

STORMONT ESTATE (NORTHERN IRELAND) ORDER 2006

S.I. 2006 No. 612 (N.I. 5)

EXPLANATORY MEMORANDUM

BACKGROUND AND POLICY OBJECTIVES

3. The Order removes, in part, the restrictions that currently prevent the Department from selling (or otherwise disposing of) the lands (and premises) within the Stormont Estate as are comprised in the conveyance of 1933 between the Commissioners of Public Works and the Ministry of Finance (referred to hereinafter as 'the trust estate'). By that conveyance, the lands were transferred to the Ministry of Finance on trust for the Parliament of Northern Ireland and public departments in Northern Ireland. The Stormont Regulation and Government Property Act (NI) 1933 (the 'Stormont Act') provides a power to the Department to sell, exchange, lease or surrender any lands vested in the Department for the administration of any public service in Northern Ireland.
4. In October 2004, the Department published Workplace 2010 - the Strategic Development Plan for the Northern Ireland Civil Service (NICS) Office Estate. This forms a key part of the NICS reform agenda, Fit for Purpose, which requires the Civil Service to deliver a step change in Government infrastructure. The Plan recommends the introduction of new accommodation standards, including open plan working that would enable the NICS to rationalise its existing estate into a smaller and more efficient portfolio. The outline business case, approved by the Secretary of State, recommends that this is delivered through a Public Finance Initiative (PFI) solution providing accommodation that is fit for purpose, maximising efficiency and supporting modernisation and new ways of working.
5. The first phase of the PFI arrangement includes a substantial part of the Greater Belfast estate and a number of the larger regional office buildings. It is proposed that the office buildings and adjacent land located at the southeast end of the Stormont Estate would also be included in the contract, i.e. Castle Buildings, Craigtantlet Buildings, Dundonald House, Hillview, Massey House and the associated annexes. There are, however, some legislative impediments in relation to those Civil Service properties located within Stormont Estate. Whilst the 'Stormont Act' inter alia makes provision for the management of government properties it expressly excludes the trust estate from the application of its provisions. In other words, the lands comprising the trust estate cannot be sold, exchanged, leased or surrendered. The 'Stormont Act' and the trust under which the trust estate is held, therefore, effectively prevent all the main buildings on the Stormont Estate from being included in the proposed PFI.
6. The intention of the Order is to remove the effects of the trust on a designated part of the trust estate while retaining them for the remainder, being the lands related to Parliament Buildings, Stormont Castle, Stormont House and the surrounding public grounds. The effect of the Order is to enable the Department to include the properties at the southeast end of the Stormont Estate in a PFI contract whilst ensuring that Parliament Buildings, Stormont Castle, Stormont House and the surrounding public grounds would remain protected from any contract with the private sector.