



<b>Subject:</b>	<b>Asset Management:</b>  i) Ravenscroft Avenue Car Park – Land Disposal ii) Corporation Street Off Street Car Park – Licence Renewal iii) Duncrue Complex – North West Mountain Rescue Licence iv) Cregagh Youth and Community Centre – Licence to Ulster Rugby for occasional use of overflow car park v) Finlay Park – Licence for sewer connection vi) Brook Activity Centre & Playing Fields - Lease to NIE for a Substation and Cable Wayleave vii) Giant’s Park, North Foreshore – Licences for Bird Surveys viii) Giant’s Park, North Foreshore -Variation of Electricity Power Purchase Agreement ix) Grampian Avenue Playground- Acquisition of Land
<b>Date:</b>	22 June 2018
<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	The Committee is asked to grant approval to the following, subject to detailed terms to be agreed by the Estates Manager and Town Solicitor:
2.2	<p><b>i) Ravenscroft Avenue Car Park – Land Disposal</b></p> <p>The disposal of a portion of land at Ravenscroft Avenue to the Department of Infrastructure for £2,000 in order to facilitate the construction of a bike shelter.</p>
2.3	<p><b>ii) Corporation Street Off Street Car Park – Licence Renewal</b></p> <p>The renewal (at a nominal licence fee) of a one-year licence agreement with the Department for Infrastructure for the off street car park at Corporation Street.</p>
2.4	<p><b>iii) Duncrue Complex – North West Mountain Rescue Licence</b></p> <p>The grant of a one-year licence to North West Mountain Rescue Team for use of a vehicle parking space within Duncrue Complex on the terms as outlined below.</p>
2.5	<p><b>iv) Cregagh Youth and Community Centre – New Licence to Ulster Rugby for occasional use of overflow car park</b></p> <p>The grant of a 9-month Licence to Ulster Rugby for their occasional use of the overflow car park adjacent to Cregagh Youth and Community Centre.</p>
2.6	<p><b>v) Finlay Park –Licence for sewer connection</b></p> <p>The grant of a licence and easement for Choice Housing Association to make a connection to the public sewer situated in Finlay Park.</p>
2.7	<p><b>vi) Brook Activity Centre &amp; Playing Fields - Lease to NIE for a substation and Cable Wayleave</b></p> <p>The grant of a 999-year lease and cable wayleave to NIE for a site at Summerhill Road for the purpose of providing electricity supply to the proposed Brook Leisure Centre.</p>
2.8	<p><b>vii) Giant’s Park, North Foreshore – Licences for Bird Surveys</b></p> <p>The grant of a Licence Agreement to the British Trust for Ornithology (BTO) in respect of bird surveys to be undertaken at Giant’s Park, North Foreshore, for a period of 5 years. In</p>

	<p>addition, approval to the grant of licence agreements with prospective developers as required in respect of bird surveys to inform planning applications.</p>
2.9	<p><b>vii) Giant's Park, North Foreshore -Variation of Electricity Power Purchase Agreement</b></p> <p>Authority for the Council to enter into a Deed of Amendment with Power NI to alter the current electricity Power Purchase Agreement between the Council and Power NI.</p>
2.10	<p><b>ix) Grampian Avenue Playground – Acquisition of Land</b></p> <p>The acquisition of two plots of land from the Department for Infrastructure and Radius Housing Association on the terms as set out below.</p>
<b>3.0</b>	<b>Main report</b>
	<p><b>i) Ravenscroft Avenue Car Park – Land Disposal</b></p>
3.1	<p><u>Key Issues</u></p> <p>As part of the transfer of function for off street car parking from the Department of Regional Development (DRD), the off street car park located at Ravenscroft Avenue transferred to the Council on 1 April 2015. The Department for Infrastructure (formerly DRD) now want to re-acquire a section of the land to facilitate the construction of a bike shelter as part of the Belfast Rapid Transit Project.</p>
3.2	<p>The area in question is a grassed verge of approximately 0.026 acres directly behind an existing bus shelter on the edge of the Upper Newtownards Road. The loss of this land would not affect any of the existing car parking spaces. The map attached at Appendix 1 shows the Council's car park shaded yellow and the area of land to be disposed of outlined red.</p>
3.3	<p>At its meeting on the 5 June 2018 the People &amp; Communities Committee gave approval for the disposal of the land subject to the approval of the Strategic Policy &amp; Resources Committee.</p>
3.4	<p><u>Financial &amp; Resources Implications</u></p> <p>The capacity of the car park will not be affected. The Council will receive a premium of £2,000 (the land was valued by Land &amp; Property Services).</p>
3.5	<p><u>Equality or Good Relations Implications</u></p> <p>None</p>

## **ii) Corporation Street Off Street Car Park – Licence Renewal**

### 3.6 Key Issues

As part of the transfer of function for off street car parking from DRD the off street car park located at Corporation Street transferred to the Council on 1 April 2015 under licence at a nominal rent. The short term nature of the original licence was to reflect the fact that this car park is required by DRD (now Dfl) to locate the pumping station and access road required as part of the proposed York Street Interchange Road Scheme. The most recent licence is due to expire on 30 June 2018. As a result of the delay to the commencement of the proposed York Street Interchange, Dfl have offered a further one-year agreement up to 30 June 2019.

### Financial & Resources Implications

3.7 The Council will enter into a new one-year licence with TNI from 1 July 2018, subject to an annual licence fee of £1 per annum.

### Equality or Good Relations Implications

3.8 None

## **iii) Duncrue Complex – North West Mountain Rescue Licence**

### 3.9 Key Issues

The Council has been approached by the North West Mountain Rescue Team requesting permission to base a rescue vehicle within the Council's Duncrue Complex site. The Team provides a voluntary search and rescue service on behalf of the PSNI for those requiring assistance in hostile, remote or mountainous environments. To improve response times to these incidents, the Rescue Team wishes to base a Land Rover ambulance in Duncrue Complex, and they view the Complex as being an ideal location given its 24-hour security and access to the road network.

3.10 It is proposed that the Council enter into a one-year licence agreement with the Rescue Team, with provision to continue on a month to month basis thereafter. A location for parking the vehicle has been identified and is highlighted red on the map attached at Appendix 2. The licence would also include the right of access shaded yellow and the use of up to 6 parking spaces (only when available) within the staff car park shaded green. These spaces would be used by team members when responding to a call out.

3.11	<p><u>Financial &amp; Resources Implications</u></p> <p>The Council will enter into a one-year licence with the North West Mountain Rescue Team at a nominal rent. The Team will fully indemnify the Council. Provision of the space will not impact on current operational requirements at Duncrue Complex.</p>
3.12	<p><u>Equality or Good Relations Implications</u></p> <p>None</p>
	<p><b>iv) Cregagh Youth and Community Centre – New Licence to Ulster Rugby for occasional use of overflow car park</b></p>
3.13	<p><u>Key Issues</u></p> <p>Ulster Rugby held a Licence agreement from 17 August 201, for the occasional use of the Council’s overflow car park at Cregagh Youth and Community Centre (location map at appendix 3) which has now expired. Ulster Rugby wishes to enter into a new licence from 1 August 2018 for anticipated use of the car park on approximately 20 separate days during the forthcoming season.</p>
3.14	<p><u>Financial &amp; Resource Implications</u></p> <p>A fee of £250 will be payable by Ulster Rugby for each occasion of use.</p>
3.15	<p><u>Equality or Good Relations Implications</u></p> <p>None</p>
	<p><b>v) Finlay Park - Licence for sewer connection</b></p>
3.16	<p><u>Key Issues</u></p> <p>At its meeting on the 5 June 2018 the People &amp; Communities Committee approved the grant of a licence and easement for Choice Housing to make a connection to the public sewer situated at Finlay Park, subject to the approval of the Strategic Policy &amp; Resources Committee.</p>
3.17	<p>Choice Housing Association own the land adjacent St Ninian’s Church, Whitewell Road on which they intend to construct 12 semi-detached houses. Choice have sought Council’s approval to make a connection from their development to the public sewer which runs through Finlay Park as shown by the pink line on the plan attached at Appendix 4.</p>

3.18	<p>The area required by Choice to allow the connection to be put in place is shown shaded yellow on the plan attached at Appendix 4. It is proposed that the Council grants Choice a licence in order to install the new sewer connection followed by a grant of an easement over the Council owned lands shaded blue for the connection to the public sewer. Officers will agree a methodology with Choice to protect users of the playground during the installation of the new connection to the public sewer.</p>
3.19	<p><u>Financial &amp; Resource Implications</u></p> <p>Choice Housing Association will pay £100 for the grant of the easement. They will be liable for all costs including installation, maintenance and repair of the pipe connection to the public sewer.</p>
3.20	<p><u>Equality or Good Relations Implications</u></p> <p>None</p> <p><b>vi) Brook Activity Centre &amp; Playing Fields - Lease to NIE for a substation and Cable Wayleave</b></p>
3.21	<p><u>Key Issues</u></p> <p>As part of the development of the new leisure facilities at Brook Activity Centre a new sub-station is required (Location map at Appendix 5). Where electricity infrastructure is to be installed on private land NIE requires a lease from the landowner before they will proceed with any installations.</p>
3.22	<p>The proposed installation of this sub-station is essential to development of the new Council offices and in that respect the grant of a lease to NIE is to the Council's benefit.</p>
3.23	<p><u>Financial &amp; Resource Implications</u></p> <p>The costs associated with installation of the NIE infrastructure forms part of the capital project currently being undertaken to provide the new leisure centre.</p>
3.24	<p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or good relations issues associated with this report.</p> <p><b>vii) Giant's Park, North Foreshore – Licences for Bird Surveys</b></p>

	<u>Key Issues</u>
3.25	Giant's Park, North Foreshore borders a part of Belfast Lough, which is a Special Protection Area (SPA), designated under the European Commission on the Conservation of Wild Birds. The sea area around Giant's Park is also designated under the Convention on Wetlands (RAMSAR Convention) which aims to cover all aspects of Wetlands conservation and use. It is also part of Inner Belfast Lough Area of Special Scientific Interest (ASSI).
3.26	The British Trust for Ornithology (BTO) and the Northern Ireland Environment Agency (NIEA) are seeking access to Giant's Park, North Foreshore, to carry out annual bird surveys. This data would be collected by BTO volunteers and NIEA employees and there is no cost to the Council. This data feeds into national trends on bird populations across different landscapes. This in turn forms part of long-term data collection associated with government biodiversity indicators. BTO are a registered charity and NIEA are part of the Northern Ireland Department of Agriculture, Environment and Rural Affairs (DAERA).
3.27	The collection of data on bird numbers may be of some future assistance to developers by providing habitats data for use in association with any Planning Applications they may make.
3.28	Access by BTO volunteers would be regulated by a Licence Agreement, which would set out the responsibilities of BTO personnel, ensure relevant risk assessments and insurances are in place, and provide appropriate indemnities to the Council. NIEA access is provided by statutory powers conferred on DAERA under Article 44 of The Environment (Northern Ireland) Order 2002.
3.29	In addition, prospective developers can also require access to the site to undertake bird surveys in order to inform development proposals and planning applications. A Licence Agreement will also be required in these instances in order to cover indemnities and responsibilities.
3.30	<u>Financial &amp; Resource Implications</u> None
3.31	<u>Equality or Good Relations Implications</u> None
	<b>viii) Giant's Park, North Foreshore -Variation of Electricity Power Purchase Agreement</b>

	<u>Key Issues</u>
3.32	As part of the closure arrangements for the landfill site at the North Foreshore, the Council extracts landfill gases from a substantial proportion of the site. The Council's contractor/partner Renewable Power Systems Ltd feeds these landfill gases into generator engines, which produce renewable electricity for export to the grid. In conjunction with this process the Council entered into a PPA - a Power Purchase Agreement - (dated 10 September 2009) whereby electricity generated is sold to Power NI at an agreed percentage of the System Marginal Price. At the time the PPA was completed the price of electricity in Northern Ireland was the System Marginal Price (SMP). The SMP was (and currently remains) a variable price set by the Strategic Operator (SONI) and adjusted every half hour, to reflect supply and demand across the electricity network in Northern Ireland.
3.33	From 1 October 2018, the pricing mechanisms for the wholesale electricity market across the island of Ireland will be replaced by a series of different pricing options in what will be known as the Integrated Single Electricity Market (I-SEM). The new market arrangements are designed to integrate the all-island electricity market with European electricity markets. This is expected to deliver increased levels of competition, which should put downward pressure on wholesale prices, as well as encouraging greater security of supply.
3.34	To reflect these market changes the existing PPA between the Council and Power NI will require to be amended. These amendments will be given legal effect by incorporation in a Deed of Amendment to be signed by both parties.
3.35	There are three main pricing/markets, which will be available to the Council from 1 October, and the Council's consultants, Action Renewables, are providing advice on which market may best serve the Council financially. The Council already has an option to terminate arrangements with Power NI (and seek different arrangements with another power purchaser) in September 2019. Additionally, if this termination option is not exercised, the proposed Deed of Amendment will also provide flexibility in terms of changing from one of the new pricing mechanisms to another.
3.36	<u>Financial &amp; Resource Implications</u> None associated with this report. Further reports may be brought back to Committee in due course.
3.37	<u>Equality or Good Relations Implications</u> None



## ix) Grampian Avenue Playground- Acquisition of Land

### Key Issues

3.38 The acquisition of land at Grampian Ave Playground was considered by the SP&R Committee on the 20<sup>th</sup> April 2018 and deferred to enable further information to be obtained regarding Japanese Knotweed on adjoining land. Officers have inspected the land to be acquired at the Grampian Ave playground and noted that there is no evidence of Japanese Knotweed on the land which the Council propose to acquire. City & Neighbourhood Services staff who manage the playground are aware that there is Japanese Knotweed on adjoining land and if there is any spread of the Japanese Knotweed from adjoining land they can arrange to have the playground sprayed with glyphosate herbicide. To date the Japanese Knotweed does not appear to have spread into or damaged the playground surface.

3.39 The land upon which Grampian Avenue Children's playground is located is currently held under two leases, both of which expired on 30 April 201. A location map is enclosed at Appendix 6. Both plots of land continue to be occupied by the Council as a children's playground

3.40 The first lease is from the DRD, now Dfl, who has declared its land holding here surplus to requirements and offered the Council an opportunity to acquire a long leasehold interest subject to a single payment of £1,500. The lease will restrict use of the site to children's playground.

3.41 The second lease is from Helm Housing Association, now Radius Housing Association, who has offered the Council an opportunity to acquire the freehold interest in its land holding subject to a consideration of £1,500.

### Financial & Resource Implications

3.42 The Director of Finance & Resources has confirmed that the cost of acquisition is within the affordability limits of the Council

### Equality or Good Relations Implications

None

## **4.0 Appendices – Documents Attached**

Appendix 1 – Map showing portion of land at Ravenscroft Car Park to be disposed of to the Department for Infrastructure outlined red.

Appendix 2 – Map showing area within Duncrue Complex to be licensed to the North West Mountain Rescue Team outlined red, along with a right of access over the area shaded yellow and use of up to 6 parking spaces (when available) within the staff car park shaded green.

Appendix 3 - Location plan showing car park area at Cregagh Community Centre required by way of licence.

Appendix 4 - Location plan for Finlay Park showing land required by way of licence, the route of the public sewer and route of easement.

Appendix 5 - Map showing area for proposed NIE substation at Brook Activity Centre & Playing Fields

Appendix 6 – Grampian Street Play Park outlined in red

Land to be acquired from Department for Infrastructure shaded blue

Lands to be acquired from Radius Housing Association shaded green

Land occupied by the Council but ownership unknown shaded yellow