



Subject:	Asset Management: i) Licence to install and operate water aerator at Maysfield ii) Proposed Appropriation of Beechvale Farm iii) Proposed lease to Northern Ireland Electricity Networks Ltd (NIE) for a substation and Cable Wayleave at Andersonstown Leisure Centre iv) Proposed acquisition of a road at Sally Gardens, Poleglass v) Jaffe Fountain - Victoria Square
Date:	19 th October 2018
Reporting Officer:	Gerry Millar, Director of Property & Projects
Contact Officer:	Adrian Ferguson, Pamela Davison & Celine Dunlop, Estates Team Leaders

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 and to note the recent lettings at Smithfield Market
2.0	Recommendations
2.1	The Committee is asked to;

	<ul style="list-style-type: none"> grant approval to the following, subject to detailed terms to be agreed by the Estates Team Leader and City Solicitor and note the lettings approved by the Director of Property & Projects:
2.2	<p>i) Licence to install and operate water aerator at Maysfield</p> <p>Committee is recommended to approve entering into a Licence Agreement with Allstate NI Ltd for the installation and operation of a water aerator in the water inlet at Maysfield, subject to terms being agreed with Estates and City Solicitor.</p>
2.3	<p>ii) Proposed Appropriation of Beechvale Farm</p> <p>Committee is recommended to approve the appropriation of Beechvale Farm by Property and Projects from City and Neighbourhood Services, for holding in the Corporate Landbank.</p>
2.4	<p>iii) Proposed lease to Northern Ireland Electricity Networks Ltd (NIE) for a substation and Cable Wayleave at Andersonstown Leisure Centre</p> <p>Committee is recommended to grant the required 999 year lease and cable wayleave to NIE at a nominal/nil rent for the purpose of providing electricity supply to the new Andersonstown Leisure Centre, with detailed terms to be agreed by Estates and City Solicitor.</p>
2.5	<p>iv) Proposed acquisition of a road at Sally Gardens, Poleglass</p> <p>The Committee is asked to approved the proposed acquisition of the roadway (shaded brown on the plan attached at Appendix'4') known as Sally Gardens Lane from the Department for Communities.</p>
2.6	<p>v) Jaffe Fountain - Victoria Square</p> <p>Committee is asked to approve extension of the Loan Agreement for the Jaffe Fountain with the owners of Victoria Square for a further period of 15 years from the end of the existing agreement and approve restoration of the Fountain to provide drinking water in accordance with the terms of the Agreement.</p>
3.0	Main report
3.1	<p>i) Licence to install and operate water aerator at Maysfield</p> <p>Key Issues</p> <p>Previously at its meeting of the Strategic Policy & Resources Committee of 15th December 2017 Members gave approval for Allstate to provide enabling infrastructure, in the form of an electricity supply, as part of the construction works for their new headquarters building at</p>

Maysfield. Members at the same time also gave approval to enter into a Management Agreement for the day-to-day maintenance of the water inlet. This Agreement has now been put in place and requires Allstate to keep the water surface free from build-up of debris as highlighted in a previous report to this Committee on 23rd September 2016.

3.2

Allstate have provided a “boom” in the river, at entrance of the water inlet, (in DfC ownership) to prevent debris entering the inlet and installation of a water aerator will help prevent the growth of algae. In all these measures facilitated by Allstate will help maintain and enhance the environment at Maysfield that has been transformed with completion of the recent Allstate and Concentrix developments.

3.3

In addition to these specific improvements in respect of the water inlet Allstate have also contributed towards the cost of a bike dock for the Belfast Bikes at Maysfield and included a takeaway café facility within their office building which will be open to the public.

3.4

Financial & Resource Implications

There are no financial or resource implications for the Council in respect of this Licence Agreement.

3.5

Equality or Good Relations Implications/Rural Needs Assessment

No specific equality or good relations implications. No specific rural needs impact.

ii) Proposed Appropriation of Beechvale Farm

3.6

Key Issues

At its meeting on 9 October People and Communities Committee approved the appropriation of Beechvale Farm from City and Neighbourhood Services to Property and Projects for holding in the Corporate Landbank, pending future decisions on the asset. The decision was subject to agreement by Strategic Policy and Resources Committee, which is now being sought as relevant committee for the receiving department.

3.7

Beechvale Farm shown on the attached plan at Appendix 2 comprises a 136.9-acre farm approximately seven miles to the south east of Belfast and is in Lisburn and Castlereagh Council area. It comprises former farmhouse, bungalow, ancillary buildings, an office and commercial glasshouses. The land is mostly fields with some wooded areas, a fen wetland, a watercourse and connecting laneways. The farm was acquired for the cultivation of trees and shrubs for city parks. This is no longer undertaken as significant

cost savings were achieved by Competitive Compulsory Tendering. Much of the land is let on seasonal lets and the buildings have become redundant apart from some storage use.

3.8 As Beechvale Farm is no longer used for operational purposes by City and Neighbourhood Services it would more suitably be held in the Corporate Landbank. The Corporate Landbank comprises properties which have no current operational use but which are either being safeguarded for future use or are being held pending disposal. The Corporate Landbank is managed and inspected by Estates Unit, who also appraise the assets for future options.

Financial & Resource Implications

3.9 Responsibility for managing the property would transfer from City and Neighbourhood Services officers to Estates Unit.

Equality or Good Relations Implications

3.10 There are no equality or good relations issues associated with this report.

iii) Proposed lease to Northern Ireland Electricity Networks Ltd (NIE) for a substation and Cable Wayleave at Andersonstown Leisure Centre

Key Issues

3.11 Where electricity infrastructure is to be installed on private land, NIE requires a lease from the landowner before they will proceed with any installations. The proposed substation shown on the plan at Appendix 3 is required for the new leisure centre and in that respect the grant of a lease to NIE is to the Council's benefit. In such circumstances, it is NIE's normal practice to take such leases at a nil rent.

Financial & Resource Implications

3.12 The costs associated with installation of the NIE infrastructure forms part of the capital project currently being undertaken to provide the new leisure centre.

Equality or Good Relations Implications

3.13 There are no equality or good relations issues associated with this report.

iv) Proposed acquisition of a road at Sally Gardens, Poleglass

Key Issues

	<p>As part of LGR and following an exchange of land with Poleglass Community Association @ Sally Gardens (PCA) the Council acquired the lands shaded green on the plan attached at Appendix '4'. The Council leased back the Community Centre shown outlined red on the plan attached at Appendix '4' to PCA and constructed changing facilities and a 3G pitch on the land to the rear of the site.</p>
3.14	<p>As part of the transfer of lands, the Council were granted a right of way over Sally Gardens Lane but the ownership of the road remained with DfC.</p>
3.15	<p>DfC have now approached the Council seeking to transfer the ownership of the road to the Council on the basis that Council now own all the facilities at Sally Gardens and the only access to these facilities is over Sally Gardens Lane.</p>
3.16	<p>At its meeting on the 9th Oct 2018 the People and Communities Committee approved the acquisition of the roadway known as Sally Gardens Lane from the DfC subject to SP&R approval in accordance with standing orders.</p>
3.17	<p><u>Financial & Resource Implications</u></p> <p>The roadway will transfer at nil cost. The roadway is currently in good condition. C&NS will be responsible for all repair and maintenance following the acquisition of the roadway.</p>
3.18	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None</p> <p>v) Jaffe Fountain - Victoria Square</p>
3.19	<p><u>Key Issues</u></p> <p>BCC entered into a Loan Agreement with the owners of Victoria Square development for the relocation of the Jaffe Fountain from Botanic Gardens to the outside of the Victoria Square development .The current Loan Agreement provides for its loan to this location for 15 years from 13th May 2008. The owners of Victoria Square have requested for this to be extended for a further 15 years from 2023.</p>
3.20	<p>BCC retain ownership of the statue and CGI Victoria Square Limited and Victoria Square Nominees Limited are responsible for the upkeep of the fountain and all costs pertaining thereto.</p>
3.21	<p>If Council requires at the end of the term the Fountain can be relocated to a Council owned site at no cost to the Council.</p>

3.22	The Fountain over the last ten years has been maintained in accordance with the terms of the Loan Agreement. It is a focal point at the Victoria Square development and now a well-established landmark and meeting point within the city centre.
3.23	Victoria Square are keen to provide additional tourism and cultural interpretation of the Fountain in the area. They are also keen that the Fountain provides drinking water again, under the terms of the Loan Agreement Council approval is required for this with the proviso that the water is fit for purpose and does not represent a risk to human health.
3.24	<p><u>Financial & Resource Implications</u></p> <p>An Addendum to the existing Loan Agreement to be prepared by Legal Services if approval is granted to the extension.</p>
3.25	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None</p>
4.0	Appendices – Documents Attached
	<p>Appendix 1 – Map showing location of the water inlet at Maysfield</p> <p>Appendix 2 – Proposed Appropriation of Beechvale Farm</p> <p>Appendix 3 – Northern Ireland Electricity Networks Ltd (NIE) substation and Cable Wayleave at Andersonstown Leisure Centre</p> <p>Appendix 4 – Proposed acquisition of a road at Sally Gardens, Poleglass</p> <p>Appendix 5 - Jaffe Fountain at Victoria Square</p>