

**LAND AND PROPERTY SUB-COMMITTEE MEETING
WEDNESDAY 4 SEPTEMBER 2024**

No	Item	Summary of Key Recommendations
1.	Apologies	Councillor McCully
2.	Declarations of Interest	Nil
3.	Minutes of Previous Meeting held on 5 June 2024	Confirmed as a correct record
	'In Committee' Items 4- (inclusive)	
4.	Transformation Plan – Land & Property	
4.1	Draft Revised Estates Strategy	Withdrawn
4.2	Draft Revised Land and Property Policy	To recommend that Corporate Policy and Resources Committee note the report
4.3	Transformation Plan – Land & Property Action Plan update	To recommend that Corporate Policy and Resources Committee note the report
5.	Requests to Use Council Land	
5.1	Ballycastle, Red Bull Cliff Diving World Series, Ref 159/23– Retrospective Request for Charity Collection	To recommend that Corporate Policy and Resources Committee provide retrospective approval to Richmond Marketing in association with Red Bull to permit volunteers from Marie Curie NI to be located at the Quay Road Playing Fields and Ramoan Road football field, to seek voluntary donations from the public.
5.2	Request to use Ref 70/24 Filming White Rocks, Portrush	To recommend that Corporate Policy and Resources Committee reduce the filming fees by

		50% subject to receiving Public Liability Insurance due to conjunction with The Wave Project
5.3	Drumsum Community Centre –Request for Wayleave	<p>To recommend that Corporate Policy and Resources Committee Approve Option 5.2 - Approve the request from Northern Ireland Electricity (NIE) Networks Limited, for Wayleave Agreement number 838766, and the signing of the NIE Networks Landowner Indemnity Form, subject to:</p> <p>(a) Ministerial approval under the Local Government Act (Northern Ireland) 1972, Section 96: Acquisition, etc., of land.</p> <p>(b) LG Circular 21/2020 – Guidance for District Councils – Local Government Disposal of Land at less Than Best Price.</p>
6.	Requests to Purchase/Dispose of Council Land/Property	
6.1	Requests to Purchase Council Land – Quarterly Update	To recommend that Corporate Policy and Resources Committee note the report
6.2	Coleraine, Laurel Hill – Updated valuation	Withdrawn
7.	Leases and Licences	
7.1	Leases and Licences – Renewal of Commercial Leases - Quarterly Update	To recommend that Corporate Policy and Resources Committee note the report
7.2	Portballintrae, Extension to Leases – NIAO Correspondence	To recommend that Corporate Policy and

		Resources Committee note the report
7.3	Cushendall, Red Bay Pier - New Crown Estates Lease	Withdrawn
7.4	Portrush, Lansdowne Shelter – Request to extend Leased Area	Withdrawn
8.	Legal Issues	
8.1	Council Title and First Registration – Quarterly Update	To recommend that Corporate Policy and Resources Committee note the report
8.2	Ballymoney, Adoption of Access from Townhead Street Car Park - Update	To recommend that the Corporate Policy and Resources Committee approve Option 4.2 - adopt ownership by First Registration of the 1924 Deed of Conveyance and to complete repairs on completion of the adoption of the laneway.

**MINUTES OF THE MEETING OF THE
LAND AND PROPERTY SUB-COMMITTEE HELD IN THE COUNCIL CHAMBER
AND
VIA MS TEAMS ON WEDNESDAY 4 SEPTEMBER 2024 AT 7.10PM**

Chair: Alderman Knight-McQuillan (C)

Present: Alderman Fielding (C)
Councillors C Archibald (C), Huggins (C), Kane (C),
McShane (R), Nicholl (R)

Officers Present: M Quinn, Director of Corporate Services (C)
P Donaghy, Democratic and Central Services Manager (C)
D McLaughlin, Land and Property Officer (C)
J Mills, Council Solicitor, Land and Property (C)
J Drillingcourt, Assistant Land and Property Officer (C)
J Keen, Committee & Member Services Officer (C)

In Attendance: C McCrossan, Strategic Investment Board (SIB) (R)
G Millar, Strategic Investment Board (SIB) (R)

A Lennox, ICT Mobile Operations Officer (C) (Items 1-3)

Press no (1) (R)

Key: (R) = Remote
(C) = Chamber

SUBSTITUTIONS: The Chair advised that Councillor Kane was substituting for Councillor McCully

1. APOLOGIES

There were no apologies received.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING HELD ON 5 JUNE 2024

Summary, previously circulated.

AGREED – that the Minutes of the Land and Property Sub Committee meeting held 5th June 2024 were confirmed as a correct record.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor C Archibald
Seconded by Councillor Huggins and

AGREED – to recommend that Land and Property Sub-Committee move ‘*In Committee*’.

- * **Press and Public were removed remotely from the meeting at 7.08pm.**

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. TRANSFORMATION PLAN – LAND & PROPERTY

4.1 Draft Revised Estates Strategy

The Committee Clerk was informed prior to the start of the meeting that this item had been withdrawn.

- * **Councillor McShane joined the meeting remotely at 7:20pm during consideration of this item.**

4.2 Draft Revised Land and Property Policy

Confidential report, previously circulated, was presented by C McCrossan, SIB.

Confidential report 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 update the Sub-Committee of the progress made by the Strategic Investment Board (SIB) in relation to the review of Council’s Land and Property Policy

Further detail provided within the confidential report.

Recommendation

It is recommended that the Sub-Committee notes the information presented in the SIB update report on the review of the Causeway Coast and Glens Land and Property Policy.

There were no questions for the presenter.

AGREED – To recommend that Corporate Policy and Resources Committee note the report.

* **C McCrossan (SIB) and G Millar (SIB) left the meeting at 9.22pm**

4.3 Transformation Plan – Land & Property Action Plan update

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

Confidential report by virtue of paragraph(s) 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

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

Land and Property Recommendations

The recommendations from the independent report are detailed in Appendix A (circulated), Transformation Action Plan – Land and Property.

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.

There were no questions for the Officer.

AGREED - To recommend that Corporate Policy and Resources Committee note the report.

5. REQUESTS TO USE COUNCIL LAND

5.1 Ballycastle, Red Bull Cliff Diving World Series, Ref 159/23– Retrospective Request for Charity Collection

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

Confidential report by virtue of paragraphs 1,2 and 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 retrospective approval from Elected Members for Marie Curie NI to permit volunteers to be located at Quay Road Playing Fields and Ramoan Road old football pitch, Ballycastle, with a view to collecting charitable donations from the public, during the Red Bull Cliff Diving World Series (18 July 2024 – 20 July 2024).

Further detail was provided within the report.

Recommendation

It is recommended that that the Land and Property Sub-Committee provide retrospective approval to Richmond Marketing in association with Red Bull to permit volunteers from Marie Curie NI to be located at the Quay Road Playing Fields and Ramoan Road football field, to seek voluntary donations from the public.

There were no questions for the Officer.

Proposed by Councillor Huggins

Seconded by Councillor C Archibald and

AGREED – to recommend that Corporate Policy and Resources Committee provide retrospective approval to Richmond Marketing in association with Red Bull to permit volunteers from Marie Curie NI to be located at the Quay Road Playing Fields and Ramoan Road football field, to seek voluntary donations from the public.

5.2 Request to use Ref 70/24 Filming White Rocks, Portrush

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

Confidential report 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 for the Land & Property Sub-Committee to review and consider the request from a third party for a reduction or waiver of the filming fee for their short film to be held on 27 September 2024, at Whiterocks, Portrush.

Background

The report summarised when the application was received by the Land and Property Section, details of the film, proposals and funding available to the applicant.

Options

- 5.1 Refuse to waive or reduce fees.
- 5.2 Recommend to waive fees. Subject to receiving sufficient Public Liability Insurance.
- 5.3 Recommend to reduce fees, the amount to be agreed by the Land and Property Sub- Committee, subject to receiving Public Liability Insurance.

Recommendation

It is recommended that the Land & Property Subcommittee Committee considers the following options and makes a recommendation to Council:

- 6.1 Refuse to waive or reduce fees the filming fees.
- 6.2 Recommend to waive the filming fees. Subject to receiving sufficient Public Liability Insurance.
- 6.3 Recommend to reduce the filming fees, the amount to be agreed by the Land and Property Sub- Committee, subject to receiving Public Liability Insurance.

In response to questions the Land and Property Officer advised the applicant is an independent filmmaker and that she is making the film in conjunction with the local charity, The Wave Project.

Councillor Kane proposed to waive the fee with the condition that Council can have a screening of the film once completed. Councillor Kane did not receive a seconder.

The Land and Property Officer confirmed that credit to the Council can be added as a condition.

Councillor Huggins expressed disagreement with waiving the fee with the view that it is setting a precedent as fees are currently only waived for charities.

Councillor McShane concurred with the comments made by Councillor Huggins.

The Chair questioned whether there could be the option of the applicant withdrawing their application and the charity submitting the application to film at the White Rocks.

The Land and Property Officer responded to the Chair directly.

The Chair asked the Sub Committee for their views on a reduced fee. Councillor Huggins proposed to reduce the fee by 50% as the project is in conjunction with the local charity, The Wave Project.

The Land and Property Officer clarified that a reduction in fee for this project is due to the conjunction with the charity and that members of The Wave Project are taking part in the film.

Proposed by Councillor Huggins
Seconded by Alderman Fielding

- To recommend that Corporate Policy and Resources Committee reduce the filming fees by 50% subject to receiving Public Liability Insurance due to the conjunction with The Wave Project.

The Chair put the motion to the vote.
4 Members voted For, 0 Members voted Against, 3 members Abstained
The Chair declared the motion carried

AGREED – to recommend that Corporate Policy and Resources Committee reduce the filming fees by 50% subject to receiving Public Liability Insurance due to the conjunction with The Wave Project.

5.3 Drumsurn Community Centre –Request for Wayleave

Confidential report, previously circulated, was presented by Council Solicitor, Land and Property.

Confidential report 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 the Land & Property Committee of a situation that has developed at the proposed location of the Drumsurn Community Centre project of the Small Settlements Regeneration Programme. The report seeks authorisation from the Committee for Northern Ireland Electricity (NIE) Networks Limited, Wayleave Agreement number 838766 and for authorisation of the NIE Networks Landowner Indemnity Form.

Background

Further information provided within the report.

Proposals

Northern Ireland Electricity (NIE) have advised the Capital Projects team that the existing electricity supply, that was connected to the old portacabin, is not sufficient to meet the new demand and a new supply will be required. This will involve the laying of underground electrical cables along the line shown dashed in red on the attached drawings at Annex B (circulated).

NIE has requested that a Wayleave be granted by Causeway Coast and Glens Borough Council for the laying of the new electric cables. Legal Services has been consulted and legal advice provided.

Options

- 5.1 Refuse the request from Northern Ireland Electricity (NIE) Networks Limited, for Wayleave Agreement number 838766 and the signing of the NIE Networks Landowner Indemnity Form.
- 5.2 Approve the request from Northern Ireland Electricity (NIE) Networks Limited, for Wayleave Agreement number 838766, and the signing of the NIE Networks Landowner Indemnity Form, subject to the following guidance:-
 - (a) Ministerial approval under the Local Government Act (Northern Ireland) 1972, Section 96: Acquisition, etc., of land.
 - (b) LG Circular 21/2020 – Guidance for District Councils – Local Government Disposal of Land at less Than Best Price.

Recommendation

It is recommended that the Land and Property Committee considers the options at 5.1 and 5.2 as detailed below and makes a recommendation to Corporate Policy and Resources.

Refuse the request from Northern Ireland Electricity (NIE) Networks Limited, for Wayleave Agreement number 838766, and the signing of the NIE Networks Landowner Indemnity Form.

Approve the request from Northern Ireland Electricity (NIE) Networks Limited, for Wayleave Agreement number 838766, and the signing of the NIE Networks Landowner Indemnity Form, subject to:

- (a) Ministerial approval under the Local Government Act (Northern Ireland) 1972, Section 96: Acquisition, etc., of land.
- (b) LG Circular 21/2020 – Guidance for District Councils – Local Government Disposal of Land at less Than Best Price.

In response to questions, the Council Solicitor, Land and Property, explained that the long-term burden on Council was that the cabling is a permanent fixture, and it is to the benefit of Council.

Proposed by Alderman Knight McQuillan
Seconded by Alderman Fielding and

AGREED – to recommend that Corporate Policy and Resources Committee approve Option 5.2 – Approve the request from Northern Ireland Electricity (NIE) Networks Limited, for Wayleave Agreement number 838766, and the signing of the NIE Networks Landowner Indemnity Form, subject to:

- (a) Ministerial approval under the Local Government Act (Northern Ireland) 1972, Section 96: Acquisition, etc., of land.
- (b) LG Circular 21/2020 – Guidance for District Councils – Local Government Disposal of Land at less Than Best Price.

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

6.1 Requests to Purchase Council Land – Quarterly Update

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

Confidential report by virtue of paragraphs 1-3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Purpose of Report

The purpose of this report is to update the Sub-Committee regarding the current 3rd party requests to purchase Council Land received by the Land & Property section.

Background

In June 2023 a report was presented to the Land & Property Sub-Committee (L&P SC) detailing the current 3rd party requests to purchase Council land. Members were advised that all requests have been registered, acknowledged and applicants advised of the approximate timescale for consideration.

Before any third-party purchases are progressed the applicant must agree to cover all valuation, legal and outlay costs in connection with the purchase. If no agreement is received from the applicant, L&P will give a deadline for agreement and close the application if the deadline is not met.

Given the limited resources within the Land and Property section, only third-party land sales to rectify encroachments on Council land or provide a wider benefit to the community have been progressed. These sales have already been agreed via the Land and Property Sub-Committee.

Proposals

A table listing the current 3rd party requests to purchase Council land as of 31st August 2024 is attached at Appendix A (circulated) for reference.

The Land and Property section will continue deal with the 3rd party requests to purchase Council land as agreed by Council in June 2023 and all other requests will be put on hold as per the June 2024 Council decision as detailed at paragraph 2.6 of the report.

The next quarterly report is due to be presented to the Land and Property Sub Committee in January 2025.

Recommendation

It is recommended that the Sub Committee notes the information provided in the report.

In response to questions, the Land and Property Officer provided further detail on the legacy request to purchase Council Land. The Land and Property Officer confirmed that the requests to purchase Council land detailed within the report are all the requests received at present.

AGREED – To recommend that Corporate Policy and Resources Committee note the report.

6.2 Coleraine, Laurel Hill – Updated valuation

The Committee Clerk was informed prior to the start of the meeting that this item had been withdrawn.

7. LEASES AND LICENCES

7.1 Leases and Licenses – Renewal of Commercial Leases - Quarterly Update

Confidential report, previously circulated, was presented by the Assistant Land and Property Officer.

Confidential report 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 provide a quarterly update to the Sub-Committee regarding the progress of the renewal of Council's commercial leases.

Background

In June 2021 the Sub-Committee was advised that the Land and Property section had commenced a review of all outstanding leases renewals and rent reviews.

Proposals

Proposals were circulated within the confidential report.

A further quarterly update will be brought to the Land & Property Sub-Committee in January 2024.

Recommendation

It is recommended that the Sub-Committee notes the quarterly update presented on the renewal/review of commercial leases.

There were no questions for the Officer.

AGREED - To recommend that Corporate Policy and Resources Committee note the report.

7.2 Portballintrae, Extension to Leases – NIAO Correspondence

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

Confidential report 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 the Land and Property Sub-Committee of correspondence received from the Northern Ireland Audit Office (NIAO) regarding the tenant's requests to extend the term of the existing leases for land at Bay Head Road (Ref 01/23P) and Seaport Avenue, (Ref 02/23P) Portballintrae.

Background

Further detail was circulated within the confidential report.

NIAO Correspondence

Further detail was circulated within the confidential report.

Issues Identified by NIAO were circulated within the confidential report.

Next Steps

A draft report detailing the request from the tenant to extend the 2 leases as detailed at paragraph 2.3 of this report and addressing the issues raised by NIAO will be sent to the NIAO and the Department for Communities (DFC) for comment prior to a decision by Council.

On receipt of any advice or comment from NIAO/DFC a further report will be brought back to the L&P SC for consideration.

Recommendation

It is recommended that the Sub-Committee notes the information in the report and awaits a further report containing any advice or comment from NIAO and DfC concerning the issues raised and the responses provided to NIAO and any guidance or comment on how this matter may be progressed.

In response to questions the Council Solicitor, Land and Property, provided clarity on the process Council has gone through and confirmed Council policy and procedures were followed and all options were considered regarding extending the lease. Council Solicitor, Land and Property, confirmed information will be provided to the Department for Communities and Council will seek guidance on how to proceed. Council Solicitor, Land and Property, confirmed the length of lease currently being offered by Council.

The Land and Property Officer confirmed the Northern Ireland Audit Office involved the Department for Communities and all information will be shared with the Department for Communities. The Land and Property Officer confirmed all queries raised by the Northern Ireland Audit Office have been answered and this report is to provide an update to Elected Members.

The Director of Corporate Services advised she has confirmed with the Northern Ireland Audit Office that information would be presented to the Sub Committee at this meeting providing an update.

AGREED - To recommend that Corporate Policy and Resources Committee note the report.

7.3 Cushendall, Red Bay Pier - New Crown Estates Lease

The Chair advised this item was withdrawn from the Agenda.

7.4 Portrush, Lansdowne Shelter – Request to extend Leased Area

The advised this item was withdrawn from the Agenda.

8. LEGAL ISSUES

8.1 Council Title and First Registration – Quarterly Update

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

Confidential report by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Purpose of Report

To provide the Land and Property Sub-Committee with Council Title and First Registration update following the initial report presented to Committee on 5th May 2021, quarterly updates thereafter, and the up-to-date position as of 21st August 2024. Summary attached at Appendix 1 (circulated) for reference.

Recommendation

It is recommended that Council note the Quarterly Progress Report as at 21st August and associated Appendix (circulated).

There were no questions for the Officer.

AGREED - To recommend that Corporate Policy and Resources Committee note the report.

8.2 Ballymoney, Adoption of Access from Townhead Street Car Park - Update

Confidential report, previously circulated, was presented by Council Solicitor, Land and Property.

Confidential report by virtue of paragraph(s) 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014

Purpose of Report

A Notice of Motion was referred from the Council Meeting 1st November 2022 to Land and Property Sub-Committee:

Notice of Motion Proposed by Councillor Storey, Seconded by Alderman McLean referred from Council Meeting 1st November 2023 – That Causeway Coast and Glens Borough Council adopts the access from Townhead Street car park onto Eastermeade Gardens.

The Notice of Motion was heard at the Land and Property Sub-Committee meeting held 1st February 2023 where it was AGREED – to recommend that Council refer the Notice of Motion to Corporate Policy and Resources Committee for further discussion.

The Notice of Motion was heard at the Corporate Policy and Resources Committee meeting held 28th February 2023 where it was AGREED – to recommend that Council refer the matter to the Land and Property Sub-Committee for further investigative work. Decision was ratified at the Council meeting on 7th March 2023.

The matter was presented to the Land and Property Sub Committee on 20th March 2023 where it was AGREED - To recommend that Council defer a decision until further investigation regarding the ownership of the laneway is carried out and the results of the further investigation are brought back to the Land and Property Sub Committee

The matter was presented to the Land and Property Sub Committee on 4th October 2023 where it was AGREED - that Council adopt ownership of this laneway by means of an application for a Vesting Order through Land and Property Services (LPS) with the caveat that capital cost of Vesting be considered before any final decision is taken, Report Attached at Appendix A (circulated).

Options

- 4.1 Adopt ownership of this laneway by means of an application for a Vesting Order through Land and Property Services (LPS).
- 4.2 Adopt ownership by First Registration of the 1924 Deed of Conveyance.
- 4.3 Do not proceed with a Vesting Order/First Registration or agree to any maintenance or repair of the laneway.

Recommendation

It is recommended that the Sub-Committee consider the options presented at 4.1 to 4.3 as detailed below and make a recommendation to Council.

- 4.1 Adopt ownership of this laneway by means of an application for a Vesting Order through Land and Property Services (LPS).
- 4.2 Adopt ownership by First Registration of the 1924 Deed of Conveyance.
- 4.3 Do not proceed with a Vesting Order/First Registration or agree to any maintenance or repair of the laneway.

In response to questions, Council Solicitor, Land and Property, provided clarity on parameters of the laneway and ownership of other land within the vicinity. Council Solicitor, Land and Property, confirmed the easiest way to adopt ownership is by First Registration.

Proposed by Councillor Kane
Seconded by Councillor Huggins and

AGREED – to recommend that Corporate Policy and Resources Committee approve Option 4.2 - adopt ownership by First Registration of the 1924 Deed of Conveyance and to complete repairs on completion of the adoption of the laneway.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Councillor Huggins
Seconded by Councillor Kane and

AGREED – to recommend that Corporate Policy and Resources Committee move ‘*In Public*’.

The Chair informed the Sub Committee that the Land and Property Officer is retiring, and this is her last meeting. The Chair paid tribute to the Land and

Property Officer stating she was the workforce behind the reports and has left a legacy. The Chair thanked the Land and Property Officer for all her hard work.

The Land and Property Officer thanked the Chair for her kind words. The Land and Property Officer stated that she has enjoyed her time in Land and Property and that all the work done in this section is a team effort. The Land and Property Officer thanked Elected Members for their support and wished them every success in the future.

Councillor McShane concurred with the Chair's comments and expressed her shock at hearing of the Land and Property Officers retirement. Councillor McShane stated this is one of the nicer groups to work with and this had a lot to do with the Land and Property Officer. Councillor McShane wished the Land and Property Officer a long, happy and healthy retirement.

Councillor Nicholl stated he was sorry to hear of the Land and Property Officer's retirement. Councillor Nicholl reflected on his experience of working with the Land and Property Officer in Council and wished her all the best in her retirement.

There being no further business, the Chair thanked everyone for their attendance and the meeting closed at 9:05pm.

Chair