

APPENDIX 3

Parks and Leisure Committee,
Thursday, 14th October, 2010

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1047

Exchange of Land at Annadale Embankment with Northern Ireland Water

The Committee considered the undernoted report:

"Purpose of Report

To advise Committee of the proposal.

Relevant Background Information

The Council has been approached by Northern Ireland Water who wish to upgrade the Pumping Station facilities at the junction of Sunnyside Street and Annadale Embankment to replace an existing one in the vicinity. The aim is to reduce the amount of overflow discharge to the River Lagan at peak times and to screen discharges to vastly reduce or eliminate the discharge of solid matter to the River.

The planned new Pumping Station is to be located in relatively close proximity to the existing facility for engineering and cost reasons. The exact location will be determined by the suitability of the Council land for vehicle access and egress and to satisfy DRD Roads Service sightline requirements.

The main holding tank and pumping station will be located underground and the majority of the site will be surfaced with reinforced grass (grass-crete or similar). The area above the 9 metre diameter tank and pumping station will be formed in concrete hardstanding. Two control cabinets approximately 2.4 metres high will be located, above ground, on the site, adjacent to the public footway. A 4 metre high vent stack and aerial will be installed close to the cabinets. Landscape Planning and Development Unit, within Parks and Cemeteries Services Section consider that finishing the site with reinforced grass will assist in minimising the visual impact of the scheme and that no additional screen planting is desirable at this location. In Planning terms the site is currently open space to which PPS 8 applies. It also falls within the draft BMAP 'River Lagan/Botanic Local Landscape Policy Area'. It falls outside the road protection corridor for the southern approaches SuperRoute. Full Planning Permission for the NI Water scheme at this location was granted on 7 June 2010 having been passed by the Town Planning Committee at its meeting on 3 June 2010 without comment.

The site of an existing NI Water pumping station which NI Water would consider disposing of to the Council in part exchange for the land required for the new pumping station. In view of the existing use of the area outlined blue, acquisition of this portion by the Council would be subject to provision of suitable decommissioning works being carried out by NI water and the provision of an indemnity to the Council in terms of any potential contamination which may lie within this area or emanate from it.

Under the provisions of The Water and Sewerage Services (Northern Ireland) Order 2006, NI Water are precluded from compulsorily acquiring land from any public body unless the compulsory acquisition has been approved by a resolution of the Assembly. For this reason NI Water are seeking to acquire the subject land from the Council by agreement and have instructed Land and Property Services (LPS) to negotiate potential purchase of the land on their behalf. Following negotiations with LPS the following levels of value have been agreed subject to approval by NI Water and relevant Council Committee(s).

- (i) Disposal of approximately 541 square metres (0.134 acres) for £27,000.

OR

- (ii) Disposal of land at i) plus acquisition of approximately 87 square metres (0.22 acres) on the basis of a net receipt to the Council of £24,500.

Key Issues

Proposed acquisition of Council land by Northern Ireland Water 'by agreement'. If the Council object to disposal of the land then for NI Water to proceed with compulsory acquisition they would require approval by resolution of the Assembly in order to proceed.

Resource Implications

Financial

Modest capital receipt reflects proposed low key use and existing planning status.

Human Resources

No additional human resources required.

Asset and Other Implications

It is proposed that use of the land be restricted to NI Water's statutory functions and that if their need for those purposes ceased, then the land would be offered back to the Council. As referred to in the body of this report, acquisition of the area outlined blue would be subject to adequate reassurances being provided by NI Water. The proposed new pumping station is likely to initiate the installation of additional sewers across adjoining Council land. Any such sewer installations remain subject to separate compensation payments to be negotiated between the Council and NI Water in due course.

Recommendations

Committee is asked to note that the disposal of approximately 541 square metres and acquisition of approximately 87 square metres for a net receipt to the Council of £24,500 is recommended, subject to ratification by the Strategic Policy and Resources Committee in accordance with Standing Order 60 and further subject to title and an appropriate legal agreement to be drawn up by the Town Solicitor and Assistant Chief Executive.

Key to Abbreviations

DRD – Department for Regional Development
BMAP – Belfast Metropolitan Area Plan
NI Water – Northern Ireland Water
LPS – Land and Property Services”

The Committee adopted the recommendation.
