



Subject:	Asset Management: i. Licence Agreement: Suffolk FC -Spectator Stand ii. Deed of Dedication - Cregagh Green
Date:	Friday 22 September 2017
Reporting Officer:	Gerry Millar, Director of Property & Projects.
Contact Officer:	Cathy Reynolds, Estates Manager, Property & Projects.

Restricted Reports	
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"/>

Call-in	
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 seek approval from Members to asset related disposal, acquisition and lease matters.
2.0	Recommendations
2.1	i. <u>Suffolk FC - Licence for 100 seat spectator stand</u> - It is recommended that Members approve the grant of a licence to Suffolk FC to allow the Club to install a proposed stand subject to the club securing the necessary funding, statutory approvals including planning permission and providing adequate insurance cover. The Licence will run co-

2.2	<p>terminously with the existing Facilities Management Agreement (FMA).</p> <p>ii. <u>Deed of Dedication Cregagh Green</u> - Following on from the decision of the People & Communities Committee of 7 March 2017, Committee is recommended to proceed with completion of a Deed of Dedication with Fields in Trust in respect of the identified land at Cregagh Green, subject to the approval of the Department of Communities (Local Government Policy Division).</p>
3.0	<p>Main report</p>
3.1	<p><u>Key Issues</u></p> <p>i. <u>Suffolk FC: Licence for Spectator Stand</u></p> <p>At its meeting on the 12 Sept 2017 the People and Communities Committee approved the installation of a new spectator stand and the grant of a licence agreement to run co-terminously with the existing Facilities Management Agreement (FMA), subject to the matter being referred to SP&R. Suffolk Football Club currently operate under a 7 year FMA; this agreement is scheduled to terminate in July 2019.</p> <p>The Club has aspirations to gain promotion to higher leagues and within this context have sought funding through the Alpha Programme to provide a 100 seater stand which will upgrade the facility and improve the spectator experience. The Club has advised that:</p> <ol style="list-style-type: none"> 1. The cost of the proposed works is £40,500 (excluding VAT), the cost will be met through funding from the Alpha Programme and the Club; 2. The preferred location is as indicated by an X on the plan attached at Appendix 1 3. The Club will own the structure and will be responsible for its maintenance, upkeep, management and insurance cover; 4. The Club will be responsible for securing planning consent and other statutory approvals as necessary and will undertake the project management of the installation. <p>The Club has asked that the Council consider granting a licence to enable the installation and use of the structure on Council land, subject to the Club securing funding and the necessary statutory approvals including planning. The proposed location of the stand has no impact on the operation of the pitch and does not infringe on the enjoyment of the site. This is a piece of land which backs on to the former primary school and is largely unused. The</p>

proposal has no cost implications for the Council and the Council has in the past looked sympathetically on proposals from Clubs seeking to invest in and enhance sporting facilities.

3.4 Financial & Resource Implications

The Council will charge a small annual rent for the licence.

3.5 Equality or Good Relations Implications

There are no equality or good relations issues associated with this proposal

ii. **Deed of Dedication - Cregagh Green**

3.6 At its meeting on 7 March 2017 the People & Communities Committee agreed that the Council's Cregagh Green site should be submitted through an application process to participate in the Fields in Trust (FIT) Programme to tackle physical inactivity (Appendix 2). The application was successful and as a result Cregagh Green will obtain 'protected status' through a Deed of Dedication between the Council and Fields in Trust. The extent of the land to be included in the Deed is shown outlined red on Appendix 3 and totals approximately 7.638 acres.

3.7 Fields in Trust promotes community events to be held on 'dedicated' spaces around the UK. The Deed in respect of Cregagh Green will require retention of the land as a public playing field and ongoing recreational use. It also requires FIT's interest to be registered at Registry of Deeds.

3.8 The proposed Deed of Dedication is between the Council and the National Playing Fields Association, operating as Fields in Trust. The Deed does not contain any provision for payments or funding to the Council at any stage. However, Fields in Trust have made an offer to provide £5,000 to Belfast City Council towards funding the Cregagh Green Activation Programme and this offer has been accepted.

3.9 Whilst it is likely that the land would otherwise have continued to be used for its current recreational purposes it should be noted that the Deed also contains provisions which, if the Council wished to dispose of any of the 'dedicated' land, would require the Council to provide a replacement site of equivalent or larger size and with equivalent or better facilities, in the same catchment and as accessible to the public as the portion of land being disposed of. The Council would also be required to apply whatever proceeds of the disposal price as are necessary to achieve these objectives. In addition, the Council would be required to enter into a similar Deed of Dedication in respect of the replacement site.

<p>3.10</p> <p>3.11</p> <p>3.12</p> <p>3.13</p>	<p>In view of the provisions contained in the proposed Deed of Dedication, which places a restriction on use and represents a degradation of the Council's legal interest in the land, it thereby represents disposal of part of the Council's interest in the land.</p> <p>The provisions relating to disposal of land are contained in Local Government Act (NI) 1972 and include an obligation upon the Council not to dispose of any interest in land at less than 'best price' without first obtaining approval from the Department of Communities Local Government Policy Division. Land and Property Services (LPS) have valued the land and have advised that the loss of value to the Council arising from entering into the Deed of Dedication is represented by the sum of £90,000. This reflects the difference between the 'before' value of the land based on the Council's unrestricted title to the site versus the 'after' value with the additional restrictions on use imposed by the Deed of Dedication. This sum will now be included as part of a submission to Department for Communities seeking approval to enter into the Deed.</p> <p><u>Financial & Resource Implications</u></p> <p>Funding of £5,000 to be provided to Belfast City Council subject to the terms and conditions as set out in the Grant Offer from FIT dated 18 July 2017. LPS advice on the loss of value arising from the Deed of Dedication is set out above.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or good relations issues associated with this proposal.</p>
<p>4.0</p>	<p>Appendices – Documents Attached</p>
	<p>Appendix 1: Suffolk FC spectator stand proposed location map</p> <p>Appendix 2: Cregagh Green – Extract of minute from People & Communities Committee dated 7 March 2017.</p> <p>Appendix 3: Cregagh Green - Extent of land covered by proposed Deed of Dedication (outlined red).</p>