

## **5. Recommendations**

**Committee is recommended to approve Option 1 as the default position, i.e. retain Cathedral Gardens in Council ownership as open space, but agree that officers explore options with adjoining landowners, including the University of Ulster, regarding the future potential of the site in terms of upgrading, management and future maintenance options.**

## **6. Decision Tracking**

**The Directors of Parks and Leisure and Property and Projects will jointly explore the potential of the site and report back to the Parks and Leisure Committee."**

The Committee adopted the recommendation.

### **Land at Torrens**

The Committee was advised that the Northern Ireland Housing Executive had expressed an interest in acquiring a portion of land which was located adjacent to the Torrens Crescent and Torrens Drive area in North Belfast. The Director reported that the site was currently leased to the Council by the Housing Executive for a 25 year period for the purpose of "informal open space".

He pointed out that a play area had been constructed on the site but had been subjected to vandalism and had become unused and overgrown. The Parks and Leisure Services Department currently had no plans to develop the site and the Housing Executive had undertaken a preliminary feasibility study, which had indicated that there was a potential for additional residential units to be developed within the area and that the housing scheme could include infrastructure such as car parking, access routes and landscaping.

The Director stated that the key issue for the Committee to consider was whether it wished to surrender the lease back to the Executive and he outlined three options as set out hereunder:

- Option 1 - retain the land and develop it;
- Option 2 - retain the land for informal open space and undertake landscaping works; and
- Option 3 - surrender the lease back to the Housing Executive

The Director reported that options 1 and 2 would have cost implications for the Council and that, owing to the short period of the lease remaining, namely 13 years, any development options would be limited. The cost of construction of a playground or multi-use games area on the site would be in excess of £250,000, plus annual maintenance costs of approximately £12,000. Accordingly, he recommended that, due to the fact that the Parks and Leisure Department had no plans to develop the site, the lease be surrendered back to the Northern Ireland Housing Executive, subject to notification, in accordance with Standing Order 60, to the Strategic Policy and Resources Committee.

After discussion, it was

Moved by Councillor J. Rodgers  
Seconded by the High Sheriff (Councillor Stafford),

That the Committee agrees to adopt option 2, that is, retain the land for informal public space and undertake some landscaping works.

#### Amendment

Moved by Councillor Maskey,  
Seconded by Councillor Mallon,

That the Committee agrees to adopt option 3 contained within the report, that is, surrender the lease back to the Northern Ireland Housing Executive.

On a vote by show of hands eight members voted for the amendment and six against and it was accordingly declared carried.

The amendment was thereupon put to the meeting as the Substantive Motion with eight members voting for and six against.

#### Licence Agreement for Signage at Botanic Gardens

The Committee was reminded that, during the summer of 2009, the Queen's University of Belfast had carried out resurfacing works at the Stranmillis Gardens entrance to the Botanic Gardens. Those works had been carried out on land within the University's ownership, but had extended to a small portion of the Council's land. Those works, which had been completed in a satisfactory manner, had provided good quality surfacing to the entrance of the site. However, the University had erected signage which had been mistakenly placed on Council-owned land and the University was now seeking permission to retain the signage at that location.

The Director pointed out that the key issue for the Committee to consider was whether it wished to permit the signage to remain in its current location and, should the Committee agree to accede to the request, it would be appropriate for the retention of the signage to be regulated by way of a licence agreement, which would cover responsibility for maintenance and any public liability issues. He stated that the absence of an agreement could enable the University to acquire rights to retain the signage and that any licence agreement should contain provisions for the termination of the arrangement and thus protect the Council's position. An alternative would be to request the University to remove the signage and relocate it to its own adjoining land. However, in the interest of developing a good working relationship with the University, that was not considered to be appropriate at this time.

Accordingly, he recommended that the Committee agree to accede to the request which had been received from Queen's University to permit the retention of its signage on the Council's land, subject to an appropriate licence agreement to be prepared by the Assistant Chief Executive and notification to the Strategic Policy and Resources Committee, in accordance with Standing Order 60.

The Committee agreed to accede to the request.