



**Belfast City Council**

<b>Report to:</b>	Strategic Policy and Resources Committee
<b>Subject:</b>	<b>Walkway Community Association LIF project update</b>
<b>Date:</b>	22 August 2014
<b>Reporting Officer:</b>	Gerry Millar - Director of Property & Projects, Ext: 6217
<b>Contact Officer:</b>	Celine Dunlop, Estates Surveyor, Ext: 3419

<b>1</b>	<b>Relevant Background Information</b>
1.1	At its meeting on the 22 <sup>nd</sup> Nov 2013 the SP&R Committee received an Area Working Group Update regarding Walkway Community Association. Members agreed that officers progress discussions with Roads Service with a view to acquiring, by way of long lease, the land outlined red on the plan at Appendix '1' and progress discussions with Walkway Community Association with a view to sub letting said land.
1.2	This report is to update the Committee regarding progress and to seek authority from the Committee to allow the Council to take a licence from DRD to facilitate the Walkway Community Association's LIF project.

<b>2</b>	<b>Key Issues</b>
2.1	In October 2012 the SP&R Committee agreed, in principle, to provide LIF support to the Walkway Community Association's Open Space development project up to a value of £250,000 ( Ref- ELIF008). The Walkway Community Association has developed a draft concept plan to include a MUGA and a play park on the land outlined red on the plan attached at Appendix '1'.
2.2	The land forms part of the Comber Greenway and is currently zoned within the draft BMAP as EWAY and it is also within the protection line for the Comber Route E14 road scheme. The current proposals for the Belfast Rapid Transit are that it will run along the Upper Newtownards Road rather than the Comber Greenway, therefore the land will not now be required for the EWAY. In addition, the DRD Minister, Danny Kennedy, has confirmed DRD's intention to abandon the E14 Road Scheme on the adoption of BMAP and thereafter the land could be subject to the normal land disposal process, should this be deemed appropriate.

2.3	The Estates Management Unit have had discussions with DRD Roads Service to clarify the way forward; DRD cannot sell or lease the land until it is declared surplus and it cannot be declared surplus until BMAP is published. Publication is at the discretion of Planning Service. DRD are however, willing to grant the Council a five year licence which will include rights for Walkway Community Association to enter on to the land to construct the MUGA and play park using LIF funding.
2.4	In the guidance issued to Members, it was stated that the LIF was to 'only fund capital projects which are not owned by the Council'. In general terms, the view has been taken to date that projects which fall within this category are likely to be funded through the Council's own capital development scheme and should therefore be ineligible for funding through LIF. At its meeting on the 14 <sup>th</sup> Dec 2012 the SP&R Committee clarified that a proposal in respect of a Council asset could be eligible if it was subject to a lease of reasonable duration from the Council 'or the most appropriate alternative arrangement between the Council and the third party depending on the circumstances'. In this case the most appropriate alternative arrangement is for the Council to take a licence from DRD and then agree terms with the Walkway Community Association to allow the construction of the MUGA and play park.

<b>3</b>	<b>Resource Implications</b>
3.1	<u>Finance</u> The licence fee will be nominal. DRD will instruct Land & Property Services to value the land when it has been declared surplus, although at this stage there has been no funding identified for any land acquisition.
3.2	<u>Assets</u> The provision of a MUGA and play park on the land will provide a recreation facility for the residents of the area which will be managed and maintained by the Walkway Community Association.
3.3	<u>Human Resources</u> Officers from Estates and Legal Services will subject to Members approval complete the licence from DRD and the legal agreement with Walkway Community Association.

<b>4</b>	<b>Equality and Good Relations Considerations</b>
4.1	All LIF projects will be screened to indicate potential equality and good relations impacts and any mitigating actions needed.

<b>5</b>	<b>Recommendations</b>
5.1	Members are asked to approve: <ol style="list-style-type: none"> <li>1. Taking a licence from DRD on terms to be agreed between DRD, Estates and Legal Services for the land shown outlined red on the plan attached at Appendix '1'.</li> <li>2. The grant of a suitable legal agreement to Walkway Community Association to allow them to construct &amp; occupy the MUGA and play park, on terms and conditions to be agreed by Estates and Legal Services.</li> </ol>

<b>6</b>	<b>Decision Tracking</b>
Director of Property and Projects will, subject to members approval, ensure completion of the licence from DRD and the legal agreement with Walkway Community Association.	

<b>7</b>	<b>Key to Abbreviations</b>
LIF - Local Investment Fund DRD - Department for Regional Development MUGA - Multi Use Games Area BMAP - Belfast Metropolitan Area Plan	

<b>8</b>	<b>Documents Attached</b>
Plan attached at Appendix'1'	