



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Disposal of Land at Cliftonville Playing Fields
Date:	8 November 2013
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 6 February 2007 the Community and Recreation (Parks and Cemeteries Services) Sub-Committee approved the disposal of approximately 1.3 acres of land at Cliftonville Playing Fields for the provision of an Irish Medium Primary School. Due to changes in budget priorities the Department of Education (the project funder) decided not to proceed with the acquisition of the relevant land at that time and the matter lapsed.
1.2	In September 2011 the Department of Education (DE) again approached the Council with a view to acquiring a small portion of the Playing Fields site for the provision of an Irish Medium Nursery Unit. The Departments' proposal was to commence the Nursery as soon as possible with a view to provision of the primary school facilities at the earliest opportunity thereafter. By this stage the Council had developed its Pitches Strategy and had proposals to develop a series of 3G pitches across the city, with the site at Cliftonville Playing Fields among them. In view of this the Council sought to minimise the site area to be devoted to the Nursery Unit and proposed primary School.
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1.4	At its meeting on 12 April 2012 the Parks and Leisure Committee agreed to grant a five year lease to the Trustees of Bunscoil, on 0.29 acres of Council land, at a rent of £1780 per annum, to facilitate development of a Nursery Unit. The lease was constructed in such a way as to allow the leased area to be subsumed within any land transfer arrangements which may arise in connection with the DE's proposals for development of a primary school at this location. This decision was approved by Strategic Policy and Resources Committee at its meeting on 25 April 2012.
1.5	It is worth noting that the land at Cliftonville Playing Fields is held by the Council on a 10,000 year lease granted by the Department of Education and Belfast Education and Library Board, subject to the land being used for "playing field and other recreational purposes only and for no other purpose (except with the prior written consent of the Department and the Board)". The land was leased to the Council for a nominal sum.

1.6	<p>Since the autumn of 2012 Council officials have been in discussions with DE officials regarding the proposed disposal by the Council of land to facilitate provision by DE of an Irish Medium Primary School on the site, to sit alongside the proposed Nursery Unit. At an early stage in these discussions it was communicated to the DE that the development of the Council's proposed 3G pitch facility would become much more expensive if the primary school development proceeded. The reasons for increased costs stem from having to move the proposed pitch further back into the site and the resultant additional civil engineering works arising from increased differences in land levels on the southern portion of the site.</p>
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2	Key Issues
2.1	<p>The above mentioned discussions with DE officials have resulted in the following proposals which have been agreed between Council officers and Land and Property Services (who are acting for DE).</p> <ol style="list-style-type: none"> 1. The Council propose to dispose of approximately 0.85 acres (which includes the site of the Nursery Unit) to the Trustees of Bunscoil Bheann Mhadagain and provide the Trustees with shared use of a further 0.49 acres (approximately) of land to provide shared parking and access arrangements. 2. Taking account of the restrictions on use if the site, as contained in the Council's title, the disposal price of the land is agreed at £43,000 (subject to such minor pro rata adjustments to the sale price and site boundaries as may be required to reflect the final scheme). 3. The DE will also 100% fund any additional costs to the Council arising from the re-location of the pitch further back on the site in order to accommodate the school development. The latest available estimate of these additional costs is £390,208. These costs will be monitored throughout the construction project and adjustments applied to reflect the actual outturn costs 4. The construction costs associated with provision of the proposed shared parking and access arrangements will be split on a 50/50 basis between the DE and the Council. Future maintenance costs associated with the shared areas will be similarly split on a 50/50 basis.
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2.3	<p>It is further agreed that arrangements associated with operation of the completed school and the 3G pitch are matters for further discussion and negotiation between the Council, the DE, the school Trustees and local sporting clubs. There is potential for benefits in terms of joint use of changing accommodation and meeting rooms within the school.</p> <p>It is recognised the construction phase for the school and the 3G pitch cannot proceed until such times as the legal agreements associated with the land transfer are completed.</p>

3	Resource Implications
3.1	<p><u>Finance</u></p> <p>The disposal price of £43,000, allied to the 100% DE funding of the Council's additional development costs, represents 'best price' to the Council and complies with the Council's obligations as contained in Section 96 of the Local Government Act (NI) 1972. The proposed 50/50 split of the construction and maintenance costs of the shared areas is considered to reasonably represent the proportionate use to be made of these areas</p>

	by the Council and the school.
3.2	<p><u>Human Resources</u></p> <p>Resources in Property and Projects, Legal Services and Parks and Leisure Department will be involved in drawing up and completing the necessary legal agreements and undertaking future maintenance work on the car park and access areas.</p>
3.3	<p><u>Asset and Other Implications</u></p> <p>The disposal of approximately 0.85 acres and the sharing of use on a further 0.49 acres will provide for the development of an Irish Medium School whilst still ensuring development of a 3G pitch and the potential for future shared use. The disposal arrangements will however ensure the Council's current primary goal of delivering a 3 G pitch and changing accommodation at this location, can proceed without the Council having to fund any additional costs resulting from disposal of land for school purposes.</p>

4	Recommendations
4.1	Committee is recommended to approve the terms of disposal to the Trustees of Bunscoil Bheann Mhadagain in respect of approximately 0.85 acres of land (shaded green on the attached map - Appendix 1) together with shared access over approximately 0.49 acres shaded blue on Appendix 1, on the terms as outlined in the body of this report and subject to an appropriate legal agreement to be drawn up by Legal Services, to include the surrender of the current 5 year lease between the Council and the Trustees in respect of the Nursery Unit.

5	Decision Tracking
Director of Property and Projects to work with Legal Services and DE officials to ensure legal agreements are brought forward at the earliest opportunity.	

6	Key to Abbreviations
DE – Department of Education	

7	Documents Attached
Appendix 1 – Map showing the land to be disposed of to the Trustees of Bunscoil Bheann Mhadagain (shaded green) and over which the Trustees are to be granted rights for access and parking (shaded blue). Land retained in Council use is shaded yellow on the map.	

APPENDIX 1