

Report on	Lease and Licence of Lands at Knockmany Forest from DAERA/Forest Service
Date of Meeting	8 th November 2018
Reporting Officer	Claire McNally, Council Solicitor
Contact Officer	Claire McNally

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To seek Members' approval in principle to enter into a legal arrangement with DAERA/Forest Service ("FS") in relation to lands at Knockmany Forest ("the Lands").
2.0	Background
2.1	The Council and DAERA/FS aim to work together in relation to the provision of recreational facilities within forestry lands as a platform to create social recreational tourism and economic benefits for the Council area. To this extent, a Memorandum of Understanding ("MoU") between the parties was approved by Council on 30 th June 2016 in order to determine the scope, limits and practical workings of the collaborative partnership between the Council and DAERA/FS in this regard.
2.2	The Council has entered into 20 year Licenses which are site specific with DAERA/FS in order to manage the recreational use of a number of forests within the district.
2.3	Some of the proposed projects and development opportunities within a number of the forests, have led to DAERA/FS requiring that the Council enter into a Lease of specific parcel(s) of land that are subject of said opportunities.
2.4	The importance of the forests in providing doorstep opportunities for the local community and consequently the direct benefits that this brings in terms of improvements in health and well-being, social capital and protection of the resource cannot be underestimated. It is essential that moving forward local communities are 'bought in' to the future development of the forests in their area and many of these proposals have been captured through the community planning process and are referenced in the draft Mid Ulster District Council Outdoor Recreation Strategy.
2.5	Knockmany Forest Project was confirmed as successful in the Sport NI competitive application process and was to initially receive a capital investment up to £75,000 ("the Project"). In December 2017, the Head of Service for Parks sought Council approval for the Council to undertake the management and delivery of the Project to enable the scheme to secure funding through the Sport NI Renewal programme.

	<p>It was approved that the Council would contribute £25,000 match funding towards this Project in support of the grant from Sport NI. Since this was approved by Council, the funding package has increased; Sport NI were able to avail of additional funding up to £120,000 and this amount would also be match funded by DAERA. The total Project fund adding up to an overall amount of £265,000.</p>
2.6	<p>In the delivery of this Project, the Council proposes to support and develop the recreational use of the Forest with local community groups through partnership development. The Project will make provision for a new modular building consisting of a meeting room/toilet facility accommodation. The 90m2 modular building will consist of the following: meeting room with kitchen facilities; male/female WCs; disables WC; stores; extension of existing car parking facility; improvements to site entrances; improvements to existing trims trails, improved signage and associated facilities.</p>
3.0	Main Report
3.1	<p>DAERA/FS has not yet provided the Council with a draft Licence and draft Lease in relation to Lands within Knockmany Forest. DAERA/FS has advised that they anticipate a rental value of up to £2,500 in respect of the Lands, depending on the scale of the scheme, subject to a LPS valuation.</p>
3.2	<p>The Lease would be on similar terms as other DAERA/FS leases of a similar nature and would include the following:-</p> <ul style="list-style-type: none"> • Term of 20 years; • Rental value of up to £2,500 per annum, confirmation subject to pending LPS valuation; • 5 yearly rent reviews linked to market rent (upwards bound only).
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial: The Council will be responsible for costs to include: the annual rent; providing and maintaining land boundaries; insurance; and the inspection/examination of trees and subsequent costs of remedial works as required.</p>
	<p>Human: Officers' time in completing the Project and ongoing maintenance.</p>
	<p>Risk Management: N/A</p>
4.2	Screening & Impact Assessments
	<p>Equality & Good Relations Implications: N/A</p>
	<p>Rural Needs Implications: N/A</p>

5.0	Recommendation(s)
5.1	<p>That Members approve in principle that:-</p> <ul style="list-style-type: none"> i. The Council enters into a 20 year Lease with DAERA/FS in respect of Lands within Knockmany Forest, up to the maximum rental value of £2,500 per annum; and ii. The Council enters into a Licence with DAERA/FS in respect of Lands within Knockmany Forest.
6.0	Documents Attached & References
6.1	N/A