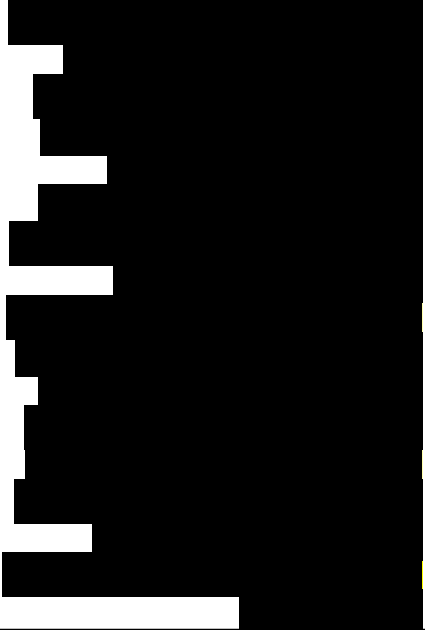





**LAND AND PROPERTY SUB-COMMITTEE MEETING
WEDNESDAY 11 MAY 2022
(RESCHEDULED FROM WEDNESDAY 4 MAY 2022)**

No	Item	Summary of Key Recommendations
1.	Apologies	Alderman Fielding Councillors Beattie, McLean, C McShane
2.	Declarations of Interest	Nil
3.	Minutes of Previous Meeting held on 6 April 2022	Taken as read and signed as correct
	'In Committee' Items 4-8 Inclusive	
4.	Requests for Use of Council Land	
4.1	Report on Requests to Use Council Land	
4.1.1	Reference 26/22, Castlerock beach	Approve
4.1.2	Reference 152/21 Westbay, Portrush	Approve
4.1.3	Reference 154/21 Kerr Street Green, Lansdowne Crescent, Dunluce Park and West Strand, Portrush	Approve
5	Requests to Purchase/Dispose of Council Land/Property	
5.1	Asset Realisation - Dis-used Quigleys Cottage, Magheraboy Road, Portrush – Progression of Disposal of Land	to recommend that Council defer disposing of the asset until outcome of the application for the building preservation order and for the building to be listed is known and that Members of the Land and Property Sub Committee to have a site visit
5.2	Asset Realisation - New Market Street, Coleraine - Progression of Disposal of Land	to recommend that Council approve the disposal of the said asset via the Private Market Place, (by our Council Estate Agent) & D1, (by the Central Advisory

		Unit – CAU), (same carried out simultaneously)
5.3	Asset Realisation - Land located of Portrush Road, Coleraine – Progression of Disposal of Land	to recommend that Council approve the disposal of the said asset via the Private Market Place, (by our Council Estate Agent) & D1, (by the Central Advisory Unit – CAU), with same carried out simultaneously
5.4	Asset Realisation - Land off Station Road, Dunloy - Progression of Disposal of Land	to recommend that Council approve the disposal of the said asset via the Private Market Place, (by our Council Estate Agent) & D1, (by the Central Advisory Unit – CAU), with same carried out simultaneously
5.5	Asset Realisation - Land at Louguile Sewage Works – Progression of D1	to recommend that Council approve the disposal of the said asset via the D1 disposal process only, given that Northern Ireland Water requires such lands which is currently within the sewage works boundary, to install new ‘primary’ treatment process plant – deemed essential infrastructure for Public Health
6.	Leases and Licenses	
6.1	Metropole Park, Dunluce, Portrush – Proposed lease to CAUS	to recommend that Council approve Officers to request the development of a business case (basic Strategic Outline Case - SOC) from CAUS to understand the viability, affordability, and sustainability of the project, prior to due consideration of a lease or licence on the Metropole Park, Portrush
6.2	Coleraine Market Yard Lease – Update	To recommend that Council approve the recommendation contained within the legal report

		<p><i>presented and previously circulated, as set out:</i></p> 
7.	Legal Issues	
7.1	Portballintrae, Seaport Avenue – Upgrade of Water Connection	<p><i>to recommend that Council approve Option 1 as detailed within the report set out as:</i></p> 
8.	Correspondence	<i>Nil</i>

**MINUTES OF THE MEETING OF THE
LAND AND PROPERTY SUB-COMMITTEE
HELD VIA VIDEO-CONFERENCE ON
WEDNESDAY 11 MAY 2022 AT 7PM
(RESCHEDULED FROM WEDNESDAY 4 MAY 2022)**

- Chair:** Alderman Knight-McQuillan (R)
- Present:** Alderman Baird (R), Hillis (R), S McKillop (R)
Councillors Callan (R), McGurk (R)
- Officers Present:** M Quinn, Director of Corporate Services (R)
P Donaghy, Democratic and Central Services Manager (R)
J Mills, Land and Property Solicitor (R)
W Hall, Asset Realisation Officer (R)
J Drillingcourt, Assistant Land and Property Officer (R)
J Keen, Committee & Member Services Officer (R)

Key (R) = Remote attendance

SUBSTITUTIONS

Councillor Callan substituted for Alderman Fielding.
Alderman S McKillop substituted for Councillor McLean.

1. APOLOGIES

Apologies were recorded for Alderman Fielding, Councillors Beattie, McLean and C McShane.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING HELD ON 6 APRIL 2022

AGREED – that the Minutes of the Land and Property Sub Committee meeting held Wednesday 6 April 2022 were taken as read and signed as correct.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Alderman Baird
Seconded by Councillor McGurk and

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

The information contained in the following item is restricted in accordance with Parts 1, 2 and 3 of Schedule 6 of the Local Government Act (Northern Ireland) 2014

On behalf of the Land and Property Sub Committee the Chair expressed condolences for the Land and Property Officer on her recent bereavement and requested this was noted and conveyed to her.

4. REQUESTS FOR USE OF COUNCIL LAND

4.1 Report on Requests to Use Council Land

Confidential report previously circulated presented by the Democratic and Central Services Manager.

Requests to Use Council Land

There are 3 new requests for the Sub-Committee to consider. The requests are summarised in the table (circulated) with further detail provided at Appendix 1 (circulated).

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

There are 6 retrospective events for the Sub-Committee to note. The report was attached at Appendix 2 (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

Recommendation

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

It is recommended that the requests at Appendix 2 (circulated) are noted.

Requests to Use Council Land

4.1.1 Reference 26/22

Date 17 May 2022 (12pm to 2pm)

Location Castlerock beach, heading up to the cliff opposite Mussenden Temple

Detail A request from the BBC NI to use Council land at Castlerock beach, heading up to the cliff opposite Mussenden Temple for a radio recording for Radio Ulster

Officer Recommendation For Decision

It was considered appropriate to grant access to Council land and to waive the fee due to this being an audio recording with a small number of people involved.

Proposed by Alderman Hillis
Seconded by Alderman Baird and

AGREED - to recommend that Council approve request reference 26/22, to use Council land at at Castlerock beach, heading up to the cliff opposite Mussenden Temple for a radio recording for Radio Ulster and to waive the fee

4.1.2 Reference 152/21

Date 28 May 2022 (Time tbc 12pm to 3pm)

Location Westbay, Portrush

Detail A request from Portrush Yacht Club to use Council land at Westbay, Portrush, for the Portrush Splash and Dash event

Officer Recommendation For Decision

Proposed by Alderman S McKillop
Seconded by Councillor McGurk and

AGREED - to recommend that Council approve request reference 152/21, to use Council land at Westbay, Portrush, for the Portrush Splash and Dash event and to waive the fee if it is a charitable fundraiser

4.1.3 Reference 154/21

Date 25 Jun 2022 (2pm to 5pm)

Location Kerr Street Green, Lansdowne Crescent, Dunluce Park and West Strand, Portrush

Detail A request from the Northern Ireland Tug of War Association to use Council land at Kerr Street Green, Lansdowne Crescent, Dunluce Park and West Strand, Portrush, for the NI Championships 600kg & 680kg

Officer Recommendation For Decision

The Democratic and Central Services Manager advised that work is ongoing to confirm the exact location of this event and that if Members wished a fee to be applied.

Members expressed support of the event taking place. It was considered appropriate to waive the fee as this is a sporting event and is not for profit.

In response to questions from Alderman Hillis the Chair advised that the event would not massively damage the land on which it will be held. It was confirmed that the exact location to be used is yet to be established.

AGREED – to recommend that Council approve request reference 154/21, to use Council land at Kerr Street Green, Lansdowne Crescent, Dunluce Park and West Strand, Portrush, for the NI Championships 600kg & 680kg and waive the fee

Retrospective Approvals

Reference	Detail of Request
149/21	A request from Solas Wellbeing to use Council land at the seafront and green at the tennis courts, Ballycastle, for the Darkness Into Light 2022. 7 May 2022.
16/22	A request from Westway Film Productions to use Council land at Garvagh Forest for filming on the 10 May 2022.
153/21	A request from Hinterland Films to use Council land at Benone, Castlerock and Whiterocks Beach for filming purposes from the 3rd to 7th of May 2022 and possibly in-between the 11 to 26 April 2022.
08/22	A request from Afro-Mic Productions to use Council land at various locations along the North Coast for filming for the BBC programme 'B&B by the Sea ' on various dates from the 19 April to the 27 May 2022.
01/22	A request from Afro-Mic Productions to use Council land at Bushmills carpark, Maghercross Viewpoint, Portballintrae Beach, Portrush East Strand and Ramore Head for channel 4's 'Dream Life for the Same Price' from the 19 to 22 April 2022.
159/21	A request from Clean Slate Television to use Council land at Whiterocks Beach and Magheracross Viewpoint on the 21 April 2022.

The Sub-Committee noted the retrospective applications.

5. REQUESTS TO PURCHASE/DISPOSE OF COUNCIL LAND/PROPERTY

5.1 Asset Realisation - Dis-used Quigleys Cottage, Magheraboy Road, Portrush – Progression of Disposal of Land

Confidential report previously circulated presented by the Asset Realisation Officer.

Purpose

The purpose of this report is to inform the Land & Property Sub-Committee and thereafter, Corporate Policy and Resources Committee & Full Council on the strategic site disposal options carried out by the Asset Realisation Department in respect of 'Dis-used 'Quigley's Cottage', located off the Magheraboy Road, Portrush'.

Recommendation

Following the above strategic analysis by the Asset Realisation Department it is recommended that Elected Members approve the disposal of the said asset via the private competitive estate agency marketplace to gain best capital receipt for Council.

* **Councillor Callan joined the meeting remotely at 7:20pm.**

The Chair stated that Members of the Land and Property Sub Committee had received communication stating that a local heritage group have initiated a request for a Building Preservation Notice and for the building to be listed. The Chair confirmed when the communication was received and advised she would share it with the Asset Realisation Officer, who had stated he was not aware of this.

In response to questions the Asset Realisation Officer confirmed reasons for work completed on the building by Council and the position of Council regarding the sale of the property given the information shared by the Chair.

During debate further consideration was given to the history of the building, potential interest and use of the building and the value of Sub Committee Members having a site visit.

AGREED – to recommend that Council defer disposing of the asset until outcome of the application for the building preservation order and for the building to be listed is known and that Members of the Land and Property Sub Committee to have a site visit.

5.2 Asset Realisation - New Market Street, Coleraine - Progression of Disposal of Land

Confidential report previously circulated presented by the Asset Realisation Officer.

Purpose of Report

The purpose of this report is to inform the Land & Property sub-committee and thereafter, Corporate Policy and Resources Committee & Full Council on the strategic site disposal options carried out by the Asset Realisation Department in respect of Gap site located off New Market Street, Coleraine, (opposite Market Yard)

Recommendation

Following the above strategic disposal analysis by the Asset Realisation Department it is recommended that Elected Members approve the disposal of the said asset via the Private Market Place, (by our Council Estate Agent) & D1, (by the Central Advisory Unit – CAU), (same carried out simultaneously).

Discussion occurred regarding the possible options and planning status of the site.

Councillor McGurk expressed concern with disposing of this asset via the private market place as well as the D1 process, stating it would be her preference to go through the D1 process in the first instance to allow opportunity for social housing.

Proposed by Alderman Baird
Seconded by Councillor Callan and

AGREED – to recommend that Council approve the disposal of the said asset via the Private Market Place, (by our Council Estate Agent) & D1, (by the Central Advisory Unit – CAU), (same carried out simultaneously).

5.3 Asset Realisation - Land located of Portrush Road, Coleraine – Progression of Disposal of Land

Confidential report previously circulated presented by the Asset Realisation Officer.

Purpose

The purpose of this report is to inform the Land & Property Sub-Committee and thereafter, Corporate Policy and Resources Committee & Full Council on the strategic site disposal options carried out by the Asset Realisation Department in respect of Land located off Portrush Road, Coleraine.

Recommendation

Following the above strategic disposal analysis by the Asset Realisation Department it is recommended that Elected Members approve the disposal of the said asset via the Private Market Place, (by Council Estate Agent) & D1, (by the Central Advisory Unit – CAU), with same carried out simultaneously.

Discussion occurred regarding the location of this site and the preservation of the trees on site.

In response to questions the Asset Realisation Officer confirmed details regarding planning permission for this site and the effects on the asking price.

Proposed by Councillor Callan
Seconded by Alderman S McKillop and

AGREED – to recommend that Council approve the disposal of the said asset via the Private Market Place, (by our Council Estate Agent) & D1, (by the Central Advisory Unit – CAU), with same carried out simultaneously

Alderman Baird requested that it be noted she does not support the recommendation due to concerns regarding preserving the trees.

5.4 Asset Realisation - Land off Station Road, Dunloy - Progression of Disposal of Land

Confidential report previously circulated presented by the Asset Realisation Officer.

Purpose of Report

The purpose of this report is to inform the Land & Property Sub-Committee and thereafter, Corporate Policy and Resources Committee & Full Council on the strategic site disposal options carried out by the Asset Realisation Department in respect of Lands off Station Road, Dunloy.

Recommendation

Following the above strategic disposal analysis by the Asset Realisation Department it is recommended that Elected Members approve the disposal of the said asset via the Private Market Place, (by our Council Estate Agent) & D1, (by the Central Advisory Unit – CAU), with same carried out simultaneously.

Proposed by Councillor McGurk
Seconded by Councillor Callan and

AGREED – to recommend that Council approve the disposal of the said asset via the Private Market Place, (by our Council Estate Agent) & D1, (by the Central Advisory Unit – CAU), with same carried out simultaneously

5.5 Asset Realisation - Land at Loughguile Sewage Works – Progression of D1

Confidential report previously circulated presented by the Asset Realisation Officer.

Purpose

The purpose of this report is to inform the Land & Property Sub-Committee and thereafter, Corporate Policy and Resources Committee & Full Council on the strategic site disposal options carried out by the Asset Realisation Department in respect of 'Land located at Loughguile Wastewater Treatment Works'.

Recommendation

Following the above strategic analysis by the Asset Realisation Department it is recommended that Elected Members approve the disposal of the said asset via the D1 disposal process only, given that Northern Ireland Water requires such lands which is currently within the sewage works boundary, to install new 'primary' treatment process plant – deemed essential infrastructure for Public Health.

Proposed by Councillor Callan
Seconded by Alderman S McKillop and

AGREED – to recommend that Council approve the disposal of the said asset via the D1 disposal process only, given that Northern Ireland Water requires such lands which is currently within the sewage works boundary, to install new 'primary' treatment process plant – deemed essential infrastructure for Public Health

6. LEASES AND LICENSES

6.1 Metropole Park, Dunluce, Portrush – Proposed lease to CAUS

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

Purpose

In accordance with Council's decision, the purpose of this report is to progress the request from CAUS for lands at the Metropole Park for the purposes of creating an Urban Sport Plaza.

Background

The following request was considered by Council's Land and Property Sub-Committee in October 2021.

Causeway Association of Urban Sports (CAUS) requests that Causeway Coast & Glens Borough Council consider the granting of a lease of ground at Metropole Park, Portrush, for the development of an urban sports facility.

At the February 2022 Council meeting, the following motion was agreed:

That Council consider a lease or licence to CAUS that offers a suitable resolution to this request to use Council land; that includes considerations regarding affordability; maintenance; insurance and a 'get-out' clause for both parties.

Business Case and Risk Appraisal

In order to understand the intentions of CAUS, the viability, affordability and sustainability of the project and satisfy the above motion, further information is required.

Therefore, using a basic form of a business case structure, it is recommended that CAUS provide the following information so that Council can determine that best social and economic value is being achieved in any legal transfer of lands.

Performa of the Business Case Outline was detailed within the report.

Next Steps

To support this initiative, Officers will meet with the relevant individuals in CAUS to develop the Business Case for consideration by the Land and Property Sub-Committee. The conclusion of this initial work will establish the likely social and economic value from the CAUS proposal for an Urban Sport Plaza, considering:

- The evidence of need.
- All stakeholder views.
- The scale and location of the proposal and therefore the land requirement.
- The Planning context.
- The ability of the CAUS to deliver the project.
- Affordability and likely funding i.e. CAPEX?
- Sustainability i.e. OPEX?
- The management, maintenance, and liability responsibilities?
- The legal responsibilities associated with a lease.

Legal advice was contained within the report.

Recommendation

Members approve Officers to request the development of a business case (basic Strategic Outline Case - SOC) from CAUS to understand the viability, affordability, and sustainability of the project, prior to due consideration of a lease or licence on the Metropole Park, Portrush.

Members supported the recommendation and Council staff supporting CAUS throughout the process. Members welcomed the due diligence being applied by Council. It was requested that local DEA Members are kept informed of progress and that Members are informed who the lead officer will be. In response the Director of Corporate Policy and Resources undertook to clarify the lead officer and revert to Members.

The Land and Property Solicitor provided legal opinion on the benefits of the developing a business case for both Council and CAUS.

Proposed by Alderman S McKillop
Seconded by Alderman Hillis and

AGREED – to recommend that Council approve Officers to request the development of a business case (basic Strategic Outline Case - SOC) from CAUS to understand the viability, affordability, and sustainability of the project, prior to due consideration of a lease or licence on the Metropole Park, Portrush

6.2 COLERAINE MARKET YARD LEASE – UPDATE

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

Purpose

The purpose of this report is to provide Members with a further report on Heads of Terms for the lease of Coleraine Market Yard, as agreed 1 September 2021 (L&P sub-committee) and progress since this decision.

Further background information contained within the report.

Legal advice provided within the report.

Recommendation

It is recommended

[REDACTED]

Members sought clarification on a number of matters raised in the confidential report and associated legal advice to which the Director of Corporate Services responded.

Proposed by Councillor Callan
Seconded by Alderman Hillis and

AGREED – to recommend that Council approve as detailed within the report set out

[REDACTED]

7. LEGAL ISSUES

7.1 Portballintrae, Seaport Avenue – Upgrade of Water Connection

Confidential report previously circulated presented by the Land and Property Solicitor.

Purpose

The purpose of this report is to seek to provide advice and to seek a decision from Members on the acceptance of the existence of a prescriptive easement for a water supply/pipe from the individual to mains water supply through council lands at the rear of Seaport Avenue.

Options

Members are required to make a decision as to how council proceeds:

Option 1 – Detailed within the report

Option 2 - Detailed within the report

Recommendation

It is recommended that the Land and Property Sub Committee recommends to Council either option 1 or option 2.

Following discussion it was :

Proposed by Alderman S McKillop
Seconded by Councillor Callan and

AGREED – to recommend that Council approve Option 1 as detailed within the report set out as:

[REDACTED]

8. CORRESPONDENCE

There was no correspondence

The Chair ruled that Alderman Hillis could ask questions he wished to have answered.

Alderman Hillis requested an update regarding the pod at the Shelter at Lansdowne Crescent, Portrush.

The Land and Property Solicitor provided an update on the current situation.

Alderman Hillis requested that an update is presented at the Land and Property Sub Committee meeting next month.

Alderman Hillis further enquired about another location of Council land possibly being used and asked for details. The Democratic and Central Services Manager advised that she would look into this.

AGREED – that Council move *'Public'*.

There being no further business, the Chair thanked everyone for their attendance and the meeting closed at 9:32pm.

Chair