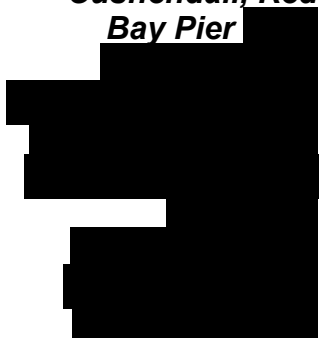




**LAND AND PROPERTY SUB-COMMITTEE MEETING
WEDNESDAY 6 NOVEMBER 2024**

No	Item	Summary of Key Recommendations	Estimated Timescale for completion
1.	Apologies	Councillor Nicholl	6 November 2024
2.	Declarations of Interest	Nil	6 November 2024
3.	Minutes of Previous Meeting held on 2 October 2024	Confirmed as a correct record	6 November 2024
	'In Committee' Items 4- 8.1 (inclusive)		
4.	Leases and Licences		
4.1	Cushendall, Red Bay Pier – Crown Estates Lease	to recommend that the Corporate Policy and Resources Committee approve The Crown Estates Heads of Terms and to enter into a new lease for Cushendall, Red Bay Pier 	TBC
5.	Transformation Plan – Land & Property		
5.1	Transformation Plan – Land & Property Action Plan update	to recommend to the Corporate Policy and Resources Committee that the	October 2024

		final Transformation Programme – Land and Property Action Plan Update are noted.	
6.	Requests to Use Council Land		
6.1	Ref/96/24 Request to use Council land for a Santa’s Magical Express Train Ride	<p>to recommend that the Corporate Policy and Resources Committee approve the request Ref/96/24 for the use of Council land for a Santa’s Magical Express Train Ride at the Promenade, Portrush for the Christmas 2024 period subject to:</p> <ul style="list-style-type: none"> • Evidence of £10million Public Liability Insurance • Approval from Dfl for use of Kerr Street and Castle Erin Road, Portrush <ul style="list-style-type: none"> • Approval for the closure of the footpath at the Promenade, Portrush • 10% fee to be charged in line with the Land and Property Policy and • The applicant is responsible for repairing any damage to Council land that may occur as a result of the train ride. 	31 December 2024
6.2	Ref/101/24 Request for a Christmas Tree and Festive Walkway	to recommend that the Corporate Policy and Resources Committee approve the erection of a Christmas tree on Council land and the	TBC

		<i>applicant is directed to the relevant departments of Council for the Christmas tree lighting and Festive Walkway lightning on public areas and supply the infrastructure and electricity supply.</i>	
7.	Requests to Purchase/Dispose of Council Land/Property		
7.1	Coleraine, Laurel Hill – Asset Realisation Updated Valuation	<i>to recommend that the Corporate Policy and Resources Committee accepts the updated valuation from Land and Property Services for Council owned lands at Laurel Hill, Coleraine in principle, and that the updated valuation amount if shared with the purchaser if it remains the same, if it is a different valuation amount the Land and Property Sub Committee will be informed and that Council intends to charge the applicant the updated valuation price</i>	TBC
8.	Legal Issues		
8.1	Loughguile Sewage Works – Adverse Possession Claim	<i>to recommend that the Land and Property Sub Committee recommends to Corporate Policy and Resources Committee to note the updated position.</i>	TBC

		<i>A further report will be brought back to the Land and Property Subcommittee confirming the result of the adverse possession claim.</i>	
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**MINUTES OF THE MEETING OF THE
LAND AND PROPERTY SUB-COMMITTEE HELD
VIA MS TEAMS ON WEDNESDAY 6 NOVEMBER 2024 AT 7.04PM**

Chair: Alderman Knight-McQuillan (R)

Present: Alderman Fielding (R)
Councillors C Archibald (R), Huggins (R), McCully (R),
McShane (R), Wilson (R)

Officers Present: M Quinn, Director of Corporate Services (R)
P Donaghy, Democratic and Central Services Manager (R)
J Drillingcourt, Land and Property Officer (R)
J Mills, Council Solicitor, Land and Property (R)
J Richardson, Head of Capital Works, Energy and
Infrastructure (R)
J Keen, Committee & Member Services Officer (R)

Press no (1) (R)

Key: (R) = Remote
(C) = Chamber

1. APOLOGIES

Apologies were received for Councillor Nicholl.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING HELD ON 2 OCTOBER 2024

Summary, previously circulated.

AGREED – that the Minutes of the Land and Property Sub Committee meeting held 2 October 2024 were confirmed as a correct record.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor Huggins
Seconded by Councillor McCully and

AGREED – to recommend that Land and Property Sub-Committee move ‘*In Committee*’.

* **Press were removed remotely from the meeting at 7.06pm.**

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.

The Chair advised Agenda item 7 Leases and Licences will be considered at this point to allow the Head of Capital Works, Energy and Infrastructure to leave the meeting early.

4. LEASES AND LICENCES

4.1 Cushendall, Red Bay Pier – Crown Estates Lease

Confidential report, previously circulated, was presented by the Head of Capital Works, Energy and Infrastructure.

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

Purpose of Report

The purpose of this report is to seek members approval to enter into a new lease with The Crown Estate at Cushendall, which is required as a consequence of the repairs at Red Bay pier.

Further information surrounding the background and proposals was detailed within the confidential report.

Recommendation

It is recommended the Land & Property Sub-Committee considers the options at paragraph 3.2 and 3.3 of this report and make a recommendation to Corporate Policy and Resources to :-

- To approve The Crown Estates Heads of Terms and to enter into a new lease for Cushendall, Red Bay Pier [REDACTED]
- To refuse The Crown Estates Heads of Terms and new lease for Cushendall, Red Bay Pier [REDACTED]

In response to questions the Head of Capital Works, Energy and Infrastructure confirmed that entering into a new lease with the Crown Estate is a legal requirement.

Proposed by Alderman Fielding
Seconded by Councillor McCully and

AGREED – to recommend that the Corporate Policy and Resources Committee approve The Crown Estates Heads of Terms and to enter into a new lease for Cushendall, Red Bay Pier [REDACTED]

5. TRANSFORMATION PLAN – LAND & PROPERTY

5.1 Transformation Plan – Land & Property Action Plan update

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

Confidential report by virtue of paragraph(s) 3 & 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Purpose of Report

The purpose of the report is to present the final Transformation Action Plan Land and Property update.

Background

The Council agreed that the timeframe for completion of all the recommendations is 30th October 2024.

Land and Property Recommendations

The recommendations from the Independent report are detailed in Appendix A, Transformation Action Plan – Land and Property.

This Action Plan has now been updated to show that all recommendations arising from the Independent report are now complete and will continue to be implemented.

A review report will be brought to the Land and Property Sub-Committee on a quarterly basis, commencing January 2025, to allow the Land and Property Sub-Committee to oversee and monitor the implementation and embedding of the Transformation Programme.

Recommendation

It is recommended that the final Transformation Programme – Land and Property Action Plan Update is noted.

There were no questions for the Officer.

Proposed by Councillor C Archibald
Seconded by Councillor Huggins and

AGREED – to recommend that the Corporate Policy and Resources Committee that the final Transformation Programme – Land and Property Action Plan Update are noted.

6. REQUESTS TO USE COUNCIL LAND

6.1 Ref/96/24 Request to use Council land for a Santa’s Magical Express Train Ride

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

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

Purpose of Report

The purpose of this report is for the Land and Property Sub-Committee to consider the application from Forum Event Management Ltd. (Ref No 96/24) to use Council land for a Santa’s Magical Express Train Ride at the Promenade, Portrush.

Further information surrounding the background and proposals was detailed within the confidential report.

Options

- 4.1 Approve the request Ref/96/24 for the use of Council land for a Santa’s Magical Express Train Ride at the Promenade, Portrush for the Christmas 2024 period subject to:-
 - Evidence of £10million Public Liability Insurance
 - Approval from DfI for use of Kerr Street and Castle Erin Road, Portrush
 - Approval for the closure of the footpath at the Promenade, Portrush
 - 10% fee to be charged in line with the Land and Property Policy
- 4.2 Refuse the request Ref/96/24 for the use of Council land for a Santa’s Magical Express Train Ride at the Promenade, Portrush for the Christmas 2024 period

Recommendation

It is recommended that the Land & Property Sub-Committee consider the options presented at paragraph 4.1 and 4.2 of this report and make a recommendation to Council to:

Approve the request Ref/96/24 for the use of Council land for a Santa's Magical Express Train Ride at the Promenade, Portrush for the Christmas 2024 period subject to:

- Evidence of £10million Public Liability Insurance
- Approval from DfI for use of Kerr Street and Castle Erin Road, Portrush
- Approval for the closure of the footpath at the Promenade, Portrush
- 10% fee to be charged in line with the Land and Property Policy

Refuse the request Ref/96/24 for the use of Council land for a Santa's Magical Express Train Ride at the Promenade, Portrush for the Christmas 2024 period

In response to questions the Land and Property Officer provide further detail on the Santa's Magical Express Train Ride and provided clarity on the duration of the footpath closure along the Promenade.

The Chair expressed concern regarding all the possible legal requirements having been met by the applicant mainly PSV and correct PSNI notification and requested that the applicant is notified to consider addressing these possible requirements. The Chair also queried if the applicant is expected to repair any damage that may occur on Council land.

The Land and Property Officer stated that she would advise the applicant to ensure all the relevant legal requirements are in place. The Land and Property Officer confirmed that the applicant being responsible for repairing damage to Council land can be added to the recommendation.

Proposed by Alderman Fielding
Seconded by Councillor McCully and

AGREED – to recommend that the Corporate Policy and Resources Committee approve the request Ref/96/24 for the use of Council land for a Santa's Magical Express Train Ride at the Promenade, Portrush for the Christmas 2024 period subject to:

- Evidence of £10million Public Liability Insurance
- Approval from DfI for use of Kerr Street and Castle Erin Road, Portrush
- Approval for the closure of the footpath at the Promenade, Portrush
- 10% fee to be charged in line with the Land and Property Policy and
- The applicant is responsible for repairing any damage to Council land that occurs as a result of the train ride.

6.2 Ref/101/24 Request for a Christmas Tree and Festive Walkway

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

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

Purpose of Report

The purpose of this report is for Council to consider an application for the use of Council land from Portrush Yacht club (Ref/101/24) for a Christmas Tree and Festive Walkway at Portrush Harbour, for the Christmas season and to connect with existing Council festive decorations.

Further information surrounding the background and proposals was detailed within the confidential report.

Options

- 4.1 Approve the request from Portrush Yacht Club for all 3 proposals outlined at paragraph 2.1 of this report for a Christmas Tree and Festive Walkway at Portrush Harbour for the Christmas 2024 period, and that Council facilitate the erection of the Christmas tree lighting and Festive Walkway lightning on public areas and supply the infrastructure and electricity supply.
- 4.2 Approve the request from Portrush Yacht Club for two of the three proposals outlined at paragraph 2.1 of this report for a Christmas Tree and Festive Walkway at Portrush Harbour for the Christmas 2024 period, and that Council facilitate the erection of the Christmas tree lighting and Festive Walkway lightning on public areas and supply the infrastructure and electricity supply.
- 4.3 Approve the request from Portrush Yacht Club for one of the three proposals outlined at paragraph 2.1 of this report for a Christmas Tree and Festive Walkway at Portrush Harbour for the Christmas 2024 period, and that Council facilitate the erection of the Christmas tree lighting and Festive Walkway lightning on public areas and supply the infrastructure and electricity supply.
- 4.4 Refuse the request from Portrush Yacht Club for all 3 proposals outlined at paragraph 2.1 of this report for a Christmas Tree and Festive Walkway at Portrush Harbour for the Christmas 2024 period, and that Council facilitate the erection of the Christmas tree lighting and Festive Walkway lightning on public areas and supply the infrastructure and electricity supply.

Recommendation

It is recommended that the Land & Property Sub-Committee consider the options presented at paragraph 4.1 – 4.4 of this report and make a recommendation to Council to:-

Approve the request from Portrush Yacht Club for all 3 proposals outlined at paragraph 2.1 of this report for a Christmas Tree and Festive Walkway at Portrush Harbour for the Christmas 2024 period, and that Council facilitate the erection of the Christmas tree lighting and Festive Walkway lightning on public areas and supply the infrastructure and electricity supply.

Approve the request from Portrush Yacht Club for two of the three proposals outlined at paragraph 2.1 of this report for a Christmas Tree and Festive Walkway at Portrush Harbour for the Christmas 2024 period, and that Council facilitate the erection of the Christmas tree lighting and Festive Walkway lightning on public areas and supply the infrastructure and electricity supply.

Approve the request from Portrush Yacht Club for one of the three proposals outlined at paragraph 2.1 of this report for a Christmas Tree and Festive Walkway at Portrush Harbour for the Christmas 2024 period, and that Council facilitate the erection of the Christmas tree lighting and Festive Walkway lightning on public areas and supply the infrastructure and electricity supply.

Refuse the request from Portrush Yacht Club for all 3 proposals outlined at paragraph 2.1 of this report for a Christmas Tree and Festive Walkway at Portrush Harbour for the Christmas 2024 period, and that Council facilitate the erection of the Christmas tree lighting and Festive Walkway lightning on public areas and supply the infrastructure and electricity supply.

Discussion ensued regarding the remit of the Land and Property Sub Committee which is to consider the use of Council land, anything outside this needs to be referred to the appropriate Committee.

Councillor McCully expressed concern regarding the timing of the additional requests being presented to the relevant Committees as it is so close to Christmas, he stated he would follow up on this after the meeting.

Proposed by Councillor C Archibald
Seconded by Alderman Fielding and

AGREED – to recommend that the Corporate Policy and Resources Committee approve the erection of a Christmas tree on Council land and the applicant is directed to the relevant departments of Council for the Christmas tree lighting and Festive Walkway lightning on public areas and supply the infrastructure and electricity supply.

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

7.1 Coleraine, Laurel Hill – Asset Realisation Updated Valuation

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

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

Purpose of Report

The purpose of this report is to present an updated valuation of the Council owned lands at Laurel Hill Coleraine.

Further information surrounding the background and proposals was detailed within the confidential report.

Recommendation

It is recommended that Council accepts the updated valuation from Land and Property Services for Council owned lands at Laurel Hill, Coleraine, and that the updated valuation amount is shared with the purchaser.

The Land and Property Officer informed the Sub Committee of additional information that has been received from the Planning Department and that Land and Property Services will be updated with the new information, the valuation of the land may change.

The Land and Property Officer advised that the new recommendation is

- Council accepts the updated valuation from Land and Property Services for Council owned lands at Laurel Hill, Coleraine, ***in principle***, and that the updated valuation amount is shared with the purchaser ***if it remains the same, if there is a different valuation the Land and Property Sub Committee will be informed***

The Democratic and Central Services Manager stated that Land and Property Services is being informed of the additional information to ensure due diligence is applied.

Proposed by Councillor McCull

Seconded by Councillor C Archibald and

– to recommend that the Corporate Policy and Resources Committee accepts the updated valuation from Land and Property Services for Council owned lands at Laurel Hill, Coleraine in principle, and that the updated valuation amount if shared with the purchaser if it remains the same, if it is a different valuation the Land and Property Sub Committee will be informed

The Council Solicitor, Land and Property, suggested that the recommendation should state that Council intend to charge the purchaser the updated valuation figure, and if the valuation increases as a result of the new information provided to Land and Property Services that this will be the sale price of the land.

The Proposer and Seconder were in agreement with this.

AGREED – to recommend that the Corporate Policy and Resources Committee accepts the updated valuation from Land and Property Services for Council owned lands at Laurel Hill, Coleraine in principle, and that the updated valuation amount is shared with the purchaser if it remains the same, if it is a different valuation the Land and Property Sub Committee will be informed and that Council intends to charge the purchaser the updated valuation price

8. LEGAL ISSUES

8.1 Loughguile Sewage Works – Adverse Possession Claim

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

Confidential report by virtue of paragraph(s) 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Purpose of Report

The purpose of this report is to update members on the disposal of Loughguile Sewerage Treatment Plant to NI Water and subsequent adverse possession claim.

Further information surrounding the background, updated position, legal advice and the Department for Communities.

Recommendation

It is recommended that the Land and Property Sub Committee recommends to Corporate Policy and Resources Committee to note the updated position.

A further report will be brought back to the Land and Property Subcommittee confirming the result of the adverse possession claim.

In response to questions the Council Solicitor confirmed Council's position in relation to the adverse possession claim.

AGREED – to recommend that the Land and Property Sub Committee recommends to Corporate Policy and Resources Committee to note the updated position.

A further report will be brought back to the Land and Property Subcommittee confirming the result of the adverse possession claim.

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 8:09pm

Chair