



Subject:	Future management arrangements for the pitch and Community Centre at Sally Gardens
Date:	9 th February 2016
Reporting Officer:	Nigel Grimshaw, Director of City and Neighbourhood Services
Contact Officer:	Rose Crozier, Assistant Director of Parks and Leisure Cathy Reynolds, Estates Manager Catherine Taggart, Community Services Manager Stephen Walker, Parks Departmental Portfolio Manager

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	The purpose of this report is to provide Members with an update on the 3G pitch currently being constructed at Sally Gardens and the proposed management arrangements for the overall sporting and community assets at Sally Gardens.
2.0	Recommendations
2.1	Committee is asked to: <ul style="list-style-type: none"> (i) Grant approval to the proposed transfer of lands and a community building at Sally Gardens from Poleglass Community Association @ Sally Gardens (PCA) and a subsequent leaseback arrangement for the community centre via the Council's model for Independently Managed Centres subject to reaching agreement with the PCA in relation to detailed terms and conditions. This is on the basis that lands to

	<p>be acquired by the Council will safeguard permanent access and car parking to serve the Council's 3G pitch.</p> <p>(ii) Note the current position as outlined in the report and note that the 3G pitch is retained in Council ownership; that Council maintain it.</p> <p>(iii) Pending further discussions with Mitchell's GAC and PCA regarding future use and management of the facility it is proposed that in the interim the Council will allocate pitch bookings in line with the sports development plan / programme from PCA (including requirements from Mitchell's GAC re use); Council will retain the income from that use; normal pricing policy will apply; and explore a management arrangement for the day to day operation of the facility on terms to be agreed.</p> <p>(iv) A management fee will be agreed to cover the whole of the facility.</p> <p>(v) To note the position in terms of the proposed changing facility as outlined in the report.</p> <p>(vi) To note that these recommendations will be brought to the SP&R Committee in accordance with standing orders.</p>
<p>3.0</p>	<p>Main report</p>
<p>3.1</p>	<p>Community Centre/land</p> <p>As part of Local Government Reform (LGR), lands adjacent to Sally Gardens Community Centre (shown green on the plan attached at Appendix 1) transferred from Lisburn City Council (LCC) to Belfast City Council (BCC). Poleglass Community Association @ Sally Gardens (PCA) own the remaining lands (shown yellow on Appendix 1), which includes the community centre, car park and the site of the proposed changing pavilion. Prior to LGR, it had been the intention of LCC to acquire Sally Gardens Community Centre and surrounding lands (shown yellow on Appendix 1) from the owners PCA @ Sally Gardens and then provide a lease back to that group for the building. These discussions had been ongoing with LCC since 2011 but the arrangements were not formally agreed prior to 1st April 2015. As agreed at Shadow SP&R Committee on the 20th Feb 2015 officers have continued to explore these aims with the group.</p>

Key issues

- Under the proposal:
 - The Council would retain ownership of its lands (shown green on map at Appendix 1).
 - The community centre, car park and adjoining lands (the site of an old school, shown shaded yellow and edged red on map at Appendix 1) would be acquired by the Council from PCA. The car park would serve the new pitch and the remainder of the land would allow for better access to the 3G pitch.
 - Part of the lands could potentially be used for new changing facilities.
 - The community centre (shown outlined red on the map at Appendix 1) would be leased back to PCA under the Council's model for independently managed community centres.
- Whilst there is no historical written agreement for the operational arrangements of the centre between LCC and the community group, it was clearly the intention of both parties to progress with this proposal.
- The group submitted a business plan to BCC in November for management of the centre under the Council's independently managed centres model.
- There are recorded benefits associated with the local management of BCC owned community assets. For example, the opening up of public services, civil renewal, and securing greater financial sustainability for community based organisations. Research has shown that community management of assets has the potential to contribute to change and improve local capacity including helping to build community identity and cohesion; enhancing community capacity; improving service delivery; contributing to community economic regeneration; improving the environment; and enhancing democratic voice. However there are associated challenges such as financial management and the need for a broad range of skills and capacity. The current Independent Management model in operation in Council captures the benefits of local management while offering a range of support mechanisms to strengthen compliance and effective business planning.
- Community Services have reviewed the proposal in line with reviews carried out for other independently managed centres. The review included the core elements of governance document/constitution, building usage, programme, budget, bench marking against community facilities revenue assessment, management structures, programme delivery, track record and sustainability. Due diligence on the group has concluded that the group have the required capacity and capability to manage what is the only multi-purpose community facility within this area.
- An initial condition survey was undertaken at the centre before LGR, and PCA have since

	<p>carried out some further work. A more detailed assessment needs to be done following a more detailed survey by Facilities Management.</p>
	<p>3G pitch</p>
3.3	<p>The Council is currently nearing completion of the construction of a 3G pitch (on the land shaded green on the map at Appendix 1) and the construction is being funded by BCC (£715,000), Mitchell's GAC (£350,000) and FOLD (£75,000). The agreement for funding was contained in a legal document (side agreement) between the various parties including FOLD, Mitchell's GAC and LCC and this obligation transferred to BCC as part of LGR.</p>
3.4	<p>By way of background in 2011 Fold Housing Association expressed an interest in constructing social housing on a little used GAA grass pitch owned by Mitchell's GAC at Pembroke Loop, Poleglass. In order to address concerns around the loss of open space it was agreed that land owned by St Johns GAC would be developed as 3G artificial pitch. Following discussions with relevant parties, LCC agreed to the development by Fold on the Mitchell's GAC pitch at Pembroke Loop on the basis that a new 3G artificial pitch would be constructed on the St John's GAC pitch site. The premise being that the 3G pitch would allow an intensification of use that would offset the loss of the Mitchell's GAC natural turf pitch. In obtaining the Planning Permission for social housing on the Mitchell's GAC pitch, a Negative Planning Restriction was imposed which required the development of the 3G pitch before Fold could let houses on the site.</p>
3.5	<p>Arising from the above discussions, LCC obtained Planning Permission for the construction of the 3G pitch and entered into a Side Agreement with Fold, DSD, Mitchell's GAC, St John's GAC and Sally Gardens Community Centre Management Committee in regard to the development of the 3G pitch. As part of the side agreement St John's GAC transferred the land for the 3G pitch to LCC.</p>
3.6	<p>The side agreement set out the purchase price for the Pembroke Loop lands and the monies to be transferred for the construction of the 3G pitch but it did not provide for any preferential treatment for Mitchell's GAC in relation to the use of the new 3G artificial turf pitch. FOLD agreed to pay Mitchell's GAC a purchase price of £750,000 for the land at Pembroke Loop of which a portion (£350,000) was held in escrow by Fold as part of the side agreement in order to fund the development of the 3G pitch and fulfil the negative planning restriction. The £350,000 together with the £75,000 from FOLD has now been transferred to BCC for the construction of the pitch.</p>

<p>3.7</p> <p>3.8</p> <p>3.9</p> <p>3.10</p>	<p>At a recent meeting with Mitchell's GAC they maintained that there was an understanding that the Club would have preferential use of the artificial pitch and preferential rates in return for their contribution towards the cost of construction of the pitch. This understanding was not written into the Side Agreement so there is no legal obligation on BCC to provide Mitchell's GAC with preferential use of the pitch. At the request of Council Officers, Mitchell's GAC has submitted a proposal setting out its involvement and contribution to the development and in return have asked for preferential usage (no limit stated) and free use (no duration stated).</p> <p>The discussions between PCA and LCC prior to LGR were on the basis that the overall facility would be managed by PCA and the Council is being asked to honour that understanding and enter into an appropriate legal agreement with PCA. Mitchell's GAC have not expressed any interest in managing the facility. Consequently discussions around a management model have focused on the PCA in line with the legacy from LCC.</p> <p>The shadow SP&R on the 20th Feb 2015 agreed to officers continuing to explore these aims with the PCA. A business case and Sports Development Plan has been submitted by PCA and these are currently being reviewed. PCA have expressed a preference that they would manage the pitch but the Council's position is that the Council should take the bookings for the pitch and work closely with PCA using the Sports Development Plan to ensure the pitch is available for the stakeholders and wider community. There is potential to allow PCA to manage the 3G pitch on a day to day basis on terms to be agreed; further discussions will be required with PCA to establish a management agreement.</p> <p>As work is scheduled to complete in February 2016 it is anticipated that the facility will be available for use late February / early March 2016, subject to satisfactory completion and sign off. Pending any agreement reached for the day to day management of the 3G pitch BCC will manage the asset and it will be maintained as part of Council's routine pitch management.</p>
<p>3.11</p>	<p>Changing facilities</p>
	<ul style="list-style-type: none"> • A business case for the pitch provided by DSD included an aspiration for changing facilities. • The construction contract for the 3G pitch does not include the construction of changing facilities. • The site earmarked for a changing facility is part of the lands proposed to be acquired by the Council from the group.

	<ul style="list-style-type: none"> • Planning consent has been secured for a changing pavilion, however, following discussion with the Association it has been agreed to submit a revised planning application based on an existing council template for a changing pavilion. • There is currently no provision in the capital programme for the changing facilities and any future development will have to be progressed through the capital programme in line with that process
4.0	Key Issues
	<u>Financial & Resource Implications</u>
4.1	It will be necessary to agree a fee with PCA to cover the management of the whole facility; further discussion is required on this matter with the PCA.
4.2	In addition, a condition survey will be completed on the existing community building; the financial implications of this report will be considered at a future date.
	<u>Equality or Good Relations Implications</u>
4.3	There are no equality or good relations implications at this stage.
5.0	Appendices – Documents Attached
5.1	Appendix 1 - Plan showing current landownership at Sally Gardens