

**LAND AND PROPERTY SUB-COMMITTEE
WEDNESDAY 2 OCTOBER 2019**

No	Item	Summary of key Recommendations
1.	Apologies	<i>Chair, Councillor Knight-McQuillan, Alderman Hillis, Councillor McShane</i>
2.	Declarations of interest	<i>Councillor Holmes, Fielding in Item 6.2</i>
3.	Minutes of Meeting held on Wednesday 4 September 2019	<i>Confirmed</i>
	'IN COMMITTEE'	
4.	Presentation of Draft Estate/Asset Management Strategy	<i>Defer for consideration</i>
5.	Requests For Use Of Council Land Appendix 1 Additional Requests – Ballyclabber Reformed Presbyterian Church	<i>Approve 6 requests listed</i> <i>Approve</i>
5.1	Repeat Requests	<i>Approve</i>
	Retrospective Requests	<i>Approve</i>
6.	Leases and Licences	
6.1	Portballintrae Village Hall	<i>Amend lease to include (b) only</i>
6.2	Ruairí Óg GAC Cushendall	<i>Agree to consent to the covenant</i>
7.	Legal Issues	
7.1	Access and Licence Request – Northern Regional College re Anderson Park, Coleraine (L&P SC 19019; L&P SC 190206)	<i>Agree Stage 1 and Stage 2 proposals</i>

7.2	Report on Title former Dungiven Sports Pavilion	<i>Noted</i>
8.	Correspondence	
8.1	Western Health and Social Care Trust – Expression of Interest in the Former Sports Pavilion, Dungiven	<i>Noted</i>
8.2	Portstewart Summer 2019 – Panoramic Wheel Complaint	<i>Noted</i>
8.3	Focus on Family (Cornfield Project) Request for Additional Land	<i>Noted</i>

**MINUTES OF THE MEETING OF THE
LAND AND PROPERTY SUB-COMMITTEE
HELD IN THE BANN VIEW COMMITTEE ROOM, CIVIC HEADQUARTERS
WEDNESDAY 2 OCTOBER 2019 AT 7:00 PM**

- Chair** : Alderman William McCandless (Vice-Chair)
- Present** : Alderman Fielding, Councillors McGurk, McLean, Holmes, Quigley
- Officers Present** : P Donaghy, Democratic & Central Services Manager
M Wilson, Senior Planning Officer
J Mills, Council Solicitor
- In attendance : Mr C McCrossan, Strategic Investment Board (Item 4)

1. APOLOGIES

Apologies were recorded for the Chair, Councillor Knight-McQuillan, Alderman Hillis and Councillor C McShane.

The Vice-Chair advised that Councillor Holmes was substituting for Alderman Hillis for the duration of the meeting.

2. DECLARATIONS OF INTEREST

Alderman Fielding and Councillor Holmes declared an interest in Item 6.2 as members of the Local Action Group (LAG). The members did not leave the meeting during discussion of the item.

3. MINUTES OF MEETING HELD WEDNESDAY 4 SEPTEMBER 2019

It was AGREED: that the minutes of the Sub-Committee's meeting on Wednesday 4 September, as summary circulated, be confirmed as a correct record.

4. ESTATE MANAGEMENT STRATEGY FOR CAUSEWAY COAST AND GLENS BOROUGH COUNCIL 2020-2025

The Vice-Chair welcomed Mr Colin McCrossan, Strategic Investment Board, to the meeting and invited him to present the Draft Estate Management Strategy.

Copies of the powerpoint presentation on the draft Strategy were circulated to Members and Members were advised the presentation and draft Strategy document would be circulated following the meeting.

Mr McCrossan presented the draft Strategy advising Members that the document describes the Council's strategic approach to realising the ambitions for the Council's land and property assets aligning with the Council's Community Plan and Corporate Strategy. Mr McCrossan also advised Members that the strategic approach to the management of public sector assets is being encouraged by the NI Audit Office who are working alongside SIB to produce detailed guidance to all Councils in the near future.

Following the presentation and questions from Members the Vice-Chair thanked Mr McCrossan for his work in preparing the draft Strategy. The Vice-Chair reminded Members that the development of an Asset/Estate Management Strategy was a priority matter for Council. He made particular reference to the most recent Report To Those Charged With Governance which had been presented to the Audit Committee at its meeting on 18th September.

It was **AGREED**: to recommend that the draft Estate Management Strategy for Causeway Coast and Glens Borough Council 2020-2025 is brought to the next meeting of the Sub-Committee for discussion and consideration by Members.

*Mr McCrossan left the meeting at 8.00pm.

MOTION TO PROCEED 'IN-COMMITTEE'

It was proposed by Councillor McLean, seconded by Councillor Quigley and **AGREED**: to move into committee.

5. REQUESTS FOR USE OF COUNCIL LAND

The Democratic and Central Services Manager presented the report, previously circulated.

- 5.1** There were 6 new requests for the Sub-Committee to consider. The requests were summarised in the table with further detail provided at Appendix 1 (previously circulated).

Further information including maps and photographs were made available at the meeting.

The following factors were taken into account when considering the request:-

- Right of Way issues;
- Setting precedent;
- Impact on Council's strategy;
- Valuation;
- Long term impact on Council's asset;
- Legal implications;
- Health and Safety, Insurance, Risk Assessments and Event Management Plans.

It is recommended that the requests are considered and recommendation made.

It was **AGREED** to recommend approval for the requests listed in the table below.

Reference	Date	Location	Detail
114/19	Early October & 14th of October 2019. TBC. For approximately 2 hours.	The Moyle Cliffs, the Layd Church and the coastal paths of Cushendall	A request from BBC Studios to use Council land at the Moyle Cliffs, the Layd Church and the coastal paths of Cushendall, for filming for 'Our Coast' from early October and the 14th of October 2019 (to be confirmed.)
104/19	October/November 2019. TBC	East Strand, Portrush and land adjacent to Portballintrae slipway	A request from DFI Rivers to use Council land at East Strand, Portrush and land adjacent to Portballintrae slipway, to upgrade infrastructure during October and November 2019 (to be confirmed.)

Reference	Date	Location	Detail
108/19	27th of October to 2nd of November 2019 Set up from the 24th to 26th of October 2019	Town Hall roof and Leisure Centre roof Coleraine	A request from Coleraine Business Improvement District to use the Town Hall roof and Leisure Centre roof, Coleraine, to set up inflatables for a 'Monster Takeover' from the 24 th of October to the 2 nd of November 2019.
109/19	27th of October to 2nd of November 2019 Set up, 26th of October 2019	The Market Yard, Coleraine	A request from Coleraine Business Improvement District to use Council land at the Market Yard, Coleraine, for a 'Halloween Fest' from the 26th of October to the 2nd of November 2019.
112/19	1 st & 2 nd of November 2019	Portballintrae Car Park and Harbour	A request from Portballintrae Residents Association to use Council land at Portballintrae Car Park and Harbour, for a 'Halloween Festival Weekend' from the 1 st to the 2 nd of November 2019.
113/19	23rd of November 2019	Flowerfield, Portstewart	A request from Naturally North Coast and Glens to use Council land at Flowerfield, Portstewart, for a 'Christmas Craft Market' on the 23rd of November 2019.

The Democratic and Central Services Manager verbally informed Members of a late request which had been referred to Land and Property

by Town Centre Management and which had been notified to the Chair in advance of the meeting. Members agreed to consider the request from Ballyclabber Reformed Presbyterian Church and Let Them Live and Evangelical Pro-Life Ministry to hold an event at the Events Space at Coleraine Town Hall on Saturday 5th October 2019.

Following discussion and clarification on a number of queries relating to the request, it was proposed by Quigley, seconded by Councillor McLean, and

AGREED: to recommend that approval is granted to Ballyclabber Reformed Presbyterian Church and Let Them Live an Evangelical Pro-Life Ministry to hold an event at the Events Space at Coleraine Town Hall on Saturday 5th October 2019.

Members requested that it be conveyed to the organisers that at some pro-life events images have been displayed which some members of the public have found distressing and noted that they hoped the organisers of this event would not display such images.

- 5.2** There were 2 repeat and 3 retrospective events for the Sub Committee to note. The reports were attached at Appendices 2 and 3 (previously circulated).

It is recommended that the requests at Appendices 2 are approved and those at Appendix 3 are noted and granted retrospective approval.

It was AGREED: to recommend that the requests as set out at Appendix 2 'Repeat Events' are approved and 3 'Retrospective Events', are noted and granted retrospective approval.

6. LEASES/LICENCES

The Democratic and Central Services presented the reports, previously circulated

6.1 Portballintrae Village Hall

The report, previously circulated advised Members that a request had been received to make amendments to the lease of Portballintrae Village Hall Shop Unit.

The report outlined the background to the lease and detailed the proposals made by the tenant at a) and b) within the report. A further request was outlined at 3.2 within the report.

The Democratic and Central Services Manager provided a verbal update in relation to rental payments.

It is recommended that the information presented is considered and recommendation made.

It was proposed by Councillor McGurk, seconded by Councillor Holmes and **AGREED:** to recommend that approval is granted for an amended renewal for the proposal outlined at b) within the report, only, subject to planning requirements.

6.2 Ruairí Óg GAC Cushendall

The report, previously circulated sought agreement to consent to a covenant on Land Folio AN35656 at 1a Middlepark Avenue, Cushendall in the Deed of Transfer dated 23rd March 1995. The former Moyle District Council sold the land to the Trustees of Ruairí Óg GAC in 1995.

The Rural Development Programme is offering funding to Ruairí Óg GAC for the creation of a Multi-Use Games Area (MUGA) at their grounds at Middlepark Avenue Cushendall. The award attracts a legal charge to be placed on the property. The Deed of Transfer states that the lands are subject to a covenant "*the transferee for themselves and their successors in title to the intent and so as not to bind the lands compromised in this transfer into whomsoever hands the same may come hereby covenants with the Transferor not to at any time hereafter erect or construct any building or structure on the lands shaded yellow on the map attached hereto without the consent of Moyle District Council such consent not be unreasonably withheld.*"

Consent by Council rather than release of the covenant would ensure the covenant is not removed from the folio.

It is **recommended** that the Land and Property Sub-Committee recommends to Council the agreement to consent to the covenant on the Land Folio AN35656 at 1a Middlepark Avenue, Cushendall in the Deed of Transfer dated 23rd March 1995.

It was proposed by Councillor McGurk, seconded by Councillor Quigley and

AGREED: to recommend that Council agrees to consent to the covenant on the Land Folio AN35656 at 1a Middlpark Avenue, Cushendall in the Deed of Transfer dated 23rd March 1995.

7. LEGAL ISSUES

7.1 Access and Licence Request – Northern Regional College re Anderson Park, Coleraine (L&P SC 19019; L&P SC 190206)

Council's Solicitor provided Members with an update regarding the request for access at Anderson Park, Coleraine by the Northern Regional College linked to the new campus project following a site meeting with NRC and Council's Head of Estates.

A confidential report was circulated at the meeting and would be circulated to all Members following the meeting.

It is recommended that the Sub-Committee recommends to Council the following proposals:

1. **Stage 1-** That Council agree to provide a licence for access to Anderson Park, including the right to fence off and use the area shown red on the map attached hereto (schedule 2), for a period of two years. No permanent structural or infrastructure works will be permitted. Within a period of two years NRC will either enter into stage 2 or place the land back into the condition at the start of the licence period.
2. **Stage 2-** Final plans with proposed works will be provided to council within a period of 6-12 months for approval. If approved a licence to complete works will be provided and an agreement for access/long term maintenance and repair of pathways, stairs will be agreed between council and NRC.

Following discussion and clarification by Council's Solicitor on a number of queries it was proposed by Alderman McCandless, seconded by Councillor Quigley and

AGREED: to recommend that Council

1. **Stage 1-** agree to provide a licence for access to Anderson Park, including the right to fence off and use the area shown red on the map attached hereto (schedule 2), for a period of two years. No permanent structural or infrastructure works will be permitted. Within a period of two years NRC will either enter into stage 2 or place the land back into the condition at the start of the licence period and

2. **Stage 2-** Final plans with proposed works will be provided to council within a period of 6-12 months for approval. If approved a licence to complete works will be provided and an agreement for access/long term maintenance and repair of pathways, stairs will be agreed between council and NRC.

7.2 Dungiven Sports Pavilion

Council's Solicitor presented the report which informed Members of legal ownership of the former Dungiven Sports Pavilion to include title to lands and areas currently leased and licenced. Members will be asked to provide their proposals for sale of land/assets at the former Dungiven Sports Pavilion at the Land and Property Sub-Committee meeting in November 2019.

A confidential report was circulated at the meeting and would be circulated to all Members following the meeting.

Members were also reminded of the site visit scheduled to take place on Wednesday 9th October 2019 at the former Dungiven Sports Pavilion site.

The Sub-Committee noted the contents of the report.

8. Correspondence

The Democratic & Central Services Manager presented the correspondence report, previously circulated.

8.1 Western Health and Social Care Trust (WHSC) – Expression of Interest in the Former Sports Pavilion, Dungiven

Correspondence has been received from the WHSC expressing an interest in acquiring lands and/or buildings on the site of the former Dungiven Sports Pavilion adjacent to the Dungiven Health Centre.

The Sub-Committee noted the correspondence.

8.2 Portstewart – Panoramic Wheel Issues

Correspondence has been received from a resident voicing concerns regarding the Panoramic Wheel which was located at the Crescent in July 2019.

The Sub-Committee noted the correspondence.

8.3 Focus on Family (Cornfield Project) – Request for Additional Land

The report provided an update on this matter previously considered by the Sub-Committee in August 2019.

Following the August meeting officers contacted the Project Manager of the Cornfield Project in relation to Council's future requirement for the land requested and exploring the option for a shorter lease after which the land may have to revert to Council.

The Sub-Committee was informed that due to a number of factors which could not be ascertained or confirmed the matter would be revisited when the Council's potential plans for the land were clearer and Focus on Family had clarification on funding for long term projects.

The Sub-Committee noted the contents of the report.

MOTION TO PROCEED 'IN PUBLIC'

It was proposed by Councillor Quigley, seconded by Councillor McLean and **AGREED**: to move out of committee.

There being no further business the Chair declared the meeting closed.

The meeting concluded at **9.25pm**.