



## Belfast City Council

<b>Report to:</b>	Strategic Policy & Resources Committee
<b>Subject:</b>	Connswater Community Greenway Update
<b>Date:</b>	22 March 2013
<b>Reporting Officer:</b>	Gerry Millar Director of Property & Projects, Ext: 6217
<b>Contact Officer:</b>	Celine Dunlop Estates Surveyor, Ext: 3419

<b>1.0</b>	<b>Relevant Background Information</b>
1.1	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.

<b>2.0</b>	<b>Key Issues</b>
2.1	The NIHE acquired the land shaded red and yellow on the plan attached at Appendix '1' from the Council by way of a grant of wayleave and easement dated 29 <sup>th</sup> Aug 1989 in order to construct a footbridge on Council land to permit access to Flora Street Walkway, Avoniel Leisure Centre and Avoniel Primary School from the NIHE's new build scheme off Bloomfield Parade.
2.2	The Council have now acquired land at Bloomfield Parade from the NIHE for the CCG and the footbridge will be replaced by the Council as part of the CCG scheme. NIHE wish to surrender the wayleave and easement dated 29 <sup>th</sup> Aug 1989 to allow the Council to replace the bridge as part of the CCG scheme.

<b>3.0</b>	<b>Resource Implications</b>
3.1	<u>Finance</u> The surrender of the wayleave and easement has no additional cost implications

3.2	as the consideration for the grant of easement and wayleave was five pence per annum if demanded. NIHE will pay their own legal fees in connection with this matter.
3.3	<u>Human Resources</u> Legal Services involved in completing the proposed Deed of Surrender.
3.4	<u>Asset and other Implications</u> The Council will regain control of this small area of land and the new bridge will be constructed as part of the CCG project and maintained thereafter by the Council.

<b>4.0</b>	<b>Equality and Good Relations Implications</b>
4.1	The Connswater Community Greenway will have a positive impact in terms of equality of opportunity and good relations

<b>5.0</b>	<b>Recommendations</b>
5.1	It is recommended that the Committee grant approval to the surrender of the Grant of easement and wayleave for the land shown shaded red and yellow on the plan attached at Appendix '1'.

<b>6.0</b>	<b>Decision Tracking</b>
6.1	Action by Legal Services by the 31 <sup>st</sup> May 2013.

<b>7.0</b>	<b>Key to Abbreviations</b>
7.1	NIHE Northern Ireland Housing Executive CCG Connswater Community Greenway

<b>8.0</b>	<b>Documents Attached</b>
8.1	Plan attached at Appendix '1'.