



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Asset Management: Leases and Licences (i) Proposed licence from DSD at River Terrace (ii) Belfast Zoo – Bat Flight and Release Enclosure (iii) Lease to Westland Community Group (iv) Belfast Public Bike Hire Scheme (v) Loop River Play Centre – Licence Agreement Renewal
Date:	19 June 2014
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1	Relevant Background Information
	<p>(i) Proposed licence from DSD at River Terrace</p> <p>1.1 Following a request from St John Vianney Youth Centre to explore the option of establishing a community led garden on land at River Terrace the Parks and Leisure Committee, at its meeting on 4th December 2013, approved the further investigation of the potential for the development of the community garden at River Terrace with a further report to be brought to Committee in due course.</p> <p>1.2 At its meeting on the 12th June 2014 the Parks and Leisure Committee approved the recommendation to take a licence of the land required from DSD to allow the Council to further the investigation of the potential for development of a community garden at River Terrace, subject to terms to be agreed between Legal Services, the Estates Management Unit and the Department of Social Development. The report was further subject to SP&R approval.</p>
	<p>(ii) Belfast Zoo – Bat Flight and Release Enclosure</p> <p>1.3 At its meeting on 10th April 2014 the Parks and Leisure Committee approved permission for the NI Bat Group to locate a permanent facility for the flight training and rehabilitation of rescued native bats within the Zoo, thereafter ownership of the enclosure would become vested in the Council.</p> <p>1.4 The Group have secured a grant from the Heritage Lottery Fund for the cost of constructing this enclosure and the Group will remain responsible for operating and</p>

	caring for any bats kept in this new facility.
1.5	Development of the enclosure would be facilitated by a licence agreement with the Group to permit its construction by a 3 rd party which, once satisfactorily completed, ownership of the enclosure will transfer to the Council.
	(iii) Lease to Westland Community Group
1.6	The Westland Community Group has held a lease for the site on which they erected a portacabin at Westland Road in the Council's Upper Waterworks site since the 27 th June 2001.
1.7	At its meeting on the 12 th June 2014 the Parks and Leisure Committee approved the grant of a new Lease in respect of land at Westland Road/Upper Waterworks (map at Appendix 2) to Westland Community Group subject to:- <ul style="list-style-type: none"> i) Terms and conditions to be agreed between Property and Projects/Legal Services and the Westland Community Group. ii) Approval of the SP&R Committee in line with Standing Orders.
1.8	The SP&R Committee at its meeting on the 25 th Jan 2013 had endorsed the North Area Working Group recommendation to provide Local Investment Funding of £65,000 to allow the Westland Community Group to build a new community centre on the site of the existing community centre at Westland Road. However, even if this funding is not forthcoming, a renewal of the existing lease is required to allow the Westland Community Group to remain in occupation of their current site.
	(iv) Belfast Public Bike Hire Scheme
1.9	At its meeting on 25 th April 2014, Members of the SR&R Committee granted approval for the Council to enter into appropriate Licences, Land Access Agreements and Street Works Licences in relation to securing a number of bike docking stations in the city centre. A schedule of 24 docking stations were previously identified but on the basis that definitive locations would need to be agreed between the operator and the Council in line with the contract requirements for a total of 30 docking stations. All docking stations have now been identified to complete Phase 1 of the scheme (listed in Appendix 3).
	(v) Loop River Play Centre – Licence Agreement Renewal
1.10	The Council have occupied Courtney Hall, a building owned by the Trustees of the 26 th Scout Group and situated on the Cregagh Road since 2007, as alternative accommodation for Loop River Play Centre. Community Services had previously confirmed a continued need for this facility for a programme of activities during the day. A new licence agreement for occupation was approved by the Development Committee on 17 th September 2013 and SP&R Committee on 25 th October 2013 for a further two years from 1 st November 2013. Over recent months Community Services occupational needs have varied and as a consequence approval is sought for payment of revised rents to the Trustees.

2	Key Issues
2.1	(i) Proposed licence from DSD at River Terrace The land at River Terrace required for the redevelopment as a community garden is owned by DSD. DSD have agreed in principle to grant the Council a licence at nil cost to allow the Council to develop the land as a community garden. It is proposed that the licence remains in place until the land is transferred to the Council on the 1 st April 2015

	as part of Local Government Reform.
2.2	<p>(ii) Belfast Zoo – Bat Flight and Release Enclosure</p> <p>The Licence Agreement will be granted to the Group which will, within the terms of the Licence, permit them to engage a contractor to construct the enclosure at a defined location previously identified in the Zoo. Specification of the enclosure is subject to the Council’s prior approval and its development will be in accordance with the terms of the HLF offer of grant funding.</p>
2.3	<p>Ownership of the enclosure will pass to the Council upon completion of its construction and the Licence Agreement will cease to have any further effect. As owners of the asset the Council will assume responsibility for all future maintenance liabilities over the life of the enclosure. There are established access procedures at the Zoo that will permit required day-to-day access for members of the Group to undertake all management and care of the bats kept in the enclosure during normal working hours.</p>
2.4	<p>(iii) Lease to Westland Community Group</p> <p>The current lease to Westland Community Group has expired and although they have been holding over and continuing to pay rent a new lease is now required. A new lease is also required because there is a slight change to the area required for the proposed new modular building, car parking and access. In addition, the SP&R Committee’s clarification of LIF Guidance to Members at its meeting on the 22nd June 2012, clarified that a LIF proposal in respect of a Council asset could be eligible if it was subject to a lease of reasonable duration from the Council. The proposed new five year lease will give the Westland Community Group sufficient security of tenure to seek LIF support of £65,000.</p>
2.5	<p>(iv) Belfast Public Bike Hire Scheme</p> <p>Committee approval is required to the inclusion of the additional docking station sites in the legal process to enable appropriate Licences, Land Access Agreements and Street Works Licences to be prepared. This will complete the contract requirement for 30 bike docking stations supporting 300 bikes. The precise location of the sites will be agreed with Scheme Operator prior to completing the legal process.</p>
2.6	<p>(v) Loop River Play Centre – Licence Agreement Renewal</p> <p>Due to Community Services changing needs for use of the Premises several new levels of rent have been agreed with the Trustees. The Council currently have exclusive use of part of the building and part-time use of the remainder. Details of the rent are as set out below in the Resources Section.</p>

3	Resource Implications
	<u>Finance and Assets</u>
3.1	<p>(i) Proposed licence from DSD at River Terrace</p> <p>Parks and Leisure have allocated £50k of capital funds to South Belfast part of which could contribute to the build of a community garden at River Terrace. DSD have agreed to nil rent for the licence, pending transfer of the site to BCC under LGR on 1st April 2015.</p>
3.2	<p>(ii) Belfast Zoo – Bat Flight and Release Enclosure</p> <p>The cost of construction of the Bat Flight and Release Enclosure will be met by the HLF grant and apart from a minimal annual maintenance outlay there are no utility costs</p>

	<p>associated with operation of the facility.</p> <p>Ownership of the enclosure will pass to the Council upon completion of construction. Provision of this enclosure provides a further visitor attraction for the Zoo.</p>
3.3	<p>(iii) Lease to Westland Community Group</p> <p>The Westland Community Group has agreed to pay a rental amount of £700 per annum for the site. The provision of a new modular building on the site will support the development of community programmes at this location.</p>
3.4	<p>(iv) Belfast Public Bike Hire Scheme</p> <p>The licence agreements are on the basis of a nil rental. Capital and revenue financial implications were included in the report to the SP&R Committee on 21st March 2014. DRD will meet the full capital cost of the Public Bike Hire Scheme.</p>
3.5	<p>(v) Loop River Play Centre – Licence Agreement Renewal</p> <p>The new Licence agreement for Courtney Hall would operate with the Council liable for payment of a weekly rent of £220.00 inclusive of heating and electricity from commencement on 1st November 2013. It is then intended that the required hours per week would then be reduced from 24th June 2014 and the rent would reduce to £190.00 per week until licence expiry or termination. The only exception to this is that a four week long summer scheme is planned for July/August 2014 during which exclusive full time use of the Premises would be required, during which the rent payable by the Council would rise to £330.00 per week. In addition to this it is proposed that any extra requirement for time outside the hours detailed above would be payable at £5.61 per hour. These costs would be met from within existing Community Services budgets.</p>
3.6	<p><u>Human Resources</u></p> <p>Staff resources from the Estate Management Unit, Parks and Leisure Department and Legal Services will be required to complete all agreements.</p>

4	Recommendations
	<p>It is recommended that Members agree:</p>
4.1	<p>(i) To take a Licence from DSD following investigation by the Parks and Leisure Department into the potential for the development of a community garden at River Terrace, subject to terms to be agreed between Legal Services, Estates Management Unit and DSD.</p>
4.2	<p>(ii) To authorise the grant of a Licence to the NI Bat Group in respect of an identified location within the Zoo, subject to the incorporation of terms to be agreed by Legal Services and Estates Management Unit. Thereafter that the Council will assume ownership of the bat enclosure once constructed.</p>
4.3	<p>(iii) To grant a new Lease to Westland Community Group as outlined above subject to terms to be agreed between Legal Services, the Estates Management Unit and Westland Community Group.</p>

4.4	(iv) To the inclusion of the additional bike docking stations which completes the contract requirement for a total of 30 docking stations. Appropriate Licences, Land Access Agreements and Street Works Licences will be entered into in relation to these stations, as agreed by the Strategic Policy and Resources Committee on the 18 April 2014.
4.5	(v) To the following revised Licence agreement rents for Courtney Hall:- 1. £220 per week from 1 st November 2013 until 23 rd June 2014. 2. £190 per week from 24 th June 2014 until licence expiry or termination. 3. £330 per week during the four week summer scheme in July/August 2014 4. An additional £5.61 per hour for any extra hours which may be required during the proposed term of the licence.

5	Key to Abbreviations
5.1	The Group – NI Bat Group HLF – Heritage Lottery Fund DSD – Department for Social Development LGR – Local Government Reform

6	Documents Attached
6.1	Appendix 1 – Proposed DSD River Terrace Licence Map. Appendix 2 – Proposed Westland Community Association Lease Map. Appendix 3 – List of 30 proposed docking station sites