

**LAND AND PROPERTY SUB-COMMITTEE MEETING  
WEDNESDAY 1 MAY 2024**

<b>No</b>	<b>Item</b>	<b>Summary of Key Recommendations</b>
<b>1.</b>	Apologies	<b>None</b>
<b>2.</b>	Declarations of Interest	<b>None</b>
<b>3.</b>	Minutes of Previous Meeting held on 10 <sup>th</sup> April 2024	<b>Confirmed as a correct record</b>
	<i>'In Committee'</i> (Items 5-9 inclusive)	
	Change Order of Business	<b>Received</b>
<b>4.</b>	Asset Realisation Interim Arrangements and Prioritisation	<b>Withdrawn</b>
<b>5.</b>	Legal Issues	
<b>5.1</b>	The Giant's Causeway - Possible Encroachment	<b>to recommend that Corporate Policy and Resources Committee approve Legal Officers write to [REDACTED] to seek removal of and repositioning of the fence to the rear of the Nook to the correct legal boundary of folio 26472; Legal Officers engage with the National Trust, as Tenant to send similar correspondence to [REDACTED]; An update will be provided to Land and Property Subcommittee.</b>
<b>5.1.1</b>	Correspondence - Portstewart, Ballyreagh Road – Planning Notification	<b>Noted</b>
<b>6.</b>	Transformation Plan – Land and Property – Update	<b>to recommend that the Transformation Programme – Land and Property Action Plan Update and the actions</b>

		<b>contained therein is approved.</b>
<b>7.</b>	Requests to Purchase/Dispose of Council Land/Property	<b>There was no report (Standing Agenda Item)</b>
<b>8.</b>	Leases and Licenses	
<b>8.1</b>	Leases and Licenses – Glenariff Beach Cafe – Commercial Lease Opportunity	<b>to recommend that the Heads of Terms as detailed at Appendix 3 are agreed and approval is granted to enter into a new commercial lease under Submission A for the Coffee Shop at Glenariff Beach Cafe, commencing on 10<sup>th</sup> June 2024 for a period of 2 years and 1 month, which includes one rent free month to permit fit out of premises, at the yearly rent of ██████ per annum , and further agrees that amendments to the lease documentation to be agreed between respective solicitors if required.</b>
<b>9.</b>	Correspondence	
<b>9.1</b>	Portstewart, Ballyreagh Road – Planning Notification	<b>to recommend that Corporate Policy and Resources Committee Note the report.</b>

**MINUTES OF THE MEETING OF THE  
LAND AND PROPERTY SUB-COMMITTEE HELD IN THE COUNCIL CHAMBER  
ON WEDNESDAY 1 MAY 2024 AT 7.03PM**

**Chair:** Alderman Knight-McQuillan

**Present:** Alderman Fielding, Councillors C Archibald, Huggins,  
McShane, McCully and Nicholl

**Officers Present:** P Donaghy, Democratic and Central Services Manager  
D McLaughlin, Land and Property Officer  
J Mills, Council Solicitor, Land and Property  
J Drillingcourt, Assistant Land and Property Officer  
S Duggan, Civic Support & Committee & Member Services Officer

C Thompson, ICT Operations Officer

**Key: (R)** Remote attendance via MS Teams

**1. APOLOGIES**

There were no apologies recorded.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest recorded.

**3. MINUTES OF PREVIOUS MEETING HELD ON 10 APRIL 2024**

Summary, previously circulated.

**AGREED** – that Minutes of the Land and Property Sub Committee meeting held 10 April 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 & Property Sub-Committee move ‘*In Committee*’.

***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.***

**4. ASSET REALISATION INTERIM ARRANGEMENTS AND PRIORITISATION - WITHDRAWN**

The Chair advised the item was withdrawn from the Agenda and would come back to a later meeting.

- \* **Councillors McShane and Nicholl arrived at the meeting at 7.06pm.**

## **CHANGE ORDER OF BUSINESS**

The Chair advised agenda Item 8: The Giant's Causeway - Possible Encroachment

And agenda Item 9.2: National Trust – The Giant's Causeway, Bushmills would be considered next on the Agenda of business for the evening.

### **Legal Issues**

#### **5.1 The Giant's Causeway - Possible Encroachment**

Report, previously circulated, was presented by the Council Solicitor, Land and Property. The report was confidential by virtue of paragraph 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 regarding a possible encroachment on Council lands at the Nook, Giant's Causeway, Bushmills.

##### **Recommendation**

**It is recommended** that Land and Property Subcommittee recommend to Council that:

Legal Officers write to [REDACTED] to seek removal of and repositioning of the fence to the rear of the Nook to the correct legal boundary of folio 26472.

Legal Officers engage with the National Trust, as Tenant to send similar correspondence to [REDACTED].

An update will be provided to Land and Property Subcommittee.

Proposed by Councillor Huggins

Seconded by Councillor McCully and

**AGREED** – to recommend that Corporate Policy and Resources Committee approve Legal Officers write to [REDACTED] to seek removal of and repositioning of the fence to the rear of the Nook to the correct legal boundary of folio 26472;

Legal Officers engage with the National Trust, as Tenant to send similar correspondence to [REDACTED];

An update will be provided to Land and Property Subcommittee.

##### **5.1.1 National Trust – The Giant's Causeway, Bushmills**

Report, previously circulated, was presented in conjunction with Item The Giant's Causeway - Possible Encroachment by the Council Solicitor. The report was confidential 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 inform Members of correspondence received by the Land and Property section on 24th April 2024 from the National Trust.

A copy of the email correspondence was previously circulated at Appendix A for information.

Background was provided within the confidential report.

### **Recommendation**

**It is recommended** that Members consider the correspondence and legal advice presented and provide direction to officers on how to proceed.

Land and Property Sub Committee NOTED the report.

## **6. TRANSFORMATION PLAN – LAND AND PROPERTY – UPDATE**

Confidential report, previously circulated, was presented by the Democratic and Central Services Manager.

The report was confidential by virtue of paragraphs 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 Transformation Action Plan Land and Property update.

### **Background**

At the Special Council meeting on 27<sup>th</sup> March, where Council considered a number of independent reports, including “The Independent Review of Land and Property related Policies and Procedures in Causeway Coast and Glens Borough Council.

[https://www.causewaycoastandglens.gov.uk/uploads/general/230327\\_SCM\\_Item\\_5\\_Land\\_and\\_Property\\_Report\\_and\\_Appendix\\_REDACTED.pdf](https://www.causewaycoastandglens.gov.uk/uploads/general/230327_SCM_Item_5_Land_and_Property_Report_and_Appendix_REDACTED.pdf)

Council resolved:

*“That Council accept the Findings in these reports in full. Furthermore, that an implementation oversight panel is established (similar to what was taken forward with the Planning Review) to oversee the resolution of the issues outlined in these reports; to produce and progress an Action Plan and the implementation of these associated recommendations; the membership of 6 Elected Members by d’Hondt”*

At the Special Council meeting on 30<sup>th</sup> October, Council resolved:

*“That Council agree to implement all of the recommendations arising from the Reviews to address the recommendations from the Extraordinary Audit and to*

*set these out as a comprehensive Transformation Programme to ensure that the matters that led to the Extraordinary Audit will not re-emerge.*

*Specifically, Council further RESOLVED:*

- 1. To set up an Implementation Oversight Panel to oversee the Transformation Programme and its implementation*
- 2. As a priority, to engage the Local Government Staff Commission to undertake the review of the Senior Leadership structure and the Organisational 'Health Check'.*
- 3. To appoint an Independent Implementation Oversight Adviser to oversee the programme of work, Chairing an Implementation Steering Group and provide quarterly reports to the Department for Communities.*

The Council has agreed that the timeframe for completion of all the recommendations is 30<sup>th</sup> October 2024.

### **Land and Property Recommendations**

- The recommendations from the Independent report are detailed in Appendix A, Transformation Action Plan – Land and Property (previously circulated).
- The Land and Property Sub-Committee is asked to consider the content of the Action Plan and agree the actions contained.
- An updated Action Plan with relevant recommendations will be brought to the Land and Property Sub-Committee monthly.

### **Recommendation**

**It is recommended** that the Transformation Programme – Land and Property Action Plan Update and the actions contained therein is approved.

The Democratic and Central Services Manager invited questions, no questions were put.

Proposed by Councillor C Archibald  
Seconded by Councillor C McShane                      and

**AGREED** – to recommend that the Transformation Programme – Land and Property Action Plan Update and the actions contained therein is approved.

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

There was no report for this item (Standing Agenda Item).

## **8. LEASES AND LICENCES**

### **8.1 Glenariff Beach Café – Commercial Lease Opportunity**

Confidential report, previously circulated, was presented by the Land and Property Officer. The report was confidential 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 approval for Council to enter into a new commercial lease and associated Heads of Terms presented in this report for the premises at Glenariff, Beach Café, 217 Garron Road, Waterfoot.

### **Background**

At the Land and Property Sub -Committee (L&P SC) meeting held on 1<sup>st</sup> February 2023 it was:-

***AGREED*** - that Council approve the highest tendered bid as submitted by Bidder 1 at the rental sum set out in the report, and that the legal lease process commence and conclude accordingly.

Further information was provided within the confidential report.

### **Proposals**

It is proposed to grant a new commercial lease for the operation of a coffee shop under submission A as detailed at 2.4 of the report.

The Heads of Terms (subject to any minor amendment) for the proposed lease are summarised below and was previously circulated at Appendix 3 for reference (circulated).

### **Recommendation**

**It is recommended** that the Heads of Terms as detailed at Appendix 3 are agreed and approval is granted to enter into a new commercial lease under Submission A for the Coffee Shop at Glenariff Beach Cafe, commencing on 10<sup>th</sup> June 2024 for a period of 2 years and 1 month, which includes one rent free month to permit fit out of premises, at the yearly rent of [REDACTED] per annum , and further agrees that amendments to the lease documentation to be agreed between respective solicitors if required.

The Land and Property Officer referred to Appendix 1 and advised there may be further liaison on an updated floor plan, location map and inventory including any minor amendments to the Heads of Terms.

Proposed by Councillor McShane  
Seconded by Councillor Huggins and

**AGREED** – to recommend that the Heads of Terms as detailed at Appendix 3 are agreed and approval is granted to enter into a new commercial lease under Submission A for the Coffee Shop at Glenariff Beach Cafe, commencing on 10<sup>th</sup> June 2024 for a period of 2 years and 1 month, which includes one rent free month to permit fit out of premises, at the yearly rent of [REDACTED] per annum , and further agrees that amendments to the lease documentation to be agreed between respective solicitors if required.

## 9. CORRESPONDENCE

### 9.1 Portstewart, Ballyreagh Road – Planning Notification

Report, previously circulated, was presented by the Land and Property Officer. The report was confidential by virtue of paragraph(s) 1 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

#### **Purpose of Report**

The Purpose of this report is to inform Members of correspondence received by the Land and Property section on 18<sup>th</sup> April 2024 requesting comment from Causeway Coast and Glens Borough Council as landowners. The correspondence received from Ferguson Planning included Form P2A - Notice of Application for Planning Permission/Listed Building Consent submitted by Ferguson Planning on behalf of their clients C&V Developments Ltd. for a proposed hotel and spa Complex (including conference and banqueting facilities, holiday cottages, North West 200 visitor attraction (including exhibition space, tourist retail unit (c. 150sq.m) and office space), demonstration restaurant, car/coach parking, access/junction alterations, landscaping and associated infrastructure works). A copy of the correspondence was previously circulated at Appendix A for reference.

The Planning application referred to in Form P2A is LA01/2016/1328/F. Full details of the application proposal can be found on the NI Planning portal using the link below:

<https://planningregister.planningsystemni.gov.uk/simple-search>

Background was presented within the confidential report.

#### **Recommendation**

**It is recommended** that the Land and Property Sub- Committee notes the correspondence received from Ferguson Planning and Form P2A – Notice of Application for Planning Permission/Listed Building Consent submitted by Ferguson Planning on behalf of their clients, C&V Developments Ltd. for a proposed hotel and spa Complex (including conference and banqueting facilities, holiday cottages, North West 200 visitor attraction (including exhibition space, tourist retail unit (c. 150sq.m) and office space), demonstration restaurant, car/coach parking, access/junction alterations, landscaping and associated infrastructure works).

Council Solicitor, Land and Property responded to a question surrounding any potential further challenge.

**AGREED** – to recommend that Corporate Policy and Resources Committee Note the report.

#### **MOTION TO PROCEED ‘IN PUBLIC’**

Proposed by Councillor Huggins

Seconded by Councillor McCully 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 7.33pm.

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Chair