



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Proposed Lease Variation and Easement, Woodlands Playing Fields
Date:	20 November 2009
Reporting Officer:	Gerry Millar, Director of Core Improvement, Ext. 6217.
Contact Officer:	Ken Anderson, Estates Surveyor, Core Improvement, Ext. 3496.

Relevant Background Information

By a lease dated 11 December 1998 the Council disposed of land at Woodlands Playing Fields to the Northern Ireland Council for Integrated Education. As part of the legal arrangements the use of site was restricted to school use and use of the access road was restricted to use in connection with the school.

The school has been approached by NI Water to provide access along the school's access road to a pumping station situated on adjoining land close to Orchardville Crescent. NI Water have agreed to pay a small premium for the grant of a right of way over the access road. The Council's agreement to the Grant of right of way is required as it is contrary to the terms of the 1998 lease.

Outline terms have now been agreed between the school, NI Water and the Council which would allow NI Water use of the access road provided that such use was restricted to the operational necessities associated with inspection and maintenance of the pumping station.

Key Issues

- Right of Way sought by NI Water over land to which restrictions on use apply.
- Outline terms agreed between South & West Belfast Integrated College, NI Water and Belfast City Council.

Resource ImplicationsFinancial

Small financial premium to be paid by NI Water to South & West Belfast Integrated College Limited (as successors in title to the Northern Ireland Council for Integrated Education) and Belfast City Council. No other financial impact.

Human Resources

No additional human resources required. Resources in Legal Services Department and Estates Management Unit required to bring the matter to a conclusion.

Asset and Other Implications

Encompassing the proposed Right of Way within appropriate legal documentation will safeguard the Council's position in relation to the overall restrictions on use of the site for school purposes.

Recommendations

Committee is recommended to approve the variation of the lease dated 11 December 1998 to allow the grant of a right of way to NI Water along the access road to the South and West Belfast Integrated College, subject to the payment of a fee of £750 to the Council and incorporation of the arrangements in a suitable legal agreement to be approved by the Director of Legal Services.

Decision Tracking

Director of Improvement to ensure legal documentation completed by 30 April 2010.

Key to Abbreviations

NI Water – Northern Ireland Water Limited

Documents Attached

Appendix 1 – Map showing route of proposed Right of Way shaded green.