

**MINUTES OF THE MEETING OF THE  
LAND AND PROPERTY SUB-COMMITTEE  
HELD IN THE BANN VIEW COMMITTEE ROOM, CIVIC HEADQUARTERS  
WEDNESDAY 1 AUGUST 2018 AT 7:00 PM**

- Chair** : Councillor Knight-McQuillan (Chair)
- Present** : Alderman Hillis;  
Councillors Baird, Fielding, Nicholl, A Mulholland
- Officers Present** : M Quinn, Director of Corporate Services  
J Richardson, Head of Capital Works, Energy &  
Infrastructure  
S Mathers, Development Management &  
Enforcement Manager  
W Hall, Project Officer  
D McLaughlin, Land & Property Officer  
D Hunter, Council Solicitor  
S Duggan, Committee & Member Services Officer
- Non Sub-Committee  
Members Present** Councillors Duddy, P McShane

**SUBSTITUTIONS** – Councillor A Mulholland substituted for Councillor Quigley;  
Councillor Nicholl substituted for Councillor K Mulholland.

**1. APOLOGIES**

Apologies were recorded for Councillors McCorkell, C McShane, K Mulholland and Quigley.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **MOTION TO PROCEED 'IN COMMITTEE'**

Proposed by Councillor Baird

Seconded by Alderman Hillis and

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

### **3. ASSETS FOR DISPOSAL – NEXT STEPS**

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

The purpose of the report was to request permission to submit a Full Planning Application for a residential development on the site, prior to engaging in the D1 Public Sector Clearing House Procedure and Open Public Market thereafter.

Background and detail in relation to the request was circulated.

The existing site has an area of 0.29 hectares, and comprises a single storey building. The Capital Works Department has carried out a speculative study of this site, which has addressed the following issues in relation to the former Killyrammer Community Centre:

- Identification of any initiatives which may add value prior to disposal.
- Obtain a Market Valuation for each property

This study included independent advice and subsequent valuations on a number of potential options identified as follows:-

- **Option 1:-**  
Sell site as is, with no Planning Consent.  
Value: - £60,000.00 (excl. vat).
- **Option 2:-**  
Sell site with Planning Consent for a change of use, from Community Centre to a Residential dwelling  
Value: - £70,000.00 (excl. vat).
- **Option 3:-**  
Sell site with Planning Permission for retention of existing School House, with minor extension and refurbishment works to facilitate 2 no. semi-detached residential units, including 2 no. detached 4 bed residential units to the rear of site.  
Value: - £100,000.00, (excl. vat).

Following extensive consultation with Councils Planning Department, it was identified that the site was non-zoned.

Planning Policies, CTY 2a & CTY 4 apply, therefore restricting potential development options, i.e. demolishing existing Community Centre and constructing 7 no mixed residential unit development, which cannot occur as a consequence of such policies.

No construction related works have to be carried out by Council.

**It is recommended** that Council consider the options presented in this report and grant approval to the Capital Works Department to submit a Full Statutory Planning Application in respect of Option 3, which provides an 'added-value' of £40, 000.00, (excl. VAT), and progress through the D1 Public Sector Clearing House Procedure and Open Market thereafter, in order to maximise revenue from the sale of the site.

After discussion it was:

Proposed by Alderman Hillis  
Seconded by Councillor Fielding and

**AGREED** – to recommend that Council grant approval to the Capital Works Department to submit a Full Statutory Planning Application in respect of Option 3, which provides an 'added-value' of £40,000.00 (excl. VAT), and progress through the D1 Public Sector Clearing House Procedure and Open Market thereafter, in order to maximise revenue from the sale of the site.

#### **4. REQUESTS FOR USE OF COUNCIL LAND**

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

There were 8 requests for the Sub-Committee to consider. The requests were summarised in the table at Appendix 1, circulated.

The Director of Corporate Services advised of a further request from Marconi Radio Group for the Use of Ballycastle Seafront in conjunction with the Naturally North Coast and Glens Market on 5<sup>th</sup> August 2018 from 10am – 8pm.

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

There were 9 repeat and 22 retrospective events for the Sub Committee to note. The reports were circulated at Appendix 2 and 3.

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

- Right of way issues
- Setting precedent
- Impact on Council's strategy
- Valuation
- Long term impact on Council's asset
- Legal implications
- Health and Safety, Insurance, Risk Assessments and Event Management Plans

**It is recommended** that the requests listed at Appendix 1 are considered and recommendation made.

The Director also drew Members' attention to the request Reference 185/18, Ballyreagh Road, Portrush.

Proposed by Councillor Baird  
Seconded by Councillor A Mulholland and

**AGREED** – to recommend that Council grant the request subject to a License Agreement; fees, for which, to be met by the Applicant; Planning considerations to be met to include consultation with Rivers Agency and Waste Management; that no encroachments are made; that the Military Show Event is not being held at the location and on the dates requested.

Councillor Duddy requested that Council Officers establish Council's boundary at the site as a matter of urgency.

At this point in the meeting, the Chair, Councillor Knight-McQuillan, established Councillor Duddy was not a member of the sub-committee, nor was substituting and was 'In Attendance'.

Proposed by Councillor Baird  
Seconded by Councillor A Mulholland and

**AGREED** – to recommend that Council approve the requests at Appendix 1, circulated, excluding Reference 185/18 as separately Agreed above;  
that Council approve the request from Marconi Radio Group for the Use of Ballycastle Seafront in conjunction with the Naturally North Coast and Glens Market on 5<sup>th</sup> August 2018 from 10am – 8pm.

**It is recommended** that the requests at Appendix 2 and 3 are noted.

Proposed by Councillor Baird  
Seconded by Alderman Hillis and

**AGREED** – to recommend that Council note the requests at Appendix 2 and 3, circulated.

## **5. LEASES/LICENCES**

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

### **5.1 Shop Unit at North Pier, Portrush - Termination of Lease**

Background and detail of the request was circulated.

**It is recommended** that the Council note the termination of the lease on the Shop Unit at the North Pier, Portrush effective from 30<sup>th</sup> June 2018. Officers are currently considering options for the future of this facility and a report will be brought back to the Sub Committee at a later date for consideration.

Proposed by Councillor A Mulholland  
Seconded by Alderman Hillis and

**AGREED** – to recommend that Council note the termination of the lease on the Shop Unit at the North Pier, Portrush effective from 30<sup>th</sup> June 2018;  
that Council note that Officers are currently considering options for the future of this facility and a report will be brought back to the Sub Committee at a later date for consideration.

In response to a suggestion from the Chair, the Head of Capital Works, Energy & Infrastructure agreed to explore the potential of a 'pop-up' premises for the current permitted use.

### **5.2 Ref 02/18 NIE – Ballymoney, Ballymena Road – Northern Ireland Electricity (NIE) Networks Wayleave Agreement No 695110**

Background and detail of the request was circulated.

**It is recommended** that Council approve Northern Ireland Electricity (NIE) Networks Wayleave Agreement No 695110 for a proposed alteration to overhead lines on Council land at Ballymena Road, Ballymoney in principle subject to statutory permissions from relevant bodies.

**AGREED** – to recommend that Council approve Northern Ireland Electricity (NIE) Networks Wayleave Agreement No 695110 for a proposed alteration to overhead lines on Council land at Ballymena Road, Ballymoney in principle subject to statutory permissions from relevant bodies.

### **5.3 3 Berne Road, Portstewart – Assignment of Lease**

Background and detail of the request was circulated

**It is recommended** that the Land and Property Sub Committee consider the request to assign the lease for the premises at 3 Berne Road, Portstewart to the proposed assignee subject to Council’s legal costs being discharged by the tenant;

and

Consider the request from the proposed assignee for permission to build a small extension to the rear of the building subject to

- Planning Permission being granted;
- detailed plans to be submitted to the Land and Property Sub Committee for consideration;
- a “Licence to Carry Out Alterations” is drawn up for the proposed alterations;
- Council’s legal costs being discharged by the tenant.

Proposed by Alderman Hillis

Seconded by Councillor A Mulholland and

**AGREED** – to recommend that Council approve the request to assign the lease for the premises at 3 Berne Road, Portstewart to the proposed assignee subject to Council’s legal costs being discharged by the tenant.

The Sub Committee agreed to defer consideration of the request from the proposed assignee for permission to build a small extension, subject to Council seeking additional information in relation to financing, legal, planning considerations, including a potential increase in the requirement for Car Parking at the site.

Proposed by Alderman Hillis

Seconded by Councillor Fielding and

**AGREED** – to recommend that Council defer consideration of the request from the proposed assignee for permission to build a small extension to the rear of the building.

## **6. LEGAL ISSUES**

Council's Solicitor updated Members on the recent Portballintrae Case, the Judge would be making his deliberations in September, at which point, information would be brought back.

## **7. CORRESPONDENCE**

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

The Director advised of an additional Item of Correspondence For Information that had been received and was not listed on the Agenda (detailed at Item 7.2).

### **7.1 Portstewart, The Wall at the Crescent – Restoration of Text**

The Sub-Committee was requested to consider the correspondence and make recommendation on Council's position regarding the request to restore the text on the sea wall, the Crescent, Portstewart at the applicant's expense.

The Chair, Councillor Knight-McQuillan, requested that Council's Planning department visit the site to investigate whether Planning Considerations were required to be met.

Council's Solicitor advised Health & Safety and Risk Assessment considerations were also required.

Proposed by Councillor Fielding  
Seconded by Councillor Knight-McQuillan and

**AGREED** – to recommend that Council defer consideration.

### **7.2 Notification from Developer Form P2A, Notification of Application for Planning Permission**

The Director of Corporate Services advised correspondence had been received from Magell Ltd, Form P2A, Notification of Application for Planning Permission in relation to lands at 11-15 Circular Road, 23-25 Queen Street and part of The Mall Car Park, Coleraine, and advised that Planning Committee Members in attendance may wish to consider leaving the meeting.

- \* **Councillors Baird, Fielding, Nicholl and P McShane left the meeting at 8.25pm.**

Council's Solicitor read Standing Order 7 (5) – *“Where declarations of interest by members of the Planning Committee reduce attendance to less than half, the required quorum may be reduced to one-quarter of the whole number of members for the agenda item under consideration”*.

The Chair ruled the meeting was quorate.

Discussion ensued on the Titles of transferred Car Parks.

Following discussion, Council's Solicitor advised Land Registry and various checks would be required to be carried out to determine ownership of The Mall Car Park.

The Development Management & Enforcement Manager advised detailed information could be sought and brought to the next meeting.

- \* **Councillor Duddy left the meeting at 8.40PM.**

**AGREED** – to recommend that Council defer consideration of the item of Correspondence pending further information.

#### **MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Councillor A Mulholland

Seconded by Alderman Hillis 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 8.45pm.