



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Connswater Community Greenway Update
Date:	22 October 2010
Reporting Officer:	Gerry Millar, Director of Property and Projects, Ext: 6217
Contact Officer:	Celine Dunlop, Estates Surveyor, Property and Projects, Ext: 3419

Relevant Background Information

Belfast City Council, as part of the City Investment Strategy, has agreed to coordinate the acquisition of lands to enable the Connswater Community Greenway Programme to proceed. The Council will secure rights over the land needed for the Greenway and shall be responsible for the management and maintenance of this land and any assets on the land. The Greenway must be accessible for 40 years to comply with the Big Lottery Fund letter of offer, although the intention is to secure rights for longer if possible.

The BIG Lottery Fund (BIG) have agreed to the Council becoming the employer and authority was granted at the S&PR Committee meeting of the 24th Sept for the Chief Executive to sign the transfer agreement on the Council's behalf. The contract for the construction of the Greenway has been awarded to SIAC/Galliford Try and it is intended that the Council will become the employer and take ownership of the contract by November 2010.

Key Issues

The first phase of construction will be from Cregagh Glen to Montgomery Road with work programmed to commence on the 1st December 2010. Under the terms of the contract the Project Manager needs to be in a position to hand over the land within the extent of works for this section to the contractor on the 1st December 2010.

(i) An area of land at Cregagh Glen consisting of 2.54 acres and shown outlined red on the attached plan at Appendix '1' has been identified as being required for the Connswater Community Greenway. Council officials have agreed to purchase these lands from Mrs Rea for £ 14,115. Mrs Rea's solicitor has not been able to provide Legal Services with title to a portion of the lands and they will need to do further title checks prior to accepting a statutory declaration to the effect that Mrs Rea and her predecessor in title have occupied the said lands to the exclusion of all others since 1920.

- (ii) There may not now be enough time before 1st Dec 2010 to complete the conveyancing and put in place the statutory declaration. Officers would, therefore, propose that the Council take a licence to allow the contractor access to the land with effect from the 1st Dec 2010. The licence will terminate on formal completion of the acquisition of the land from Mrs Rea.
- (iii) The area of land consisting of 0.534 acres shown outlined red on the attached plan at Appendix '2' has been identified as being required for the Greenway. Council officials have agreed to purchase this area of land from Castlereagh Borough Council for £ 8,010. On checking title it became apparent that the developer of adjoining land has wrongly registered part of Castlereagh Borough Council's land within the adjoining folio. Both parties recognise the error and are taking steps to have the matter rectified following which the land will be transferred to BCC for the Greenway.
- (iv) As the rectification of title at Land Register can take some time, officers would propose that the Council take a licence from Castlereagh Borough Council to allow the contractor to take possession of the site on or after the 1st Dec 2010 to commence work on the Greenway. The licence will terminate on formal completion of the acquisition of the land from Castlereagh Borough Council.
- (v) The project manager would intend to hand over the remainder of the land required for the Greenway to the contractor in accordance with the following programme of work; Phase 11 (Montgomery Road to Beersbridge Road) on the 1st June 2011, Phase 11I & 1V (Glen Road to Dixon Park and Beersbridge Road to Sydenham bypass) on the 1st April 2012 and Phase V (Victoria Park) on the 1st Feb 2013. Land assembly for the phases 11-V is progressing well and it is intended that all acquisitions of land will be in place before commencement of phase 11.

Resource Implications

Financial

These proposal requires expenditure of £22,125 to purchase the land and acquire the licences plus associated reasonable professional and legal fees.

The purchase costs for all of the land required for the Connswater Community Greenway are included in the Connswater Community Greenway budget of the City Investment Fund and there will be no additional cost to Council.

Human Resources

No additional human resources required.

Asset and Other Implications

The additional land will form part of the Connswater Community Greenway which when complete will be managed and maintained by the Council.

Recommendations

(i) It is recommended that the Committee grant approval to the purchase of the lands outlined red on the plan attached at Appendix '1' from Mrs Rea for £14,115

(ii) It is recommended that the Committee grant approval to taking a licence from Mrs Rea's for the land shown outlined red on the plan attached at Appendix '1'.

(iii) It is recommended that the Committee grant approval to the purchase of the lands outlined red on the plan attached at Appendix '2' from Castlereagh Borough Council for £8010.
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(iv) It is recommended that the Committee grant approval to taking a licence from Castlereagh Borough Council for the land shown outlined red on the plan attached at Appendix '2'.

Key to Abbreviations

N/A.

Decision Tracking

Action by Celine Dunlop to be completed by December 2010.

Documents Attached

Plans at Appendix '1' and Appendix '2'.
