



**LAND AND PROPERTY SUB-COMMITTEE MEETING  
WEDNESDAY 2 NOVEMBER 2022**

<b>No</b>	<b>Item</b>	<b>Summary of Key Recommendations</b>
<b>1.</b>	Apologies	<b><i>Councillor Beattie</i></b>
<b>2.</b>	Declarations of Interest	<b><i>Alderman Knight-McQuillan – Agenda item 7.2</i></b>
<b>3.</b>	Nomination of Vice-Chair	<b><i>To recommend to Council that Alderman Hillis be appointed as Vice-Chair of the Land and Property Sub-Committee</i></b>
<b>4.</b>	Minutes of Previous Meeting held on 5 October 2022	<b><i>Taken as read and signed as correct</i></b>
<b>5.</b>	Timetable of Land and Property Sub-Committee Meetings Jan 2023- May 2023	<b><i>To that Council approve the Land and Property Sub-Committee meeting dates schedule, January 2023 to May 2023 inclusive, including scheduling the January meeting for Wednesday 4<sup>th</sup> January 2023</i></b>
	<b><i>In Committee (Items 6 – 8 inclusive)</i></b>	
<b>6.</b>	Requests for Use of Council Land	
<b>6.1</b>	Report on Requests to Use Council Land	
<b>6.1.1</b>	Reference 89/2022 East Strand Beach, Portrush	<b><i>Approve; waive a fee</i></b>
<b>6.2</b>	Retrospective Approvals	<b><i>To recommend that Council note request References 88/22, 83/22, 30/22</i></b>
<b>7.</b>	Leases and Licences	
<b>7.1</b>	Ballycastle, Shorebird Coffee Hut, New Lease Terms	<b><i>To recommend that Council grants approval to renew the lease for Shorebird Coffee Hut, Seafront Ballycastle by</i></b>

		<b>way of an updated commercial lease, commencing on 1<sup>st</sup> October 2022 for a period of 5 years at the yearly rent as detailed within the report and subject to the conditions stated at para 2.5 of the report</b>
<b>8.</b>	Correspondence	
<b>8.1</b>	Portrush, Quigley's Cottage	<b>To recommend that Council defer the decision until an update regarding the preservation status of this site is sought from The Portrush Heritage Group</b>
<b>8.2</b>	Aghadowey, Ardreagh Road	<b>To recommend to Council that a lease of the lands at Ardreagh Road, Aghadowey is granted to Aghadowey Rural Kinship Group subject to due diligence and Section 75 approval. The Heads of Terms of the proposed lease is to be brought back to Sub Committee for consideration</b>

**MINUTES OF THE MEETING OF THE  
LAND AND PROPERTY SUB-COMMITTEE  
HELD VIA VIDEO-CONFERENCE ON  
WEDNESDAY 2 NOVEMBER 2022 AT 7PM**

- Chair:** Alderman Knight-McQuillan (R)
- Present:** Alderman Baird (R), Fielding (R), Hillis (R), McLean (R),  
Councillor C McShane (R)
- Officers Present:** A McPeake, Director of Environmental Services (R)  
J Mills, Land and Property Solicitor (R)  
D McLaughlin, Land and Property Officer (R)  
I Owens, Committee & Member Services Officer (R)

Key (R) = Remote attendance

**1. APOLOGIES**

Apologies were recorded for Councillor Beattie.

Apologies were received from Democratic and Central Services Manager and Assistant Land and Property Officer.

**2. DECLARATIONS OF INTEREST**

Alderman Knight-McQuillan declared an interest in Agenda Item 7.2 – Correspondence relating to Aghadowey, Ardreagh Road. Having declared an interest Alderman Knight-McQuillan did not participate and vacated the Chair for the duration of this Item.

**3. NOMINATION OF VICE-CHAIR**

The Chair advised that as the Vice-Chair, Councillor McGurk had left the Land and Property Sub-Committee a new Vice-Chair had to be appointed.

Proposed by Alderman McLean  
Seconded by Alderman Baird and

**AGREED** - To recommend that Alderman Hillis be appointed as Vice-Chair of the Land and Property Sub-Committee.

**4. MINUTES OF PREVIOUS MEETING HELD ON 5 OCTOBER 2022**

**AGREED** – that the Minutes of the Land and Property Sub Committee meeting held 5 October were taken as read and signed as correct.

## 5. TIMETABLE OF LAND AND PROPERTY SUB-COMMITTEE MEETINGS JANUARY – MAY 2023

Report, previously circulated, was presented by the Land and Property Officer.

### **Purpose of Report**

The purpose of the report is to present the Schedule of Land and Property Sub-Committee Meetings, January 2023 -May 2023 for decision.

### **Background**

The day and frequency of the Land and Property Sub-Committee meetings each month previously agreed, was presented as follows:

- 1<sup>st</sup> Wednesday of the month at 7pm.

Following the adoption of the Timetable of Council and Committee Meetings Schedule January 2023 – May 2023 at its Reconvened Council meeting held 10 October 2022 (attached Appendix 1, previously circulated), the proposed Timetable of Land and Property Sub-Committee Meetings 2023 has been presented.

### **Proposal**

Land and Property Sub-Committee Members may wish to consider rescheduling of the first week of January 2023, in line with the Council and Committee meeting Schedule agreed.

Proposed Land and Property Sub-Committee meeting dates schedule January – May 2023 inclusive:

- Wednesday 4<sup>th</sup> January 2023 or Wednesday 18<sup>th</sup> January 2023 at 7pm
- Wednesday 1<sup>st</sup> February 2023 at 7pm
- Wednesday 1<sup>st</sup> March 2023 at 7pm
- Thursday 6<sup>th</sup> April 2023 at 7pm (*change from rotation*)
- May 2023 – No meeting

### **Recommendation**

**It is recommended** that Land and Property Sub-Committee consider the Land and Property Sub-Committee meeting dates schedule, January 2023 to May 2023 inclusive.

Elected Members discussed the options for the January 2023 Land and Property Sub-Committee Meeting.

Proposed by Alderman McLean  
Seconded by Alderman Baird and

**AGREED** - To recommend that Council approve the Land and Property Sub-Committee meeting dates schedule, January 2023 to May 2023 inclusive, including scheduling the January meeting for Wednesday 4<sup>th</sup> January 2023.

**MOTION TO PROCEED ‘IN COMMITTEE’**

Proposed by Councillor C McShane  
Seconded by Alderman Fielding 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***

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

**6.1 Report on Request to Use Council Land**

Report, previously circulated was presented by the Land and Property Officer.

There was 1 new request for the Sub-Committee to consider.

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

**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

**6.1.1 Reference 89/22**

**Date** 4 December 2022

**Location** East Strand Beach, Portrush

**Detail** A request from Special Olympics to use Council land for the ‘Polar Plunge’ to raise funds to support local Special Olympic athletes. Charity No CHY 7556.

**Officer Recommendation** For approval, no fee as charity event in accordance with the L&P policy.

## Recommendation

It is recommended that the request listed above, previously circulated, is considered and recommendation made.

Proposed by Alderman Fielding  
Seconded by Alderman Hillis and

**AGREED** - To recommend that Council approve Reference 89/22, with no fee payable as charity event in accordance with the Land & Property Policy.

## 6.2 Retrospective Approvals

There were 3 retrospective events for the Sub-Committee to note.

Reference	Detail of Request
88/22	A request from Northern Ireland Pancreatic Cancer (NIPANC) to use Council land at Downhill Beach for a sand art activity with drone filming to launch a pancreatic cancer campaign on the 13th of October 2022.
83/22	A request from Afro-Mic Productions to use Council land at Castlerock Beach and Downhill Beach to film for a Channel 4 series on the 18th of October 2022.
30/22 <b>Brought back for information only</b>	A request from the Knock Motorcycle & Car Club Ltd to use Council land at East Strand Beach, Carpark, Promenade and The Bowl, Portrush, for the Motorcycle Beach Races from the 21st to 24th of October 2022.

### Ref 30/22

The Land and Property Officer confirmed that the necessary fee had been paid and the bond was in process of being reimbursed. Alderman Hillis spoke of how successful the event was and thanked the Director of Environmental Services and the Land and Property Officer for their assistance in progressing the matter since it was raised at the October Land and Property Sub-Committee meeting.

It is recommended that the requests above, previously circulated, are noted.

**AGREED** – To recommend that Council note request References 88/22, 83/22, 30/22.

## 7. LEASES AND LICENCES

### 7.1 Ballycastle, Shorebird Coffee Hut – New Lease Terms

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

### **Purpose of Report**

The purpose of this report is to seek agreement to renew the lease for Shorebird Coffee Hut, Ballycastle by way of an updated commercial lease.

### **Recommendation(s)**

**It is recommended** that Council grants approval to renew the lease for Shorebird Coffee Hut, Seafront Ballycastle by way of an updated commercial lease, commencing on 1<sup>st</sup> October 2022 for a period of 5 years at the yearly rent detailed within the report and subject to the conditions stated at para 2.5 of the report.

Following discussion, the Land and Property Solicitor clarified the responsibilities regarding insurance for this asset and assured Elected Members that the maximum cover was in place.

Proposed by Alderman Baird  
Seconded by Councillor C McShane and

**AGREED** -To recommend that Council grants approval to renew the lease for Shorebird Coffee Hut, Seafront Ballycastle by way of an updated commercial lease, commencing on 1<sup>st</sup> October 2022 for a period of 5 years at the yearly rent detailed within the report and subject to the conditions stated at paragraph 2.5 of the report.

## **8. CORRESPONDENCE**

### **8.1 Portrush, Quigley's Cottage**

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

### **Purpose of Report**

The purpose of the report is to update Members regarding correspondence received from Portrush Heritage Group relating to the property known as Quigley's Cottage, Portrush.

### **Background**

The correspondence (dated 9th May 2022) from the Portrush Heritage Group was presented to the Land & Property Sub-Committee on Wednesday 6<sup>th</sup> June 2022. The correspondence advised Council that the Group wished to apply to have the building protected through the issue of a Building Preservation Notice.

It was – **AGREED** - to recommend that Council note the correspondence.

A report was previously presented to the Environmental Services Committee on 8<sup>th</sup> March 2022 by the Asset Realisation officer when it was

**AGREED** – *that Council declare the lands located below (sites A to D circulated) surplus to the requirements of the Environmental Services Department, thereafter asset realisation shall review possible realisation options for the said sites and report to the Land and Property Sub-Committee accordingly.*

Asset Realisation took a report to the Land & Property Sub Committee on 11<sup>th</sup> May 2022 when it was:

**AGREED** –*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.*

The site visit was held on Thursday 29<sup>th</sup> September 2022. One Elected Member along with Council Officers attended the site visit.

Council's Asset Realisation/Infrastructure department had confirmed that no further action had been taken by them since the reports were brought to the Environmental Services Committee on 8<sup>th</sup> March 2022 and the Land and Property Sub-Committee meeting on 11<sup>th</sup> May 2022.

### **Recommendation**

**It is recommended** that the Sub-Committee Members are asked to consider the previous reports taken to the Environmental Services Committee on 8<sup>th</sup> March 2022 and to the Land & Property Sub-Committee in May and June 2022 and the subsequent site visit on 29<sup>th</sup> September 2022.

The Land and Property Officer advised that the Portrush Heritage Group had not provided an update to Council on their application to have the building protected through a Building Preservation Notice. In response to an Elected Member the Director of Environmental Services advised that a Building Preservation Notice would have no bearing on Council's ability to sell the asset.

Concerns were raised regarding the possibility of damage to graves should work take place on the wall of the cottage and the Director of Environmental Services confirmed that at the site visit the structure of the wall appeared to be structurally sound and stable. The Director of Environmental Services further suggested that a clause could be included as part of any sale that the wall was not to be removed.

Proposed by Alderman Fielding

Seconded by Alderman McLean and



**AGREED** - To recommend that Council defer the decision until an update regarding the preservation status of this site known as Quigley's Cottage, Portrush is sought from The Portrush Heritage Group.

- \* **Alderman Knight-McQuillan having declared an interest vacated the Chair for this Item and the Vice-Chair, Alderman Hillis presided.**

## **8.2 Aghadowey, Ardreagh Road**

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

### **Purpose of Report**

The purpose of the report is to update Members regarding correspondence received from the Aghadowey Rural Kinship Group relating to lands at Ardreagh Road, Aghadowey.

### **Background**

The correspondence (dated 10<sup>th</sup> May 2022) from the Aghadowey Rural Kinship group was presented to the Land & Property Sub-Committee on Wednesday 6<sup>th</sup> June 2022. The correspondence requested the use of the land to establish a reflective garden to commemorate the immigration of local people to America over 300 years ago.

At this meeting it was **AGREED** – *That the Land and Property Sub Committee hold a Site Visit before fencing the boundary of the site.*

The site visit was held on Thursday 29<sup>th</sup> September 2022. Two Elected Member along with Council Officers attended the site visit.

The Asset Realisation Officer previously presented a report to Environmental Services Committee on 14<sup>th</sup> December 2021 when it was:

**AGREED** - that Council approve the said asset be declared surplus to requirements by Environmental Services Department, and that same is now taken forward by the Asset Realisation Division, to carry-out its relevant actions to achieve best capital receipt via the Land & Property Sub-Committee to include progression of obtaining planning permission but not to clear the site or install fencing at this stage.

Council's Asset Realisation/Infrastructure department has confirmed that no further action has been taken by them since the report was brought to the Environmental Services Committee meeting on 14<sup>th</sup> December 2021.

### **Recommendation**

**It is recommended** that the Sub-Committee Members are asked to consider the Council decision taken as agreed at the Environmental Services meeting on 14<sup>th</sup> December 2021 and the correspondence received from the Aghadowey Rural Kinship Group taken to the Land & Property

Sub-Committee on 6<sup>th</sup> June 2022 and the subsequent site visit on 29<sup>th</sup> September 2022.

The Land and Property Officer briefly outlined the Group's aspirations for the site as detailed in their correspondence dated 10<sup>th</sup> May 2022 and confirmed that the Group intended preserving the trees whilst creating an area for visitors and descendants to visit. The Land and Property Officer further advised that this group was a not-for-profit organisation and looked forward to securing funding to achieve their hopes and aspirations for the site.

At the request of Alderman Hillis, the Council Land and Property Solicitor advised of the options for disposing of the surplus asset i.e. by way of D1, on the open market or proceed to lease the site Members should also consider the maintenance and insurance of the asset.

The Council Land and Property Solicitor confirmed that Council would complete its due diligence with regards to the site's title before any agreement would be entered into.

The Director of Environmental Services advised that the Heads of Terms for any lease of the site would have to be determined through discussion with the Group, Council Officers and Council's Land and Property Solicitor. The Land and Property Solicitor advised that any lease granted for community purposes at less than best value would require Ministerial approval under the Department for Communities – Guidance for District Councils – Disposal of Land at Less than Best Price.

Members expressed their support for the proposed project to preserve this piece of ground and the further development of the established links with groups in America.

Proposed by Alderman Fielding  
Seconded by Alderman McLean and

**AGREED** -To recommend to Council that a lease of the lands at Ardreagh Road, Aghadowey is granted to Aghadowey Rural Kinship Group subject to due diligence being carried out. The Heads of Terms of the proposed lease is to be brought back to the Land and Property Sub-Committee for consideration.

\* **Alderman Knight-McQuillan assumed the Chair for the remainder of the meeting at 8.00 pm.**

**MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Alderman Hillis  
Seconded by Alderman Fielding and

**AGREED** – that Council move '*Public*'.

There being no further business, the Chair thanked everyone for their attendance and the meeting closed at 8.05 pm.

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Chair