

**NOTES OF THE PROCEEDINGS OF THE MEETING OF THE  
LAND AND PROPERTY SUB COMMITTEE  
HELD IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS  
TUESDAY 21 FEBRUARY 2017 AT 9.20 PM**

- In the Chair** : Councillor Knight-McQuillan (Item 3)
- Present** : Councillors Baird, Duddy, Holmes, McCorkell, Quigley
- Officers Present** : M Quinn, Director of Performance  
S McMaw, Head of Corporate Performance & Compliance  
S Duggan, Committee and Member Services Officer

**SUBSTITUTIONS**

Councillor Holmes replaced Alderman Hillis for the transaction of business for the evening.

**1 APOLOGIES**

Apologies were recorded for Alderman Hillis and Councillor McLaughlin.

**2 DECLARATIONS OF INTEREST**

There were no declarations of Interest.

**3 TERMS OF REFERENCE**

Director of Performance circulated draft Terms of Reference for consideration and responded to committee queries.

The Director advised legacy Coleraine and Moyle assets and land boundaries were mapped; legacy Limavady currently being mapped and legacy Ballymoney mapping yet to commence. It was further advised Council has the assistance of one full time GIS (Geographical Information System) mapping officer and University placement students each year.

The Head of Corporate Performance and Compliance advised of three levels of decision making within the Land and Property remit; 1) Operational Issues, where it was anticipated straight-forward Land and Property issues would be processed via

the Chief Executive and Director of Performance; 2) Contentious issues, where a sub committee need was defined for input and direction; and 3) simple easements etc, for example, which, it was anticipated would be processed through Corporate Policy & Resources Committee.

Regarding the scope of the sub committee, concern was raised in anticipation of any future proposals from Committees who had recommended to mark a facility/ land redundant in an operational capacity; it was felt that the decision making process thereafter would be taken forward by the Corporate Policy & Resources Committee.

Discussion took place on the merit of a Planning Officer being in attendance at sub committee meetings, as and when required. The Director concurred with the sentiments of having expertise at meetings.

Proposed by Councillor Duddy  
Seconded by Councillor McCorkell and Councillor Baird and

**AGREED** – to recommend that Committee nominate Councillor Knight-McQuillan as Chair of the Land and Property Sub Committee.

Proposed by Councillor Baird  
Seconded by Councillor Duddy and

**AGREED** – to recommend that Committee nominate Councillor Quigley as Deputy-Chair of the Land and Property Sub Committee.

Director of Performance invited Councillor Knight-McQuillan to assume the Chair.

The Chair invited committee to define the draft Terms of Reference further.

Discussion ensued on dates and timings of meeting, it was considered sub committee meetings may not be held on a Monday and due to busy diary scheduling, may be held on the same evening as a Council Workshop.

**AGREED** – to recommend that Committee hold a Land and Property Sub Committee meeting on the first Wednesday of the month at 6 PM (July recess); Agenda to be circulated a week in advance with topic timings for discussion:

- Wednesday 5 April 2017 at 6 PM
- Wednesday 3 May 2017 at 6 PM
- Wednesday 7 June 2017 at 6 PM
- Wednesday 2 August 2017 at 6 PM
- Wednesday 6 September 2017 at 6 PM
- Wednesday 4 October 2017 at 6 PM
- Wednesday 1 November 2017 at 6 PM
- Wednesday 6 December 2017 at 6 PM

**AGREED** – to recommend that Committee approve the draft Terms of Reference, attached, Appendix 1, including the recommendations above.

The Director of Performance advised the Minutes of the Land and Property Sub committee meeting held would be brought to Corporate Policy & Resources Committee meeting on Monday 13 March 2017, 7 PM.

Councillors stated they would like to receive tailored Training, to be taken out of the current training budget.

The Head of Corporate Performance and Compliance advised Council's Solicitor was available to assist members with queries and further advised of the Service Level Agreement with Derry City and Strabane District Council where a range of solicitor specialisms were also available.

In response to a concern raised, the Director of Performance agreed to investigate Causeway Street, Portrush access issue and circulate the detail to sub committee members at the earliest convenience.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 10.21 PM.

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Chair



**Causeway Coast and Glens Borough Council**  
**Land and Property Sub-Committee**  
**Draft Terms of Reference**  
**13 March 2017 ~~24<sup>th</sup> February 2017~~**

**1.0 Scope**

The Land and Property Sub-Committee (“the Sub-Committee”) will be responsible for recommending to Corporate Policy and Resources (CPR) Committee the key decisions and actions required to be taken specifically in relation to the work of the Land and Property within the Performance Directorate.

The Land and Property functional responsibility is clearly distinct from the Regeneration Function for which the Leisure and Development Committee is responsible.

The Land and Property functional responsibility is clearly distinct from those functions that exist within the Environmental and the Leisure and Development Committees, relevant to service provision and facility development.

The Sub-Committee will ensure that key activities relating to Land and Property are progressed and managed appropriately through the relevant guidance and legislative framework.

This will include:

- Maintaining an overview of Council’s Land and Property Assets.
- Recommending relevant policies and procedures for the Land and Property Department eg Use of Council Land and Property Policies and Procedures.
- Considering requests for the use of, or Purchase of Council Land and Property, in line with Policy and Procedures.
- Reviewing leases, license agreements, wayleaves and other Land and Property Legal agreements, and making recommendations to CPR.
- Considering rent reviews, renewals and valuations and making recommendation to CPR, as and when required.
- Receiving reports on relevant legislation and best practice, ensure compliance and recommend accordingly to CPR;
- Considering the resource implications of any recommendations.

- Receiving reports on land and property legislative issues such as: Business Tenancy Order, Disposal of Surplus Land, Restrictive Covenants, Adverse Possession law, Wayleave/Easements, Permitted land use, Notices of Determination
- Considering requests for land acquisition and disposal issues
- Being informed of land and property legal matters, including encroachment and receiving reports on progress/enforcement action
- Receiving an annual Audit of Council's land and property portfolio to ensure the integrity of Council's boundaries and properties is maintained.
- Receiving reports from Land and Property Services in carrying out Council's 5 yearly Asset Valuation, ad-hoc valuations and surveys as and when required.

### **1.1 Membership**

The Sub-Committee is comprised of the 8 Elected Members, appointed by d'Hondt from the membership of the CPR Committee to the Sub-Committee as agreed at the Council Meeting 22<sup>nd</sup> November 2016.

Members may be required to represent the Sub-Committee and Committee at pertinent consultation and capacity building events.

The quorum of the sub-committee shall be 4 members.

The sub-committee can request the attendance of any Officer of the council at its meetings, to assist in the discharge of its remit.

### **1.2 Chair**

The Sub-Committee will be chaired in the first instance for 2016/17 by Director of Performance.

The Chair of the Sub-Committee shall be Councillor Michelle Knight-McQuillan.  
**NAME**

In the absence of the Chairperson, the Sub-Committee will be chaired by the Deputy Chair, ~~NAME OF ELECTED MEMBER~~ Councillor Stephanie Quigley, SDLP.  
(PARTY).

In the absence of the Deputy Chair, a chair for the meeting will be agreed by the Members present.

### **1.3 Meetings**

The first meeting of the Sub-Committee will be held on 21<sup>st</sup> February, when the Terms of Reference will be agreed.

The Land and Property Sub-Committee will normally meet on the First Wednesday ~~WHEN~~ of ~~FREQUENCY~~ MONTHLY/BIMONTHLY/QUARTERLY the Month, Monthly at 6.00 PM ~~TIME~~ except when this falls within a recess period agreed by Council.

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All meetings of the Sub-Committee will be governed by the Council's Standing Orders and the Local Government Code of Conduct for Councillors.

#### 1.4 Communication and Reporting

The Minutes of the Sub-Committee will be reported at each meeting of Corporate Policy and Resources Committee by the Chair of the Sub-Committee.

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