

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE
LAND AND PROPERTY SUB-COMMITTEE
HELD IN THE BANN VIEW COMMITTEE ROOM, CIVIC HEADQUARTERS
WEDNESDAY 3 MAY 2017 AT 7.00 PM**

- Present** : Alderman Hillis,
Councillors: Baird, Duddy, McLaughlin, C McShane
Quigley, Stevenson
- Officers Present** : M Quinn, Director of Performance
S Mathers, Principal Planning Officer/Development
Management Manager
D Hunter, Council Solicitor
E Keenan, Assistant Solicitor
D Allen, Committee & Member Services Officer

NOMINATIONS

Councillor Stevenson replaced Councillor McCorkell for the transaction of business for the evening.

1. APOLOGIES

None.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3. DATE OF DECEMBER 2017 MEETING

It was agreed that the date of the December 2017 Land and Property Sub-Committee Meeting would be confirmed nearer the time.

- * Councillor C McShane joined the meeting at 7.18pm.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor Baird
Seconded by Councillor Duddy and

AGREED - that Sub-Committee proceed to conduct the following business 'In Committee'.

AGREED – to Change the Order of Business – Item 7 to be taken before Item 4.

7. LEGAL UPDATE: COMPULSORY FIRST REGISTRATION

Council Solicitor presented Members with information on Compulsory First Registration.

4. REQUESTS TO USE COUNCIL LAND

The Director of Performance presented the confidential report.

Ten requests to use Council land were received for the Sub-Committee to consider.

The following factors to be taken into account when considering each request:-

- (i) Right of way issues
- (ii) Setting precedent
- (iii) Impact on Council's strategy
- (iv) Valuation
- (v) Long term impact on Council's asset
- (vi) Legal implications
- (vii) Health and Safety, Insurance, Risk Assessments and Event Management Plans

4.1 (278/16) BBC Filming at Ballintoy Harbour, 28th April 2017

A request has been received from the BBC to film at Ballintoy Harbour for the RHS Chelsea Flower Show on the 28th April 2017. This will consist of an interview, GVs of the location and area and walking shots of Ian Price in the landscape and will be filmed from 10:00 to 13:00 approximately.

A small crew of 2 plus the contributor will be filming the shoot using tripod and camera only.

It is recommended that Council grants retrospective approval to the request for use of its land from the BBC to use Council land at Ballintoy for filming for the RHS Chelsea Flower Show on 28th April 2017.

AGREED - to recommend that Council grants retrospective approval to the request for use of its land from the BBC to use Council land at Ballintoy for filming for the RHS Chelsea Flower Show on 28th April 2017.

4.2 (283/16) BBC Filming at Alexander Road, Limavady, 3rd June 2017

The BBC are producing a second series of the daytime programme 'Street Auction'. One of two programmes from Northern Ireland is to be made in Limavady rewarding a local citizen.

The programme makers wish to use the Council owned open space adjacent to Alexander Road, Limavady on 3rd June 2017 for the purpose of a 'street party' where items are sold in a pop up auction or bric-a-brac stalls by Paul Martin (of 'Flog It' fame).

Programme makers will be on site from 8am and away by 5pm, have insurance cover and will provide risk assessments and first aid cover. They will be responsible for leaving the site as they found it at no cost to Council.

It is recommended that Council grants, in principle, approval to the request from the BBC to use Council land at Alexander Road, Limavady for the 'Street Auction' programme.

AGREED – to recommend that Council grants, in principle, approval to the request from the BBC to use Council land at Alexander Road, Limavady for the 'Street Auction' programme.

4.3 (286/16) Naturally North Coast & Glens Markets

A request has been received from Naturally North Coast & Glens to hold markets on Ballycastle Seafront on a number of dates during 2017. This is an annual request with approval being granted during 2016.

The emphasis is on local, fresh food and farm produce, locally prepared and handcrafted items, and educational and social opportunities for participants.

Dates requested are:

Sunday 30th April 2017 (retrospective approval)
Sunday 9th July 2017
Sunday 23rd July 2017
Saturday 5th August 2017) in conjunction with the Marconi
Festival
Sunday 6th August 2017) in conjunction with the Marconi
Festival

The market runs from 11am to 6pm but traders may be on site from 6am to set up and may not leave until 8pm.

It is recommended that Council grants, in principle, approval to the request from Naturally North Coast & Glens to hold markets on Ballycastle Seafront on the dates provided.

The Principal Planning Officer responded to Members' queries.

AGREED – to recommend that Council grants, in principle, approval to the request from Naturally North Coast & Glens to hold markets on Ballycastle Seafront on the dates provided.

4.4 (281/16) Update Existing Alert Station on Council Land at Camus, Coleraine

A request has been received from Rivers Agency to upgrade the existing Alert Station at Camus.

The upgrade will involve the installation of a small Kiosk on a concrete plinth. The kiosk dimensions are 1000mm W x 1200mm H x 500mm D. Council officers have met with officers from Rivers Agency on site at Camus to assess the most suitable location for the upgraded Alert Station.

It is recommended that Council grants, in principle, approval to the request from Rivers Agency to upgrade the existing Alert Station at Camus.

The Principal Planning Officer responded to Members' queries.

AGREED – to recommend that Council grants, in principle, approval to the request from Rivers Agency to upgrade the existing Alert Station at Camus.

4.5 (288/16) Request for Individual Use of Council Land at Glebeview Park, Garvagh

A request has been received requesting the use of a portion of Council land (formerly used for a play park in Garvagh). The requestor's property overlooks the Council's land and the request is for a piece of land in this area measuring 25mx10m which the requestor has offered to fence in at their own expense.

It is recommended that Council does not grant approval to the request for use of its land at Garvagh.

The Principal Planning Officer responded to Members' queries.

AGREED – to recommend that consideration is deferred and Site Visit arranged.

4.6 (282/16) BNL Productions Request to Film at Ballintoy Harbour and Magheracross Car Park 5th May 2017

A request has been received from BNL Productions Ltd. to film a music video for "Ernie Hasse and Signature Sound" at Ballintoy Harbour and Magheracross Car Park 5th May 2017.

Permission is also requested for use of Ballintoy Cottage or another appropriate area for storing equipment/belongings during filming. This part of the request cannot be facilitated as the Cottage is currently leased and used as a tea shop and there is no other suitable location for storage.

It is recommended that Council grants, in principle, approval to the request from the BNL Productions Ltd to use Council land at Ballintoy Harbour and Magheracross Car Park for filming a music video for "Ernie Hasse and Signature Sound" on 5th May 2017.

The Principal Planning Officer responded to Members' queries.

AGREED – to recommend that Council grants, in principle, approval to the request from the BNL Productions Ltd to use Council land at Ballintoy Harbour and Magheracross Car Park for filming a music video for "Ernie Hasse and Signature Sound" on 5th May 2017.

4.7 (285/16) Request to use Council Land at Riverside Park, Ballymoney for a Sponsored Fun Run/Walk on 19th May 2017

A request has been received from the Ballymoney Branch Cancer Research UK to hold a sponsored Fun Run/Walk on Council land at Riverside Park, Ballymoney on 19th May 2017. The committee has asked for the use of the car park and hard core pathways of Riverside Park for the venue for this event.

It is recommended that Council grants, in principle, approval to the request from the Ballymoney Committee Cancer Research UK to use Council land at Riverside Park, Ballymoney for a sponsored Fun Run/Walk on 19th May 2017.

AGREED – to recommend that Council grants, in principle, approval to the request from the Ballymoney Committee Cancer Research UK to use Council land at Riverside Park, Ballymoney for a sponsored Fun Run/Walk on 19th May 2017.

4.8 (287/16) Request to use Council Car Park at the Remembrance Garden in Garvagh for a Community Summer Fair 20th May 2017

Garvagh Playgroup has submitted a request to use the car park at the Remembrance Garden in Garvagh from 11am to 3pm on 20th May 2017 to hold a Community Summer Fair.

It is recommended that Council grants, in principle, approval to the request from Garvagh Playgroup to use Council land at the car park at the Garden of Remembrance in Garvagh to hold a Community Summer Fair on 20th May 2017.

AGREED – to recommend that Council grants, in principle, approval to the request from Garvagh Playgroup to use Council land at the car park at the Garden of Remembrance in Garvagh to hold a community summer fair on 20th May 2017.

4.9 (289/16) Request for Exclusive Use of the Council Car Park at Portballintrae Village Hall, Portballintrae for a Community Fun Day 26th July 2017

A request has been received from Portballintrae Community Development Group to use Council land at the car park at the

Village Hall Portballintrae to hold a Community Fun Day on 26th July 2017.

To accommodate the proposed outdoor activities the group has requested exclusive access and use of the car park at Portballintrae Village Hall from 9am to 5pm on Wednesday 26th July 2017. The committee has asked Council to provide the use of one or two pop-up waste bins for litter.

It is recommended that Council does not grant approval to the request from Portballintrae Community Group to use Council land at the car park at Portballintrae Village Hall, Portballintrae to hold a Community Fun day on 26th July 2017.

AGREED – to recommend, in principle, that Council grants approval to the request from Portballintrae Community Group to use Council land at the car park at Portballintrae Village Hall, Portballintrae to hold a Community Fun day on 26th July 2017.

4.10 Request for Action Cancer Bus to use the Marina Car Park and Seafront area in Ballycastle, for a fundraising event on 29th July 2017

A request has been received from Katrina Turner for the Action Cancer Bus to use the Marina Car Park and Seafront area in Ballycastle, for a fundraising event on 29th July 2017.

AGREED – to recommend, in principle, that Council grants approval for the Action Cancer Bus to use the Marina Car Park and Seafront area in Ballycastle, for a fundraising event on 29th July 2017.

* Councillors C McShane and McLaughlin left the meeting at 8.00pm.

5. REQUESTS TO PURCHASE COUNCIL LAND

The Director of Performance presented the confidential report.

Four requests to purchase Council land were received for the Sub-Committee to consider.

The following factors should be taken into account when considering each request:-

- (i) Right of way issues
- (ii) Setting precedent
- (iii) Impact on Council's strategy
- (iv) Valuation
- (v) Long term impact on Council's asset
- (vi) Legal implications

5.1 Ref 197/16 and 208/16 - Properties at Main Street Portrush

At its meeting in April 2017 the Sub-Committee deferred a recommendation and requested a site meeting on the item above. The owners of the above two properties have contacted Council enquiring if Council would lease or sell an area of land at the rear of these premises.

It is recommended that the Sub-Committee consider the information presented, and make recommendation in principle to CP&R Committee.

The Director of Performance and Principal Planning Officer provided further confidential information and responded to Members' queries.

Proposed by Alderman Hillis
Seconded by Councillor Duddy and

AGREED – to recommend that Council do not agree to the lease or sale of Council land at the rear of the properties at Main Street, Portrush.

5.2 Ref 270/16 - The Hill Portstewart

At its meeting in April 2017 the Sub-Committee deferred a recommendation and requested a site meeting on the item above. A request was received from the owner of the properties, to purchase land from the Council to facilitate the provision of 3 designated parking spaces.

It is recommended that the Sub-Committee consider the information presented, and make recommendation in principle to CP&R Committee.

Proposed by Councillor Duddy
Seconded by Alderman Hillis and

AGREED – to recommend that Council do not agree to the sale of Council land to facilitate the provision of 3 designated parking spaces.

5.3 Ref 03/15 - Tides Restaurant, Portrush

At its meeting in April 2017 the Sub-Committee deferred a recommendation and requested a site meeting on the item above. Correspondence has been received from the owners of Tides Restaurant, requesting to lease a portion of land adjacent to their premises from the Council in order to provide additional car parking for customers.

It is recommended that the Sub-Committee consider the information presented, and make recommendation, in principle, to the CP&R Committee.

The Director of Performance and Principal Planning Officer provided further confidential information and responded to Members' queries.

The Principal Planning Officer to provide Members with additional information relating to permitted car parking spaces based on square footage of premises.

Proposed by Councillor Duddy
Seconded by Councillor Quigley and

AGREED – to recommend that Council defer pending additional information.

5.4 No.7 Drummond Park, Ballykelly

An additional request has been received, from the agent on behalf of the owner of No 7 Drummond Park, Ballykelly to purchase a portion of land located in open space beside the local play area.

It is recommended that the Sub-Committee consider the information presented, and make recommendation in principle to the CP&R Committee.

The Director of Performance and Principal Planning Officer provided further confidential information and responded to Members' queries.

Proposed by Councillor Duddy
Seconded by Alderman Hillis and

AGREED – to recommend that Council do not agree to the sale of Council land located in the open space beside the local play area.

6. LEASES/LICENCES; BABUSHKA (VERBAL UPDATE)

The Council Solicitor provided a verbal update.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Alderman Hillis
Seconded by Councillor Duddy and

AGREED – that Sub-Committee proceed to conduct the following business ‘In Public’.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 8.55pm.