



**LAND AND PROPERTY SUB-COMMITTEE MEETING
WEDNESDAY 7 SEPTEMBER 2022**

No	Item	Summary of Key Recommendations
1.	Apologies	<i>Alderman Hillis</i>
2.	Declarations of Interest	<i>Alderman Baird, Councillor McGurk</i>
3.	Nomination of Chair and Vice Chair	<i>Chair Alderman Knight McQuillan Vice Chair Councillor McGurk</i>
4.	Minutes of Previous Meeting held on 1st June 2022	<i>Taken as read and signed as correct</i>
	<i>'In Committee' Items 5 - 9 Inclusive</i>	
5.	Requests for Use of Council Land	
5.1	Report on Requests to Use Council Land	
5.1.1	Reference 58/22 White Rocks Beach, Portrush	<i>Approve and charge standard fee</i>
5.1.2	Reference 41/22 Downhill Beach, Castlerock	<i>Approve</i>
5.1.3	Reference 12/22 Benone Beach, Limavady	<i>Approve; waive a fee; hold a bond of £500 to be returned once beach is returned to satisfactory standard</i>
5.2	Retrospective Approvals	<i>To recommend to Council that the fee for request References 56/22 and 70/22 are waived; the fee for request reference 59/22 is reduced to £50</i> <i>To recommend that Council note request References 50/22, 53/21, 62/22, 65/22, 75/22, 78/22, 81/22, 77/22, 79/22, 66/22, 71/22</i>

6.	Requests to Purchase/Dispose of Council Land/Property	
6.1	Dunluce Centre, Portrush - Sale Contract of Dunluce Centre	<i>to recommend that Council approve the draft sale contract for Dunluce Centre, Portrush to progress the development of a family entertainment offering on the Dunluce Centre with the caveat that the 25% floor space allocated for gaming machines includes walkways.</i>
6.2	Killyrammer dis-used Community Centre – Progressed to Legal Conveyancing	<i>to recommend to Council to proceed with the sale of Killyrammer dis-used Community Centre and for the Land and Property solicitor to complete all the relevant documentation.</i>
6.3	Glenariff dis-used toilet block – Progressed to Legal Conveyancing	<i>to recommend to Council to proceed with the sale of Glenariff dis-used toilet block and for the Land and Property solicitor to complete all the relevant documentation.</i>
6.4	Cloughmills dis-used play park – Progressed to Legal Conveyancing	<i>to recommend to Council to proceed with the sale of Cloughmills dis-used play park and for the Land and Property solicitor to complete all the relevant documentation.</i>
6.5	Gap Site, Killowen Street, Coleraine- Progressed to Legal Conveyancing	<i>to recommend to Council to proceed with the sale of Gap Site, Killowen Street, Coleraine and for the Land and Property solicitor to complete all the relevant documentation.</i>
7.	Legal Issues	
7.1	Laurel Hill, Coleraine – Payment of Statutory Charge	<i>to recommend that Council progress with the sale of land at Laurel Hill, Coleraine</i>

		<p>to recommend to Council that prior to completion of the sale officers are authorised to discharge the Statutory Charge in the sum of £4500 in favour of the Department of Infrastructure in full and the charge is removed from the relevant register.</p>
8.	Leases and Licenses	
8.1	Limepark Playing Fields, Armoy – Community Asset Transfer	<p>To recommend to Council granting the Armoy Community Association a lease of up to 25 years of Limepark, Armoy, with The Causeway Giant’s American Football Club granted permission to use the land via the Community Association. The lease would be at a nominal rent subject to the caveat that the Land and Property process is followed for seeking permission from the Minister, Department for Communities under section 96 of the Local Government Act.</p>
8.2	Northern Regional College, Coleraine – Access through Andersons Park update	<p>To recommend that Council formalise a Licence to Enter and Conduct Works to complete the above-mentioned pathways from June 2022 to completion of works April 2024</p> <p>To recommend that Council grant an Agreement for Access and Maintenance – 25 years with NRC repairing, maintaining, and insuring new paths, commencing after post completion April 2024</p> <p>The agreements/licences would be at a nominal fee</p>

		subject to the caveat that the Land and Property process is followed for seeking permission from the Minister, Department for Communities under section 96 of the Local Government Act.
9.	Legal Issues	
9.1	Council Title and First Registration – Quarterly Update	Received
10.	Correspondence	
10.1	Old Lifeboat Station, Lansdowne, Portrush - Correspondence E.Maxwell	to recommend to Council that due to Planning enforcement being in place the Land and Property Department step back and allow this to proceed.
10.2	Former Lifeboat House, Lansdowne, Portrush– Correspondence Portrush Heritage Group	

**MINUTES OF THE MEETING OF THE
LAND AND PROPERTY SUB-COMMITTEE
HELD VIA VIDEO-CONFERENCE ON
WEDNESDAY 7 SEPTEMBER 2022 AT 7PM**

- Chair:** Alderman Knight-McQuillan (R)
- Present:** Alderman Baird (R), Fielding (R), McLean (R)
Councillors Beattie (R), Holmes (R), McGurk (R)
- Officers Present:** A McPeake, Director of Environmental Services (R)
J Mills, Land and Property Solicitor (R)
J Drillingcourt, Assistant Land and Property Officer (R)
W McCullough, Head of Sport and Wellbeing (R)
R Gillen, Coast and Countryside Manager (R)
N McGurk, Head of Prosperity and Place (R)
J Keen, Committee & Member Services Officer (R)
- In Attendance:** R Dickson, Partner, Carson McDowell (R)

Key (R) = Remote attendance

SUBSTITUTIONS

Councillor Holmes substituted for Alderman Hillis.

1. APOLOGIES

Apologies were recorded for Alderman Hillis.

2. DECLARATIONS OF INTEREST

Alderman Baird declared an interest in Items 9.1 Old Lifeboat Station, Lansdowne, Portrush - Correspondence E.Maxwell and 9.2 Former Lifeboat House, Lansdowne, Portrush– Correspondence Portrush. Having declared an interest Alderman Baird left the meeting during consideration of this item.

Councillor McGurk declared an interest in Items 9.1 Old Lifeboat Station, Lansdowne, Portrush - Correspondence E.Maxwell and 9.2 Former Lifeboat House, Lansdowne, Portrush– Correspondence Portrush. Having declared an interest Councillor McGurk left the meeting during consideration of this item.

3. NOMINATION OF CHAIR AND VICE CHAIR

The Director of Environmental Services invited nominations for the positions of Chair and Vice Chair.

Proposed by Alderman Fielding
Seconded by Councillor McGurk and

AGREED: That Alderman Knight McQuillan is nominated for another year to the position of Chair of the Land and Property Sub-Committee for 2022/2023.

Proposed by Alderman Knight McQuillan
Seconded by Alderman McLean and

AGREED: That Councillor McGurk is nominated for another year to the position of Vice Chair of the Land and Property Sub-Committee for 2022/2023.

RESOLVED: That Alderman Knight McQuillan and Councillor McGurk are nominated for another year to the positions of Chair and Vice Chair respectively, of the Land and Property Sub-Committee for 2022/2023.

4. MINUTES OF PREVIOUS MEETING HELD ON 1ST JUNE 2022

AGREED – that the Minutes of the Land and Property Sub Committee meeting held Wednesday 1st June 2022 were taken as read and signed as correct.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor McGurk
Seconded by Alderman McLean 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

5. REQUESTS FOR USE OF COUNCIL LAND

5.1 Report on Requests to Use Council Land

Confidential report, previously circulated, presented by the Assistant Land and Property Officer.

Requests to Use Council Land

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

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

There are 15 retrospective events for the Sub-Committee to note. The report is 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.

5.1.1 Reference 58/22

Date 7 - 20 September 2022

Location White Rocks Beach, Portrush

Detail A request from Zodiak Kids UK Limited to use Council land at White Rocks Beach, Portrush, to film a children's TV show from the 7 to the 20 September 2022.

Officer Recommendation For discussion, to recommend a fee, a reduced fee or to waive a fee in accordance with the L&P policy.

In response to questions the Coast and Countryside Officer confirmed that the organisation is aware of other beach users and will accommodate this.

Proposed by Alderman McLean
Seconded by Alderman Fielding and

AGREED – to recommend that Council approve request reference 58/22, to use Council land at Whiterocks Beach, Portrush and charge the standard fee

5.1.2 Reference 41/22

Date 9 September 2022

Location Downhill Beach, Castlerock

Detail A request to use Council land at Downhill Beach, Castlerock, for a wedding ceremony on the 9 September 2022.

Officer Recommendation For discussion

Proposed by Councillor McGurk
Seconded by Alderman McLean and

AGREED – to recommend that Council approve request reference 41/22, to use Council land at Downhill Beach, Castlerock

5.1.3 Reference 12/22

Date 21 - 22 of September 2022

Location Benone Beach, Limavady

Detail A request from Quicksand Beach Sprint to use Council land at Benone Beach, Limavady, for the 8th Mile Motorcycle Sprint from the 21 – 22 of September 2022.

Officer Recommendation For discussion

To recommend a fee, a reduced fee or to waive a fee in accordance with the L&P policy

The Coast and Countryside Manager provided a summary of this request to use Council land. In response to questions the Coast and Countryside Manager confirmed that the dunes will not be used as part of the event; that an entry fee will be charged to cover the cost of running the event; there will be no profit made; and that this is the first time this request has been received for Benone Beach.

Discussion occurred regarding whether to recommend a fee, a reduced fee or to waive a fee in accordance with the Land and Property policy.

Proposed by Alderman Fielding

Seconded by Alderman McLean and

AGREED - to recommend that Council approve request reference 12/22, to use Council land at Benone Beach, Limavady; to waive a fee and hold a bond of £500 to be returned once beach is returned to satisfactory standard

5.2 Retrospective Approvals

Reference	Detail of Request
50/22	A request from Alleycats TV to use Council land at Benone Beach, Limavady, to film for BBC NI Documentary about Tug of War on the 8th of June 2022.
53/21	A request from Alleycats TV to use Council land at Lansdowne Crescent, Portrush, to film for the BBC NI Documentary about Tug of War on the 25th of June 2022.
56/22 To recommend a fee, a reduced fee or to waive a fee in accordance with the L&P policy.	A request from the BBC NI to use Council land within Limavady at the carpark to the rear of the Roe Valley Arts centre and on the top of the centre to film for the 12th of July parades from the 11th to 12th of July 2022.
62/22	A request from Below the Radar to use Council land along the North Coast to film for 'Walkin' Hame' an Ulster-Scots funded BBC NI programme between the 25th of July to the 6th of August 2022.
70/22 To recommend a fee, a reduced fee	A request from BBC Radio Ulster to use the Bandstand and surrounding area on Portstewart Promenade for

or to waive a fee in accordance with the L&P policy.	broadcasts as part of the Red Sails Festival on the 29th of July 2022.
65/22	A request from NI Supercar Sunday to use Council land at the Northwest 200 Paddock for the NI Supercar Sunday Charity event in aid of Air Ambulance NI and Eoin Henry Foundation on the 30th of July 2022.
74/22	A request from IWC Media to use Council land at Portaneevy Car Park and Viewpoint, Ballintoy, to drone film for Susan Calman's Grand Day Out on the 3rd of August 2022.
75/22	A request from Beyond Skin to use Council land at Flowerfield Arts Centre front grounds for a private fun day for residents of Radius Housing and for those seeing asylum on the 5th of August 2022.
78/22	A request from BBC Northern Ireland to use Council land at Castlerock Beach for an education film aimed at children with additional needs from the 8th of August 2022.
59/22 To recommend a fee, a reduced fee or to waive a fee in accordance with the L&P policy.	A request from Springwell Running Club to use Council land from the pitches at Joey Dunlop Leisure Centre, the Jubilee Way and Riverside Park, Ballymoney, for the Ladies Only 5K race on the 17th of August 2022.
81/22	A request from BBC Countryfile to use Council land at East Strand Beach, Portrush, for filming purposes on the 18th of August 2022.
77/22	A request from Tourism Media Pty Ltd to use Council land at Ballintoy Harbour, Bushmills, Portrush, Portstewart, Castlerock and Castlerock Beach to film for the Expedia's Destination Guide to the Causeway Coast from the 20th to 23rd of August 2022.
79/22	A request from Red Sky Productions to use Council land at the seafront green and within Ballycastle for the filming of a factual/ food programme for the BBC at the Lammas Fair on the 29th of August 2022. .
66/22	A request from Moy Park Ltd to use Council land at the green area at West Strand beach, Portrush, and walking route from Ballintoy Harbour for the Causeway Coastal Challenge on the 2nd of September 2022.
71/22	A wedding ceremony request at Ballycastle Beach on the 3rd of September 2022.

AGREED - To recommend to Council that the fee for request Reference 56/22 and 70/22 are waived; the fee for request reference 59/22 is reduced to £50

AGREED – to recommend that Council note request References 50/22, 53/21, 62/22, 65/22, 75/22, 78/22, 81/22, 77/22, 79/22, 66/22, 71/22

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

6.1 Dunluce Centre, Portrush - Sale Contract of Dunluce Centre

Confidential report, previously circulated, presented by the Head of Prosperity and Place.

Purpose of Report

The purpose of this report is to seek approval from members for the contract (including special conditions) for the sale of the Dunluce Centre, Portrush, following completion of the development brief process.

Recommendation

It is recommended that Land & Property Committee approve the draft sale contract for Dunluce Centre, Portrush to progress the development of a family entertainment offering on the Dunluce Centre.

External solicitor, R Dickson, summarised the special conditions of the Development Brief and the Deed of Covenant.

Discussion ensued regarding how the floor space within the Dunluce Centre will be allocated with particular attention being given to the gaming machines. Concerns were raised by Elected Members about the amount of floor space allocated to gaming machines.

In response to questions the external solicitor, R Dickson, confirmed details regarding the floor space allocated to gaming machines. R Dickson also provided further clarification regarding the strength of the covenants and questions raised regarding VAT. It was also advised that the Planning process also needs to be relied on in relation to the allocation of floor space.

Proposed by Councillor McGurk
Seconded by Alderman McLean

AGREED – to recommend that Council approve the draft sale contract for Dunluce Centre, Portrush to progress the development of a family entertainment offering on the Dunluce Centre with the caveat that the 25% floor space allocated for gaming machines includes walkways.

* **Alderman Fielding left the meeting at 8:15pm.**

6.2 Killyrammer dis-used Community Centre – Progressed to Legal Conveyancing

The Land and Property solicitor advised that in view of the NIAO Extraordinary Audit concerning land and property sales, a decision was required from members as to whether they wished to continue with sales at this stage or pause sales until after the implementation of NIAO recommendations. The

NIAO had not indicated the sales could not proceed. Any decision to pause an ongoing sale already in the conveyancing process was a matter for members.

The Land and Property solicitor provided a verbal update on the progress and sought Elected Members views on proceeding with the sale.

Proposed by Alderman McLean
Seconded by Alderman Baird and

AGREED – to recommend to Council to proceed with the sale of Killyrammer dis-used Community Centre and for the Land and Property solicitor to complete all the relevant documentation.

6.3 Glenariff dis-used toilet block – Progressed to Legal Conveyancing

The Land and Property solicitor advised that in view of the NIAO Extraordinary Audit concerning land and property sales, a decision was required from members as to whether they wished to continue with sales at this stage or pause sales until after the implementation of NIAO recommendations. The NIAO had not indicated the sales could not proceed. Any decision to pause an ongoing sale already in the conveyancing process was a matter for members.

The Land and Property solicitor provided a verbal update on the progress and sought Elected Members views on proceeding with the sale.

Proposed by Alderman Baird
Seconded by Alderman McLean and

AGREED – to recommend to Council to proceed with the sale of Glenariff dis-used toilet block and for the Land and Property solicitor to complete all the relevant documentation.

6.4 Cloughmills dis-used play park – Progressed to Legal Conveyancing

The Land and Property solicitor advised that in view of the NIAO Extraordinary Audit concerning land and property sales, a decision was required from members as to whether they wished to continue with sales at this stage or pause sales until after the implementation of NIAO recommendations. The NIAO had not indicated the sales could not proceed. Any decision to pause an ongoing sale already in the conveyancing process was a matter for members.

The Land and Property solicitor provided a verbal update on the progress and sought Elected Members views on proceeding with the sale.

Proposed by Councillor McGurk
Seconded by Alderman McLean and

AGREED – to recommend to Council to proceed with the sale of Cloughmills dis-used play park and for the Land and Property solicitor to complete all the relevant documentation.

6.5 Gap Site, Killowen Street, Coleraine- Progressed to Legal Conveyancing

The Land and Property solicitor advised that in view of the NIAO Extraordinary Audit concerning land and property sales, a decision was required from members as to whether they wished to continue with sales at this stage or pause sales until after the implementation of NIAO recommendations. The NIAO had not indicated the sales could not proceed. Any decision to pause an ongoing sale already in the conveyancing process was a matter for members.

The Land and Property solicitor provided a verbal update on the progress and sought Elected Members views on proceeding with the sale.

Proposed by Alderman Baird
Seconded by Councillor McGurk and

AGREED – to recommend to Council to proceed with the sale of Gap Site, Killowen Street, Coleraine and for the Land and Property solicitor to complete all the relevant documentation.

7. LEGAL ISSUES

7.1 Laurel Hill, Coleraine – Payment of Statutory Charge

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

Purpose of Report

The purpose of this report is to update members regarding the D1 sale of Land at Laurel Hill, Coleraine to Radius Housing Association and the requirement to remove a Statutory Charge over the site.

Recommendation

It is recommended to members that prior to completion of the sale officers are authorised to discharge the Statutory Charge in the sum of £4500 in favour of the Department of Infrastructure in full and the charge is removed from the relevant register.

Proposed by Alderman McLean
Seconded by Alderman Baird and

AGREED – to recommend that Council progress with the sale of land at Laurel Hill, Coleraine

Proposed by Councillor McGurk
Seconded by Alderman McLean and

AGREED – to recommend to Council that prior to completion of the sale officers are authorised to discharge the Statutory Charge in the sum of £4500 in

favour of the Department of Infrastructure in full and the charge is removed from the relevant register.

8. LEASES AND LICENSES

8.1 Limepark Playing Fields, Armoy – Community Asset Transfer

Confidential report, previously circulated, presented by the Head of Sport and Wellbeing.

Purpose of Report

The purpose of this report is to present the findings of the community consultation exercise on the future use of the Limepark site in Armoy, that was carried out by the Leisure and Development Directorate and to make recommendation for the future management of the site.

Recommendation

It is recommended that the Sub-Committee notes the report presented on Community Consultation on the future ownership and use of Limepark Playing Fields, Armoy, along with any potential Asset Realisation opportunity and gives direction to officers on how to proceed. Options for consideration are;

Option 1 To recommend granting the Armoy Community Association a 25year lease of Limepark, Armoy, with The Causeway Giant's American Football Club granted permission to use the land via the Community Association

Option 2 To recommend disposing of the land at Limepark, Armoy, via Council's Asset Realisation Department, with a market valuation of £185,000

Note. If Option 1 is the decision, Officers will extend the current licences to the Armoy Community Association and The Causeway Giant's American Football Club due to expire 30th September 2022 for a further period of 6 or 9 months, pending completion of the L&P process for seeking permission from Department for Communities, plus draft of 25 year lease.

In response to questions the Land and Property solicitor confirmed details of the lease and insurance arrangements.

Proposed by Alderman Baird
Seconded by Councillor McGurk and

AGREED - To recommend to Council granting the Armoy Community Association a lease of up to 25 years of Limepark, Armoy, with The Causeway Giant's American Football Club granted permission to use the land via the Community Association. The lease would be at a nominal rent subject to the caveat that the Land and Property process is followed for seeking permission from the Minister, Department for Communities under section 96 of the Local Government Act.

8.2 Northern Regional College, Coleraine – Access through Andersons Park

Confidential report, previously circulated, presented by the Land and Property solicitor.

Purpose of Report

The purpose of this report is to update Members on the next stage for access at Anderson Park, Coleraine by Northern Regional College linked to the new campus project.

Recommendation

It is recommended that the Land and Property Sub Committee recommends to Council

Stage 1

- to extend the Licence for the Works Compound until April 2024

Stage 2

- to formalise a Licence to Enter and Conduct Works to complete the above-mentioned pathways from June 2022 to completion of works April 2024
- to recommend to Council to grant an Agreement for Access and Maintenance – 25 years with NRC repairing, maintaining, and insuring new paths, commencing after post completion April 2024

Proposed by Alderman McLean

Seconded by Alderman Baird

AGREED –

- to recommend that Council formalise a Licence to Enter and Conduct Works to complete the above-mentioned pathways from June 2022 to completion of works April 2024
- to recommend that Council grant an Agreement for Access and Maintenance – 25 years with NRC repairing, maintaining, and insuring new paths, commencing after post completion April 2024
- The agreements/licences would be at a nominal fee subject to the caveat that the Land and Property process is followed for seeking permission from the Minister, Department for Communities under section 96 of the Local Government Act.

9. LEGAL ISSUES

9.1 Council Title and First Registration – Quarterly Update

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

Purpose of Report

To provide the Land and Property Sub-Committee with Council Title and First Registration update following the initial report presented to Committee on 5 May 2021, quarterly update on 1 September, December 2021, January, April 2022 and the up-to-date position as at August 2022 (Appendix 2 (circulated)).

Recommendation

It is recommended that Council note the Quarterly Progress Report as at September 2022 and associated Appendices (circulated).

The Director of Environmental Services acknowledged the immense work completed by the Land and Property solicitor.

The Chair, on behalf of the Committee, congratulated the Land and Property solicitor on the progress being made on the work completed to date in terms of Council Title and First Registration.

10. CORRESPONDENCE

10.1 Old Lifeboat Station, Lansdowne, Portrush - Correspondence E.Maxwell

Confidential report, previously circulated, presented by the Director of Environmental Services. This item was presented with Item 10.2 Former Lifeboat House, Lansdowne, Portrush– Correspondence Portrush Heritage Group.

Purpose of Report

The purpose of the report is to present correspondence for Members' consideration.

Correspondence Listed

Emma Maxwell Correspondence (dated 26th July 2022) (copy attached at Appendix A (circulated))

Recommendation

It is recommended that Council consider the correspondence.

10.2 Former Lifeboat House, Lansdowne, Portrush– Correspondence Portrush Heritage Group

Confidential report, previously circulated, presented by the Director of Environmental Services. This item was presented with Item 10.1 Old Lifeboat Station, Lansdowne, Portrush - Correspondence E.Maxwell

Purpose of Report

The purpose of the report is to present correspondence for Members' consideration.

Correspondence Listed