



<b>Subject:</b>	Upper Ardoyne Youth Centre – Proposed Possession
<b>Date:</b>	8 August 2017
<b>Reporting Officer:</b>	Nigel Grimshaw, Director City & Neighbourhood Services Department
<b>Contact Officer:</b>	Rose Crozier, Assistant Director City & Neighbourhood Services Department Fintan Grant, City Parks Manager

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	Upper Ardoyne Youth Centre has become vacant and the former occupier Upper Ardoyne Youth Centre Limited (UAYC) has dissolved. The Council owns the land and had entered into an Agreement for Lease with the former UAYC although the Lease was never executed. This report seeks approval to take possession of the Youth Centre and bring it into operational Council use.
<b>2.0</b>	<b>Recommendations</b>
2.1	Committee is asked to: <ul style="list-style-type: none"><li>Agree to terminate the Agreement for Lease to take possession of the property, subject to approval from SP&amp;R Committee and further subject to the funder providing formal confirmation that it does not wish to exercise step in rights.</li></ul>

	<ul style="list-style-type: none"> <li>• Agree to bring the property into operational use by the Council subject to assessment of condition and need – consideration of the purpose/use to be considered by the North Area Working Group.</li> <li>• Alternatively seek to sell the property for a capital receipt if no viable alternative use exists</li> </ul>
<b>3.0</b>	<b>Main report</b>
	<p><u>Key Issues</u></p> <p>3.1 Upper Ardoyne Youth Centre is situate off Alliance Drive, on Council owned land at the south east of Ballysillan Playing Fields. It was constructed circa 2007 and comprises a single storey brick built building laid out to provide partitioned meeting room, office, youth room and ancillary facilities, together with external yard space and grassed area.</p> <p>3.2 The Council entered into an Agreement for Lease with UAYC on 25 October 2007 to facilitate construction of a Community Centre and Community Garden. Issues arose with regard to rental and the Lease did not complete, however, the Company built and then occupied the premises for a number of years. The Company was dissolved on 26 July 2013 and the property is currently unoccupied.</p> <p>3.3 We have obtained legal advice which confirms that under the terms of the Agreement for Lease the Council may terminate the arrangement and take back the property, (unlike some situations in seeking to recover a property from a dissolved company it is not necessary to liaise with the Crown Solicitor’s Office as the Agreement for Lease contains provision for termination in the event that the Lease is not granted). Recovering the property would be subject to the funder not opting to exercise step in rights.</p> <p>3.4 The former UAYC had obtained Urban II funding through the former North Belfast Partnership (NBP). Under the terms of the Agreement for Lease the Council would require to offer the funder the opportunity to take an assignment of the Agreement for Lease and complete the lease with the Council. The Department for Communities (DFC) as successor to NBP has however already given an initial indication that they have no interest in the subject property.</p> <p>3.5 In terms of future use it is proposed that it be brought into operational use by the Council subject to a condition survey and assessment of need in the area, with the purpose to be agreed through the North Area Working Group.</p>

3.6	<p>A further report will be brought to Committee in terms of condition and future use.</p> <p><u>Financial &amp; Resource Implications</u></p>
3.7	<p>Resource is required from Legal Services, Estates Management Unit and City and Neighbourhoods officers in connection with taking possession.</p>
3.8	<p>Revenue and resource costs in terms of staff resource and ongoing property costs will need to be reviewed in the context of condition and operational use.</p> <p><u>Equality or Good Relations Implications</u></p>
3.9	<p>No equality or good relations implications</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	Appendix 1 – Site Plan