



**MINUTES OF THE MEETING OF THE  
LAND AND PROPERTY SUB-COMMITTEE  
HELD IN THE BANN VIEW COMMITTEE ROOM, CIVIC HEADQUARTERS  
WEDNESDAY 6 FEBRUARY 2019 AT 7:00 PM**

- Chair** : Councillor Stephanie Quigley
- Present** : Alderman Hillis, Councillors Baird, C McShane and Quigley
- Officers Present** : M Quinn, Director of Corporate Services  
R Baker, Director of Leisure & Development  
P Donaghy, Democratic & Central Services Manager  
Jenny Lundy, Planning Officer  
D McLaughlin, Land and Property Officer  
T McKenna, Committee & Member Services Officer

**1. APOLOGIES**

Councillors Fielding, Knight-McQuillan and Muholland.

**2. DECLARATIONS OF INTEREST**

Declaration of interest was recorded for:

- Councillor Quigley, Agenda Item 4, requests to use Council Lands 255/18; request from “Darkness into Light” to use Council land at Portrush West/East, Ramore Head and the use of toilets in Portrush Town Hall for an anti-suicide walk.

**MOTION TO PROCEED ‘IN COMMITTEE’**

Proposed by Councillor McShane C  
Seconded by Councillor Baird and

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

### 3. REQUESTS FOR USE OF COUNCIL LAND

With the agreement of the Sub-Committee the Request to Use Council Land Appendix 2 Repeat Events Ref No 259/18 was taken. The Director of Leisure & Development gave a presentation, tabled and circulated, on the transfer of Council land to the North West 200, 2019.

The following issues arose and were discussed:

- Coleraine & District Motorcycle Club is a not for profit Organisation.
- Any income from the NW200 is used for the promotion of motor sport.
- The Director went through the 16 proposed locations of land transfer and how, historically, they were all transferred at different dates and times. The request for these locations, with the same dates and times as previous years, was the same again this year.
- The historic arrangement required formalisation and review for the protection of the event organisers and Council to clarify roles and responsibilities in relation to the use of Council land by way of a licence agreement.
- The use of the land should include caveats that the use is directly related to the nature of the event and which do not cause undue detriment to existing businesses in the area.

The Director of Corporate Services confirmed that there would be a cost in drawing up the licence agreement and the licence would be reviewed annually thereafter.

The Director of Leisure and Development stated that Council needs to demonstrate a consistent approach and that the Asset Management Strategy under development would address inconsistencies in Council's approach to the facilitation of events on its land and that an agreed charging policy would provide a framework to allow Council to ensure the most efficient use of its land.

**It is recommended** that approval is granted to the request for the transfer of land to the Coleraine & District Motor Club subject to the appropriate licence agreement.

Proposed by Councillor Baird  
Seconded by Alderman Hillis

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

Proposed by Councillor Baird

Seconded by Alderman Hillis

That the Sub-Committee proceed to discuss the following business 'In Public'.

### **4. ASSET MANAGEMENT STRATEGY UPDATE**

Colin McCrossan from the Strategic Investment Board (SIB) gave a presentation on Asset Management & Planning tabled and circulated.

He stated that the development of an Asset Management Strategy would help Council to prioritise the efficient and effective use of its assets and identify the appropriate level of resourcing to achieve this.

The Director of Corporate Services in response to a Member's query confirmed that the presentation was part of the engagement with Elected Members following Council's decision to develop an Asset Management Strategy. Further engagement with Elected Members and service areas would take place over the next few months.

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

Proposed by Councillor Baird

Seconded by Councillor McShane

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

The Director of Corporate Services presented a report and Appendices 1 – 3, previously circulated, on requests for use of Council land for Sub-Committee's consideration.

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

The Director of Corporate Services advised that Ref no 236/18 in Appendix 1 had been withdrawn from the report and would be brought to a future meeting of Committee for consideration.

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

**It is recommended** that the requests at Appendix 3, previously circulated are noted.

**AGREED** – to recommend that the requests listed in Appendix 1 as 256/18 and 255/18 are approved.

**AGREED** – to recommend that Council notes the requests at Appendix 3.

## **6. LEASES/LICENCES**

### **6.1 Ref 21/18/P – The Crown Estates and Causeway Coast and Glens Borough Council – Renewal of Regulating Lease of Foreshore at Benone Strand, County Londonderry**

The Director of Corporate Services presented the report, previously circulated, which advised that in September 2005 The Crown Estates Commissioners (landlord) granted a regulating lease to Limavady Borough Council (tenant) for a period of 15 years commencing on 1 September 2004 for the foreshore at Benone Strand, Benone, County Londonderry.

An error was noted in the report, previously circulated. The commencement date was incorrectly noted as 2019 (should read 2004).

Council has been notified under the Business Tenancies (Northern Ireland) Order 1996 (S.I. 1996/725 (N.I. 5) (“the Order”) that the tenancy will be terminated on 31 August 2019 as per the terms of the lease.

The Commissioners are willing to grant a new tenancy to Causeway Coast & Glens Borough Council on the following general terms:

- i. Proposed rent under the new tenancy as noted in the report.
- ii. Proposed date of commencement and duration of new tenancy: 15 years from 1 September 2019.

- iii. Rent review terms: Upwards only Rent review every 5 years.
- iv. Other terms as per existing lease, subject to amendment to reflect current standard Crown estate regulating lease.

Council's Coast and Countryside team have been consulted and recommend Council renews the lease under the terms advised.

**It is recommended that** Council grant approval to renew the lease from the Crown Estate Commissioners to Causeway Coast and Glens Borough Council for a period of 15 years from 1 September 2019 on the following general terms:

- i. Proposed rent under the new tenancy as noted in the report
- ii. Proposed date of commencement and duration of new tenancy: 15 years from 1<sup>st</sup> September 2019.
- iii. Rent review terms: Upwards only Rent review every 5 years.
- iv. Other terms as per existing lease, subject to amendment to reflect current standard Crown estate regulating lease.

**AGREED** – to recommend that Council grant approval to renew the lease from the Crown Estate Commissioners to Causeway Coast and Glens Borough Council for a period of 15 years from 1 September 2019 on the following general terms:

- i. Proposed rent under the new tenancy as noted in the report.
- ii. Proposed date of commencement and duration of new tenancy: 15 years from 1<sup>st</sup> September 2019.
- iii. Rent review terms: Upwards only Rent review every 5 years.
- iv. Other terms as per existing lease, subject to amendment to reflect current standard Crown estate regulating lease.

## **6.2 Ref 01/18/E – Anderson Park, Coleraine - Reopening of Link between the Northern Regional College Campus and Anderson Park, Coleraine.**

The Director of Corporate Services informed Members that at its meeting in October 2018 the Land and Property Sub Committee discussed the

request from the Northern Regional College for an easement to reopen the access to Anderson Park, Coleraine and engage with Council to put in place the formal arrangements for the access and potential work in the park to link to the college.

A copy of the report presented to the Land and Property Sub Committee in October 2018 was circulated for information.

It was agreed to invite representatives from the Northern Regional College to present the proposals to the Land and Property Sub Committee.

At the Land and Property Sub Committee meeting in January 2019 a power point presentation was tabled and presented at the meeting by the representatives from the Northern Regional College.

A copy of the presentation was circulated for reference.

The presentation covered the status of the programme in relation to the redevelopment of the Coleraine campus and provided Members with background information relating to:

- a) The request previously considered by the Sub-Committee to re-establish access to Anderson Park and;
- b) Temporary request to use a number of spaces in the Bowling Green Car Park in the academic year 2019/20. This item will be brought to a future meeting of Committee for consideration.

**It was recommended** that Council consider the request and grant approval “in principle” to:

- i. the request to grant an easement to reopen the access to Anderson Park, Coleraine;
- ii. engage with Council to put in place the formal arrangements for the access;
- iii. agree on potential work in the park to link to the College;
- iv. agree on respective roles and responsibilities.

The Director of Corporate Services confirmed that the approval sought was in principle and that matter would be brought back to Committee following engagement with the College on the formal arrangements for access and suggested agreement on respective roles and responsibilities.

**AGREED** – to recommend that Council consider the request and grant approval in principle to

- i. the request to grant an easement to reopen the access to Anderson Park, Coleraine;
- ii. engage with Council to put in place the formal arrangements for the access;
- iii. agree on potential work in the park to link to the College;
- iv. agree on respective roles and responsibilities.

### **6.3 Ref 05/18/NIE – Benone Tourist Complex, Northern Ireland Electricity (NIE) Networks Wayleave Agreement No 695431**

The Director of Corporate Services advised that NIE Networks had submitted Wayleave Agreement No 695431 for proposed underground cabling on Council land at Benone Tourist Complex, Benone for approval.

In March 2018 Council agreed to sell an area of Council land at Benone Tourist Complex to NI Water for a new pumping station. The new pumping station is required for the replacement of the current vacuum sewerage system with conventional gravity sewerage and Waste Water Pumping Stations (WwPSs).

NIE Networks have to provide a power supply to the new pumping station for NI Water and have submitted Wayleave Agreement No 695431 for the proposed underground cabling.

NI Water have agreed to undertake the excavation and reinstatement works associated with the provision of the electricity supply by NIE Networks as NI Water will be installing their own sewers and pumping main.

The route of the cable, from the existing NIE transformer was highlighted in blue on the map circulated along the edge of the footpath to the new pumping station.

The aerial view circulated indicates the existing NIE transformer, the route of the proposed LV cable and the land acquired by NI Water for the new pumping station.

As NI Water will be completing the excavation/reinstatement works on third party land it is required to complete a Landowner Indemnity Form

which requires signature by Council as the landowner at Part 1- Land Owner Authorisation.

It is recommended that

- a) Council grants approval “in principle” to Northern Ireland Electricity (NIE) Networks Wayleave Agreement No 695431 for the proposed underground cabling on Council land at Benone Tourist Complex, Benone
- b) And recommends the signature of the Landowner Indemnity Form.

Signature of both documents will be subject to statutory permissions from relevant bodies, if required and the agreement of Council Officers to a programme of work to include start and finish dates for excavation and reinstatement of Council land.

**AGREED** – to recommend that

- a) Council grants approval “in principle” to Northern Ireland Electricity (NIE) Networks Wayleave Agreement No 695431 for the proposed underground cabling on Council land at Benone Tourist Complex, Benone
- b) And recommends the signature of the Landowner Indemnity Form.

## **7. CORRESPONDENCE**

### **7.1 Ref The McNaughton Estate - Sale of Land at Whiterocks, Portrush**

In October 2018 the Land and Property Sub Committee agreed “to defer discussion pending input from Council’s Coast and Countryside team in terms of coastal path access plans”.

The Coast and Countryside Manager has advised that at the present time Council is not in a position to consider acquiring this land. A location map and sales brochure was circulated.

The owner did not proceed with the sale at the time of producing the brochure for the land at The Whiterocks, Portrush, formerly Ballymagarry Quarry, Dunluce Road, Portrush which is within an Area of Special Scientific Interest (ASSI).

The owner is now considering the sale of the land and has written to Council enquiring if it would be interested in acquiring the land.



The Director of Corporate Services advised the Sub Committee that Council had no demand to acquire this land.

**7.2 Ref T/C/T18: Department for Infrastructure - Removal of Taxi Rank adjacent to O'Hara Court, Coleraine Road, Portstewart.**

In November 2018 the Land and Property Sub Committee noted the correspondence from the Department for Infrastructure (DfI) and it was agreed that officers respond seeking the reason for the removal of the taxi rank at the location.

The Department's Traffic Section has responded advising it had received 4 requests from residents of O'Hara Court for the removal of the taxi rank.

The residents' concerns are that people congregate outside the front of O'Hara court in the early hours causing a nuisance with noise and litter.

From a traffic management point of view the department is satisfied that the existing lower ranks are sufficient to cater for the taxi demand.

The Correspondence from the Department was **NOTED**.

**MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Councillor McShane  
Seconded by Councillor Quigley

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

There being no further business the Chair declared the meeting closed.

The meeting concluded at 8:30 pm.