



<b>Subject:</b>	Asset Management:  i) Renewal of licence agreement with GROW, Waterworks Park ii) Maysfield Water Inlet – Agreement with Allstate iii) Upper Ardoyne Youth Centre: Proposed Possession iv) Land at Glenbryn -Playground and Open Space v) Land at Cregagh Park: Marketing update
<b>Date:</b>	15 December 2017
<b>Reporting Officer:</b>	Gerry Millar Director of Property & Projects
<b>Contact Officer:</b>	Cathy Reynolds Estates Manager

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
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>	
<b>Is the decision eligible for Call-in?</b>	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	The purpose of this report is to seek approval from Members to asset related disposal, acquisition and lease matters.
<b>2.0</b>	<b>Recommendations</b>
2.1	i) <b>Renewal of licence agreement with GROW, Waterworks Park</b>

The Committee is asked to:

- Approve the renewal of the Licence agreement with 'GROW' in relation to the provision of a community garden within Waterworks Park (shown outlined red on plan attached at Appendix 1) for a period of 2 years with an option to extend for a further three years subject to review and the Director of City & Neighbourhood Services being satisfied that the project remains sustainable
- Approve the extension of the boundary as shown outlined red and shaded blue on the plan attached at Appendix '1'

2.2

**ii) Maysfield Water Inlet – Agreement with Allstate**

Committee is recommended to approve entering into a Management Agreement with Allstate in respect of day-to-day maintenance of the water inlet at Maysfield, subject to terms being agreed with the Estates Manager and the City Solicitor and also to give approval for Allstate to provide enabling infrastructure to accommodate a water aerator/feature within the water inlet at a future date.

2.3

**iii) Upper Ardoyne Youth Centre: Proposed Possession**

Following a decision of the People & Communities Committee of 10 October 2017, Committee is recommended to agree to terminate the Agreement for Lease in respect of Upper Ardoyne Youth Centre to take possession of the property (subject to the funder confirming that it does not wish to exercise step in rights).

2.4

**iv) Land at Glenbryn - Playground and Open Space**

Committee is asked to agree to the acquisition of 1.28 acres of land from DfC to transform an area of wasteland between Glenbryn Park and Alliance Road into a pocket park to include a playground, path network and an attractive green space for community use. Approval is also sought to BCC entering into a Licence Agreement with Groundwork NI for the continued use of part of the site as a community garden.

2.5

**v) Land at Cregagh Park: Marketing update**

Committee is asked to note that following a decision by the SP&R Committee in August 2017,

	land at Cregagh Park has subsequently been placed on the open market for sale. They are also asked to note that due to the open space and planning issues to be addressed, it is proposed to set a closing date for bids in early January to allow interested bidders time to undertake the necessary due diligence to ensure that offers are robust in planning and financial terms.
<b>3.0</b>	<b>Main report</b>
3.1	<b>i) Renewal of licence agreement with GROW, Waterworks Park</b>
	<b><u>Key Issues</u></b>
3.2	At meetings on the 8 <sup>th</sup> Nov 2016 and 7 <sup>th</sup> Feb 2017 the People and Communities Committee approved the renewal of a licence agreement with 'GROW' for a period of two years; the extension of area licenced to GROW to include the area outlined red and shaded blue on the plan attached at Appendix '1' and to confer delegated authority to the Director of City and Neighbourhood Services to extend the agreement for up to 3 years subject to the Director's satisfaction that the project remains sustainable.
3.3	The Council has permitted GROW to use land at Waterworks Park to provide a community garden; this arrangement has been in place since 2010 and the Group have been successful in attracting third party funding. The two year extension to the licence will secure current funding from the Rank Foundation.
	<b><u>Financial &amp; Resource Implications</u></b>
3.4	There are no additional financial implications at this time.
	<b><u>Equality or Good Relations Implications</u></b>
3.5	None associated with this report.
3.6	<b>ii) Maysfield Water Inlet – Agreement with Allstate</b>
	<b><u>Key Issues</u></b>
3.7	At its meeting on 12 <sup>th</sup> December 2014 the Committee approved the award of preferred developer status, on foot of a Development Brief process, to Allstate for development of their new headquarters building at Maysfield; this development will provide an office building of approximately 165,000 sq ft providing accommodation for over 1,500 staff. Allstate also
3.8	

	entered into a further agreement with Council in respect of additional social and economic benefits to be delivered in local area.
3.9	Allstate's development proposals required a new quay wall to be constructed to the Council's water inlet at the rear of the former leisure centre (Appendix 2 – location map). In the course of undertaking works to the inlet it became apparent that a large volume of contaminated silt would have to be removed off-site.
3.10	Following consideration at two further meetings (23 <sup>rd</sup> September and 21 <sup>st</sup> October 2016) Members decided not to accede to requests from Allstate to contribute towards the hitherto unseen cost of this remediation work.
3.11	Members were made aware at its meeting of 23 <sup>rd</sup> September 2016 of the potential to seek future commitments from Allstate in relation to maintaining the water surface of the inlet to keep it free from accumulation of debris.
3.12	It is therefore now proposed to enter into a Management Agreement with Allstate, in respect of the water inlet that remains in Council ownership. This will document the extent of roles and responsibilities associated with an ongoing maintenance obligation following grant of the ground lease for their new office premises, primarily in respect of Allstate performing day-to-day maintenance duties to keep the water surface clear of accumulating debris.
3.13	Allstate anticipate completion of construction of the new office building in early part of 2018 when the water inlet will be refilled with water once again. Allstate have now sought permission, and in order to prevent the growth of algae in the water inlet, that as part of their current construction works that a power supply is provided to the water inlet that would facilitate future installation of a water aerator/feature. Such an installation would require a specific legal agreement and a further report would be brought back to this Committee in this regard.
	<b><u>Financial &amp; Resource Implications</u></b>
3.14	There are no financial implications to the Council in respect of this proposal.
	<b><u>Equality or Good Relations Implications</u></b>
3.15	None
3.16	<b>iii) Upper Ardoyne Youth Centre – Proposed Possession</b>

**Key Issues**

3.17

Upper Ardoyne Youth Centre has become vacant and the former occupier Upper Ardoyne Youth Centre Limited (UAYC) has dissolved. The Council owns the land upon which this building is located and had previously entered into an Agreement for Lease with UAYC although the lease was never executed. At its meeting on 10 October 2017 the People and Communities Committee agreed to terminate the Agreement for Lease and take possession of the property, subject to approval of the Strategic Policy and Resources Committee. They also agreed to bring the property into operational use of the Council subject to an assessment of need and condition, with consideration of the purpose/use to be further considered by the North Area Working Group, in the context of wider area needs, taking into account other known facility needs such as Hillview Boxing Club. A further report is to be brought back to the People and Communities Committee in terms of future use proposals as well as an update on the condition of the building.

3.18

**Finance and Resource Implications**

As advised to the People & Communities Committee, revenue and resource costs in terms of staff resource and ongoing property costs will need to be reviewed in the context of future use proposals and condition of the building.

3.19

**Equality or Good Relations Implications**

None associated with this report

3.20

**iv) Land at Glenbryn-Playground and Open Space**

Land at Glenbryn Park (as shown in the plan attached at Appendix 4) is presently held for development by the Department for Communities, although it had been due to transfer to the Council along with the Jolly Rodger Centre on 1<sup>st</sup> April 2016 as part of the proposed transfer of regeneration powers. Discussions have continued with DfC and agreement has now been reached to transfer the land for the development of a pocket park to include a playground, path network and an attractive green space for community space. This agreement for transfer to the Council is on the basis of nil consideration.

The site also includes a small community garden currently held by way of a Licence between DfC and Groundwork NI. In advance of transfer of the site DfC would terminate their Licence with Groundwork NI and BCC would enter into a new Licence with Groundwork NI should Members agree. DfC have confirmed that they would have no objections to allowing access

	to the community garden through the Jolly Rodger Complex which would keep it separate from the pocket park facility.
3.21	This is an emerging project on the council's Capital Programme at Stage 1, as approved by the SP&R Committee in October 2015. Urban Villages are also considering the project for funding and are preparing a business case and programme.
3.22	Planning approval was granted for the pocket park at the Planning Committee on 16 <sup>th</sup> May 2017. Subject to funding, the capital build for the project would take place in the 2018/19 financial year. Belfast City Council would act as the delivery agent for the project as per other Urban Villages projects.
3.23	<p><b><u>Financial &amp; Resource Implications</u></b></p> <p>The land is to transfer from DfC to BCC at nil consideration in accordance with the provisions of Section 5 (5) (ii) of the Stormont Regulations and Government Property Act (Northern Ireland) 1933.</p> <p><b><u>Equality or Good Relations Implications</u></b></p>
3.24	There are no direct equality implications from the land transfer. Statutory consultation was undertaken as part of the planning process. Further community engagement is likely to be undertaken by Urban Villages.
3.25	<p><b>v) Land at Cregagh Park: Marketing update</b></p> <p><b><u>Key Issues</u></b></p>
3.26	At its meeting in August 2017 the Strategic Policy and Resources Committee agreed to declare land at Cregagh Park surplus to requirements and to place it on the open market for sale, with any such sale being subject to obtaining planning permission.
3.27	Marketing agents were subsequently appointed and planning advice sought. The site has been marketed over the past number of weeks with a good level of market interest although the issue of development potential in the context of planning policy remains the key issue to be addressed.
3.28	Members will recall from the August Committee report that the site is currently open space and as such is subject to open space policy OS1 in Planning Policy Statement 8 (PPS8) to

	<p>safeguard its protection. Planning advice indicates that exceptions to this can be made if it is clearly shown that redevelopment will bring substantial community benefits which outweigh the loss or where an alternative suitable provision is made. This advice also indicates that a case may be made for the improvement of an existing local open space, if it satisfactorily replaces the open space lost and has community support. An independent planning report notes that there may be potential for four to six dwellings to be developed subject to addressing open space issues.</p>
3.29	<p>Given the recent buoyancy in the housing market most interest in the site is coming from private residential developers. Unlike uses which can be considered to be community benefit, private residential developers would be required to look at offsetting the open space loss elsewhere. This offset provision would increase their overall development costs. These costs have to be taken into account by the developer in their development appraisal to determine how much they could pay for the subject site to ensure that their overall proposal is financially viable. They therefore require sufficient time to work up proposals to address the planning issues and calculate costs so that offers made for the sale site are as robust as possible to reduce the risk of an offer being withdrawn at a later stage either through an unsuccessful planning application or by becoming financially unviable if the purchaser had underestimated the cost of offset works.</p>
3.30	<p>The onus would be on the developer to address the open space issue. Given the challenges of a developer finding an alternative site in close proximity for bringing into open space use, the Council as a local landowner of other open space in the local area could potentially benefit as there may be opportunities for the developer to seek to improve an alternative Council owned site, if demonstrated that it would satisfactorily replace the open space loss at Cregagh Park. However, it will be up to bidders to bring forward their proposals in relation to this.</p>
3.31	<p>Given the planning issues and the need for bidders, as part of their bid submission, to address the open space issue, on the advice of the marketing agent it is proposed to set a closing date for bids in early January. This should allow interested bidders time to undertake due diligence given the complexities regarding the open space issues.</p>
3.32	<p><b><u>Financial &amp; Resource Implications</u></b></p> <p>The Council would receive a capital receipt if planning is obtained and the land is sold.</p>
3.33	<p><b><u>Equality or Good Relations Implications</u></b></p> <p>None associated with this report.</p>

<b>4.0</b>	<b>Appendices – Documents Attached</b>
	<p><b>Appendix 1</b> – Map showing area to be used by GROW</p> <p><b>Appendix 2</b> – Map showing the location of water inlet at Maysfield</p> <p><b>Appendix 3</b> – Map showing area of proposed possession – Upper Ardoyne Youth Centre</p> <p><b>Appendix 4</b> – Map showing Land at Alliance Road/Glenbryn Park</p> <p><b>Appendix 5</b> – Map showing Cregagh Park site</p>