

<b>Report on</b>	Village Renewal Scheme: Rural Development Programme 2014-2020 – Suite of Legal Documents
<b>Date of Meeting</b>	7 <sup>th</sup> June 2018
<b>Reporting Officer</b>	Claire McNally, Council Solicitor
<b>Contact Officer</b>	Claire McNally

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To seek Member's approval in respect of the draft legal documents required to progress the Village Renewal Scheme.
<b>2.0</b>	<b>Background</b>
2.1	Mid Ulster District Council is leading on the Village Renewal Scheme included within the Rural Development Programme 2014 -2020 ("the Programme").
2.2	The Department of Agriculture, Environment and Rural Affairs ("DAERA") has allocated a budget of £2.15 million in grant aid to the Village Renewal Scheme for the implementation of strategic and minor works within agreed villages. In April 2016, the Council resolved that Council contributes match funding of 25% (£716,000), to compliment the funding from DAERA, which is administered via the Local Action Group ("LAG").
2.3	The reports, updates, approvals etc. in respect of the villages and works are taken through Development Committee. In summary, the current position is that six villages have been selected for major works with a further 31 villages having been selected for minor works. A further six villages have been identified for minor works should extra funding become available from the Programme.
2.4	All actions supported under both major and minor works are identified through an integrated village plan recognised by Council. Council makes applications to the LAG for the Village Renewal Scheme and the Council then leads on development and delivery.
<b>3.0</b>	<b>Main Report</b>
3.1	<p>In terms of the documentation for the implementation of the proposed strategic and minor works under the Village Renewal Scheme, it is standard procedure that the following suite of legal documents are in place with the relevant Project Partners, prior to the commencement of any works. This is required to protect the Council's interests and to comply with the funder's requirements:-</p> <p>(i) Project Confirmation Form – This form will be used in respect of Council owned lands only and will include a copy of the relevant design concept. This form will require the signature of two Community Representatives in acceptance of the design concept subject to funding and procurement</p>

	<p>processes. A copy of the Project Confirmation Form template is attached at Appendix A;</p> <p>(ii) Project Agreement – This Agreement is between the Council and the Project Partner (landowner). This Agreement essentially sets out the specification of that particular project to include terms and conditions, responsibilities of each party and special conditions. A copy of the Project Agreement template is attached at Appendix B.</p> <p>(iii) Licence for Works Agreement – This will accompany the Project Agreement above in clause 3.1(ii) and is essentially a licence for major alterations or works. This is a licence from the Landowner to the Council that gives consent for the Council to carry out the works on the landowner's property. This Agreement will more likely be used for those projects that comprise of major alterations or works. A copy of the Licence for Works Agreement template is attached at Appendix C;</p> <p>(iv) Consent of Owner to Village Renewal Works – This form will also accompany the Project Agreement and is consent to carry out the more minor works in respect of lands owned by third parties. This form will more likely be used for those projects that comprise of more minor works. A copy of the Consent of Owner to Village Renewals Works template is attached at Appendix D.</p>
3.2	Whilst the details of the individual project, works, third party etc. will obviously differ according to each site, the suite of legal documents attached at Appendices A-D will form the basis for each project that is part of the Programme. Therefore, Members are being asked to approve these documents in principle to ensure efficiencies going forward in respect of individual applications being made to the LAG. Members are also being asked the delegate authority to the Director of Business and Communities to sign the legal agreements on behalf of the Council.
3.3	In respect of other sites within the Programme where a lease is required (mainly play parks), these would come through council individually for approval and sealing.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: Council's legal fees.
	Human: N/A
	Risk Management: N/A
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That Members approve the suite of legal documents attached at Appendix A-D of this report, to allow for them to be completed for each individual village/project.
5.2	That Members delegate authority to the Director of Business and Communities to sign the documents attached at Appendix A-D on behalf of the Council.

<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix A – Village Renewal Scheme - Project Confirmation Form Appendix B – Village Renewal Scheme - Project Agreement Appendix C – Village Renewal Scheme - Licence for Works Agreement Appendix D – Village Renewal Scheme - Consent of Owner to Village Renewal Works.