

**MINUTES OF THE MEETING OF THE
LAND AND PROPERTY SUB-COMMITTEE
HELD IN THE BANN VIEW COMMITTEE ROOM, CIVIC HEADQUARTERS
WEDNESDAY 9 JANUARY 2019 AT 7:00 PM**

- Chair** : Councillor Knight-McQuillan
- Present** : Alderman Hillis, Councillors Baird, Fielding,
McCorkell, C McShane and Quigley
- Officers Present** : M Quinn, Director of Corporate Services
P Donaghy, Democratic & Central Services
Manager
D McLaughlin, Land and Property Officer
C McKeary, Planning Officer
R Baker, Director of Leisure and Development
(Item 4 246/18)
M O'Brien, Sports and Community Facilities Manager
- Non Sub-Committee
Members Present** : Councillor P McShane
- In attendance** : **Northern Regional College**
Mr Mel Higgins, Chief Operating Officer
& Mr Mark Lennox, Head of Estates

1. APOLOGIES

Councillor K Mulholland.

2. DECLARATIONS OF INTEREST

No declarations of interest were recorded.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor Fielding

Seconded by Councillor Joan Baird

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

3. PRESENTATION – NORTHERN REGIONAL COLLEGE

The Chair welcomed Mel Higgins, Chief Operating Officer and Mark Lennox, Head of Estates, from Northern Regional College to the meeting. The Chair advised Members that the item was for information and that no decision on the matter would be taken at the meeting. Officers will compile a report for consideration at the Sub-Committee's February meeting.

A powerpoint presentation was tabled and presented at the meeting by the representatives from the Northern Regional College. 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:

The request previously considered by the Sub-Committee to re-establish access to Anderson Park and;

Temporary request to use a number of spaces in the Bowling Green Car Park in the academic year 2019/20.

Following questions from Members in respect of the College's development plans and the requests for access to and use of Council land the Chair thanked the representatives for attending and providing a comprehensive and useful presentation which had provided Members to with valuable background information and detail which would inform its consideration of the matter.

4. 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

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 2 and 3, previously circulated are noted.

4.1 246/18 East Strand Car Park Portrush

The Director of Leisure & Development attended to present the request to use Council land for an outdoor music event at East Strand Car Park, Portrush on the 9th, 10th and 11th of August 2019.

The Director offered two recommendations for the Sub-Committee's consideration:

- a) Members agree in principle subject to facilitation/agreement by Royal & Ancient (R&A) organisers of the 2019 Open who have already been granted the use of the land or;
- b) Defer consideration of the request to February's Sub-Committee meeting pending confirmation of agreement from R&A.

The Director provided Members with a short video to demonstrate the scale and nature of the event which has taken place at other locations. He confirmed that the site would be required for 3 days to allow for set up and take down.

*Councillor Quigley joined the meeting at 7.40pm.

Members raised issues regarding charging for the use of the land speaking for and against charging. Members pointed out the benefit to the area in terms of visitors, overnight stays. Other Members felt that charging would be appropriate and consistent with charging for use of Council land by other companies. The Director of Corporate Services confirmed that charges for the use of land had been applied for filming where a legacy Council charging policy had existed. Members also raised the input of Council's events team expressing the view that Council's events team should not be expected to provide support in any way to an event of this nature. Members also raised concerns regarding restricting access to public space, noise issues and the application for grant funding being made by the organisers. The

Director confirmed that the organisers would have to demonstrate that the event was not profit-making.

Following further discussion it was

Proposed by Councillor Baird
Seconded by Councillor McCorkell

To recommend that Council agrees to grant permission for the use of Council land at East Strand Car Park on 9th, 10th, 11th August 2019 for an outdoor music event subject to R&A agreeing access.

Amendment
Proposed by Councillor Quigley
Seconded by Councillor McShane

To recommend that Council agrees to grant permission for the use of Council land at East Strand Car Park on 9th, 10th, 11th August 2019 for an outdoor music event subject to R&A agreeing access and that a charge is applied for the use of the land.

The Chair put the amendment to the vote.

2 Members voted for, 3 Members voted against and 1 Member abstained.

The Chair declared the amendment lost.

The Chair put the substantive motion to the vote (To recommend that Council agrees to grant permission for the use of Council land at East Strand Car Park on 9th, 10th, 11th August 2019 for an outdoor music event subject to R&A agreeing access.)

3 Members voted for, 2 Members voted against and 1 Member abstained.

The Chair declared the motion carried.

4.2 227/18 Council Land at the Crescent Portstewart

The Director of Corporate Services provided Members with details of the request which sought permission to use Council's land for a private wedding reception over a four day period in July or August 2019. She further advised Members of the issues raised by officers during the consultation process. The Director also advised Members that as other

events take place during July and August 4 consecutive days were not available.

Following consideration of the issues raised Members:

AGREED – to recommend that Council refuses permission for the use of Council Land at the Crescent Portrush for a private wedding reception over a four day period in July or August 2019.

4.3 247/18 The Green at the seafront, Marina, Ballycastle

Councillor Baird sought clarification on the times requested and the type of amplification being used.

Officers confirmed that times were 8.30pm – 9.30pm and that a portable amplifier would be used.

4.3 Approval of Requests to use Council Land

AGREED – to recommend that the requests listed in Appendix 1 as 232/18; 250/18; 251/18 and 247/18 are approved.

AGREED – to recommend that Council notes the requests at Appendix 2 and 3.

The Sub-Committee noted that event at Appendix 3 242/18 had proceeded without Council's permission. The organisers have since confirmed that future events will follow the Use of Council Land process and that the appropriate level of public liability insurance, £10million, will be in place.

“Councillor Baird left the meeting at 8.30pm.

5. LEASES/LICENCES

5.1 Ref 12/18/P – Trustees of Cairns Residents' Group – Extension of Lease at Cairns Play Area, Cushendall

The Director of Corporate Services presented a report, previously circulated, detailing request received from Trustees of Cairns Residents' Group for extension of lease at Cairns Play Area, Cushendall.

Moyle District Council granted an eight year lease in August 2012 for a plot of land known as Cairns Play Area at Cairns, Cushendall, Co Antrim to the Trustees of Cairns Resident Group (the “tenant).

The lease permitted the tenant to use the land as an allotment garden at a yearly rent of 5 pence.

The lease will expire in August 2020 and as the tenant hopes to apply for funding for future projects, there is a requirement for a longer term lease to be in place.

A request has been submitted by the tenant to extend the existing lease by a minimum of ten years to enable the group to continue with their work in the community and to apply for future funding.

The request has gone out for consultation to the relevant Council Officers who have no objection to the lease being renewed and have not identified any future use of the land by Council.

It is recommended - that the Council agree to an extension of the current lease to the Trustees of Cairns Residents' Group for the plot of land known as Cairns Play area, Cushendall for a further ten years under the same terms and conditions.

The Planning Officer advised Members of a planning issue in relation to the allotments at the land. Members noted the matters and requested that officers liaise with the Community Association to provide guidance in relation to the issue.

AGREED – to recommend that the Council agree to an extension of the current lease to the Trustees of Cairns Residents' Group for the plot of land known as Cairns Play area, Cushendall for a further ten years under the same terms and conditions.

6. CORRESPONDENCE

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

Correspondence has been received advising Council that DfI Roads is proposing to remove a taxi rank adjacent to O'Hara Court on the Coleraine Road, Portstewart.

The Department is seeking any comments Council may wish to make regarding this proposal before proceeding with the revoking of the appropriate legislation.

The Sub-Committee noted the correspondence and it was agreed that officers respond seeking the reason for the removal of the taxi rank at the location.

6.2 Ref 20/18/P: Education Authority – Council Land adjacent to Macosquin Primary School

The Education Authority has submitted an “Expression of Interest” in acquiring Council land adjacent to Macosquin Primary School known as Macosquin Playing Fields to enhance car-parking facilities at the school. The request is submitted on a “Without Prejudice “basis.

Permission is being sought by the Authority to conduct some technical studies on the land to provide options for a feasibility study. The land has been designated as a site of archaeological significance by the Historic Environment Division (HED) and as such requires an archaeologist to be on site during any excavation or works.

The Sub Committee is asked to consider the request from the Education Authority to grant permission for the technical studies to be carried out on Council land at Macosquin Playing Fields with an archaeologist in attendance.

Members discussed the request and the possibility of a site meeting at the location.

Following the information provided by the Planning Officer in relation to PPS 8 it was:

AGREED: To recommend that officers contact the Education Authority in relation to the planning issue raised.

Proposed by Councillor McCorkell
Seconded by Councillor Quigley

To continue the business ‘out of committee’.

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

The meeting concluded at 8:50 pm.