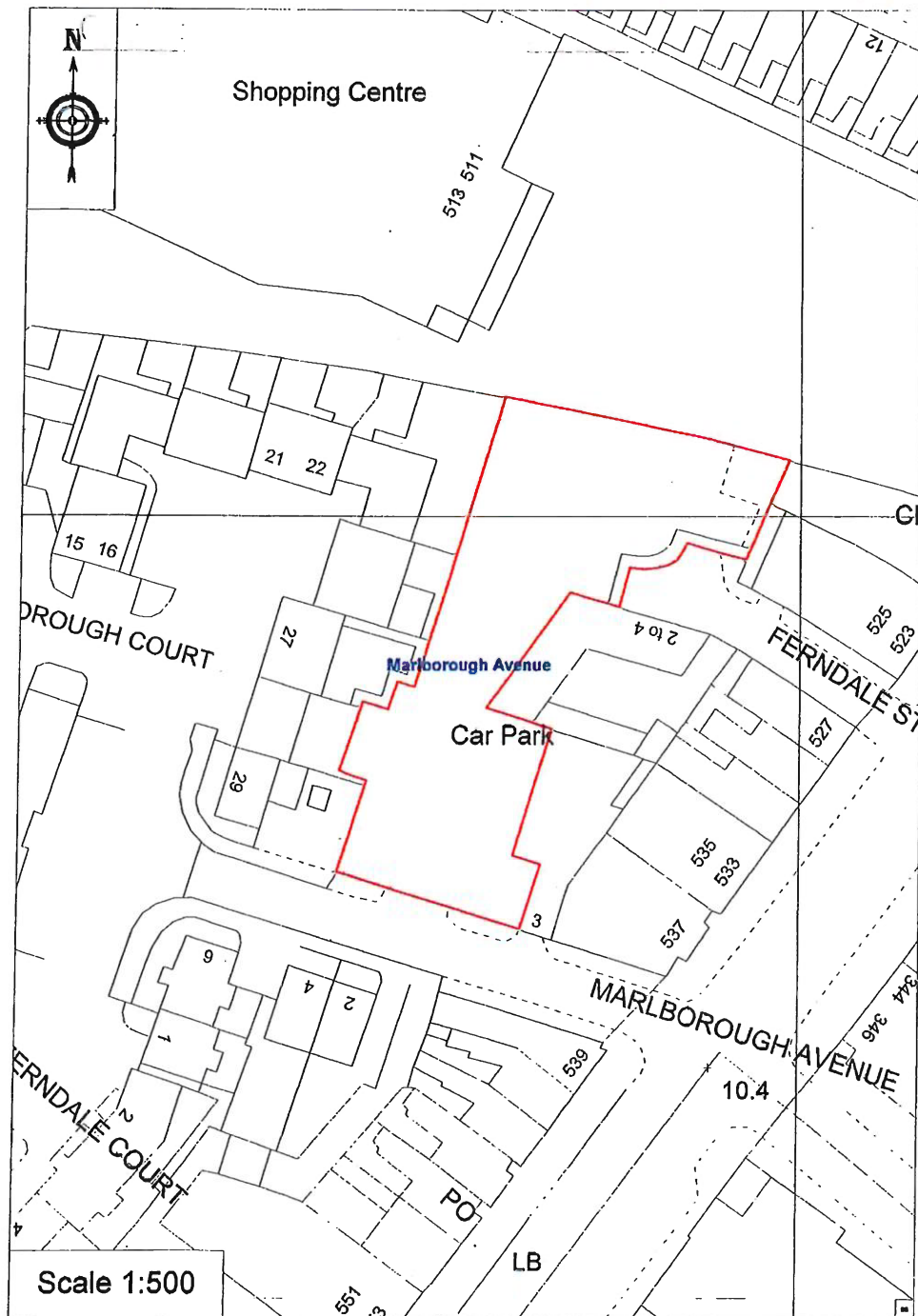


LITTLE DONEGALL STREET

SCHEDULE REF. 90







NORTHUMBERLAND STREET

SCHEDULE REF. 96



20.7

20.1

19.5

18.9

Surgery

122 to 134

10

Ps

Ps

Car Park

Northumberland Street

KENDAL STREET

ORPETH STREET

2

4

1

3

1

7

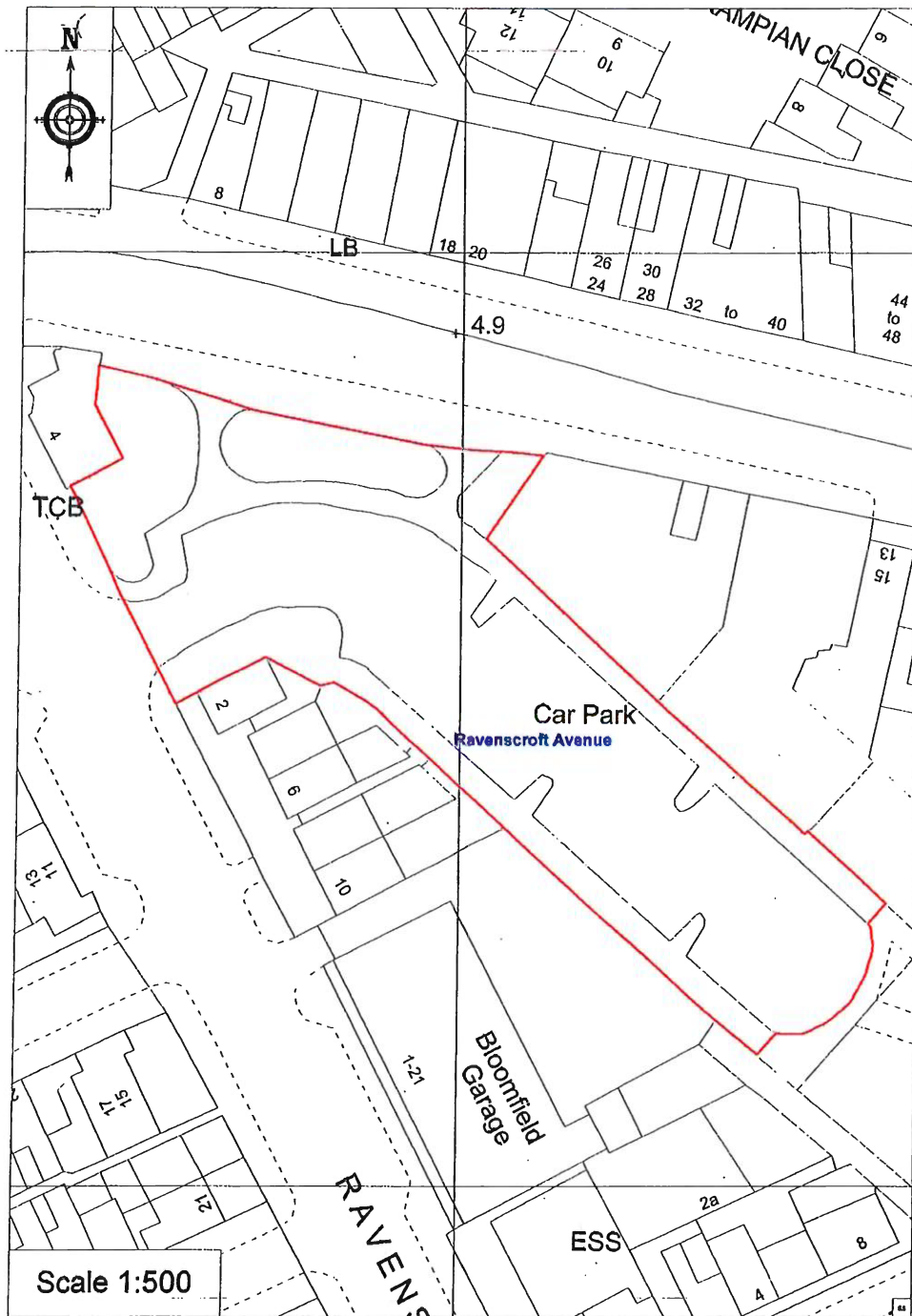
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10

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RAVENSCROFT AVENUE

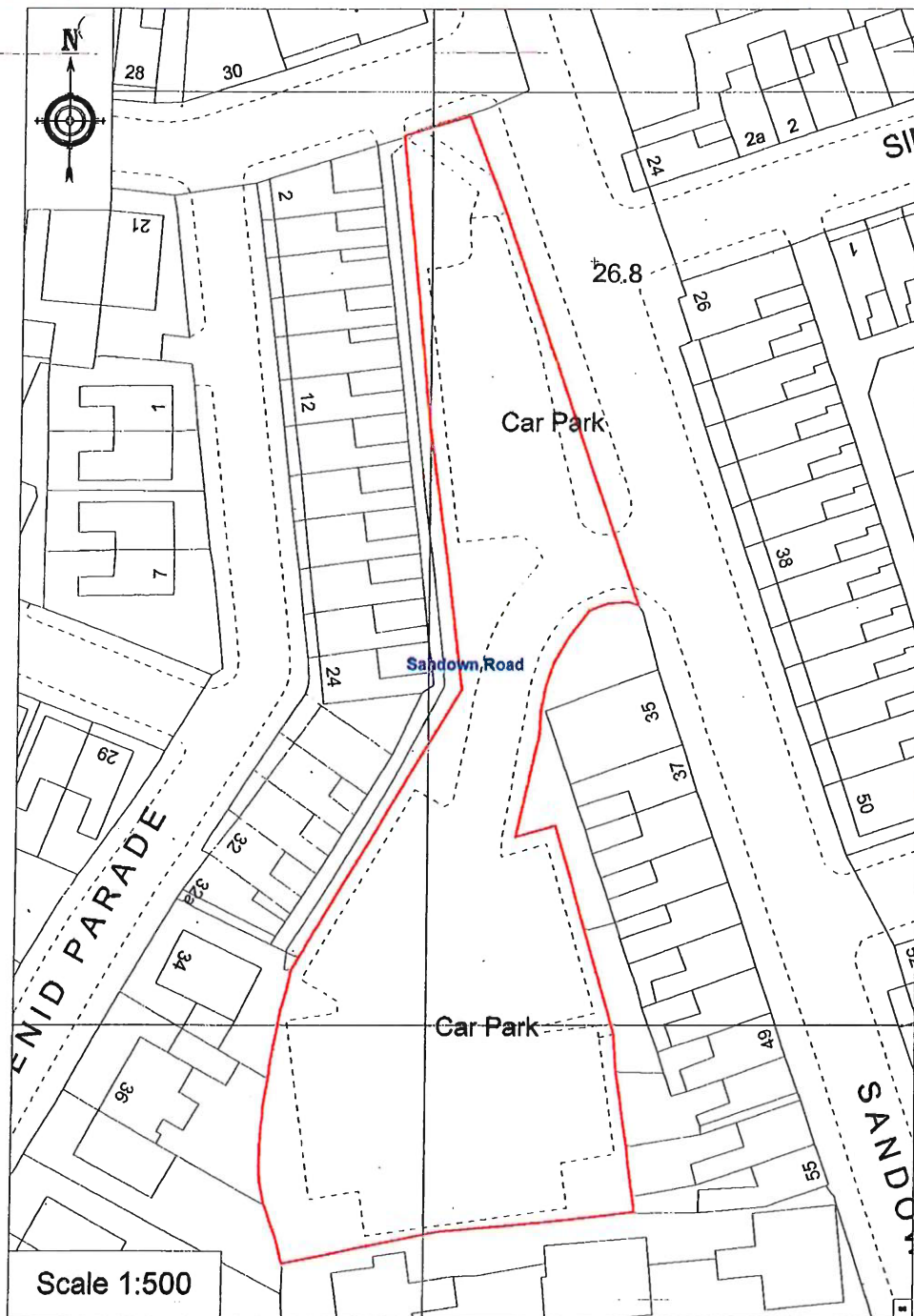
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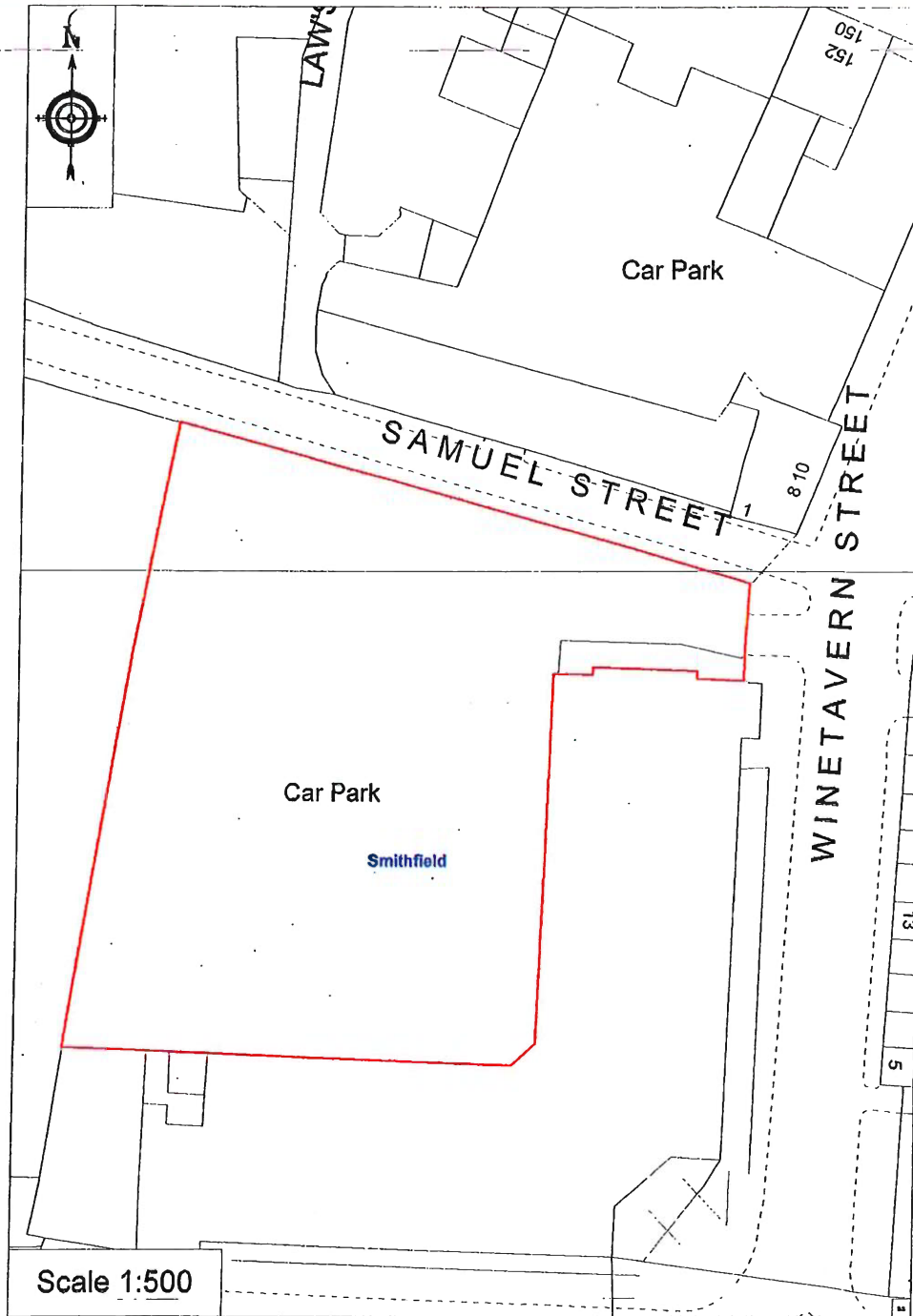




SANDOWN ROAD

SCHEDULE REF. 99

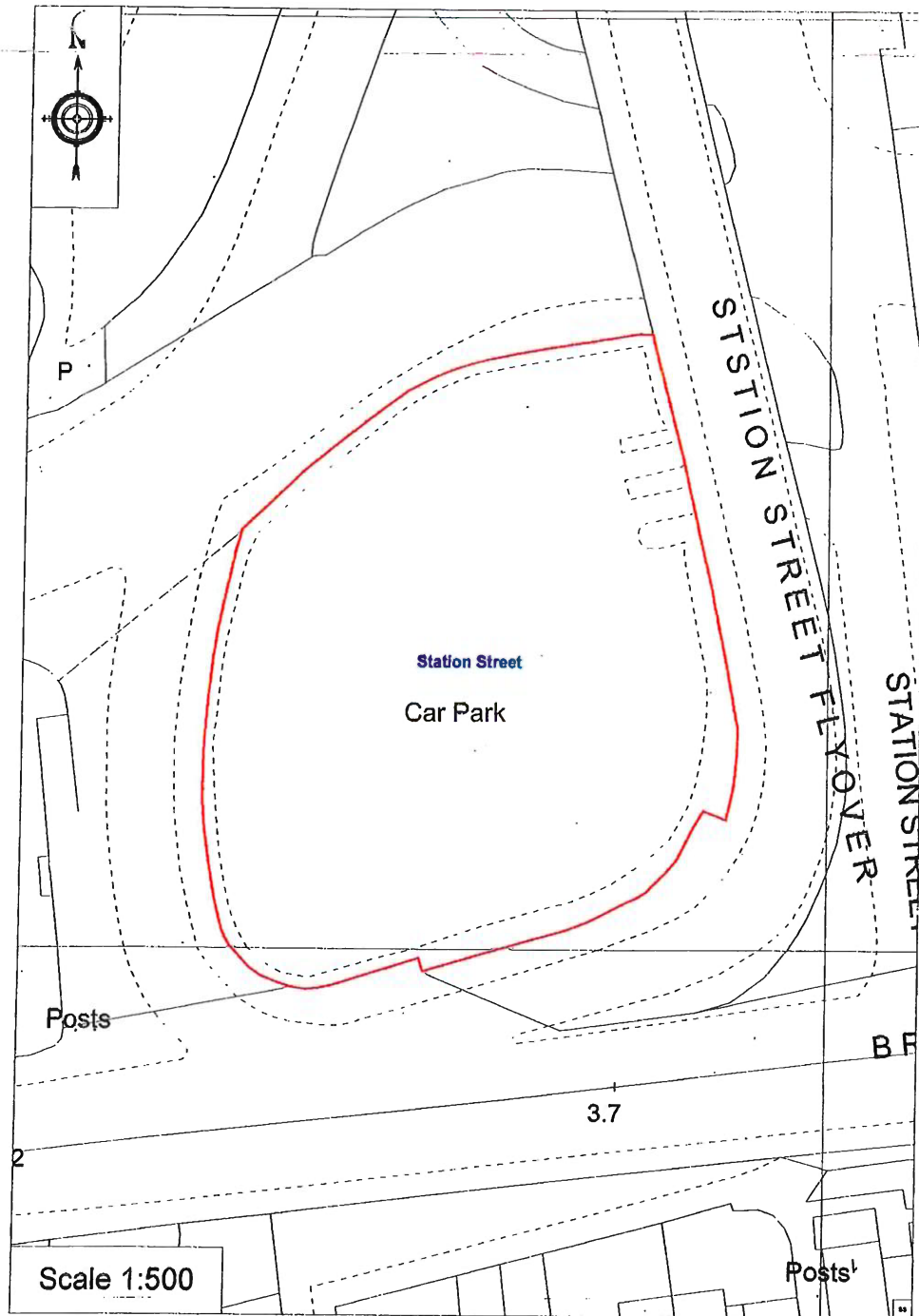




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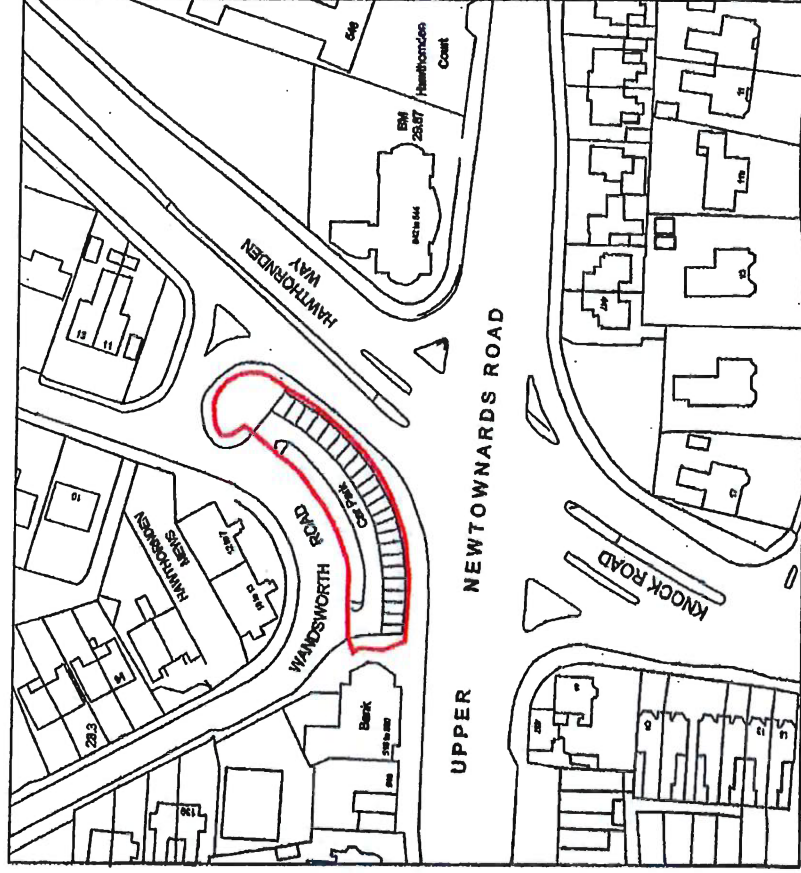
STATION STREET

SCHEDULE REF. 101





ND-BT/2W/1



Scheduled  
Ref No. 103

Project	FREE CAR PARKS
Type	WANDSWORTH ROAD
Ref No.	ND-BT/2W/1
Scale	1:1000
Drawn	1:1000
Checked	1:1000
Approved	1:1000
By	1:1000
Date	1:1000

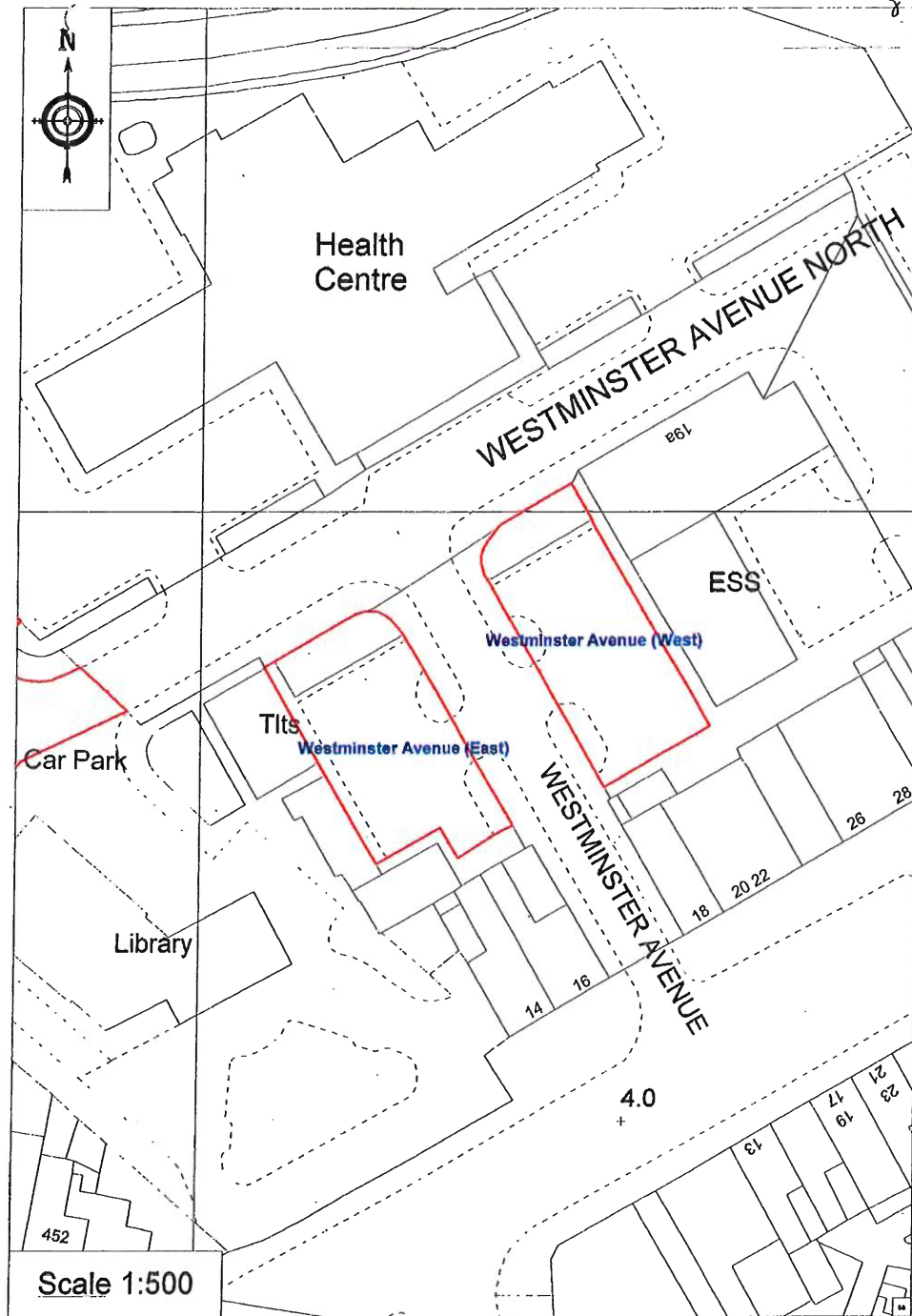
Service

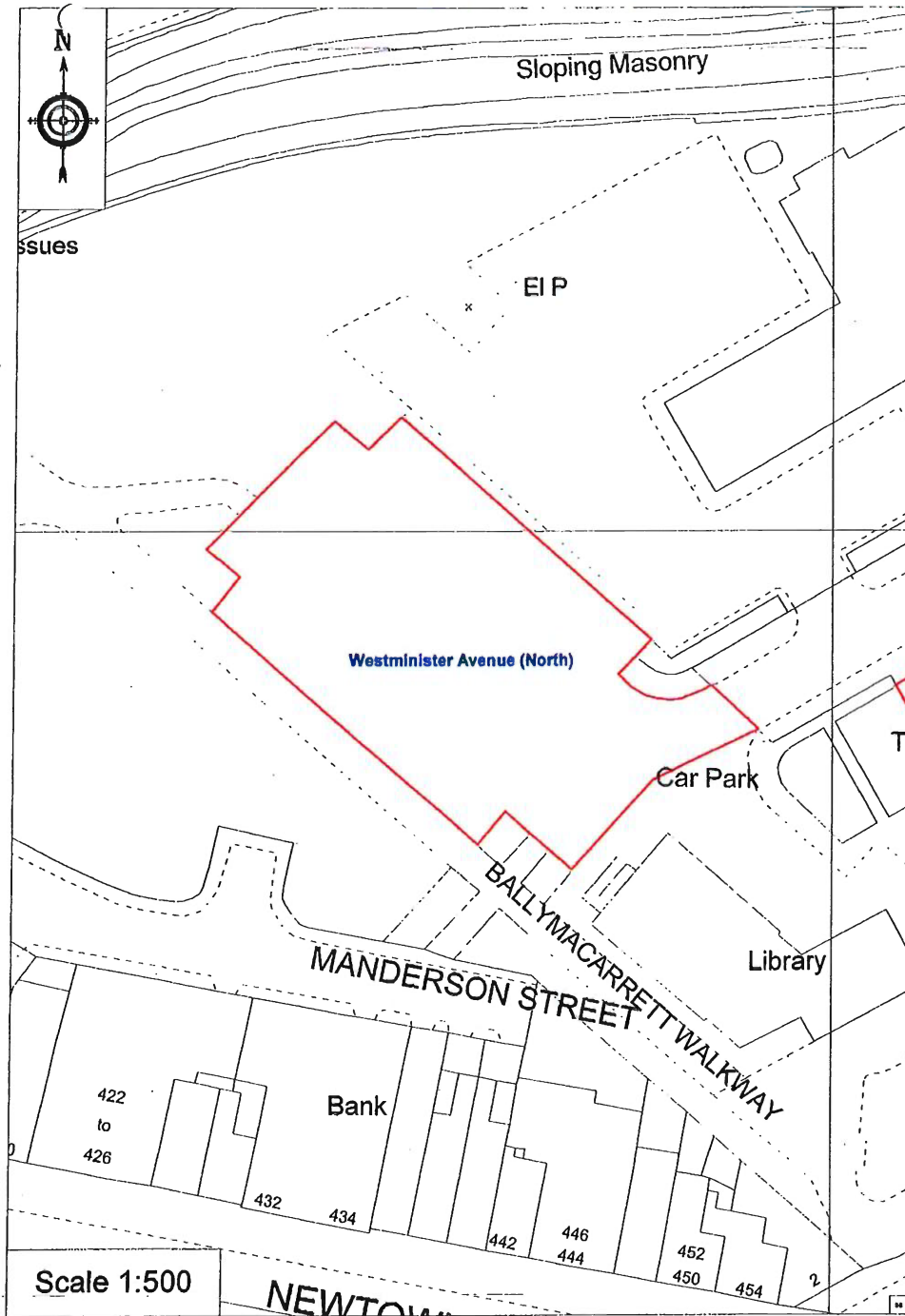
Eastern Division

4 Hopedale Road  
Suttons B75 4B  
Telephone 02089 235000  
Fax 02089 235028



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WHITLA STREET

SCHEDULE REF. 107



2

6

Car Park

WHITLA STREET

Post

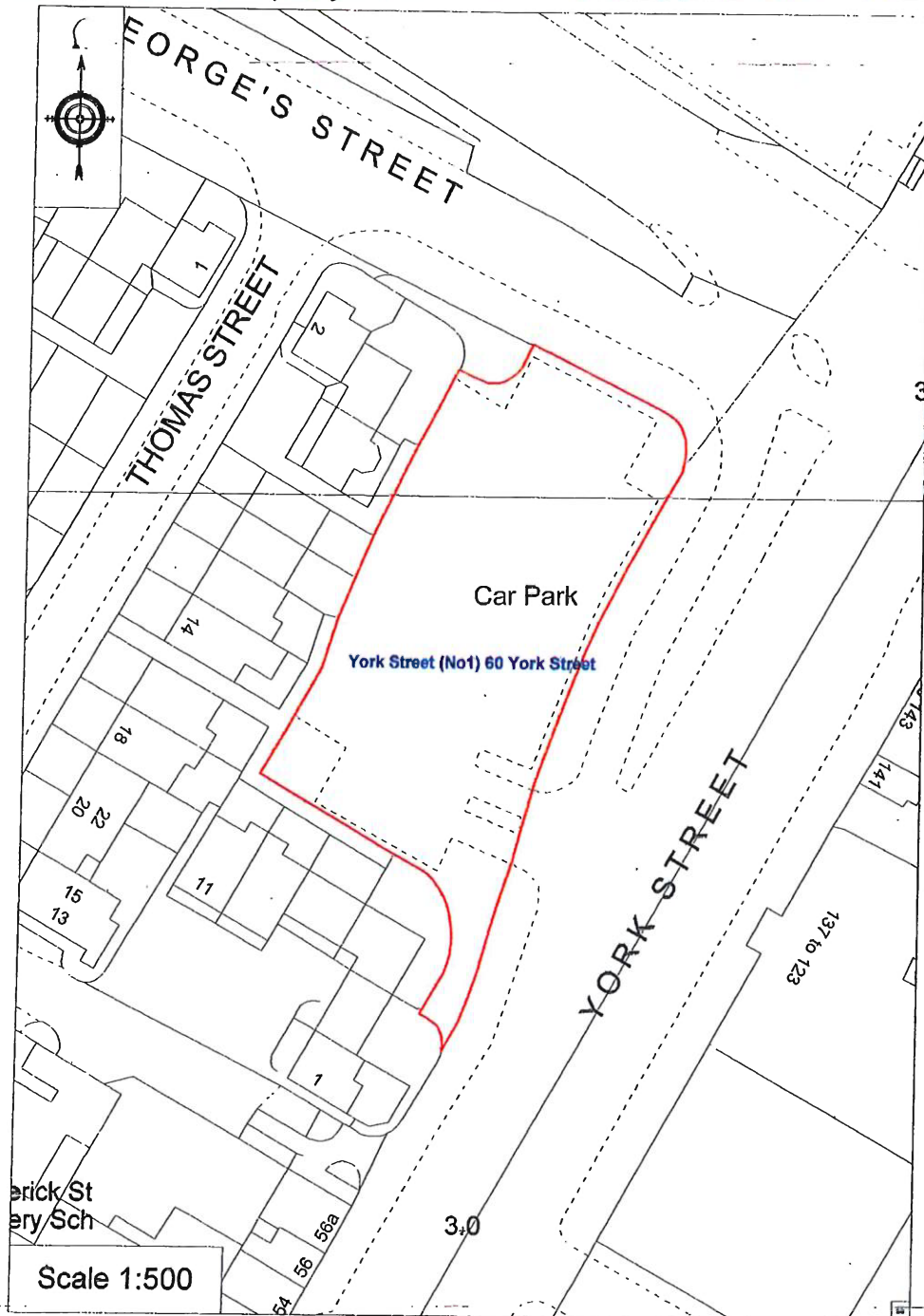
Whitla Street

Car  
Park

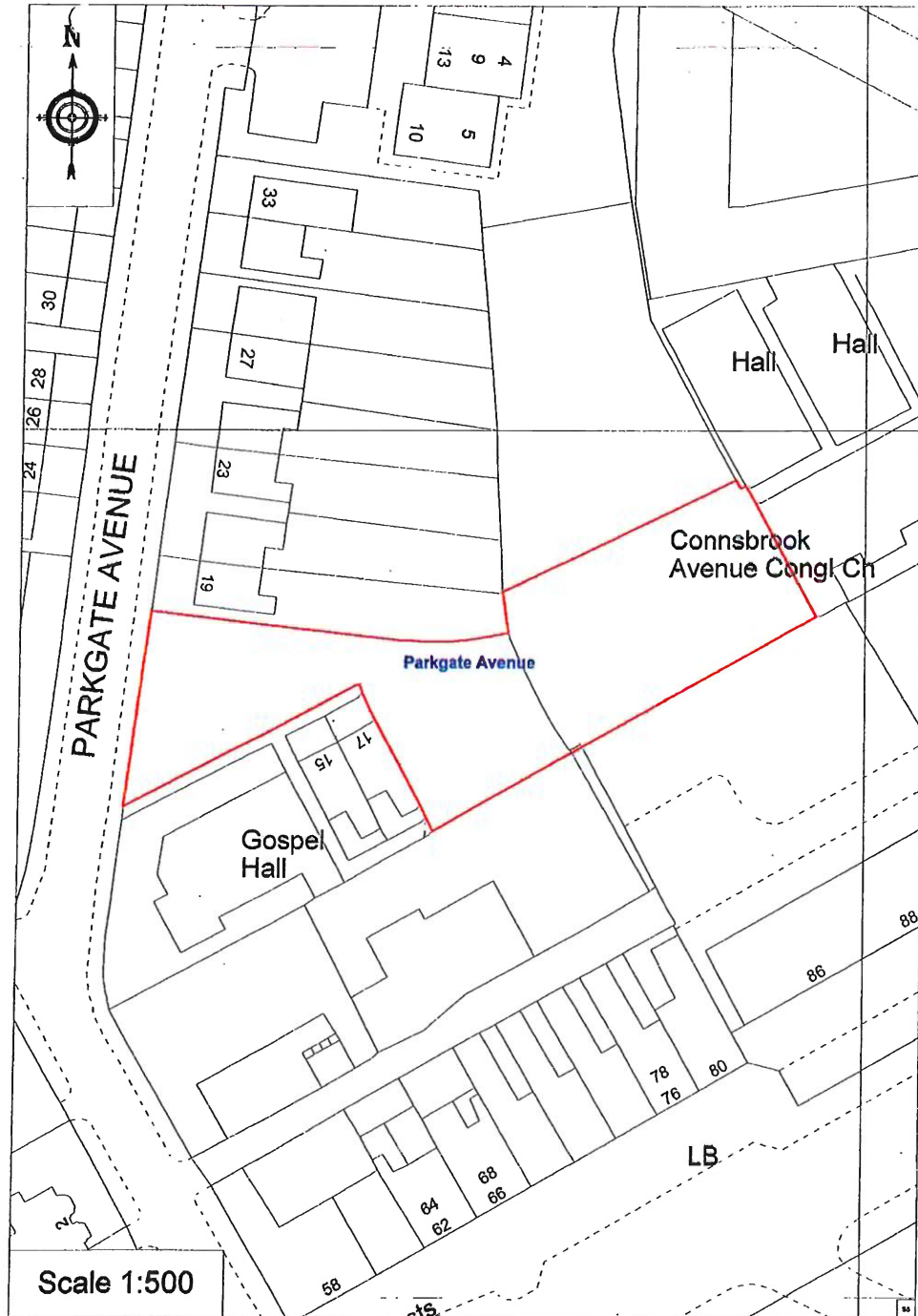
LB

YORKGATE  
STATION

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SHAW'S BRIDGE

SCHEDULE REF. 148

