

**LAND AND PROPERTY SUB-COMMITTEE MEETING
WEDNESDAY 6 MARCH 2024**

No	Item	Summary of Key Recommendations
1.	Apologies	Councillor McShane
2.	Declarations of Interest	None
3.	Minutes of Previous Meeting held on 7 February 2024	Confirmed as a correct record
4.	Transformation Plan – Land & Property – Update	Presentation received
5.	Leases and Licences	
5.1	North West 200 – Temporary Transfer of Land	to recommend that Corporate Policy and Resources agree the proposed temporary transfer of Council lands to the Coleraine and District Motor Club Ltd for the 2024 ‘North West 200’ event, subject to the conditions detailed in this report.
6	Transformation Plan – Land & Property – Update continued	
6.1	Inclusion of Review Period in Terms of Reference	to recommend that approval is granted to add a review period to the Land and Property Committee’s Terms of Reference to partially fulfil the requirements of the recommendation contained in the Governance Transformation Action Plan G11 ‘that a periodic review of Committees should be included in the terms of reference..’ to be carried out prior to the

		Annual Meeting each year and that the Terms of Reference for the Land and Property Sub-Committee is updated in the Council's Constitution and the Scheme of Delegation.
6.2	Update Transformation Programme Land and Property	to recommend that the Transformation Programme – Land and Property Action Plan Update and the actions contained therein is approved; specifically that the updated Operational Partnership Agreement (OPA) between Council and the Strategic Investment Board (SIB) is approved.
6.3	Asset Realisation Interim Plan and Arrangements	to recommend that Corporate Policy and Resources Committee approves progression of Asset Realisation matters in this interim period whilst implementing the Transformation Action Plan re Land and Property and agrees the prioritisation of the assets and further approves that the Senior Management Team takes interim responsibility for asset realisation, retaining oversight and ensuring the Council's decisions are implemented and reports brought to the Land and Property Sub-Committee
7.	Requests for Use of Council Land	
7.1	Report on Requests to Use Council land	
(i)	Reference 147/23	Approve
(ii)	Reference 146/23	Note
(iii)	Reference 148/23	Approve
(iv)	Reference 150/23	Approve
(vi)	Reference 145/23	Approve
(vii)	Reference 133/23 (Retrospective)	Note

(viii)	Reference 105/23 (Retrospective)	Note
7.2	Ref 124/23 – Coleraine, Newmills Depot Site – Permission to Excavate and Re-instate Trench to Facilitate NIE Electricity Connection and Associated Wayleave	<p><i>To recommend that Corporate Policy and Resources Committee approves the request “in principle” for permission to excavate and re-instate a trench (ref No 124/23) to facilitate NIE electricity connection and any associated Wayleave Agreement at the Newmills depot site, Coleraine subject to the following conditions as set out:</i></p> <p><i>To recommend to approve that Council sign the NIE Networks Ltd Landowner Indemnity Form to permit the excavation and reinstatement of the trench at the Newmills Depot site, Coleraine</i></p>
8.	Requests to Purchase/Dispose of Council Land/Property	None
9.	Leases and Licences (continued)	
9.1	Bellisk, Cushendall, Crown Estates lease – Deed of Variation and Rent review	<p><i>to recommend that Corporate Policy and Resources Committee agrees to enter into a Deed of Variation of the existing lease with the Crown Estate to amend the demise of the lease to reflect the current area of land and rock armour used by Council and the associated increase in the rent to ██████ per annum effective from 5th July 2022, and further agrees to the payment of the Crown Estate’s legal and agent’s costs as detailed 3.2 (b) of this report The final terms of the Deed of</i></p>

		<i>Variation shall be agreed between the respective solicitors.</i>
10.	Legal Issues	
10.1	Portballintrae, Seaport Avenue – Legal Proceedings – Claim of Right of Way	Note

**MINUTES OF THE MEETING OF THE LAND AND PROPERTY SUB-COMMITTEE
HELD IN THE COUNCIL CHAMBER AND VIA VIDEO-CONFERENCE ON
WEDNESDAY 6 MARCH 2024 AT 7.05PM**

Chair: Alderman Knight-McQuillan

Present: Alderman Fielding, Councillors C Archibald, Councillors Huggins, McCully, D Nicholl (R)

Officers Present: M Quinn, Director of Corporate Services
P Donaghy, Democratic and Central Services Manager
P Thompson, Head of Tourism and Recreation
D McLaughlin, Land and Property Officer
J Mills, Council Solicitor, Land and Property
J Drillingcourt, Assistant Land and Property Officer
S Duggan, Civic Support and Committee & Member Services Officer

C Thompson, ICT Operations Officer

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

Press: 1no. (R)

Key:

(R) Remote attendance via MS Teams

The Director of Corporate Services undertook a roll call.

1. APOLOGIES

Apologies were recorded for Councillor C McShane.

2. DECLARATIONS OF INTEREST

There were no declarations of interest recorded.

3. MINUTES OF PREVIOUS MEETING HELD ON 7 FEBRUARY 2024

Redacted summary minute, previously circulated.

AGREED – the Minutes of the Land and Property Sub Committee meeting held 7 February 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 Corporate Policy and Resources Committee move ‘*In Committee*’.

* Press were disconnected from the meeting at 7.05pm.

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 – UPDATE

The Chair invited C McCrossan and G Millar, Strategic Investment Board, to present.

C McCrossan presented via powerpoint, he stated SIB had been promoting good practice in Public Sector asset management and worked with the Northern Ireland Audit Office to produce, 'A Strategic Approach to the Use of Public Sector Assets - A Good Practice Guide for Local Government' for Councils to take key steps. He stated there were examples within Northern Ireland of interest to receive inspiration from.

C McCrossan advised of working with Councils, he outlined the scope of the work to support this Council in its Transformation Programme 1) Reviewing Land and Property Policies, 2) Review of Governance to support delivery and 3) Review and update to 2019 Estates Strategy.

C McCrossan, referring to the presentation, illustrated how the Review of Land and Property would be delivered, proposed strategies and themes of the Review of the 2019 Estates Strategy, to tie in with Council's Corporate Plan and Community Plan. C McCrossan advised matters were common across Councils, there was an established Forum, represented by Heads of Estates, to deliver a common understanding of approach.

C McCrossan outlined three main outputs and common themes identified in the 2019 Audit Office Best Practice Guide, 1) Governance 2) Capability and 3) Strategic Approach.

G Millar provided background on his career to date, a Chartered Surveyor, he had worked with Belfast City Council for thirty years, as two Directors, and whilst Belfast City Council was undergoing major change under the wider Review of Local Government. As part of that, Belfast City Council had made significant savings which had been used for Investment Programmes in its land. G Millar outlined developments put in place eg: Boucher Road, Duncrue Industrial Estate and the Gasworks.

G Millar detailed the changes put in place at Belfast City Council which included one Committee with overall responsibility and oversight, a Management Team where every piece of land had an associated named officer, the Corporate Management Team and Officers supported by a Director, building a team of good practice, which proved successful.

G Millar concluded advising he had now retired and undertaking Consultancy and associated work with SIB.

The Chair invited questions from sub committee members.

Alderman Fielding referred to Mr Miller's comments regarding Belfast City Council's review of their procedures, the need to rectify their fragmented governance and to define their roles and responsibilities for their land and assets, having now one Committee and Director. He queried whether Causeway Coast and Glens Borough Council were on a similar track by having a sub-committee who solely dealt with land and property issues.

G Millar confirmed that Causeway Coast and Glens Borough Council were working along the same lines as Belfast City Council's Committee who lifted decisions on assets out of its Standing Committees and dealt with them under one committee and one Director. They dealt with 3 aspects of their land & property:

1. Operational property
2. Investment property
3. Corporate land bank

The Chair thanked the representatives for their attendance.

* **C McCrossan and G Millar left the meeting at 7.25pm.**

CHANGE ORDER OF BUSINESS

The Chair advised Agenda Item North West 200 – Temporary Transfer of Land would be taken next on the Order of Business, to allow the Head of Tourism and Recreation to leave the meeting afterwards.

5. LEASES AND LICENCES

5.1 North West 200 – Temporary Transfer of Council Lands to Coleraine and District Motor Club 2024 Ref 123/23

Confidential report, by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Head of Tourism and Recreation.

Purpose of Report

The purpose of this report was to seek approval from Members for the temporary transfer of Council land to the Coleraine and District Motor Club Limited for the North West 200 event in May 2024 (8 May 2024 – 11 May 2024).

The following paragraphs were circulated within the confidential report.

- Background
- Event Evaluation
- Proposals
- Consultation
- Department for Communities (DFC) Approval
- Next Steps

Recommendation

It is recommended that Council agree the proposed temporary transfer of Council lands to the Coleraine and District Motor Club Ltd for the 2024 'North West 200' event, subject to the conditions detailed in this report.

The Head of Tourism and Recreation drew sub-committee's attention to Section 4, Appendix A which provided the schedule of the lands and the duration of the transfer and to Appendix B, the spatial mapping of the proposed transfer of lands. He highlighted the advice from Planning Committee at paragraph 5.1 with advised that Permitted Development (28 day period in a calendar year) did not include Caravans or Motorhomes and may have a potential impact on the event.

The Head of Tourism and Recreation referred to Map 12, Appendix B, Coleraine District and Motorcycle Club have included a Fan Zone, pay by entry for 400-500 people and highlighted Section 6, the requirement for Ministerial Approval from the Department for Communities, subject to the stated documents, which were listed.

In response to questions from Sub Committee Members, the Head of Tourism and Recreation clarified his discussion with Planning that applied to motorhomes, touring and static caravans. He confirmed that this information regarding the Planning advice would be relayed to the organisers of the event.

In response to a Members' query regarding re use of Metropole Park and the proposed Skate Park, the Head of Tourism and Recreation clarified the area could be flexible in future and both organisations were fully aware of this.

The Chair clarified the event was deemed a community event, with no charge applied, as the event would bring revenue to the community and bring visitors to the Borough. The Chair referred to Department for Communities approval process.

Proposed by Councillor McCully
Seconded by Councillor C Archibald and

AGREED – to recommend that Corporate Policy and Resources agree the proposed temporary transfer of Council lands to the Coleraine and District Motor Club Ltd for the 2024 'North West 200' event, subject to the conditions detailed in this report.

6. TRANSFORMATION PLAN – LAND & PROPERTY – UPDATE (continued)

6.1 Inclusion of Review Period in Terms of Reference

Confidential report by virtue of paragraphs 3 and 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Democratic and Central Services Manager.

Purpose of report

The purpose of the report was to seek approval to add a review period to the Land and Property Sub-Committee's Terms of Reference to partially fulfil the requirements of the recommendation contained in the Governance Transformation Action Plan G11 'that a periodic review of Committees should be included in the terms of reference.' to be carried out prior to the Annual Meeting each year.

Background

At a Special Council Meeting held on 27th March 2023 Council resolved to accept the recommendations contained within the *Independent review of governance arrangements in Causeway Coast and Glens Borough Council report*.

At a Special Council Meeting held on 30th October 2023 Council resolved to implement the recommendations arising from the Reviews to address the recommendations from the Extraordinary Audit and to set these out as a comprehensive Transformation Programme. The Transformation Programme Action Plan contains six themes.

The Director of Environmental Services is leading the implementation of the recommendations under the theme of Governance.

Addressing Recommendation G11

Recommendation G11 states that "a periodic review of Committees should be included in the Terms of Reference and put into practice to help Committees understand what aspects work well and what could be improved."

When the Land and Property Sub-Committee's Terms of Reference were adopted a review period was not included. In order to fulfil the requirements of the recommendation it is suggested that the following is added to the Terms of Reference: The Terms of Reference are to be reviewed on an annual basis, prior to the Annual Meeting each year.

Recommendation

It is recommended that approval is granted to add a review period to the Land and Property Committee's Terms of Reference to partially fulfil the requirements of the recommendation contained in the Governance Transformation Action Plan G11 'that a periodic review of Committees should be included in the terms of reference..' to be carried out prior to the Annual Meeting each year and that the Terms of Reference for the Land and Property Sub-Committee is updated in the Council's Constitution and the Scheme of Delegation.

Proposed by Councillor C Archibald
Seconded by Alderman Fielding and

AGREED – to recommend that approval is granted to add a review period to the Land and Property Committee's Terms of Reference to partially fulfil the requirements of the recommendation contained in the Governance Transformation Action Plan G11 'that a periodic review of Committees should be included in the terms of reference..' to be carried out prior to the Annual Meeting each year and that the Terms of Reference for the Land and Property Sub-Committee is updated in the Council's Constitution and the Scheme of Delegation.

6.2 Update Transformation Programme Land and Property

Confidential report by virtue of paragraphs 3 and 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Director of Corporate Services.

Purpose of Report

The purpose of the report was to present the Transformation Action Plan Land and Property update.

Background

At the Special Council meeting on 27th 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

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 30th 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 30th October 2024.

Land and Property Recommendations

The recommendations from the Independent report are detailed in Appendix A, Transformation Action Plan – Land and Property (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; specifically that the updated Operational Partnership Agreement (OPA) between Council and the Strategic Investment Board (SIB) is approved.

The Director of Corporate Services thanked C McCrossan and G Millar (SIB) for their assistance.

Proposed by Councillor C Archibald
Seconded by Councillor McCully and

AGREED – to recommend that the Transformation Programme – Land and Property Action Plan Update and the actions contained therein is approved; specifically that the updated Operational Partnership Agreement (OPA) between Council and the Strategic Investment Board (SIB) is approved.

6.3 Transformation Programme – Asset Realisation Interim Arrangements and Prioritisation

Confidential report by virtue of paragraphs 2 and 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Director of Corporate Services.

Purpose of Report

The purpose of the report was to present a schedule of Asset Realisation matters to update the Sub-Committee and to seek approval for interim arrangements and priority in relation to Asset Realisation during the period of implementing the recommendations contained within the Transformation Programme Action Plan.

Background

Council is progressing with implementation of the Transformation Plan which includes recommendations in relation to Land and Property. The recommendations include reviewing the Council's Estates Strategy and the Land and Property Policy. Council is kept up to date with progress through reports and updates presented to the Land and Property Sub-Committee on a monthly basis. While this strategic review is being undertaken officers have considered the effect on current workload and delivery of service, including asset realisation matters.

Transformation Programme

Officers had an initial meeting with Colin McCrossan, SIB and Gerry Miller a associate of SIB on 7th February 2024 in relation to progressing the strategy and policy review. A number of cross cutting themes, including governance, resources, structure, roles and responsibilities. were raised at this meeting. The next meeting is scheduled for 4th March following which consultation and engagement internally and with Elected Members will be scheduled. Additionally, as part of the Transformation Programme, an Organisation Structure review is progressing and this may have an impact on current roles and responsibilities, including vacant roles.

Operational Issues in the Interim

A schedule which provides summary information as at 28th February in relation to Asset Management is attached at Appendix A (circulated). The schedule shows Completed Sales, Sales in Progress, New Commercial Leases and Purchases.

The Land and Property Sub-Committee is updated quarterly in relation to Priority 1 Audit Recommendations which are the Renewal of Council's Commercial Leases and the First Registration of Council Land.

Requests to Use Council Land are processed in accordance with the current Land and Property policy and reported to the Sub-Committee as required.

Options for consideration

The Sub-Committee is asked to consider the requirements of implementing the Transformation Action Plan and the current operational workload and agree one of the following or other options:

- a) Progress with Asset Realisation in this interim period whilst implementing the Transformation Action Plan re Land and Property and agree a prioritisation of the assets shown in the schedule at Appendix A. During this period the Senior Management Team would take interim responsibility for asset realisation, retaining oversight and ensuring the Council's decisions are implemented and reports brought to the Land and Property Sub-Committee.
- b) Hold Asset Realisation matters until the Transformation Programme Land and Property recommendations are further progressed and review at a later date.

Recommendation

It is recommended that Council approves progression of Asset Realisation matters in this interim period whilst implementing the Transformation Action Plan re Land and Property and agrees the prioritisation of the assets and further approves that the Senior Management Team takes interim responsibility for asset realisation, retaining oversight and ensuring the Council's decisions are implemented and reports brought to the Land and Property Sub-Committee.

The Chair enquired whether the Assets Realisation Officer post could sit within this.

The Director of Corporate Services advised this would be looked as part of the wider Leadership Structure Review of Tiers 1-3.

Proposed by Councillor C Archibald
Seconded by Councillor Huggins and

AGREED – to recommend that Corporate Policy and Resources Committee approves progression of Asset Realisation matters in this interim period whilst implementing the Transformation Action Plan re Land and Property and agrees the prioritisation of the assets and further approves that the Senior Management Team takes interim responsibility for asset realisation, retaining oversight and ensuring the Council's decisions are implemented and reports brought to the Land and Property Sub-Committee.

In response to Councillor Huggins, the Democratic and Central Services Manager clarified sub committee will receive monthly updates, that C McCrossan and G Millar would now be engaging with all Elected Members with a review of all processes by the end of the Summer.

7. REQUESTS FOR USE OF COUNCIL LAND

7.1 Report on Requests to Use Council Land

Confidential report, by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Land and Property Officer.

Requests to Use Council Land

There were 5 new requests for the Sub-Committee to consider and make a recommendation. The requests are summarised in the table overleaf at Appendix 1 (circulated).

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

There were 2 retrospective requests summarised at Appendix 2 for information only.

Issues for Consideration

The following factors should be taken into account when considering each request:-

- 2.1 Right of way issues
- 2.2 Setting precedent
- 2.3 Impact on Council's strategy
- 2.4 Valuation
- 2.5 Long term impact on Council's asset
- 2.6 Legal implications
- 2.7 Health and Safety, Insurance, Risk Assessments and Event Management Plans

Recommendation

It is recommended that the requests listed at Appendix 1 are considered and recommendation made.

Seconded by Councillor McCully and

AGREED – to recommend that Corporate Policy and Resources Committee approve the request from Causeway Coast Vineyard to use East Strand Beach, Portrush on 11th August 2024 from 1.30pm – 3.30pm for Church Baptisms.

The Land and Property Officer advised there was no fee for outdoor, religious services.

- (v) **Reference:** 145/23
Date: 18th – 24th June 2024
Location: Portrush Harbour & Rathlin Island Port TBC
Detail: A request from Below the Radar to film at Portrush Harbour and Rathlin Docks (TBC) for BBC food Series ‘No Place Like Home’ presented by chef Anna Haugh.

Proposed by Councillor Huggins
Seconded by Councillor McCully and

AGREED – to recommend that Corporate Policy and Resources Committee approve the request from Below the Radar to film at Portrush Harbour and Rathlin Docks (TBC) for BBC food Series ‘No Place Like Home’ presented by chef Anna Haugh.

The Land and Property Officer clarified the applicant would be invoiced.

Retrospective Approval (Appendix 2)

- (vi) **Reference** 133/23
Detail: A request from ITV to film shots on Benone Beach for the Voice UK Series 13 on 9th February 2024 for approximately 1hr from 8am. 5 in attendance.
- (vii) **Reference** 105/23
Detail: A request from Ricochet filming to film on Rathlin Beach on 9th February 2024. Filming at harbour for approximately 1hr. 5 in attendance.

The Land and Property Officer confirmed that both Reference 133/23 and Reference 105/23 were invoiced .

AGREED – that Corporate Policy and Resources Committee Note Approvals Reference 133/23 and Reference 105/23 (Appendix 2).

7.2 Ref 124/23 – Coleraine, Newmills Depot Site – Permission to Excavate and Re-instate Trench to Facilitate NIE Electricity Connection and Associated Wayleave

Confidential report, by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Land and Property Officer.

Purpose of Report

The purpose of this report was to seek Council's approval for a private homeowner to excavate a trench at Council's Newmills Depot Site, Coleraine to facilitate Northern Ireland Electricity (NIE) Networks Ltd. to connect his property to an electricity supply.

If approval is granted, Causeway Coast and Glens Borough Council will be required to sign a NIE Landowner Indemnity Form to permit the trench to be excavated to enable the installation of underground cabling. NIE Networks Ltd will raise a Wayleave Agreement for the necessary underground cables.

Background

Council own the land at the Newmills Depot site, Coleraine which is currently used as the Council Parks and Nurseries depot.

A map showing Council ownership in the area was attached at Appendix A (circulated).

The following were circulated within the confidential report:

- Proposals
- Options

Recommendation

It is recommended that Council approves the request "in principle" for permission to excavate and re-instate a trench (ref No 124/23) to facilitate NIE electricity connection and any associated Wayleave Agreement at the Newmills depot site, Coleraine subject to the following conditions:

- The site will be subject to a site inspection by Council's Estates staff pre and post works to ensure satisfactory reinstatement of grounds.
- The applicant and NIE Networks Ltd will agree a timetable of work with Council's Estates team prior to commencing work.
- Approval from DfC, if required, to permit the work at less than best price or apply a fee based on an independent valuation. Awaiting guidance form DfC

It is further recommended that Council sign the NIE Networks Ltd Landowner Indemnity Form to permit the excavation and reinstatement of the trench at the Newmills Depot site, Coleraine

The Land and Property Officer cited correspondence received from Department for Communities which stated initial guidance that a wayleave may be seen as an easement and advised Officers were awaiting a final response.

Proposed by Alderman Fielding
Seconded by Councillor Huggins and

AGREED - It is recommended that Corporate Policy and Resources Committee approves the request "in principle" for permission to excavate and re-instate a trench (ref No 124/23) to facilitate NIE electricity connection

and any associated Wayleave Agreement at the Newmills depot site, Coleraine subject to the following conditions:

- The site will be subject to a site inspection by Council's Estates staff pre and post works to ensure satisfactory reinstatement of grounds.
- The applicant and NIE Networks Ltd will agree a timetable of work with Council's Estates team prior to commencing work.
- Approval from DfC, if required, to permit the work at less than best price or apply a fee based on an independent valuation. Awaiting guidance from DfC.
- approve that Council sign the NIE Networks Ltd Landowner Indemnity Form to permit the excavation and reinstatement of the trench at the Newmills Depot site, Coleraine

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

The Chair advised there was no report.

9. LEASES AND LICENCES

9.1 Bellisk, Cushendall Crown Estate Lease – Deed of Variation and Rent Review

Confidential report, by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 was previously circulated and presented by the Land and Property Officer on behalf of the Head of Capital Works, Energy and Infrastructure.

Purpose of Report

To seek Council approval to enter into a Deed of Variation with the Crown Estate and approval of the rent review due for the lease of the foreshore and bed of the sea at Bellisk Harbour, Cushendall.

The following paragraphs were circulated within the confidential report.

- Background
- Proposals

Recommendation

It is recommended that Council agrees to enter into a Deed of Variation of the existing lease with the Crown Estate to amend the demise of the lease to reflect the current area of land and rock armour used by Council and the associated increase in the rent to ██████ per annum effective from 5th July 2022, and further agrees to the payment of the Crown Estate's legal and agent's costs as detailed 3.2 (b) of this report. The final terms of the Deed of Variation shall be agreed between the respective solicitors.

Council's Land and Property Solicitor provided further context surrounding the boundary and slipway.

Proposed by Councillor McCully
Seconded by Councillor Huggins and

AGREED – to recommend that Corporate Policy and Resources Committee agrees to enter into a Deed of Variation of the existing lease with the Crown Estate to amend the demise of the lease to reflect the current area of land and rock armour used by Council and the associated increase in the rent to ██████ per annum effective from 5th July 2022, and further agrees to the payment of the Crown Estate’s legal and agent’s costs as detailed 3.2 (b) of this report. The final terms of the Deed of Variation shall be agreed between the respective solicitors.

10. LEGAL ISSUES

10.1 Portballintrae, Seaport Avenue – Legal Proceedings – Claim of Right of Way

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

Council Solicitor provided a verbal update on consultations between the King’s Counsel (KC’s).

AGREED – to recommend that Corporate Policy and Resources Committee NOTE the verbal update.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Councillor Huggins
Seconded by Councillor McCully and

AGREED – to recommend that the 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 8.17pm.

Chair