

**LAND AND PROPERTY SUB-COMMITTEE  
WEDNESDAY 15 JANUARY 2020**

<b>No</b>	<b>Item</b>	<b>Summary of Key Recommendations</b>
<b>3.</b>	Minutes of meeting held Wednesday 6 November 2019	<i>Confirmed</i>
<b>4.</b>	Portrush, North Pier Shop Unit - Commercial Lease Realisation	<i>Advertise lease opportunity seeking Expressions of Interest (in current condition)</i>
<b>5.</b>	Bushmills Visitor Information Centre - Asset Realisation	<i>Defer to allow the Head of Service to bring back more information to the Land and Property Sub-Committee regarding the £30K Capital spend and confirmation it is included in existing budgets.</i>
<b>6.</b>	Requests for Use of Council Land	<i>Approve requests listed at Appendices 1 and 2; note requests at Appendix 3</i>
<b>7.</b>	Requests to Purchase Council Land	
	<b>7.1</b> 06/19/P – Land adjacent to Garage, Millburn Rd, Coleraine	<i>Refuse the request</i>
<b>8.</b>	Leases/Licenses	
	<b>8.1</b> 3 Berne Road, Portstewart– Amendment to Lease – Liquor Licence Request	<i>Permit tenant, in principle, to commence</i>

		<i>application process through Petty Sessions Court to obtain a Restaurant Liquor Licence.</i>
	<b>8.2</b> NIE – Ballymoney, Landhead Recreation Grounds – New Sub-Station Kiosk and 2 No Wayleave Agreements	<i>Approve, in principle, grant of lease (including Right of Way) for term of 960 years; Approve, in principle, Wayleave No 806486 and Wayleave No 806487 for laying of underground cabling; subject to stated conditions as set out</i>
	<b>8.3</b> Ballycastle and Ballymoney DfI Alert Stations – Upgrade of Existing Alert Stations	<i>Approve a Rivers Agency Gauging Station Lease Agreement with the Department for Infrastructure (DfI) for the upgrade of the Hydrometric River Flow Recording Station (Alert Stations) at Ballycastle (No 204012) and Ballymoney (No 203346)</i>
	<b>8.4</b> Community Managed Community Centres – Management Agreements and Schedule of maintenance operations	<i>Noted</i>
<b>9.</b>	<b>Legal Issues</b>	
	<b>9.1</b> Boundary Rectification Ballyreagh Road, Portrush	<i>Approach owner to formalise title by boundary agreement</i>
	<b>9.2</b> Consent to Lodgement of a Charge – Friends of Glenariffe Community Centre	<i>Consent (in the form of a letter) to a lodgement of a</i>

		<i>charge in favour of Ulster Community Investment Trust Ltd, subordinate to councils' charge</i>
	<b>9.3</b> Sale of Lands Adjacent to 554 Seacoast Road Limavady	<i>Agreed not to proceed with the sale of the land</i>
	<b>9.4</b> Update on First Registration	<i>Noted</i>
	<b>9.5</b> Castle Erin	<i>Noted</i>
	<b>9.6</b> Portstewart Town Hall	<i>Defer to the Corporate Policy and Resources Committee meeting on 28<sup>th</sup> January 2020 and a report containing the information required is issued to Members in advance of the meeting</i>
<b>10.</b>	Correspondence	
	<b>10.1</b> NI Water – Benone Upgrade of Vacuum Sewerage Network & Foul Vacuum System– Notice of Intended (Ref 04/19/NIW) and (Ref WW 20/16 – KL503)	<i>Noted</i>
<b>11.</b>	Report to Those Charged With Governance 2019 - Leases	<i>Noted</i>

**MINUTES OF THE MEETING OF THE  
LAND AND PROPERTY SUB-COMMITTEE  
HELD IN THE LARGE COMMITTEE ROOM, CIVIC HEADQUARTERS  
WEDNESDAY 15 JANUARY 2020 AT 8:00 PM**

- Chair** : Councillor Michelle Knight-McQuillan
- Present** : Alderman Fielding, Hillis, McCandless  
Councillors Quigley, C McShane, McLean
- Officers Present** : M Quinn, Director of Corporate Services  
P Donaghy, Democratic and Central Services  
Manager  
D McLaughlin, Land and Property Officer  
J Lundy, Senior Planning Officer  
J Mills, Council Solicitor  
W McCullough, Head of Service for Sport and Well  
Being
- In attendance** : Councillors P McShane, Mulholland, Hunter

**1. APOLOGIES**

Apologies were recorded for Councillor McGurk.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. MINUTES OF MEETING HELD WEDNESDAY 6 NOVEMBER 2019**

The Minutes of the Meeting held Wednesday 6 November 2019 were confirmed as a correct record.

**MOTION TO PROCEED ‘IN COMMITTEE’**

Proposed by Councillor Quigley and  
Seconded by Councillor McLean

**AGREED** – to recommend that Council move ‘*In Committee*’.

#### 4. PORTRUSH, NORTH PIER SHOP UNIT - COMMERCIAL LEASE REALISATION

Confidential report, previously circulated, presented by the Director of Corporate Services.

Council is in ownership of a Commercial Unit situated on Harbour Road, North Pier, Portrush Harbour.

In November 2018 a report was presented to the Land and Property Sub Committee seeking approval for the Infrastructure Department to assess the potential of the asset to establish if “added value” alterations would have commercial benefit and to commence this process.

*At that time it was agreed that “Council grants approval to the Capital Works Department Officers to prepare Architectural Scheme Design drawings illustrating the visual and floor space enhancements, submit a Planning Application, and if approved, carryout a Commercial Lease Tender exercise.*

*On conclusion of the exercises under points 2a, b and c, in the report previously circulated, proposals to be brought back to the Land and Property Sub Committee at a later date to allow the Sub Committee to make an informed decision on the commercial realisation of North Pier Unit, Portrush.”*

Given the planning constraints applicable to the existing unit in respect of a ‘change of use’, coupled with potential Council capital investment -vs- rental income, it has been determined that rental of the existing unit “as is”, achieves best revenue for Council with no capital investment required.

Members were advised that a business tenancy lease could not be published with the tender expression of interest pack. The lease will be drafted specific to what the unit will be used for.

**It is recommended** that Council grant permission for the Infrastructure Department to advertise the lease opportunity in the regional, local media and social media (seeking expressions of interest) for this unit (in its current condition).

**AGREED** – to recommend that Council grants permission for the Infrastructure Department to advertise the lease opportunity in the

regional, local media and social media (seeking expressions of interest) for this unit (in its current condition).

## 5. BUSHMILLS VISITOR INFORMATION CENTRE - ASSET REALISATION

Confidential report, previously circulated, presented by the Director of Corporate Services.

The Infrastructure Department is currently reviewing assets in the Borough, and has identified the prominent Bushmills Visitor Information Centre (VIC) as a potential significant asset realisation project.

In accordance with Council's Strategic Themes, an opportunity exists to promote and make best use of this asset, within the highly dense tourist destination route towards to the Giants Causeway, and the settlement of Bushmills Village.

It is proposed to create a mixed-use facility in relation to the existing building, whilst keeping Council's capital to a minimum, and yielding an excellent annual lease return.

Private and Public sector integration, whereby private sector commercial unit to half portion of existing building, (front half) and remainder being public sector Visitor Information Centre, incorporating glazed units, so as to ensure best promotion of the VIC.

Options reviewed by the department to give Members an indicative view to achieve best value/revenue return:-

- **Option 1** – Letting approximately 50% of the existing area with minor internal alterations to create a shared sanitary room.
- **Option 2** – to significantly increase the rentable value - with approximately 50% of the existing area with modifications to include timber decking with glazed sliding doors to front, allowing additional seating, including a new external store to side of building (circa £30K investment).

A planning application will be required for either option considered and approved by Council's Planning Department, for a 'change of use'. A further update report will be brought to the Finance Committee and the Land & Property Sub-Committee in line with 'recommendation' below.

**It is recommended** that Council grant the Infrastructure Department approval to proceed with Option 2, in order to establish best use of asset, whilst realising significant revenue return from a potential lease arrangement with the private sector, which entails the following sequence of events;

- a. Compile a full speculative feasibility study, incorporating potential layout option for mixed use private and public sector facility, (VIC-public and commercial unit being private sector).
- b. Lodge a full planning application.
- c. Subject to achieving full planning permission – Advertise via regional, local media and social media for the premises to seek expressions of interest.

Upon completion of task a, b and c, a report will be brought back to Members for review, prior to any capital investment to carry out alterations etc.

Following a discussion on the availability and approval of funding for the project, the Director of Corporate Services recommended that the matter be deferred to allow the Head of Service to bring back more information to the Land and Property Sub-Committee regarding the £30k Capital spend and confirmation it is included within existing budgets.

All **AGREED** – to recommend that the matter is deferred to allow the Head of Service to bring back more information to the Land and Property Sub-Committee regarding the £30k Capital spend and confirmation it is included within existing budgets.

## **6. REQUESTS FOR USE OF COUNCIL LAND**

Confidential report, previously circulated, presented by the Director of Corporate Services.

### **Requests to Use Council Land**

There are 2 new requests for the Sub-Committee to consider. The requests were summarised in the table with further detail provided at Appendix 1 (circulated).

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

There are 2 repeat and 9 retrospective events for the Sub Committee to note. The reports were attached at Appendices 2 and 3 (circulated).

### Issues for Consideration

The following factors should be taken into account when considering each request:-

- 2.1 Right of way issues
- 2.2 Setting precedent
- 2.3 Impact on Council's strategy
- 2.4 Valuation
- 2.5 Long term impact on Council's asset
- 2.6 Legal implications
- 2.7 Health and Safety, Insurance, Risk Assessments and Event Management Plans

135/19	6th of January to 7th February 2020 8am to 5.00pm.	Central Car Park, Limavady	A request from DFI to use six car park spaces within Council land at the Central Car Park, Limavady, to store work materials, from the 5th of January 2020 for 5 weeks.
123/19	27th June 2020 & 26th to 27th June 2020	27 <sup>th</sup> June 2020, 9am to 10pm at The Bowl Recreation Area, Portrush. 26th to 27th June 2020 (26th setup), 8am to 8pm at Bushmills Football Pitch	A request to use Council land along the North Coast with pit stops at the Bowl Recreation Area, Portrush, and Bushmills Football pitch for a halfway pit stop for a 26 mile Causeway Coast charity walk for Macmillan Cancer Support on the 26 <sup>th</sup> and 27 <sup>th</sup> of June 2020.

**It is recommended** that the requests listed at Appendix 1 (circulated) are considered and recommendation made.

**AGREED** – to recommend that Corporate Policy & Resources Committee approve the requests listed at Appendix 1 (circulated).

**It is recommended** that the requests at Appendix 2 are approved subject to the following:

Request No 40/19 should read 140/19



Ref No 140/19 - Request from the Panoramic Wheel Company to use Council land at the Crescent, Portstewart to install and operate a panoramic wheel from 22<sup>nd</sup> June to 2<sup>nd</sup> September 2020 (inclusive of set up and take down dates)

Proposed by Alderman Fielding and  
Seconded by Councillor Quigley

**To recommend that**

- “in principle” to grant the request from the Panoramic Wheel Company to use Council land at the Crescent, Portstewart to install and operate a panoramic wheel from 22<sup>nd</sup> June to 2<sup>nd</sup> September 2020 (inclusive of set up and take down dates); and
- Officers seek a valuation for the period 22<sup>nd</sup> June to 2<sup>nd</sup> September 2020 and a valuation for a 28 day (permitted development) period. The 28 day period would be agreed with the applicant and the Head of Service for Sport and Well Being; and
- The valuation be brought back to the Land and Property Sub-Committee and the date(s) the fee is to be paid on.
- The Sub-Committee also asked that applicant is to be advised planning approval can be applied for at any time without formal approval from Council for the use of the land

Amendment proposed by Alderman Hillis and  
Seconded by Alderman McCandless

**To recommend** that another condition is added to the motion namely that the applicant is asked to pay half of the agreed fee “up front” and the second half paid halfway through the agreed period

The Chair put the amendment to the vote.

2 Members voted for and 4 members voted against.

The Chair declared the amendment lost.

The Chair put the substantive motion to the vote.

4 Members voted for, 2 Members voted against.

The Chair declared the motion carried.

**It is recommended** that the requests at Appendix 3 are noted.

**AGREED** – to recommend that Corporate Policy & Resources Committee notes the requests at Appendix 3 (circulated).

\* **Councillor C McShane left the meeting.**

## **7. REQUESTS TO PURCHASE COUNCIL LAND**

### **7.1 06/19/P – Land adjacent to Garage, Millburn Rd, Coleraine**

Confidential report, previously circulated, presented by the Director of Corporate Services.

The Sub-Committee to consider the request for the purchase of an area of Council land on Union Street, Coleraine

Council's Planning Department has advised that:

- This site is identified as part of a Major Area of Existing Open Space by the Northern Area Plan 2016. Planning permission would be required to change the use of this land to another purpose. In dealing with any such planning application a key material consideration is Policy OS1 of PPS 8 Open Space, Sport and Outdoor Recreation. This policy has a presumption against the loss of existing open space.
- The site is on a flood plain
- The site has Historic Park and Garden designation
- The site is not suitable for any form of planning permission or development

#### **Options**

1. Refuse the request
2. Defer the request pending approval of the draft Land and Property Policy
3. Agree to the sale of Council land at Union Street, Coleraine to the applicant subject to the following:
  - Obtain a valuation for the parcel of land
  - Applicant will be responsible for the cost of the valuation, market value of the land and any Council's legal search fees associated with the sale.

**It is recommended** that the Sub-Committee is asked to consider the options and make recommendation in principle.

Proposed by Alderman McCandless and  
Seconded by Councillor Quigley

**AGREED** – to recommend that the request is refused.

## **8. LEASES/LICENSES**

### **8.1 3 Berne Road, Portstewart– Amendment to Lease – Liquor Licence Request**

Confidential report, previously circulated, presented by the Director of Corporate Services.

The report sought approval “in principle” from the Sub-Committee to the request from the tenant to grant permission to seek a restaurant liquor licence and have the lease amended accordingly.

The lease permits the premises to be used as a “café/tourism related facility” (clause 1.14). Clause 11.25 states that the tenant covenants “not to use the Premises for the sale or consumption of intoxicating liquor as defined in the Licensing (Northern Ireland) Order 1996”.

An application for a Restaurant Liquor Licence will be made by the tenant through the Petty Sessions Court and the tenant will be responsible for all associated legal costs incurred in this process.

**It is recommended** that the Sub-Committee consider the request and permit the tenant “in principle” to commence the application process through the Petty Sessions Court to obtain a Restaurant Liquor Licence.

**AGREED** – to recommend that the Corporate Policy & Resources Committee approve the request and permit the tenant “in principle” to commence the application process through the Petty Sessions Court to obtain a Restaurant Liquor Licence.

### **8.2 NIE – Ballymoney, Landhead Recreation Grounds – New Sub-Station Kiosk and 2 No Wayleave Agreements**

Confidential report, previously circulated, presented by the Director of Corporate Services.

Northern Ireland Electricity Networks Ltd. (NIE) is seeking approval “in principle” to establish 1 new sub-station kiosk on Council land at Landhead Road Recreation Grounds Ballymoney.

NIE Networks Ltd. currently has an overhead line, transformer pole and 2 wire stays sited on Council land at the Landhead Recreation Grounds Ballymoney.

Council holds leasehold title to this land from the Northern Ireland Housing Executive (freeholder) for a period of 999 years from 1<sup>st</sup> February 1982. Consent from the freeholder will be required to sublet the ground to NIE Networks Ltd.

As part of NIE Network’s ongoing Electricity Safety, Quality and Continuity (ESQR) programme to remove transformer poles from recreational grounds, it plans to recover the existing 11,000 volt transformer pole (pole number 8C/387), overhead line and 2 wire stays from the Landhead Road Recreational Grounds on the Landhead Road, Ballymoney

This would be replaced by a new ground mounted package substation in the corner of the property. .

NIE Networks will require a lease (including a right of way) for the substation kiosk site, for a term of 960 years

The substation will require 2 No Wayleave Agreements to install the underground cabling as detailed in Wayleave Agreement Nos 806186 and 806487 submitted by NIE Networks LTD

NIE Networks have advised of the following:

- All work will be carried out at a suitable time agreed in advance with Council Officers.
- Electricity shutdown required for one day, maximum time period the Recreation Centre would be without electricity supply would be from 8am – to 6pm
- All excavation and reinstatement to be carried out to a high standard and the land left back level and reseeded.

The sub-station is permitted development under Part 14 of the Schedule to the Planning (General Permitted Development) Order (Northern Ireland) 2015 provided they are installed in an electric line

and enclosed in a chamber not exceeding 40 cubic metres in capacity.

**It is recommended** that the Sub Committee consider the request and recommend that Corporate Policy & Resources Committee:

- a) Recommend approval “in principle to the granting of a lease (including a right of way) for a term of 960 years for the proposed sub-station kiosk identified on the map at Appendix A (circulated) as Landhead Road Ballymoney.
- b) Recommend approval “in principle” for Wayleave No 806486 and Wayleave Agreement No 806487 for the laying of underground cabling. .

Any approval granted will be subject to:

- Approval from Northern Ireland Housing Executive (freeholder) to sublet the ground to NIE Networks Ltd.as per paragraph 2.2.
- planning regulations as stated at 3.5
- payment of a fee, (subject to agreement),for the lease
- confirmation of the exact location of the sub-station kiosk site by Council Officers and NIE Networks Ltd.
- agreement to a programme of work
- Council’s Estates department inspecting the site before and after the work is carried out to ensure satisfactory reinstatement of the ground.

Proposed by Councillor McLean and  
Seconded by Alderman Hillis

**AGREED** – to recommend that approval is granted

- a) “in principle for the granting of a lease (including a right of way) for a term of 960 years for the proposed sub-station kiosk identified on the map at Appendix A (circulated) as Landhead Road Ballymoney.
- b) “in principle” for Wayleave No 806486 and Wayleave Agreement No 806487 for the laying of underground cabling.

Approval granted subject to:

- Approval from Northern Ireland Housing Executive (freeholder) to sublet the ground to NIE Networks Ltd.as per paragraph 2.2.
- planning regulations as stated at 3.5
- payment of a fee, (subject to agreement),for the lease
- Confirmation of the exact location of the sub-station kiosk site by Council Officers and NIE Networks Ltd.
- agreement to a programme of work
- Council's Estates department inspecting the site before and after the work is carried out to ensure satisfactory reinstatement of the ground.

### **8.3 Ballycastle and Ballymoney DfI Alert Stations – Upgrade of Existing Alert Stations**

Confidential report, previously circulated, presented by the Director of Corporate Services.

The Department for Infrastructure (DFI) is seeking approval for Council to enter into a Rivers Agency Gauging Station Lease Agreement for the upgrade of the Hydrometric River Flow Recording Station (Alert Stations) at Ballycastle and Ballymoney

DfI is proposing to upgrade the existing Alert Station number 204012 located at the sewage works, Ballycastle and Alert Station number 203346 located at Riverside Park, Ballymoney.

Currently the stations post water level data to “Hydromet Cloud” every 6 hours. The upgraded instruments will have the ability to post this data every 15 minutes.

These stations will issue text alerts when predetermined level thresholds are breached. Both instruments are currently working at full capacity and no further alert receivers can be added.

This is particularly important in the case of Ballymoney station as it issues text alerts to Translink. The railway line in the vicinity of Ballymoney station is susceptible to flooding during periods of high water levels in the Ballymoney Water River. Translink have requested additional text receivers be added to the Alert Station as well as the ability to view water levels at 15 minute intervals. To achieve this, the existing station requires upgrading.

DfI will add an additional text receiver from the Council on the upgraded instrument to benefit Council's protocol for closing

Riverside Park, Ballymoney during high flows in the river when Riverside Park is prone to flooding.

DfI have proposed entering into a Rivers Agency Gauging Station Lease Agreement for each of the alert stations at Ballycastle (No 204012) and at Ballymoney (203346) for a period of 20 years commencing on 1<sup>st</sup> January 2020 and ending midnight 31<sup>st</sup> December 2039.

The Rivers Agency will offer a review, before the 10th anniversary of the lease (31<sup>st</sup> December 2029) with the option to renew for a further period of no less than 10 years, on terms and conditions to be agreed by both parties.

In the event of termination of the lease, Rivers Agency will remove the “station” and return the land to its former condition.

**It is recommended** that approval is granted for Council to enter into a Rivers Agency Gauging Station Lease Agreement with the Department for Infrastructure (DfI) for the upgrade of the Hydrometric River Flow Recording Station (Alert Stations) at Ballycastle (No 204012) and Ballymoney (No 203346).

Proposed by Alderman Hillis and  
Seconded by Councillor McLean

**AGREED** – to recommend that approval is granted for Council to enter into a Rivers Agency Gauging Station Lease Agreement with the Department for Infrastructure (DfI) for the upgrade of the Hydrometric River Flow Recording Station (Alert Stations) at Ballycastle (No 204012) and Ballymoney (No 203346).

#### **8.4 Community Managed Community Centres – Management Agreements and Schedule of maintenance operations**

Confidential information report, previously circulated, presented by the Director of Corporate Services.

The purpose of the information report was to provide the background to and the detail of the Management Agreement and Schedule of Maintenance Operations between Council and community organisations that operate Council Community Centres.

The draft Management Agreement and Schedule of Maintenance Operations was approved at the Leisure and Development Committee on 19th November 2019.

The draft Management Agreement and Schedule of Maintenance Operations was approved at the full Council meeting on 3rd December 2019.

Council owns 17 community centres located throughout the Borough and while 12 of these are directly operated by Council, five of the centres are operated by community organisations on Councils behalf in an arrangement carried over from the legacy Ballymoney and Limavady Borough Councils.

The five Council owned centres that are currently operated by community groups are as follows:

- i. Ballybogey Community Centre which was built in 2012 and is operated by Ballybogey Community Association Ltd;
- ii. Greysteel Community Centre which is operated by Greysteel Community Association
- iii. Magilligan Community Centre which is operated by Magilligan Community Association.
- iv. Rasharkin Community Centre, operated by Rasharkin Community Centre Ltd.
- v. Stranocum Community Centre which was built in 2012 and is operated by Stranocum Community Centre Ltd.

Arrangements for the five Council owned centres that are community managed, were not formalised. The purpose of the Maintenance Agreement and Schedule of Maintenance Operations is to formalise these arrangements and clearly lay out the responsibilities of Council and of the community organisations which operate the centres on Council's behalf.

A Management Agreement was deemed to be the best model to put in place in order to formalise current arrangements. Such an agreement allows more flexibility than a lease and allows for inclusion of more specific detail about operational matters. The Agreement still binds both parties but is considered to be less onerous on the operating groups in the longer term. Such a model would also allow for community groups that have the capacity and desire to take up a similar arrangement for any of the remaining 12 Council directly operated centres to enter into discussions with Council to take on a similar model in their areas.



The Shared Management Agreement and Schedule of Maintenance Operations was previously circulated. The Agreement contains detailed clauses in relation to all aspects of operation of the community centres. Currently the community groups receive the benefit of any income generated through the centres and this arrangement will continue.

The document details the responsibilities for Council and the Community Group.

The Agreement has been drawn up in consultation with the five community organisations that operate the centres and Councils Sport and Wellbeing and Community Development service areas and is for a period of 10 years with an allowance for periodic reviews every 3 years or at the request of either party.

The community groups will continue to receive support from Council's Community Facilities Development Officer and training will be provided as required in association with Sport & Community Facilities Managers who will continue to be the point of contact for day to day operational issues.

The Sub-Committee noted the Management Agreement and Schedule of Maintenance Operations

## **9. LEGAL ISSUES**

### **9.1 Boundary Rectification Ballyreagh Road**

Council's Solicitor presented the report, previously circulated and advised Members on the relevant issues.

**It is recommended** that the Land and Property Sub Committee recommends to Council to approach the owner of folio 9684 Co Londonderry with a view to formalising title by boundary agreement.

**AGREED** – to recommend that the owner of folio 9684 Co Londonderry is approached with a view to formalising title by boundary agreement.

### **9.2 Consent to Lodgement of a Charge – Friends of Glenariffe Community Centre**

Council's Solicitor presented the report, previously circulated and advised Members on the relevant issues.

**It is recommended** that the Land and Property Sub-Committee recommends to council to consent (in the form of letter) to the lodgement of a charge in favour of Ulster Community Investment Trust Ltd, subordinate to councils' charge.

**AGREED** – to recommend that consent is approved (in the form of letter) to the lodgement of a charge in favour of Ulster Community Investment Trust Ltd, subordinate to councils' charge.

### **9.3 Sale of Lands Adjacent to 554 Seacoast Road Limavady**

In October 2018 Council agreed to sell land with a title indemnity insurance, following a request to purchase received. Council's Solicitor advised Members that following further searches into Council's ownership it was recommended that Council does not proceed with the sale in light of the particular ownership issues associated with the portion of land.

It was **AGREED to recommend** that Council does not proceed with the sale of the land adjacent to 554 Seacoast Road Limavady.

### **9.4 Update on First Registration**

Council's Solicitor provided Members with an update on progress in relation to the registration of Council owned land. As part of the first registration process registered Council lands were being checked to ensure boundaries were in order. A number of Council properties were subject to title corrections.

### **9.5 Castle Erin**

Council's Solicitor advised Members that Senior Counsel's opinion in relation to this matter was still awaited. The Sub-Committee had previously requested a planning application history search on this area and it was circulated to Members at the meeting. It confirmed that there was one current planning application i.e. LA01/2019/0459/F with consultations issued.

### **9.6 Portstewart Town Hall**

Following Council's meeting on 7<sup>th</sup> January 2020 the tender report received by Council had been deferred to the Land and Property Sub-Committee.

The Director of Corporate Services provided Members with information (verbally) in relation to background matters which may impact on any decision Council was considering in relation to carrying out emergency remedial works at the Town Hall.

Following discussion it was **AGREED**: that the matter be deferred to the Corporate Policy and Resources Committee meeting on 28<sup>th</sup> January 2020 and that a report containing the information required is issued to Members in advance of the meeting.

## **10. CORRESPONDENCE**

### **10.1 NI Water – Benone Upgrade of Vacuum Sewerage Network & Foul Vacuum System– Notice of Intended Entry**

Confidential report, previously circulated, presented by the Director of Corporate Services.

Correspondence has been received from Northern Ireland Water Ltd (NIW Ltd) giving notice of its intention to carry out works on Council Land at Benone Avenue, Limavady.

The Notice of Intention is served under the Water and Sewerage Services (Northern Ireland) Order 2006. NIW Ltd is required under the 2006 Order to give 3 months' notice of the works and its intention to enter onto Council's property to carry out the work in connection with the above scheme. Notice has been given that on or after 14<sup>th</sup> of February 2020 NI Water shall enter the land and lay the sewer in, under, on or over the lands shown coloured red identified on Map 1.

Consistent with its duties under that Order, NIW Ltd in carrying out these works, shall cause as little detriment and inconvenience, do as little damage as possible and make good or pay compensation for any damage caused by or in consequence of the execution of the works.

**It is recommended** that the Sub Committee note the correspondence from Northern Ireland Water to carry out works on Council land at Benone Avenue, Limavady.

**It was AGREED** – to recommend that the correspondence from Northern Ireland Water to carry out works on Council land at Benone Avenue, Limavady is noted.

**11. REPORT TO THOSE CHARGED WITH GOVERNANCE (RTTCWG)  
2019 – LEASES**

The Director of Corporate Services advised Members that at December 2019 a spreadsheet of Council's leases had been completed. This had been identified as a priority 1 issue in the RTTCWG. She further advised that work was ongoing on other priority 1 issues in relation to the Asset Management Strategy and Land and Property Policy which had both already been presented to Council and consultation was continuing.

The Sub-Committee noted the update provided.

**MOTION TO PROCEED '*IN PUBLIC*'**

Proposed by Alderman Fielding and

Seconded by Councillor McLean

**AGREED** – to recommend that Council move '*In Public*'.

There being no further business, the Chair thanked everyone for their attendance and the meeting closed at 11.05pm.

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Chair