



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Proposed Deed of Variation for change of use at 10 Stockman's Lane, Belfast (formerly Grovelands House)
Date:	24 th August 2012
Reporting Officer:	Gerry Millar, Director of Property and Projects, Ext 6217
Contact Officer:	Cathy Reynolds, Estates Manager, Ext 3493

1	Relevant Background Information
1.1	At its meeting on 7 th November 1995, the Client Services Committee approved the disposal of Grovelands House (now known as Australia House at 10 Stockman's Lane). A location map is attached at Appendix 1. The property was sold by way of a 900 year Lease dated 30 January 1998 to Children's Enterprise (Northern Ireland) Ltd for the sum of £195,000.00. The use of the Premises under the Lease was restricted to a residential dwelling and office use. Children's Enterprise Ltd have now agreed the premises for sale and their solicitor has requested that the use within the Lease be varied by way of a Deed of Variation to allow the premises to also be used for medical consulting rooms to facilitate the proposed purchaser's intended purpose.
1.2	The 1998 lease to Children's Enterprise NI Ltd also contained a clause which requires the Lessee to seek Council consent to any exterior alterations to the premises. Solicitor's acting for the prospective purchaser has accordingly submitted drawings illustrating some intended alterations. The proposed alterations are very minor in nature, comprising mainly of demolition of a small boiler house and construction of a short section of retaining wall. None of the proposed alterations will impact upon the Council's adjoining lands or the boundaries thereto.

2	Key Issues
2.1	The intended use for medical consulting rooms does not increase the value of the premises and it would thus be inappropriate for the Council to seek a premium in consideration of granting the proposed change of use.
2.2	Neither the change of use, nor the intended alterations, will have any impact on

2.3	<p>the adjacent Council owned Musgrave Park/Grovelands.</p> <p>Planning permission will be required to use the building as medical consulting rooms. Responsibility for obtaining same will lie with the prospective purchaser.</p>
-----	---

3	Resource Implications
3.1	<p><u>Financial</u></p> <p>Children's Enterprise Ltd have agreed to bear the Council's reasonable legal costs in connection with the grant of a change of use (and the associated Deed of Variation) and consent to the alterations.</p>
3.2	<p><u>Human Resources</u></p> <p>Legal Services and Estate Management Unit resources will be required to finalise the matter.</p>
3.3	<p><u>Asset and Other Implications</u></p> <p>No impact on the Council's adjoining lands.</p>

4	Equality and Good Relations Considerations
4.1	<p>There are no equality or good relations considerations.</p>

5	Recommendations
5.1	<p>Committee is recommended to approve the change of use under the Lease dated 30 January 1998, between Belfast City Council and Children's Enterprise NI, from 'a residential dwelling or for office use' to 'a residential dwelling or for office use or for medical consulting rooms'.</p> <p>Committee is recommended to approve the minor alterations as submitted with drawings attached to letter dated 19 July 2012 from Messrs Millar McCall Wylie, solicitors.</p>

6	Decision Tracking
<p>Director of Property and Projects to ensure completion of Deed of Variation and provision of consent to alterations are issued in September 2012 following ratification of Committee decision at Council.</p>	

7	Key to Abbreviations
<p>None</p>	

8	Documents Attached
Appendix 1: Location Map	