

<b>Title of Report:</b>	<b>Lands at Churchtown Road, Garvagh</b>
<b>Committee Report Submitted To:</b>	Leisure & Development Committee
<b>Date of Meeting:</b>	17 September 2024
<b>For Decision or For Information</b>	For Decision
<b>To be discussed In Committee</b>	<b>NO</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Protecting and Enhancing our Environments and Assets Resilient, Healthy and Engaging Communities
Outcome	Improved access to our natural environment. Development of visitor economy and health and wellbeing opportunities.
Lead Officer	Head of Tourism & Recreation Coast and Countryside Manager

<b>Budgetary Considerations</b>	
Cost of Proposal	Staff time involved
Included in Current Year Estimates	<b>YES/NO</b>
Capital/Revenue	Revenue
Code	
Staffing Costs	Existing budget

<b>Legal Considerations</b>	
Input of Legal Services Required	<b>YES/NO</b>
Legal Opinion Obtained	<b>YES/NO</b>

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

## **1.0 Purpose of Report**

**The purpose of this report is to update Members on the proposed acquisition by Council of lands at Churchtown Road, Garvagh.**

## **2.0 Background**

At the Leisure and Development Committee meeting in October 2022, it was recommended that Council acquire the lands at Churchtown Road, Garvagh from Department for Infrastructure for consideration as an asset to be placed under the Tourism and Recreation remit to complement the adjacent Garvagh Forest Trails.

Upon completion of a valuation this proposal was approved by Council's Land & Property Subcommittee in June 2023 and subsequently by Corporate Policy and Resources Committee.

## **3.0 Update**

The Department for Infrastructure contacted Council in June 2024 to advise that the Departmental Solicitor's Office had confirmed that the land was acquired by the department by way of a vesting order.

As with all surplus Government Land and Property, the disposal must be in accordance with the 'Disposal of Surplus Public Sector Property in Northern Ireland' guidance as set out by Land & Property Services. Under the guidelines, this land is subject to the Land Clauses Consolidation Act 1845. The department is obliged to first offer the land to the person who has a pre-emptive right. Department for Infrastructure has confirmed that the individual with the pre-emptive right has expressed an interest in buying the land.

Subsequently Department for Infrastructure is withdrawing from the sale of this land to the council.

The Department has indicated that if Council wishes to engage directly with the successor in title, they will ask for permission from the successor to pass on their contact details once sale is agreed.

## **4.0 Options**

Option 1 - Accept the withdrawal from the sale of the land and discontinue with the proposal.

Option 2 – Advise the Department Council wishes to engage directly with successor in title to establish if they wish to sell lands to Council.

## **5.0 Recommendation**

It is recommended that the Leisure & Development Committee recommends to Council to agree to Option 2 - Advise the Department Council wishes to engage directly with successor in title to establish if they wish to sell lands to Council.