



**LAND AND PROPERTY SUB-COMMITTEE MEETING
WEDNESDAY 8 JANUARY 2025**

No	Item	Summary of Key Recommendations	Estimated Timescale for completion
1.	Apologies	Councillor McShane	N/A
	'In Committee' (Items 2-9.1 inclusive)		
2.	Declarations of Interest	None	
3.	Minutes of Previous Meeting held on 6 th November 2024	Confirmed as a correct record	N/A
4.	Transformation Plan – Land & Property		
4.1	Transformation Plan – Land & Property Action Plan Quarterly Update	Note	Action Plan completed October 2024, Quarterly review ongoing 2025
5.	Requests to Use Council Land		
5.1	Ballycastle, Quay Road – NI Water Wayleave Agreement	to recommend that Corporate Policy and Resources Committee recommends to Council the “in principle” approval of an Article 161 Agreement with NI Water for the adoption of a water pipe at the Quay Road site in Ballycastle.	TBC
6.	Requests to Purchase/Dispose of Council Land/Property		

6.1	Third Party Requests to Purchase Council Land – Quarterly Update	Note	Ongoing
7.	Leases and Licences		
7.1	Council Leases and Licenses - Quarterly Update	Note	Ongoing
7.2	Castlerock, The Cottage – Renewal of Lease	to recommend that Corporate Policy and Resources Committee approve Option 4.1 - Renew the lease for the property known as the Coastguard Garage and Lookout, Castlerock for a for a term of 5 years to the RNLI, at a nominal rent and the Land and Property Section make an application to DfC under Section 96 of the Local Government Act for disposal of land at less than best value.	TBC
8.	Legal Issues		
8.1	Council Title and First Registration – Quarterly Update	Note	None listed
9.	Correspondence		
9.1	Garvagh, Closure of Cornerstone Park	to recommend that Corporate Policy and Resources Committee approve that Council write to [REDACTED] and ask what their intentions are.	TBC

**MINUTES OF THE LAND AND PROPERTY SUB-COMMITTEE MEETING HELD
VIA MS TEAMS ON WEDNESDAY 8 JANUARY 2025 AT 7.00PM**

Chair: Alderman Knight-McQuillan

Present: Alderman Fielding;
Councillors C Archibald, Huggins, McCully, Nicholl,
Wisener

Officers Present: M Quinn, Director of Corporate Services
W McCullough, Head of Sport and Wellbeing
J Drillingcourt, Land and Property Officer
J Mills, Council Solicitor, Land and Property
S Duggan, Civic Support & Committee & Member Services Officer

In Attendance: Press no (1)

1. APOLOGIES

Apologies were received for Councillor McShane.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor Huggins
Seconded by Councillor McCully and

AGREED – that Land and Property Sub Committee move '*In Committee*'.

* **Press was disconnected from the meeting at 7.05pm.**

The information contained in the following items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING HELD ON 6 NOVEMBER 2024

Summary, previously circulated.

AGREED – the Minutes of the Land and Property Sub Committee meeting held Wednesday 6 November 2024 were confirmed as a correct record.

4. TRANSFORMATION PLAN – LAND & PROPERTY

4.1 Transformation Plan – Land & Property Action Plan Quarterly Update

Confidential report, by virtue of paragraph(s) 3 & 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Director of Corporate Services.

Purpose of Report

The purpose of the report is to present the Quarterly Update on the embedding of the Transformation Action Plan, which was completed on October 2024.

Background, Land and Property Recommendations and Progress report as at January 2025 were circulated within the confidential report.

Recommendation

It is recommended that the Quarterly Update on Embedding the Transformation Programme – Land and Property Update is noted.

The Director of Corporate Services illustrated the report on screen and provided a further narrative on the Progress Report as at January 2025.

Land and Property Sub Committee NOTED the report.

5. REQUESTS TO USE COUNCIL LAND

5.1 Ballycastle, Quay Road – NI Water Wayleave Agreement

Confidential report by virtue of paragraph 6(b) of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Head of Sport and Wellbeing. The report was illustrated on screen.

Purpose of Report

The purpose of this report is to seek Council approval “in principle” for an Article 161 Agreement with NI Water for the adoption of a water pipe that runs through the Quay Road site in Ballycastle.

Background was circulated within the confidential report.

Next steps

To maintain an efficient process and minimise the impact of delay on the project it would be useful to initiate the wayleave process and valuations so once the Article 161 agreement has been approved by NI Water, all relevant information is ready. NI Water have been heavily engaged in the design and agreements of the infrastructure. The appendices include the in-principal

agreement of the wayleave sizes which is in accordance with NI Water conditions. Also attached is an email from NI Water representative in which it is noted the wayleave sizes are acceptable.

A January agreement “in principle” by Council for the Article 161 Agreement with NI Water will provide assurance for both NI Water and the contractor that the payment of the bond can proceed.

Payment of the bond further protects Council from any delay to the project construction timeline and associated external funder targets.

Once the “in principle” agreement is approved by Council, officers will progress with formalising the agreement, to include the following as required :-

- Land and Property Services (LPS) valuation
- Report back to Land and Property Sub – Committee (LPSC) for final approval
- An application is submitted to the Department for Communities (DfC) for Ministerial approval under Section 96 of the local government act for disposal of land at less than best value

Recommendation(s)

It is recommended that the Land & Property Sub Committee recommends to Council the “in principle” approval of an Article 161 Agreement with NI Water for the adoption of a water pipe at the Quay Road site in Ballycastle.

The Head of Sport and Wellbeing advised the Land and Property Solicitor was in attendance to answer queries.

Councillor C Archibald stated it was good to progress the matter.

Proposed by Councillor C Archibald
Seconded by Councillor Huggins and

AGREED – to recommend that Corporate Policy and Resources Committee recommends to Council the “in principle” approval of an Article 161 Agreement with NI Water for the adoption of a water pipe at the Quay Road site in Ballycastle.

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

6.1 Third Party Requests to Purchase Council Land – Quarterly Update

Confidential report, by virtue of paragraphs 1-3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014, previously circulated, was presented by the Land and Property Officer.

Purpose of Report

The purpose of this report is to update the Sub-Committee regarding the current third-party requests to purchase Council Land received by the Land & Property section.

Background was circulated within the confidential report.

Proposals

A table listing the current third-party requests to purchase Council land as of 1st January 2025 is attached at Appendix A for reference.

The Land and Property section will continue deal with the third-party requests to purchase Council land as agreed by Council in June 2023 and all other requests will be put on hold as per the June 2024 Council decision as detailed at paragraph 2.6 of the report.

Since the last request to purchase Council land quarterly report was presented on 4th September 2024 the Land and Property section have received 2 new requests and 1 further encroachment on Council land has been identified.

Currently, there are 11 requests to purchase Council land that have been registered and are detailed at Appendix A of this report. A breakdown of the 11 requests is detailed below:

- 5 requests are with the asset holder to confirm if the land is still required for service delivery or if it can be declared surplus.
- 3 requests are being dealt with as an encroachment on Council land by Legal Services.
- 2 new request to purchase council land have been received and are under review.
- 1 legacy request which was closed has been reopened and registered.

In March 2024 the Land and Property Sub Committee received a report recommending the Senior Management Team (SMT) takes interim responsibility for asset realisation, retaining oversight and ensuring the Council's decisions are implemented and reports brought to the Land and Property Sub-Committee.

The next quarterly report is due to be presented to the Land and Property Sub Committee in April 2025.

Recommendation

It is recommended that the Sub-Committee notes the information provided in the report.

Land and Property Sub Committee NOTED the report.

7. LEASES AND LICENCES

7.1 Council Leases and Licenses - Quarterly Update

Confidential report by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Land and Property Officer.

Purpose of Report

The purpose of this report is to provide a quarterly update to the Sub-Committee regarding the progress of the renewal of Council's commercial and nominal leases and licences.

Background was circulated within the confidential report.

Councillor McCully requested an update on Alive Surf School.

The Land and Property Officer provided information on the status of discussions between parties and the Coast and Countryside department.

Land and Property Sub Committee NOTED the report.

7.2 Castlerock, The Cottage – Renewal of Lease

Confidential report by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Land and Property Officer.

Purpose of Report

The purpose of this report is to seek Council approval to renew the lease at Castlerock Cottage to the Royal National Lifeboat Institute (RNLI) and seek ministerial approval from the Department for Communities (DfC) under section 96 of the Local Government Act for disposal of land at less than best value, if required.

Background was circulated within the confidential report.

Proposals

It is proposed that Council consider renewing the lease to the RNLI for the premises known as the Coastguard Garage and Lookout, Castlerock for a for a term of 5 years as per the draft lease attached at Appendix C (circulated) of this report.

It is further proposed that if Council decide to renew the lease at a nominal rent that the Land and Property Section make an application to DfC under Section 96 of the Local Government Act for disposal of land at less than best value.

Options

- 4.1 Renew the lease for the property known as the Coastguard Garage and Lookout, Castlerock for a for a term of 5 years to the RNLI, at a nominal rent and the Land and Property Section make an application to DfC under Section 96 of the Local Government Act for disposal of land at less than best value.
- 4.2 Renew the lease for the property known as the Coastguard Garage and Lookout, Castlerock for a for a term of 5 years to the RNLI, at the commercial rental figure of [REDACTED] per annum.

Confidential by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014

Recommendation

It is recommended that Council considers the options outlined in this report at paragraph 4.1 and 4.2 and make a recommendation to Council to

Renew the lease for the property known as the Coastguard Garage and Lookout, Castlerock for a for a term of 5 years to the RNLI, at a nominal rent and the Land and Property Section make an application to DfC under Section 96 of the Local Government Act for disposal of land at less than best value

or

Renew the lease for the property known as the Coastguard Garage and Lookout, Castlerock for a for a term of 5 years to the RNLI, at the commercial rental figure of [REDACTED] per annum.

The Land and Property Officer advised the Land and Property Solicitor was in attendance to answer any queries.

Councillor Huggins stated she was not content to support a commercial rental sum for RNLI as it was a Charity and stated support for Option 4.1. Councillor Huggins requested clarification of Disposal of Land At Less Than Best Value.

The Director of Corporate Services provided clarification on the practice of Disposal of Land At Less Than Best Value. The Land and Property Solicitor provided examples of the Department's interpretation of the Guidance compared to that of a long lease or temporary use of Council land, for example.

The Chair advised the Guidance document would be circulated for the benefit of new Sub-Committee Members.

Proposed by Councillor Huggins
Seconded by Councillor C Archibald and

AGREED – to recommend that Corporate Policy and Resources Committee approve Option 4.1 - Renew the lease for the property known as the Coastguard Garage and Lookout, Castlerock for a for a term of 5 years to the RNLI, at a nominal rent and the Land and Property Section make an application to DfC under Section 96 of the Local Government Act for disposal of land at less than best value.

8. LEGAL ISSUES

8.1 Council Title and First Registration – Quarterly Update

Confidential report by virtue of paragraphs 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated, and presented by the Director of Corporate 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 5th May 2021, quarterly updates thereafter, and the up-to-date position as of 19th December 2024. Summary attached at Appendix 1 for reference.

Background – Title and First Registration and Quarterly Progress Report as at 19th December 2024 were circulated within the confidential report.

Recommendation

It is recommended that Council note the Quarterly Progress Report as at 19th December and associated Appendix A.

Land and Property Sub Committee NOTED the report.

9. CORRESPONDENCE

9.1 Garvagh, Closure of Cornerstone Park

Confidential report, by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Land and Property Officer.

Purpose of Report

The purpose of this report to information Members of correspondence received by the Chief Executive in relation to Cornerstone Park, Garvagh.

Background was circulated within the confidential report.

Proposals

The Hare's Corner Collective has requested that Council: -

"Explore whether the park could be gifted to the community and whether Council might then consider taking on the maintenance and insurance of the park."

Recommendation(s)

It is recommended that Members consider the correspondence received from the Hare's Corner Cooperative.

Sub-Committee Members provided information in relation to their personal knowledge of the history of the development of the site into a park and surrounding areas. Sub Committee Members acknowledged the sentiment of the correspondence and associated support from the community, stated understanding for the associated difficulties faced by the community and traders, whilst being cognisant of the restrictions Council would face in investigating any request further.

The Land and Property Solicitor provided Advice on what was stated to be a hypothetical situation, associated with the request from The Hare's Corner Collective.

AGREED – to recommend that Corporate Policy and Resources Committee approve that Council write to [REDACTED] and ask what their intentions are.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Councillor C Archibald
Seconded by Councillor Huggins and

AGREED – to recommend that Land and Property Sub Committee move '*In Public*'.

There being no further business, the Chair thanked everyone for their attendance and the meeting closed at 8.11pm

Chair