

**LAND AND PROPERTY SUB-COMMITTEE MEETING
WEDNESDAY 4 AUGUST 2021**

No	Item	Summary of Key Recommendations
1.	Apologies	None
2.	Declarations of Interest	None
3.	Nomination of Chair and Vice Chair	Chair Councillor Knight McQuillan Vice Chair Councillor McGurk
	'In Committee' Items 4 to 8 inclusive	
4.	Minutes of Previous Meeting held on 2 nd June 2021	Confirmed
5.	Requests for Use of Council Land	Approve
5.1	Process and Timeline for Requests to use Council Land	Note
6.	Requests to Purchase/Dispose Council Land/Property	
6.1	Request to Purchase Council Land Adjacent to 154 Causeway Street, Portrush	Council agrees to the sale of part of the strip of Council land adjacent to the property
6.2	Cloughmills Play Park – Asset Disposal	Council grants permission to enter the disposal process for the asset via the D1 LPS disposal process
7.	Leases/Licences	
7.1	Armooy Playing Fields – Extension to Existing Licences – Armooy Community	Extend licences to 31st March 2022

	Association and Causeway Giants Football Club	
8.	Legal Issues	<i>Verbal update provided. Written advice to be circulated after meeting</i>

**MINUTES OF THE MEETING OF THE
LAND AND PROPERTY SUB-COMMITTEE MEETING
HELD VIA VIDEO-CONFERENCE ON
WEDNESDAY 4 AUGUST 2021 AT 7.00PM**

Chair: Alderman Knight-McQuillan (R)

Present: Alderman Baird (R), Fielding (R), Hillis (R)
Councillors Beattie (R), McLean (R) McGurk,
McShane C (R)

In attendance Councillor McLaughlin

Officers Present: P Donaghy, Democratic & Central Services Manager
(R)
J Richardson, Head of Capital Projects, Energy &
Infrastructure (R) Item 6.2
J Mills, Land and Property Solicitor
D McLaughlin, Land and Property Officer (R)

J Keen, Corporate Support Assistant) (R)

Key (R) = Remote attendance

1. APOLOGIES

None.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. NOMINATION OF CHAIR AND VICE CHAIR

The Chair invited nominations for the positions of Chair and Vice Chair.

Proposed by Alderman Baird
Seconded by Councillor McLean and

AGREED: That Councillor Knight McQuillan and Councillor McGurk be nominated for another year to the positions of Chair and Vice Chair respectively, of the Land and Property Sub-Committee for 2021/2022.

MOTION TO PROCEED *'IN COMMITTEE'*

Proposed by Councillor McGurk
Seconded by Councillor C McShane and

AGREED – that the Sub-Committee move *'In Committee'*.

Parts of 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.

*Alderman Hillis joined the meeting at 7:19pm.

4. MINUTES OF LAND AND PROPERTY SUB COMMITTEE MEETING HELD ON 2 JUNE 2021

Summary minute, previously circulated.

The minutes of the previous meeting held on 2nd June 2021 were confirmed as an accurate record.

5. REQUESTS FOR USE OF COUNCIL LAND

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

There are 6 new requests for the Sub-Committee to consider.

It is recommended that the requests listed are considered and recommendation made.

Ref	Date	Location	Detail	Officer recommendation	Sub-Committee Recommendation
35/21	18 th August 2021	Christie Memorial Park, Strand Road, Coleraine	A request from Age Concern Causeway to use Council land at Christie Memorial Park, Strand Road, Coleraine, for a picnic. Initial date requested was the 16th June 2021– approved via SLT on 14th June 2021 (was withdrawn - amended date requested)	For Approval	Proposed by Councillor McGurk, seconded by Alderman Fielding AGREED: To recommend approval.

Ref	Date	Location	Detail	Officer recommendation	Sub-Committee Recommendation
40/21	4 th September 2021	Downhill Beach	Request permission for a wedding ceremony on Downhill Beach	For Approval	Proposed by Councillor McGurk, seconded by Alderman Fielding AGREED: To recommend approval.
20/21	12 th September 2021	Benone Beach	A request from Aware NI to use Council land for a fund-raising sea splash at Benone Beach.	For Approval	Proposed by Councillor McGurk, seconded by Alderman Fielding AGREED: To recommend approval.
60/21	13 th and 14 th September 2021	Downhill Beach, Castlerock Beach, Ballycastle Harbour and Ballycastle footbridge to beach	A request from CTVC Limited to use Council land at Downhill Beach, Castlerock Beach, Ballycastle Harbour and Ballycastle footbridge to beach for filming purposes on behalf of the BBC.	For Approval	Proposed by Councillor McGurk, seconded by Alderman Fielding AGREED: To recommend approval.
55/20	15 th September	East side of Downhill Beach	A request from Bavella North Design Ltd to use Council land at the east side of Downhill Beach to film for the Darkest Era "Flood" music video.	For Approval	Proposed by Councillor McGurk, seconded by Alderman Fielding AGREED: To recommend approval.
58/20	21 st September 2021	Downhill Beach	A request to use Council land for a wedding ceremony at Downhill Beach	For Approval	Proposed by Councillor McGurk, seconded by Alderman Fielding AGREED: To recommend approval.

There are 3 repeat events for the Sub-Committee to consider.

The Land and Property Officer advised that application ref no 23/21 included at Appendix 3 should have been included in Appendix 2 for consideration as it was a repeat event and not a retrospective event.

It is recommended that the requests listed at Appendices 1, and 2 are considered and recommendation made.

*Councillor McLaughlin (non-committee member) joined the meeting at 7:29pm.

Repeat Requests

Reference	Detail of Request	Sub Committee Recommendation
53/21	A request from Portrush 5 Mile Road Race, Portrush, for the annual 5 Mile Charity Race on 27 th August 2021. Fee to be determined as per the Land and Property Policy (charity event).	Proposed by Councillor McLean, seconded by Councillor McGurk and AGREED: To recommend approval.
37/21	A request from Sports Academy George to use Council land at East Strand, Portrush, for the annual Bob & Bert's North Coast 5K & 10K event on 3 rd September 2021. Fee to be determined as per the Land and Property Policy (charity event).	Proposed by Councillor McLean, seconded by Councillor McGurk and AGREED: To recommend approval.
23/21	A request from Waggy Races to use Council land at East Strand Beach, Portrush up to Whiterocks Beach, including the East Strand Car Park for a 5km dog fun run on the 3 rd October 2021. <i>SLT approved 21.06.2021</i> Fee to be confirmed	Proposed by Councillor McLean, seconded by Councillor McGurk and AGREED: To recommend approval.

There are 12 retrospective events for the Sub-Committee to note.

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

Retrospective Requests

Reference	Detail of Request	Sub Committee Recommendation
41/21	A request from UTV to use Council land at Whiterocks Beach and East and West Strand, Portrush, for filming purposes on the 29 th May 2021.	Note
34/21	A request from the BBC to use Council land at Benone Beach to film for a BBC Travel Show on the 16 th June 2021.	Note

Reference	Detail of Request	Sub Committee Recommendation
30/21	A request from Clean Slate Tv to film on Council land across the north coast for BBC NI during a number of dates within June and July 2021.	Note
42/21	A request from Naturally North Coast & Glens CIC to use Council land at Benone Tourist Complex for an artisan market on the 8th and 11th July 2021. <i>SLT approved 21.06.2021</i>	Note
32/21	A request from the Moygashel Lambeg Drumming Club to use Council land at the Amphitheatre, Portrush, for the Junior Lambeg Drumming event on the 17th July 2021. <i>SLT approved 21.06.2021</i>	Note
45/21	A request from Pulcinella Film Ltd to use Council land for filming purposes at Whiterocks on the 19th of July 2021, at Antrim Gardens on the 20th of July 2021, and Kerr Street, Ramore Avenue, Main Street and Bath Street on the 23rd July 2021.	Note
36/21	A request from Celtic Woman Music Videos "Postcards" to use Council land at Ballintoy Harbour for a music video on the 22nd July 2021.	Note
61/21	A request from Blast! by the sea to use Council land at Kerr Street, Whiterocks and West Strand Beach, Portrush, to film the 'Saving Lives at Sea' BBC2 documentary on the 28th and 29th July 2021.	Note
33/21	A request from Braidwater Limited to use Council land at the Council Playing Fields, Limavady, to install a new drain along the boundary in conjunction with NIW to facilitate storm offsetting works for a 2 to 3 week period within July/August 2021. <i>SLT approved 14.06.2021</i>	Note
39/21	A request from Scripture Union Northern Ireland to use Council land at Portrush, Portballintrae, Castlerock and Ballycastle for the local CSSM summer schemes throughout July and August 2021. <i>SLT approved 21.06.2021</i>	Note
59/21	A request from Westway Film Productions Ltd to use Council land at the cliff path at Cushendall for filming for the television	Note

Reference	Detail of Request	Sub Committee Recommendation
	series 'Mahon's Way' on the 2nd August 2021.	
12/21	A request from Kilcronaghan Mission Hall to use Council land for the Hope 21 puppet show, street theatre, and live music reality gospel band event at Portrush Station Square on the 21 st of August 2021 and at the Bandstand, Portstewart, on the 22 nd August 2021. <i>SLT approved 21.06.2021</i>	Note

5.1 PROCESS AND TIMELINE FOR REQUESTS TO USE COUNCIL LAND

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

The purpose of the report is to provide Members with details of the process required for applicants to follow when applying to use Council land.

Council adopted its Land and Property policy in March 2020. Section D of the policy sets out the main requirements for the use of Council land. The policy is available to view on Council's website at <https://www.causewaycoastandglens.gov.uk/council/land-and-property>

Council's Scheme of Delegation also provides for delegated authority in respect of some land and property matters. The Scheme of Delegation can be viewed at

https://www.causewaycoastandglens.gov.uk/uploads/policies/Scheme_of_Delegation_-_Final_Dec_20.pdf

All requests to use Council land must be submitted in writing along with the required documentation a minimum of eight weeks in advance and for major/larger events six months in advance of the event. For operational reasons this timeframe may be extended due to extenuating circumstances

The process for applying to use Council land was detailed in the flowchart at Appendix A to the report previously circulated. It is

important that Elected Members are aware of the process and why the various steps are required.

Council receives on average 240 applications to use Council land each year. Each application must be checked and consulted on internally before a decision is reached. Therefore, it is necessary for applications to be received well in advance of the date the land use is requested. The process each application must go through is necessary to ensure that Council's interests are protected, and that due diligence has been carried out in respect of health and safety considerations, insurance, risk assessment and other matters.

Elected Members are asked to signpost applicants to the Land and Property team in Council in respect of any queries. The team will provide advice on the process and guide applicants on what is required.

Late requests cause difficulties in terms of proper processing and due diligence and while every attempt will be made to accommodate these requests they must be subjected to the same process and checks as all other applications.

It is recommended that the report and process detailed in the flowchart at Appendix A, previously circulated are noted.

Alderman Baird requested that local communities are advised if Council is going to close in full or part any of its facilities or open spaces including beaches to carry out works. She suggested that this could be done by informing local community associations, details of which Council held on its community database. The Democratic and Central Services Manager undertook to relay this to the relevant Council departments.

AGREED: to recommend that the report and process detailed in the flowchart at Appendix A of the report, previously circulated, are noted.

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

6.1 REQUEST TO PURCHASE COUNCIL LAND ADJACENT TO PROPERTY AT CAUSEWAY STREET, PORTRUSH

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

The report provided Members with an update on the request to purchase an area of Council land adjoining a property at Causeway Street, Portrush. A report was presented to the Land and Property Sub Committee on 2nd June 2021, previously circulated. A decision was deferred to facilitate a site visit. A site visit took place on Tuesday 22nd June 2021.

Following the site visit, Council's architect was instructed to survey the site to determine:

- If the land was in council ownership
- If there had been encroachment on Council land
- The exact boundaries of the area requested to be purchased.

The report, previously circulated detailed the architect's findings and legal opinion on the area of land to be offered for sale.

The Options presented for consideration:

- 3.1 Refuse the request.
- 3.2 Sell the land via the D1 Disposal Process.
- 3.3 Sell the land on the open market in part or full
- 3.4 Agree to the sale of the full strip of Council land adjacent to the property (as outlined on the maps presented in the report)
- 3.5 Agree to the sale of part of the strip of Council land adjacent to the property (as outlined on the maps presented in the report)

It is recommended that the Land and Property Committee recommends to Council Option 3.5 (as outlined on the maps presented in the report) subject to:

- an independent valuation of the strip of land to be purchased
- Payment of market value for the strip of land (determined by the independent valuation).
- Payment of any legal fees or costs in relation to the conveyance/sale of the land
- Payment of architect's costs for mapping of the land.

Legal advice was provided in relation to the method of disposal and the rationale for recommending that Council agree to the sale of part of the land adjacent to the property to the property owner. Written advice to be circulated to all Members following the Sub-Committee meeting.

Proposed by Councillor McLean
Seconded by Alderman Fielding and

AGREED: to recommend that Council approve Option 3.5, agree to the sale of part of the strip of Council land adjacent to the property (as outlined on the maps presented in the report) subject to:

- an independent valuation of the strip of land to be purchased
- Payment of market value for the strip of land (determined by the independent valuation).
- Payment of any legal fees or costs in relation to the conveyance/sale of the land
- Payment of architect's costs for mapping of the land.

6.2 CLOUGHMILLS PLAY PARK – ASSET DISPOSAL

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

Council has a redundant playpark in Cloughmills as shown below:

*Councillor McShane left during consideration of the item at 19:44



In March 2021 the Leisure & Development Committee declared the asset surplus and have no further need for this asset. The site suffers from anti-social behaviour and is causing nuisance to adjacent residents. The nuisance will continue – unless the site has either enhanced security or is re-developed via disposal. Note The existing site has been secured by Harris type fencing.

Council owns the playpark under Freehold Absolute title registered under folio 33679 Co Antrim.

This area is identified as an area of Existing Open Space in the Northern Area Plan 2016.

Policy OS 1 of PPS 8 Open Space, Sport and Outdoor Recreation has a presumption against the loss of open space which applies irrespective of the physical condition and appearance. Relevant exceptions provided in the policy to this case are:

- 1. Where it is clearly shown that redevelopment will bring substantial community benefits. (Such community benefits would ordinarily arise from the redeveloped use e.g. creche facility or community centre building).*
- 2. Alternative provision is made by the developer which is at least as accessible to current users and at least equivalent in terms of size, usefulness, attractiveness, safety and quality.*

The issue of anti-social behaviour would be a relevant material consideration which would be considered alongside other factors including the above policy requirements. Assessment of this would require submission of a planning application.

Disposal Valuation

The 0.91-acre current asset disposal value (without planning) has been calculated and was detailed in the confidential report, previously circulated. This assumes recreational land use only. However, with residential planning permission this would increase the asset value. A valuation has been carried out on both options and with planning permission places a residual value on each house details of which were provided in the confidential report). Note: The site could contain 12 houses.

It is proposed to progress the disposal of the site.

In order to progress the disposal and to investigate the possibility of placing this site on the market directly without the investment of securing residential planning permission and to establish if its maximum price can be achieved without same;

It is recommended that members grant permission to enter the disposal process for the asset via the D1 LPS disposal process to establish if the residential use value can be achieved directly.

Note 1: the offer value shall be brought back to Members for consideration later – either to continue to sell (assumes value achieved) or to remove from the market to secure to secure planning permission and re-enter the disposal process.

Note 2: Social housing is the most likely use of the site and would present a good application to planning in that it would demonstrate community benefit.

Note 3: it maybe the purchaser may offer the residential valuation asking price – stating a caveat that this would be subject to them securing residential planning permission.

Proposed by Alderman Fielding
Seconded by Councillor McGurk and

AGREED: to recommend that Council grants permission to enter the disposal process for the asset via the D1 LPS disposal process to establish if the residential use value can be achieved directly.

Note 1: the offer value shall be brought back to Members for consideration later – either to continue to sell (assumes value achieved) or to remove from the market to secure to secure planning permission and re-enter the disposal process.

Note 2: Social housing is the most likely use of the site and would present a good application to planning in that it would demonstrate community benefit.

Note 3: it maybe the purchaser may offer the residential valuation asking price – stating a caveat that this would be subject to them securing residential planning permission.

7. LEASES/LICENCES

7.1 ARMOY PLAYING FIELDS – EXTENSION TO EXISTING LICENCES – ARMOY COMMUNITY ASSOCIATION AND CAUSEWAY GIANTS FOOTBALL CLUB

The confidential report was presented by the Land and Property Officer.

The purpose of this report is to seek Members' approval to the extension of the Licence Agreements previously granted by Council to Armo Community Association (ref 73/20) and Causeway Giant's American Football Club (ref 74/20) for the use of the playing fields at Limepark, Armo.

In December 2020 Council "agreed that Armo Giants American Football Club and other community groups who had expressed an interest be permitted to use the Playing Fields at Lime Park, Armo in until a decision is reached regarding the future of this asset".

In February 2021 Council ratified the Land & Property Sub-Committee's recommendation and "agreed that the requests 74/20 from Causeway Giants American Football Club and 73/20 Armo Community Association for the use of Limepark Playing Fields are

approved and that both groups have the same period of use up to 31st August 2021 under licence for a fee of one peppercorn and that the content of the Feedback and Assessment Report is noted’.

Council subsequently granted Licence Agreements to both Armoy Community Association and Causeway Giants American Football Club for a period of 6 months commencing on 1st March 2021. The Licence Agreements will terminate on 31st August 2021.

The Head of Sport and Wellbeing and the Head of Capital Projects, Energy & Infrastructure will be progressing the Council decision to undertake community consultation in Armoy in respect of the need and the potential for utilising Limepark Playing Fields and the potential asset realisation of the site.

A further report will be brought to the Land & Property Sub-Committee detailing the outcome of the community consultation and the potential asset realisation of the site. In the interim, the Head of Sport and Wellbeing, as the asset owner, has indicated that the site can be made available to both groups for a further 6 months.

Armoy Community Association and the Causeway Giants American Football Club have both requested a further 6-month extension to the current Licence Agreement to run from 1st September 2021 to 28th February 2022.

If agreed, the Licence Agreements will be extended for a further 6 months under the same terms and conditions.

The Land and Property Officer outlined the options for the Sub-Committee to consider:

Refuse the requests from Armoy Community Association and the Causeway Giants American Football Club to extend the existing Licence Agreements for a further 6 months under the existing terms and conditions.

Grant approval to the requests from Armoy Community Association and the Causeway Giants American Football Club to extend the existing Licence Agreements for a further 6 months under the existing terms and conditions from 1st September 2021 to 28th February 2022.

It is recommended that the Sub-Committee consider the options presented in the report and makes a recommendation to Council.

Following discussion and clarification on the dates of extension it was,

Proposed by Alderman Baird
Seconded by Councillor McLean and

AGREED: to recommend that Council grants approval to the requests from Armoyn Community Association and the Causeway Giants American Football Club to extend the existing Licence Agreements under the existing terms and conditions from 1st September 2021 to 31st March 2022.

8. LEGAL ISSUES

A verbal update was provided by Council's Land and Property Solicitor in relation to the disposal of Dungiven Sports Pavilion. A further verbal update was provided by the Land and Property Solicitor in relation to other potential asset disposal matters.

The Land and Property Solicitor advised that the verbal updates would be circulated in writing to all Members following the Sub-Committee meeting.

MOTION TO PROCEED '*IN PUBLIC*'

Proposed by Alderman Baird

Seconded by Councillor McGurk and

8

AGREED – that Sub-Committee move '*In Public*'.

There being no further business, the Chair thanked everyone for their attendance and the meeting closed at 8:25pm.

Chair