

**LAND AND PROPERTY SUB-COMMITTEE MEETING
WEDNESDAY 5 MAY 2021**

No	Item	Summary of Key Recommendations
1.	Apologies	<i>Councillor C McShane</i>
2.	Declarations of Interest	<i>None</i>
	'In Committee' Items 3 to 14 inclusive	
3.	Minutes of Previous Meeting held on 3 rd March 2021	<i>Confirmed</i>
4.	Requests for Use of Council Land	
4.1	Schedule of Requests	<i>As noted</i>
4.2	Ref 87/20 – Portstewart, The Crescent – Restoration of Biblical Text	<i>Defer to next meeting</i>
5.	The Crescent, Portstewart – Lease Submissions Report	<i>Approve</i>
6.	Laurel Hill Site, Coleraine – Potential/Disposal Report	<i>Approve</i>
7.	Magilligan Ferry Terminal – Disposal Update	<i>Approve</i>
8.	Coleraine Market Yard	<i>Defer to May Corporate Policy & Resources meeting and report to include a further option for use of site as a car park</i>

9.	Title to Council Buildings NIAO Financial Statements	<i>Approve recruitment of additional land and property staff</i>
10.	Waterworld – Title Review	<i>Note</i>
11.	Requests to Purchase/Dispose of Council Land/Property	
11.1	Disposal Former Dungiven Sports Pavilion – Ongoing Maintenance and Repair of Roadway within site	<i>That the site is sold in its entirety including the full road way and Council agrees to maintain that part of the road way which services the Council amenity site</i>
11.2	Coleraine Town Hall	<i>Council Enter into a Deed of Conveyance with The Right Honourable The Irish Society for the Transfer of Coleraine Town Hall.</i>
12.	Leases/Licences	
12.1	Portrush, Lansdowne Shelter – Lease Heads of Terms	<i>Approve Heads of Terms</i>
13.	Correspondence	
13.1	DfI Correspondence Main Street Car Park Dungiven Ref No 396 and Bridge Street Car Park, Kilrea Ref No 207	<i>Agree to the transfer of the additional lands at Main Street Car Park, Dungiven Schedule Ref No 396 and Bridge Street Car Park Schedule Ref No 207.</i>

**MINUTES OF THE MEETING OF THE
LAND AND PROPERTY SUB-COMMITTEE MEETING
HELD VIA VIDEO-CONFERENCE ON
WEDNESDAY 5 MAY 2021 at 7.00PM**

- Chair:** Councillor Knight-McQuillan (R)
- Present:** Alderman Baird (R), Fielding (R), Hillis (R)
Councillors Beattie (R), McGurk (R), McLean (R)
- Officers Present:** M Quinn, Director of Corporate Services (R)
J Richardson, Head of Capital Projects, Energy & Infrastructure (R)
J Mills, Land and Property Solicitor (R)
D McLaughlin, Land and Property Officer (R)
(J Keen, Corporate Support Assistant) (R)

Key (R) = Remote attendance

1. APOLOGIES

Councillor C McShane.

2. DECLARATIONS OF INTEREST

None.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Alderman Baird
Seconded by Councillor McGurk 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.

3. MINUTES OF LAND AND PROPERTY SUB COMMITTEE MEETING HELD ON 3 MARCH 2021

Summary minute, previously circulated.

The minutes of the previous meeting held on 3rd March 2021 were confirmed as a correct record.

4. REQUESTS FOR USE OF COUNCIL LAND

4.1 SCHEDULE OF REQUESTS

There are 5 new requests for the Sub-Committee to consider. The requests are summarised in the table below and an addendum agreed to be presented by the Sub-Committee, Ref 08/21 Request from Coleraine Festival Committee to locate 2 NI100 Mosaics on Council land. Further details presented below.

Further information including maps and photographs will be made available at the meeting.

There is 1 rescheduled event listed for information. The report is was previously circulated as Appendix 2 and detailed below.

There are 16 retrospective events for the Sub-Committee to note. The report was previously circulated as Appendix 3.

Issues for Consideration

The following factors should be 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 Appendices 1 and (noted in the table below) 2 are considered and recommendation made.

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

Ref	Date	Location	Detail	Officer Recommendation
114/20	30th and 31st July 2021	Limepark Playing Fields, Drones Road, Armoy,	Correspondence received from Armoy Motorcycle Road Racing Club (AMRRC) to use Council land at Limepark playing Fields, Drones Road, Armoy, for a designated emergency landing area for the air ambulance helicopter on 30th and 31st July 2021.	For Approval
112/20	Dates tbc – initially requested from approx April – October 2021	Rasharkin Community Centre Car Park	A request from Combined Facilities Management Ltd to use Council land at Rasharkin Community Centre Car Park to aid the External Cyclical Maintenance Work Scheme on behalf of NIHE to site containers, skips and a Portakabin. Dates tbc - initially requested from April – October 2021 The area is anticipated to be used for approximately 6 months. 3 sub-contractors, 20 men.	For Decision
05/21	5th, 15th, 19th and 22nd of May 2021 8.15 to 10am	Portstewart Harbour	A request from Causeway Coast Foodie Tours to use Council land at Portstewart Harbour for their “Catch and Sea Portstewart” event on the 5th, 15th, 19th and 22nd of May 2021	For Decision
107/20	11th to 17th May 2021 Set up 11th Filming 13th/14th Use of car park for up to 10 spaces up until the 17th	Ballintoy Harbour Car park	A request from August Street Films to use Council land at Ballintoy Harbour Car park for filming purposes from 11th to 17th of May 2021.	For Approval
113/20	22nd of May 2021	Waterfoot car park and Quay Road car park	A request from We Run Wild Ni Ltd to use Council land at the Waterfoot car park and Quay Road car park as start and finish points to aid the Ultra Running Event on the 22nd of May 2021.	For Decision
Addendum request 08/21	May to August 2021 approximately	Land south of the tennis courts at Millburn Road Coleraine and	A request from Coleraine Festival Committee to place 2 NI 100 Mosaics on Council land as part of NI 100 centenary for a period of approximately 3 months.	For Decision

Ref	Date	Location	Detail	Officer Recommendation
		within Anderson Park Coleraine		

Following discussion on the requests the following recommendations were made:

Ref: 112/20 Combined Facilities Management Ltd to use Council land at Rasharkin Community Centre Car Park

Proposed by Councillor McGurk
Seconded by Councillor McLean and

AGREED - to recommend that the following conditions are met: a bond of £5,000, cost recovery in the event of any damage caused to the car park, fee determined by valuation for the use of the car park with costs being met by the applicant, site to be inspected by Council's Estates Team pre and post use of the car park and the car park to be still available to community and community centre users. Evidence of planning permission also provided for use of the proposed compound.

Ref: 05/21 Causeway Coast Foodie Tours to use Council land at The Harbour, Portstewart

Following discussion on the request it was

Proposed by Alderman Baird
Seconded by Councillor McGurk and

AGREED – to recommend that the request from Causeway Coast FoodieTours to use Council land at Portstewart Harbour for their “Catch and Sea Portstewart” event on the 5th, 15th, 19th and 22nd of May 2021 is refused.

Ref: 113/20 A request from We Run Wild NI Ltd to use Council land at the Waterfoot car park and Quay Road car park as start and finish points to aid the Ultra Running Event on the 22nd of May 2021

AGREED - to recommend that a fee is charged for the event.

Ref: 08/21 A request from Coleraine Festival Committee to use Council land at Millburn Road and Anderson Park, Coleraine

AGREED – to recommend that approval is granted in principle, subject to the submission of all required documentation, evidence of planning permission and satisfactory completion of internal consultation and confirmation of Council's ownership of the land.

It was further **AGREED** - to recommend that the requests noted in the table above Ref 114/20, 107/20 are approved.

Appendix 2, Ref: 140/19 – Panoramic Wheel Company Limited Use of Council Land at The Crescent Portstewart 2021 Summer Season

The Land and Property Officer presented the for information report (Appendix 2), previously circulated and advised that the company had confirmed the dates for occupying the site; arriving on site on 22nd June 2021 and vacating the site on 6th September 2021.

Members **AGREED** – to note the update provided in relation to 140/19.

It was also **AGREED** - to note the requests as detailed in Appendix 3 Retrospective Requests to use Council land and

109/20 Native Seafood use of Council land at The Marina Car Park, Coleraine

It was proposed by Councillor McLean
Seconded by Councillor McGurk and

AGREED - to recommend that it is noted that the submission of documentation in relation to the use of Council land remains outstanding at the date of the sub-committee meeting and therefore correspondence is to be issued to the occupiers by Council's Legal Department.

100/20 Request from Event Junkies to use Council land on 19th March at Ballintoy and Ballycastle Harbours and 22nd March at Benone Beach to film on behalf of Tourism NI.

It was proposed by Councillor McGurk
Seconded by Councillor McLean and

AGREED - to recommend that the fee is waived.

108/20 Request from Cinecopters, Merlin Productions and Tourism NI

It was proposed by Alderman Baird
Seconded by Alderman Hillis and

AGREED - to recommend that fee is waived.

4.2 REINSTATMENT OF BIBLICAL TEXT AT THE CRESCENT PORTSTEWART

The Director of Corporate Services presented the report, previously circulated.

The Director advised that the purpose of the report was to present a request from an individual to repaint biblical scripture on the sea wall at The Crescent, Portstewart, Ref No 87/20.

In 2018 Council approved, as landowner, a request (ref No 20/18) from a private individual to repaint existing biblical script on a section of the sea wall located at The Crescent, Portstewart subject to conditions including planning requirements. Following the Council decision and planning approval the text was repainted. Planning approval was granted for the following text to be repainted:

“THE SEA IS HIS AND HE MADE IT PSALMS 95:5
ETERNITY? YE MUST BE BORN AGAIN JOHN 3:7 CHRIST
DIED FOR US ROMANS 5:8”

Prior to repainting in 2018, the text was not clearly visible due to the passage of time. Following the repainting of the text Council received a number of complaints which were summarized in Appendix 1. The complaints raised issues of equality, good relations and negative impact in a tourist destination.

A new request has been received from the same private individual to repaint the text again. Images of the text were provided in Appendix 2 which show the wall over time. While this is a repeat request for which approval was previously granted new information is now available which bears on the previous decision.

In 2018 an equality screening was not carried out as, at that time, it was considered that it was not required as a new policy decision was not being made given that the script had been on the sea wall for a considerable period of time. The repainting of the text made it more visible and this in turn led to complaints from members of the public.

Officers have sought advice and it has been confirmed that equality screening will need to be carried out on the request particularly in light of the complaints already received. A draft plan to achieve the screening requirements needed was attached at Appendix 3. Members will note that screening will include full public consultation. This will have a resource implication on the Land and Property Team.

The individual met the costs of repainting, materials and the required planning costs in 2018. There will be no cost to Council for this element of the request.

Officer consultation has taken place and the comments received were summarized at Appendix 4. Members are asked to note particularly the comments in relation to Health and Safety. All those who request to use Council land are required to submit evidence of Public Liability Insurance, however, the risk to safety is highlighted.

It is recommended that the request to repaint the biblical text on the Sea Wall at The Crescent Portstewart is considered by the sub-Committee and a recommendation made.

During discussion Members sought clarification in relation to the costs of equality screening and asked for further information on this to be brought back and also requested that further advice is sought in relation to Council's statutory obligations in relation to equality considerations.

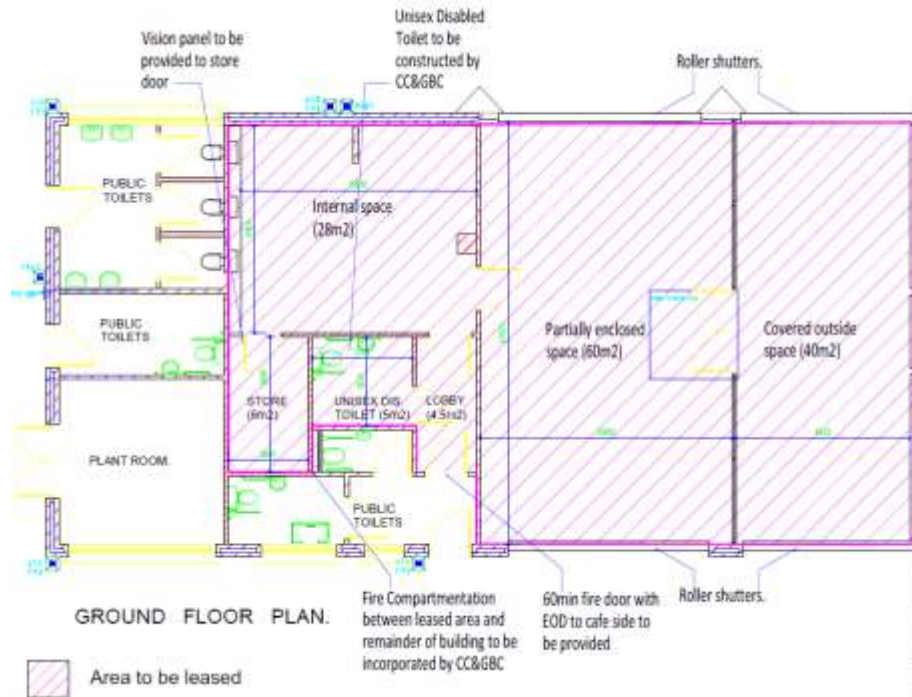
Proposed by Alderman Baird
Seconded by Alderman Hillis and

AGREED: to recommend that the request is deferred to the next meeting of the Sub-Committee when further information on screening and equality considerations will be available.

5. THE CRESCENT, PORTSTEWART – LEASE SUBMISSIONS REPORT

The Head of Capital Projects, Energy & Infrastructure presented the report, previously circulated.

In November 2020 Members previously agreed to seek public expressions of interest to lease the vacant building/café at the Crescent, Portstewart which was identified as an opportunity for asset realisation. A portion of the building provides public toilets; however, the remainder of the building has been vacant since the termination of a previous lease for a café/amusements. The lease is for the vacant part of the building (see hatched area below) to realise the potential of the asset and to generate revenue.



A single stage tender process was implemented with an advertisement in local media on w/c 22nd February 2021 informing bidders how to request ITT documents. Three bids were received by the return date of 12 noon on 16th March 2021. Details of the bids received are provided in the table below:

Company Name	Proposed Lease Period	Intended Use	Annual Tendered Amount
1	1 year	Nitro Ice Cream Pop-up	£ 6,150.00
2	3 years	Hot food takeaway with outside seating	£ 10,500.00
3	5 years +	Fresh fish and seafood shop/deli	£ 11,100.00

Due to Covid-19 restrictions, the tender assessment was undertaken remotely and moderation of the scores was done via Microsoft Teams. The Assessment Panel consisted of Council staff panel members. The administrative/compliance items of all submissions were assessed to identify any necessary clarifications.

The outline lease terms detailed in the ITT documents were as follows:

- 1) Lease term negotiable

- 2) Leased on a full repair and insurance basis, inclusive of rates (external envelope responsibility of Council).
- 3) External fabric of building to be insured by Council.
- 4) Tenant will have full responsibility for Electrical, Water and Rate charges, or any other relevant statutory charges to operate the facility.

To permit this portion of the building to be leased as a commercial premises, upgrade works are necessary to ensure compliance with the Building Regulations and Environmental Health Legislation. These works include but are not limited to:

- Conversion of two existing WC's into a unisex disabled toilet
- Compartmentation of the leased area and the remainder of the building
- Other minor works

Council's Quantity Surveyor was appointed to prepare a cost estimate for this work and has calculated that it will cost approximately £11,600.00 to undertake (see appendix 1 cost estimate attached overleaf).

It is recommended that Members authorise officers to undertake the required enabling works at a costs of £11,600 and proceed with arranging a 5-year lease to Company 3 who submitted the highest annual tender amount of £11,100.00 (exc. VAT).

Proposed by Alderman Fielding
Seconded by Councillor McGurk and

AGREED: to recommend that Members authorise officers to undertake the required enabling works at a costs of £11,600 and proceed with arranging a 5-year lease to Company 3 who submitted the highest annual tender amount of £11,100.00 (exc. VAT), subject to issues in relation to the successful bidder's use of other Council land Ref 109/20 being resolved to Council's satisfaction.

6. LAUREL HILL SITE, COLERAINE – POTENTIAL/DISPOSAL REPORT

The Head of Capital Projects, Energy & Infrastructure presented the report, previously circulated.

Laurel Hill has been in Council possession since 1979 and is currently zoned for housing in the Northern Area Plan – Zoning CEH 55. A map was previously circulated detailing the site ownership. (Appendix 1). In June 2019 Council previously granted officers permission to investigate and assess the potential of the site and gain an understanding the asset disposal value.

The site is 3.66 hectares (9.04 acres)

The planning zoning detail is shown below;

1. Development shall be in the range of 15 to 25 dwellings per hectare to ensure the character of the area is maintained.
2. A minimum of 14 dwellings shall be provided for social housing.
3. Development shall not be greater than two storeys in height to ensure the character of the area is respected.

The last rent received for the Laurel Hill was from a Conacre Licence Agreement at £550. This licence expired on 30th November 2020 and the site is currently vacant as Land and Property sub-committee agreed in October 2020 not to proceed with the annual Land Lettings for 2021 – due to this analysis and possible disposal. Thus the site has not historically been achieving its full value to Council – given its planning designation.

A detailed analysis has been completed to establish the best monetary potential of the site for disposal valuation. Appendix 2, previously circulated, details one possible site layout with 25 detached, 40 semi-detached & 18 social houses.

A disposal valuation based on the above layout has been completed.

It is recommended that Sub-Committee authorise officers to dispose of the asset via the D1 LPS (Land & Property Services) disposal process and bring subsequent offers to purchase back to committee for consideration.

Proposed by Councillor McLean
Seconded by Councillor McGurk

AGREED - to recommend that Sub-Committee authorise officers to dispose of the asset via the D1 LPS (Land & Property Services) disposal process and bring subsequent offers to purchase back to committee for consideration.

7. MAGILLIGAN FERRY TERMINAL – DISPOSAL UPDATE

The Head of Capital Projects, Energy & Infrastructure presented the confidential report, previously circulated.

He advised that the purpose of the report was to update Members on the result of placing the Magilligan ferry terminal on the market via the

Land and Property Services (LPS) “Disposal of Public Sector Property in NI (D1)” process.

Members declared the asset surplus and recommended its disposal on the 1st Oct 2019 via the D1 process. Officers subsequently commenced disposal proceedings via the above process. The Londonderry Port & Harbour Commissioners (LPHC) are the only organisation who have expressed an interest for the Magilligan Ferry Terminal, through the D1 Internal Market Process.

Members were presented with a report (August 2019) and an appendix which appraised the asset (both current and future) together with the liabilities. For ease of reference the original appendix (1) was previously circulated to Members.

The Head of Service took Members through the remainder of the confidential report and responded to queries.

It is recommended that Members consider the report and associated appendices and grant officers permission to complete due diligence with LPHC to confirm the agreement of asset transfer (with all identified responsibilities outlined above) and report back same for members consideration prior to final asset disposal. Officers will report back the value (if any) regarding the clawback from the IFI in line with the above report for consideration.

Proposed by Alderman Baird
Seconded by Councillor McLean and

AGREED - to recommend that Council grant officers permission to complete due diligence with LPHC to confirm the agreement of asset transfer (with all identified responsibilities outlined above) and report back same for Members’ consideration prior to final asset disposal. Officers will report back the value (if any) regarding the clawback from the IFI in line with the above report for consideration.

It was **FURTHER AGREED** - to release the valuation figure to Land and Property Services.

8. COLERAINE MARKET YARD

The Head of Capital Projects, Energy & Infrastructure presented the report, previously circulated.

Previously Members requested officers to seek expressions of interest to lease the Market Yard, Coleraine. The Market Yard lease was subsequently publically advertised with a close date of the 30th of October 2020.

At the February Land and Property Sub-Committee meeting the results of the tendered lease were brought back to Members, however no credible offers were made for consideration.

Members requested officers investigate an offer to develop Coleraine Market Yard, which was made after the close of the above tender by a local entrepreneur.

Officers have discussed the Members' request with the local businessman to establish further detail - a letter was presented (previously circulated as appendix 1) outlining this detail. The letter does provide detail and acknowledges that an open tender would be required in this process.

Coleraine Business Improvement District CBID have also asked to submit a proposal for Member consideration – which was attached, previously circulated as appendix 2.

Proposals

1. Run another public tender to lease Coleraine Market Yard
2. Dispose of Coleraine Market Yard via D1 (inclusive of added value)
3. Dispose of Coleraine Market yard – via a developmental brief. (L&D to bring a proposal at a later date).
4. Accept or seek further clarification on either of the proposals from CBID or from the local business. (Appendices 1 & 2). These proposals are not recommended as the proposals should be made via an open public tender. Note: it is possible that these options can still be delivered under option 1, 2 or 3.

It is recommended members consider and decide on options 1, 2 or 3 detailed at section 3 of the report and instruct officers on to commence such undertakings.

Following discussion it was

Proposed by Councillor McGurk
Seconded by Alderman Fielding

AGREED – to defer the matter to the Corporate Policy and Resources Committee meeting in May and that a further option be added to the report presented for use of the site as a car park.

9. TITLE TO COUNCIL BUILDINGS NIAO FINANCIAL STATEMENTS

The Director of Corporate Services presented the report, previously circulated.

The Director advised Members that the purpose of the report was to provide Sub-Committee with information on title to Council Buildings in relation to Council's Fixed Asset Schedule and Financial Statements.

On Tuesday 30th March 2021, Council was advised of correspondence received earlier that day from Northern Ireland Audit Office (NIAO). A copy of the correspondence was contained with the report, previously circulated.

The Director advised that following receipt of the NIAO correspondence an internal review of title and registration was carried out, using the Fixed Asset schedule (NBV of £201 million as at 31st March 2020). In terms of **title**, 89.83% to title is confirmed (£181 million), with 10.17% unconfirmed (£20 million). Of the unconfirmed title, this includes the following - Transfer of Car Parks from DFI accounts for 5.53%, with Council Land/Buildings 2.93% Partial Title 1.69% with 0.02% "Other"

It is anticipated, that with current resources, it is likely to take approximately 3-5 years to deal with the title and registration issues, not taking account of encroachment and boundary issues, which need to be dealt with post registration.

As part of the first registration process, title needs to be checked, re-mapped and checked by GIS, and for more complicated issues, full internal officer consultation and an architect/surveyor needs to physically survey the sites.

Alongside title and first registration, the Land and Property team are currently dealing with the following: Requests to use Council land, Leases and Licenses, Commercial Lease renewals (57), FFNI leases (x54), Wayleave Agreements, Internal and External Queries, Asset Realisation, Acquisitions and Disposals, Public Right of Way etc. There is an ongoing piece of work in relation to Council Estates Strategy (Civic Buildings). The first registration will require ongoing assistance from GIS regarding mapping. Alongside the demand on human resources, there is also the financial cost of Land Registry Fees £68, plus folio plus map – minimum £68 per application. Architect's fees would be an additional cost, as and when required. Following first registration there is a considerable amount of administration, scheduling of documents, compiling legal documents portfolio and the GIS system updated accordingly.

It is recommended that consideration is given to additional resources to accelerate the First Registration process.

Proposed by Councillor McGurk
Seconded by Councillor McLean

AGREED – to recommend that 1 full time permanent Land and Property administrative post is created to assist the Land and Property Officer and an additional full time (temporary) solicitor post is created to assist the Land and Property Solicitor.

10. WATERWORLD – TITLE REVIEW

A verbal update was provided by the Land and Property Solicitor.

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

11.1 DISPOSAL OF FORMER DUNGIVEN SPORTS PAVILION – ONGOING MAINTENANCE AND REPAIR OF ROADWAY WITHIN SITE

The Land and Property Solicitor presented the report, previously circulated.

He advised that the purpose of the report is to update members regarding the D1 sale of the former Dungiven Sports Pavilion to the Department of Education and Western Heath and Social Care Trust and their requirement for Council to maintain part of the roadway within the site servicing Councils' amenity site.

The Former Dungiven Sports Pavilion was placed into the D1 process on 2nd September 2020. The area to be sold is shown outlined in red below, with a reserved right of way in favour of council coloured yellow.



A proposal was received from the Department of Education and Western Health and Social Care Trust to purchase the entirety of the site between them.

The Land and Property Sub Committee made the following recommendation to council on 6th January 2021, ratified by full council on 2nd February 2021 and passing call in on 9th February 2021:

Following consideration and discussion it was

*Proposed by Councillor McGurk
Seconded by Alderman Hillis and*

AGREED – *to recommend that the site is sold in its entirety via a single sale to one party or to joint parties acting together and not via multiple sales. Officers are authorised to accept offers no less than £230,000.*

The Department of Education and Western Health and Social Care Trust have agreed to purchase the site jointly via a single sale in the sum of £230,000. The parties will then sub divide the site as appropriate, after purchase from council.

The conveyancing process is nearing completion and council should be in receipt of a formal offer to purchase/contract soon. The sale should complete before July 2021.

The purchaser has stated that as a condition of the sale they require a covenant from council (in the transfer deed), to maintain part of the roadway within the site servicing the Council amenity site (marked “A”) as this area will be used by Council and members of the public, who will contribute to wear and tear.

It is recommended that the Land and Property Committee recommends to Council that the site is sold in its entirety including the full road way and Council agrees to maintain that part of the road way which services the Council amenity site. The exact area and terms to be agreed by Council officers as part of the conveyancing process.

Proposed by Councillor McLean
Seconded by Councillor McGurk and

AGREED – to recommend that the site is sold in its entirety including the full road way and Council agrees to maintain that part of the road way which services the Council amenity site. The exact area and terms to be agreed by Council officers as part of the conveyancing process.

11.2 COLERAINE TOWN HALL

The Land and Property Solicitor provided an update on ownership issues referring to a report circulated in advance of the meeting. The purpose of this report is to inform members of discussions regarding the transfer of title to Coleraine Town Hall from The Right Honourable The Irish Society.

It is recommended that the Land and Property Sub-Committee recommends to Council:

Enter into a Deed of Conveyance with The Right Honourable The Irish Society for the Transfer of Coleraine Town Hall to council for the sum of £1.00, together with payment of the Society's reasonable legal costs in the sum of £750 plus vat and outlay (if any).

Proposed by Alderman Hillis
Seconded by Alderman Fielding and

AGREED - to recommend that Council Enter into a Deed of Conveyance with The Right Honourable The Irish Society for the Transfer of Coleraine Town Hall to council for the sum of £1.00, together with payment of the Society's reasonable legal costs in the sum of £750 plus vat and outlay (if any).

12. LEASES/LICENCE

12.1 PORTRUSH, LANSDOWNE SHELTER – LEASE HEADS OF TERMS

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

She advised that the purpose of this report is to seek approval of the Heads of Terms for the lease of the former Lansdowne Shelter, Portrush.

In February 2021 Council agreed to approve Option 1 of the report presented to the Land & Property Sub-Committee to the lease of existing building as is existing, *(5-year lease, with no risk, and no capital investment by Council)* and enters into a legally binding lease in the sum of £28,750.00 as the most advantageous tender return with the successful bidder.

The lease has been drafted and is being brought to the Sub-Committee to approve the draft Heads of Terms of the lease.

The Heads of Terms of the lease are:

Premises:	Lansdowne Shelter, Portrush as shown edged red on the map attached Appendix A.
Term:	5 years
Commencement Date:	1 st April 2021
Rent:	£28,750 per annum for 5 years
Rent Free Period:	1 st April to 30 th June 2021 – to permit fit out of premises

Tenant's Covenants:

To pay rent, rates and outgoing (water, electricity, gas, telephone and security)

To repair the interior of the premises

To decorate the interior and exterior of the premises every three years

Not to use the premises other than a café/restaurant

Not to assign or underlet

It is recommended that the Sub-Committee approves the Heads of Terms for the lease of Lansdowne Shelter, Portrush as follows:

Premises:	Lansdowne Shelter, Portrush as shown edged red on the map attached at Appendix A.
Term:	5 years
Commencement Date:	1 st April 2021
Rent:	£28,750 per annum for 5 years
Rent Free Period:	1 st April to 30 th June 2021 – to permit fit out of p premises.

Proposed by Councillor McGurk
Seconded by Alderman Fielding

AGREED – to recommend that Council approves the Heads of Terms for the lease of Lansdowne Shelter, Portrush as follows:

Premises: Lansdowne Shelter, Portrush as shown edged red on the map attached at Appendix A
Term: 5 years
Commencement Date: 1st April 2021
Rent: £28,750 per annum for 5 years
Rent Free Period: 1st April to 30th June 2021 – to permit fit out of premises.

13. CORRESPONDENCE

13.1 DfI CORRESPONDENCE – BRIDGE STREET CAR PARK, KILREA SCHEDULE REF NO 207 AND MAIN STREET CAR PARK, DUNGIVEN, SCHEDULE REF NO 396 – TRANSFER OF ADDITIONAL LANDS

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

The purpose of this report is for the Sub-Committee to consider the request from the Department for Infrastructure (DfI) to agree to the transfer of additional lands at Main Street car park, Dungiven (Schedule Ref No 396) and Bridge Street car park, Kilrea (Schedule ref No 207)

In 2015 the Department for Regional Development (DRD), now the Department for Infrastructure, commenced the process of transferring 38 Off-Street car parks under the Transfer of Designated Off-Street Car Park Assets and Liabilities Scheme 2015 to Causeway Coast and Glens Borough Council.

DfI are currently in the process of transferring the title of 38 Off-Street car parks to Causeway Coast and Glens Borough Council.

Main Street Car Park, Dungiven – Schedule Ref No 396

The extent of Main Street car park, Dungiven being transferred to Council is shown coloured blue on the map at Appendix A, previously circulated. The Department holds unregistered title to the car park by various title deeds.

The Department's unregistered title extends beyond the boundaries of the car park to include the areas shown hatched purple, blue, green and yellow.

Following the transfer of the car park to Council, these lands shown hatched to the rear of the car park will become landlocked. The hatched area appears to be an area of vegetation to the rear of the existing crash barrier. As this area will become landlocked the Department proposes to include the hatched areas in the transfer to Council.

DfI are now seeking Council's agreement to the transfer the additional lands as detailed above. Council should decide if they need or want the additional lands which will need maintained and insured.

Bridge Street Car Park, Kilrea – Schedule Ref No 207

DfI's Departmental Solicitors Office (DSO) has been instructed to provide a Certificate of Title in respect of the above car park to enable Council to register the car park in Council's ownership.

The DfI map at Appendix B, previously circulated, shows the extent of the car park coloured red (registered to Council of the Administrative County of Londonderry in Folio No 19211 Co Londonderry) and shown coloured blue (unregistered).

The entirety of the unregistered title to the car park is shown hatched and extends beyond the boundaries of the car park to include public road/footway at Bridge Street together with the two areas shown hatched (and coloured yellow). The original title was owned by the Department of Health. This Department has only ever maintained the unregistered areas that formed part of the car park or the public road/footway.

As the Department has no interest on the two remaining unregistered areas shown hatched (and coloured yellow), DSO has advised that both these areas should be included in the transfer to Council.

The transfer of the additional unregistered areas shown hatched and coloured yellow will have to be agreed by Council.

Members were provided with advice from Council's Land and Property Solicitor and a copy of the advice and detail including maps was included in the report, previously circulated.

Options - detailed a section 4 of the report previously circulated

- 4.1 Do not agree to the transfer of the additional lands at Main Street Car Park, Dungiven Schedule Ref No 396 and Bridge Street cat Park Schedule Ref No 207.
- 4.2 Agree to the transfer of the additional lands at Main Street Car Park, Dungiven Schedule Ref No 396 and Bridge Street cat Park Schedule Ref No 207.

It is recommended that the Sub-Committee consider the options presented (as 4.1 and 4.2 in the report previously circulated) and makes a recommendation.

Proposed by Alderman Hillis
Seconded by Councillor McLean and

AGREED – to recommend Option 4.2; agree to the transfer of the additional lands at Main Street Car Park, Dungiven Schedule Ref No 396 and Bridge Street Car Park Schedule Ref No 207.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Councillor McGurk
Seconded by Alderman Hillis and

AGREED – that Sub-Committee move *‘In Public’*.

Alderman Fielding requested an update on Portstewart Football Club. The Director advised that the matter was currently with the Leisure and Development Committee and would be brought to the Land and Property Sub-Committee in due course.

There being no further business, the Chair thanked everyone for their attendance and the meeting closed at 10.40pm.

Chair