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| Title of Report: | Development of Walking Trails Causeway Coast Way - Addendum to Permissive Path Agreement at the Causeway Coast Way, Bengore Head |
| Committee Report Submitted To: | Leisure & Development Committee |
| Date of Meeting: | 17 September 2024 |
| For Decision or For Information | For Decision |
| To be discussed In Committee | NO |

| Linkage to Council Strategy (2019-23) | |
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| Strategic Theme | Protecting and Enhancing our Environments and Assets Resilient, Healthy and Engaging Communities |
| Outcome | Citizens will have access to our natural environments to help develop their physical, emotional and cognitive health. |
| Lead Officer | Head of Tourism & Recreation |

| Budgetary Considerations | |
|------------------------------------|---|
| Cost of Proposal | £10,000 (Funded through Peace Plus Girona/Causeway Path £275,000) |
| Included in Current Year Estimates | YES/NO |
| Capital/Revenue | |
| Code | |
| Staffing Costs | |

| Legal Considerations | |
|----------------------------------|------------|
| Input of Legal Services Required | YES |
| Legal Opinion Obtained | NO |

| Screening Requirements | Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals. | | |
|--|--|--------|-------|
| Section 75 Screening | Screening Completed: | Yes/No | Date: |
| | EQIA Required and Completed: | Yes/No | Date: |
| Rural Needs Assessment (RNA) | Screening Completed | Yes/No | Date: |
| | RNA Required and Completed: | Yes/No | Date: |
| Data Protection Impact Assessment (DPIA) | Screening Completed: | Yes/No | Date: |
| | DPIA Required and Completed: | Yes/No | Date: |

1.0 Purpose of Report

The purpose of this report is to seek approval from Members to proceed with an Addendum to the current Permissive Path Agreement held between Council and Dundarave Properties Limited at the Causeway Coast Way, Bengore Head. (coastal walking trail)

2.0 Background

Provision, development and access to quality walking opportunities throughout the Borough are an important objective for the Council's Tourism & Recreation Service. The Council manages and maintains many miles of coastal, rural and urban pathways which provide our citizens and visitors with access to our natural outdoor assets and promotes physical exercise and engagement with nature.

Whilst much of the Council managed walking experience is on Council owned land, some is jointly maintained with bodies such as the National Trust, Forest Service and TransportNI and in some cases through licence and management agreements with private landowners.

The Causeway Coast Way has been in existence since 1960's and most of the existing agreements remain in place, but occasionally due to land transfer or land passed on through inheritance there is a need to revisit and renew some of the agreements

The provisions of The Recreation and Youth Service (Northern Ireland) Order 1986 allow Council to make use of Permissive Path Agreements to secure quality recreational access to private land. This has been used to great effect with respect to certain sections of the Causeway Coast Way and several other trails and sites of interest. A permissive path is not a Public Right of Way and can be provided with terms and conditions agreed by parties. It can operate under limitations and can endure for whatever period the council and landowner are willing to agree. Most agreements are for a period of 10 years or more.

At the Leisure and Development Committee on 17 August 2021 it was recommended that Council approve the Permissive Path Agreement between the Council and Dundarave Properties Limited, in relation to the agreed lands on the Causeway Coast Way at Bengore Head for the period of 25 years. This was approved by full council on 07 September 2021.

The renewal of the Permissive Path Agreement helped consolidate Council's efforts to realise the aims and objectives of the Causeway Way Coast Blueprint, a strategic document for the development of the Causeway Coast Way and which includes the renewal of existing Permissive Path Agreements were necessary.

3.0 Proposals

A section of the Causeway Coast Way at Portcoon in the ownership of Dundarave Properties Limited was excluded from the PPA as it was believed at the time that this was National Trust Property as they had historically built and maintained the steps along this section. Due to NT policy changes where they now no longer maintain any property outside their portfolio, the steps along this section of the Causeway Coast Way leading to the Airmen Memorial have fallen into disrepair and are now a Health and Safety issue for the public.

The public and elected representatives have raised concerns about the state of the path and Coast & Countryside have been engaged with Dundarave Properties Limited over a number of years to try and resolve the issue and get the steps repaired.

Coast and Countryside has now secured an agreement within the current Permissive Path Agreement with Dundarave Properties Limited to include the additional 48m of pathway at Portcoon through an addendum for PPA held for Bengore Head for 25 years (**See ANNEX A**).

The addendum to the current PPA will permit trail development at the Causeway Coast Way, Portcoon and will secure quality access to one of the most iconic landscapes in the area also providing safe access to the Airmen Memorial. The Addendum to the PPA is required with

Dundarave Properties Ltd and will secure continued access at this location for the public. Officers are recommending that the agreed Addendum is for a period of 25 years a term agreed with the landowner. As with similar agreements, Council will agree to undertake regular inspection of the trails and provide insurance cover to indemnify the landowner. If approved this will be advanced by the Tourism and Recreation team.

Once the agreement is in place officers will begin works to secure safe access to the steps which will be funded through Council application to Peace Plus Local Community Regeneration and Transformation.

4.0 Recommendation

It is recommended that the Leisure and Development Committee recommends to Council the approval of the Addendum to the Permissive Path Agreement between Council and Dundarave Properties Ltd, relating to the agreed lands on the Causeway Coast Way, for the period of 25 years.

PERMISSIVE PATH AGREEMENT

Addendum to Agreement 1 June 2021 (Bengore Head, Portnagovna to Port na Truin)

PARTICULARS

The Date: 17 June 2024

The Landowner: Dundarave Properties Limited of Ardmore, 55 The Diamond, Ardmore, Crumlin, Co. Antrim BT294QY

The Tenant: N/A

The District Council: Causeway Coast and Glens Borough Council, 66 Portstewart Road, Coleraine, Co. Londonderry, BT52 1EY

The Permissive Path: Portcoon Path (delineated Red on map attached)

Width: 5 metres

The Whole Path: 48 m

Permitted Purposes: Walking

Limitations on Use: Pedestrian on marked trail.

The Term: 25 YEARS

Payment (if demanded) £1.00

No Deemed Dedication

10. For the avoidance of doubt it is hereby declared that nothing herein contained shall amount to or be construed as a permanent grant demise or dedication of or agreement for a public right of way over the Permissive Path or any part thereof or over any other land or premises.

SIGNED by the Grantor

In the presence of:

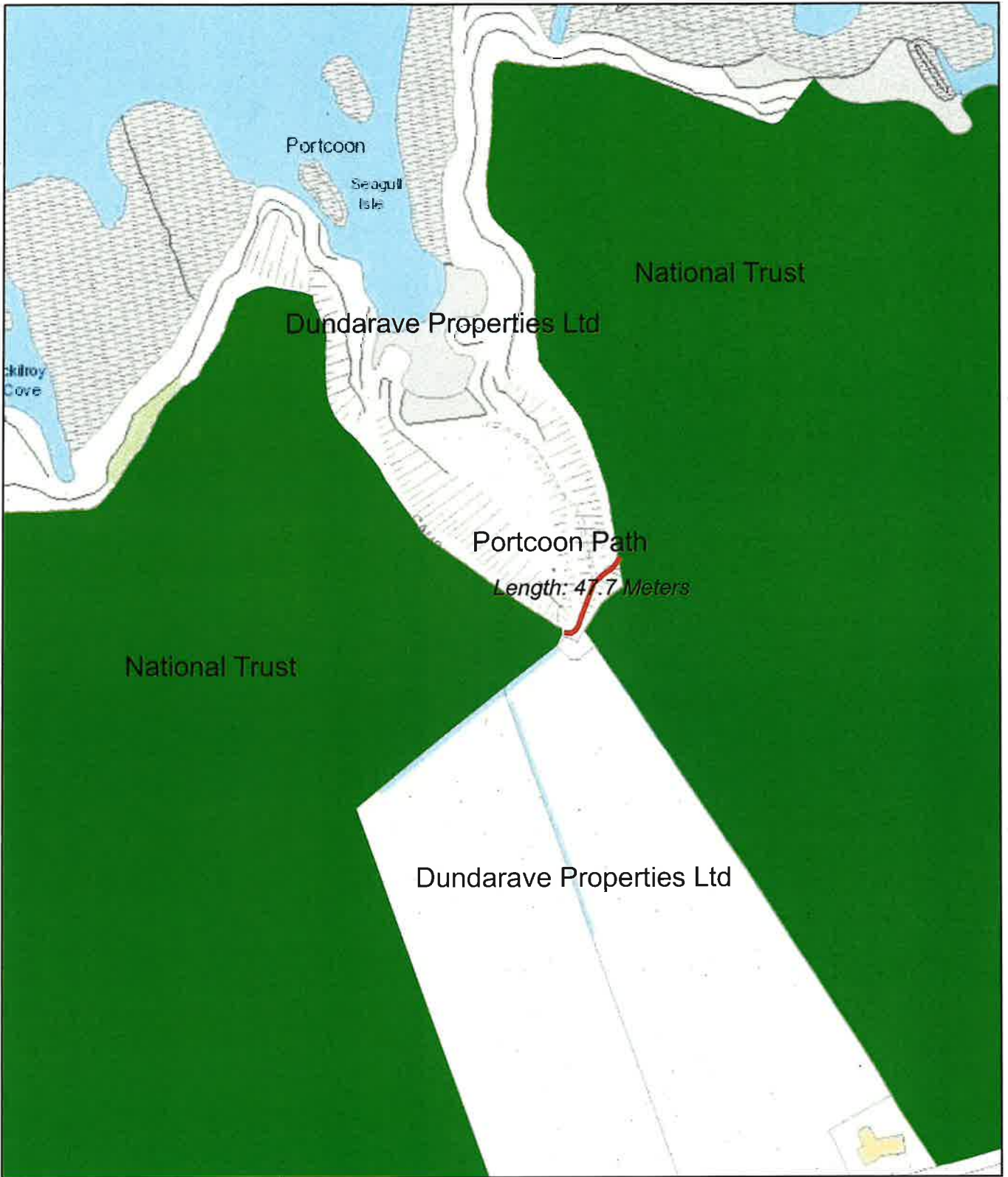
_____ *N. J. [Signature]* _____ 29/7/24

WITNESS: *Zarabice* ZARA PRUCE PA TO MANAGING DIRECTOR

SIGNED on behalf of the Council

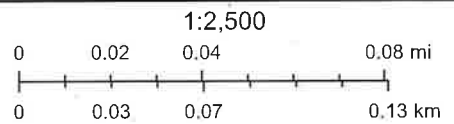
In the presence of:

Dundarave Properties Limited



08/09/2021, 08:48:41

 National Trust Ownership



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