



## Belfast City Council

<b>Report to:</b>	Strategic Policy and Resources Committee
<b>Subject:</b>	Asset Management – Estates Issues
<b>Date:</b>	19 September 2008
<b>Reporting Officer:</b>	Gerry Millar, Director of Improvement, Ext. 6217.
<b>Contact Officer:</b>	Ken Anderson, Estates Surveyor, Core Improvement, Ext. 3496.

### Relevant Background Information

- Sub-Item 1. Exchange of Land at Carr's Glen Linear Park
- Sub-Item 2. Proposed Acquisition of Land at Eversleigh Street
- Sub-Item 3. City Cemetery Gate Lodge (Fox's Lodge)

#### Sub-Item 1.

At its meeting on 7 November 2006 the former Parks and Cemeteries Services Sub-Committee agreed to an exchange of lands between the Council and the Belfast Education and Library Board to facilitate the redevelopment of the Boys Model School at Carr's Glen. Copy extract from relevant Committee Minute is attached as Appendix 3.

The exchange of lands was to be on the basis of the lands shown on the attached map (Appendix 1) which shows the lands to be transferred to BELB (hatched) and the lands to be transferred to the Council (shown cross hatched). Following further discussions with BELB representatives it has been agreed to amend the detail of the land exchange to the lands shown on Appendix 2 attached (as on Appendix 1, the lands to be provided to BELB are shown hatched and the land to be provided to the Council is shown cross hatched.)

The amended land areas are considered by BELB and Council officers to represent a better solution for the following reasons:

- i) The original proposal would have created a dead-end path on Council land which could have become a gathering place with the ensuing possibility of

- anti-social behaviour which could have spilled over into the school grounds.
- ii) The revised proposal creates a shorter boundary and eliminates the dead-end path and therefore reduces the possibility of creating a gathering place adjacent to the school boundary.

#### Sub-Item 2.

At its meeting on 14 February 2008 the Parks and Leisure Committee agreed in principle to accept the acquisition of land at Eversleigh Street (off My Lady's Road) from the Housing Executive, at nil cost, but subject to:

- i) the land to be used to provide a play facility
- ii) an agreement to be reached on scheme design
- iii) external funding to be secured
- iv) Belfast City Council to manage the completed facility and be responsible for routine maintenance and equipment replacement as necessary. Council to carry public liability insurance for the facility following completion of the works

#### Sub-Item 3.

The former Parks and Cemeteries Services Sub-Committee had previously provided authority to dispose of the dwelling, fronting Whiterock Road at the City Cemetery and known as Fox's Lodge. (The lands for disposal are shown outlined with a heavy black line on the attached map – Appendix 1). The proposed disposal is to be by way of a Development Brief preferably by way of a 25 year lease, although longer term arrangements will be considered for appropriate schemes.

The primary objective contained in the Development Brief is to achieve restoration of the Gate Lodge (Fox's Lodge) and adjoining buildings in a sensitive manner which respects the architecture of the original building and nature of the immediate surroundings in the City Cemetery.

At its meeting on 3 May 2007 the former Parks and Cemeteries Sub-Committee agreed that any monies raised from the disposal should be set against expenditure required within the City Cemetery.

### **Key Issues**

#### Sub-Item 1.

- Previous Committee approval for land exchange between the Council and BELB. Discussions have resulted in amended and rationalised boundaries for land swap to which the approval of the Strategic Policy and Resources Committee is now sought.

#### Sub-Item 2.

- Parks and Leisure Committee have agreed in principle to acquire land at Eversleigh Street subject to certain conditions being fulfilled.
- Initial external funding of scheme to be secured.
- Council to fund future maintenance of facility and public liability insurance.

#### Sub-Item 3.

- Disposal of dilapidated gate lodge on a 25 year lease (or longer if appropriate); marketing to be way of Development Brief.

- Primary objective of Development Brief is to achieve sympathetic restoration of Fox's Lodge.
- Former Parks and Cemeteries Sub-Committee agreed that any monies raised from the disposal to be used for site improvements to the City Cemetery. The latter issue is however contrary to Local Government Act which require any capital receipt to clear debt regarding the asset involved then general debt and only then for other purposes if cleared by the Department of the Environment.

## **Resource Implications**

### Sub-Item 1.

As previously reported – see Appendix 3.

### Sub-Item 2.

#### Financial

Revenue implications associated with future maintenance. In the absence of an agreed scheme design Parks & Leisure Services are unable to quantify these at this time.

#### Human Resources

Parks & Leisure Services confirm there will be no significant human resource implications.

#### Asset and Other Implications

Parks & Leisure Services report a need for a play facility to meet the needs of young people in the area.

### Sub-Item 3.

#### Financial

The disposal is likely to raise an annual revenue receipt or a capital sum, but the amount thereof will not be known until proposals are received and evaluated.

#### Human Resources

No additional human resources required.

#### Asset and Other Implications

This former dwelling and the immediately adjoining lands are unused by the Council and have fallen into extreme disrepair. The aim of the disposal is to enable the capital investment in the property by outside funders (private and/or public sector). The investment should in turn have a positive social and economic impact upon the surrounding area.

## **Recommendations**

### Sub-Item 1.

Committee is recommended to approve the exchange of lands based on the revised boundaries as shown on Appendix 2 to this report subject to completion of an appropriate legal agreement.

### Sub-Item 2.

Committee is recommended to note the decision of the Parks and Leisure Committee of 14 February 2008 in accordance with Standing Order 60.

### Sub-Item 3.

Committee is recommended to approve the disposal of Fox' Lodge in accordance with the main objectives of the Development Brief as referred to in this report and to

endorse treatment of any capital receipt in accordance with legislative requirements.

### **Key to Abbreviations**

BELB – Belfast Education and Library Board.

### **Documents Attached**

#### Sub-Item 1.

Appendix 1 - Map as previously presented to former Parks and Cemeteries Sub-Committee - BELB land shown blue with portion transferring to the Council shown cross hatched. Council lands shown green with portion transferring to BELB shown hatched.

Appendix 2 - Revised Map - BELB land shown blue with portion transferring to the Council shown cross hatched. Council lands shown green with portion transferring to BELB shown hatched.

Appendix 3 – Extract from minute of the former Parks and Cemeteries Services Sub-Committee of 7 November 2006.

#### Sub-Item 2.

Appendix 4. Map showing lands which it is proposed to acquire from the Northern Ireland Housing Executive.

#### Sub-Item 3.

Appendix 5– Map showing lands for disposal outlined with a heavy black line.