

## Appendix B



### Belfast City Council

<b>Report to:</b>	Parks and Leisure Committee.
<b>Subject:</b>	Acquisition of land at Black's Road
<b>Date:</b>	13 March 2014
<b>Reporting Officer:</b>	Andrew Hassard, Director of Parks and Leisure, 3400
<b>Contact Officer:</b>	Paul Barr, Landscape & Planning Development Manager, 3780 Ruth McClean, Estates Surveyor, 3495

<b>1</b>	<b>Relevant Background Information</b>
1.1	Council agreed at its meeting in July 2013 to acquire land at Blacks Road for the purposes of developing a park in accordance with the terms set out in the Parks & Leisure report of 13 June 2013. The Parks & Leisure report is attached at appendix 1.
1.2	The site at Blacks Road is shown on the map appended to the Parks & Leisure report. It extends to approximately 4.49 acres and comprises derelict land which has been identified as an area of anti-social behaviour. There is a proposal by Groundwork NI to transform the site into a park for the use of the local community. The park is currently within the boundary of Lisburn City Council but will fall into Belfast City Council revised boundary post local government reform in 2015.
1.3	Members will recall that the site is owned in part by DoE NIEA and in part by DRD Roads service. The DoE NIEA site was to be transferred at nil cost, and DRD Roads site to be transferred at market value, to be determined by LPS.
1.4	Prior to acquiring, a number of planning and title issues were to be resolved and terms were to be agreed with LPS and reported back to committee for approval.
1.5	As it relates to an acquisition of land, the terms will also require to be reported to Strategic Policy and Resources Committee.

<b>2</b>	<b>Key Issues</b>
2.1	It was previously intended to acquire the sites in two separate lots however it is now considered that it is more straightforward for DRD Roads to transfer their site to DoE NIEA. The Council will acquire the assembled site in a single lot from NIEA. NIEA has ministerial approval the whole site to the Council at nil value.
2.2	The deadline for construction of the park within the timeframe for 'Sharing our Space' Peace III funding has been extended to December 2014. Our investigations in advance of acquisition are largely complete however there is a complex title, which Legal Services is investigating.
2.3	Planning permission was granted in February 2014. Groundwork NI requires to begin construction as soon as possible, in order to meet the funding deadline of December 2014.
2.4	It is proposed that NIEA grants a temporary licence to Groundwork NI to undertake the construction once the transfer of the DRD Roads site to NIEA completes. Following the construction works, the Council will acquire the assembled site from NIEA, estimated to be January 2015 (just a few months in advance of falling within the Council boundary). This approach allows Groundwork NI to undertake the works within the timeframe while our title investigations proceed.
2.5	In order to draw down the funding, Groundwork NI is required to enter a Partnership Agreement with NIEA. As part of this, NIEA requires to confirm that maintenance arrangements are in place for the park. In view of this it is proposed that Heads of Terms for the acquisition be entered now with NIEA, which will include an assurance on maintenance. NIEA are prepared to accept Heads of Terms on a 'subject to satisfactory title' basis.

<b>3</b>	<b>Resource Implications</b>
3.1	<p><u>Financial</u></p> <ul style="list-style-type: none"> <li>No acquisition cost would be payable to DoE NIEA for the acquisition of the assembled site.</li> <li>The maintenance and operational cost of the park is estimated to be in the region of £31,000 per annum. This amount is not currently budgeted for Area South West and would need to be taken into account in the next budgeting round.</li> <li>NIEA has agreed to fund or treat Japanese knotweed, however this is not substantial, estimated to be in the region of £100 per annum.</li> </ul>
3.2	<p><u>Human Resources</u></p> <p>Continued resource from Estates and Legal Services is required to complete the acquisition. Thereafter Parks and Leisure staff resource will be required for ongoing management.</p>

3.3	<p><u>Asset and Other Implications</u></p> <p>A 4.49 acre site will be added to the Council's assets. The site will be held by Parks and Leisure.</p>
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<b>Recommendations</b>	
4.1	<p>Committee is recommended to approve the acquisition as outlined above on the basis that:</p> <ul style="list-style-type: none"> <li>• DRD Roads Service transfers its site to DoE NIEA who then permit Groundwork NI access to the site by a temporary licence for carrying out the works;</li> <li>• The Council and DoE NIEA enter Heads of Terms to: agree to the acquisition on completion of the works; give assurance on maintenance; and on other such terms as agreed by the Estates Manager and Head of Legal Services.</li> <li>• On completion of the works, the Council acquire the site (estimated to be January 2015) at nil cost, subject to satisfactory title.</li> </ul>

<b>5</b>	<b>Key to Abbreviations</b>
<p>NIEA – Northern Ireland Environment Agency  DoE – Department of the Environment  DRD – Department of Regional Development  LPS – Land and Property Services</p>	

<b>6</b>	<b>Documents Attached</b>
<p>Appendix 1 – Parks &amp; Leisure report of 13 June 2014</p>	