

Report on	Earls Project – Purchase of Lands at Killymerron Park, Dungannon
Date of Meeting	3 rd May 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 update members on the terms of the transfer of lands at Killymerron Park, Dungannon;
1.2	To seek Members' approval to progress the purchase of Lands at Killymerron Park, Dungannon.
2.0	Background
2.1	The Earls Project ("the Project") which is a European Pease III Funded Project was initiated by the former Dungannon & South Tyrone Borough Council and commenced in late 2014.
2.2	In July 2015 the Council resolved that officers progress with the transfers and other agreements in relation to various pieces of land as part of the Project. In taking the legalities of this Project forward a number of land transactions that had been previously approved by Council have now been revised. Updated reports will follow when appropriate in relation to the remainder of the lands.
2.3	Part of the lands at Killymerron Park which contain the MUGA, were to be transferred to the Council from the NI Housing Executive.
3.0	Main Report
3.1	In relation to the purchase of Lands at Killymerron Park, Dungannon ("the Lands"), it transpires that Council approval had previously been provided to purchase the Lands, but all the detail of same had not been provided.
3.2	Council approval was previously obtained for the transfer of these Lands in July 2015, however, the correct transferor details and valuation figure were not included. The correct details for this transaction are reflected in Table 1 below. All other aspects of the transaction remain unchanged.

3.3	Table 1									
	<table><tr><th colspan="3">Land Transfers</th></tr><tr><th>Transferor</th><th>Location</th><th>Valuation</th></tr><tr><td>NIHE</td><td>Lands at Killymerron Park – Windmill Wood MUGA</td><td>£1,000 – Freehold NIHE engaged with LPS for valuation</td></tr></table>	Land Transfers			Transferor	Location	Valuation	NIHE	Lands at Killymerron Park – Windmill Wood MUGA	£1,000 – Freehold NIHE engaged with LPS for valuation
Land Transfers										
Transferor	Location	Valuation								
NIHE	Lands at Killymerron Park – Windmill Wood MUGA	£1,000 – Freehold NIHE engaged with LPS for valuation								
3.4	<p>A contract and conveyance between NIHE and the Council for these Lands was previously executed and sealed at the Council meeting held on 14th December 2016. However, in an abundance of caution, it was felt that the Council approval needed to be regularised in order to accurately reflect Table 1 and therefore the contractual offer with NIHE was withdrawn.</p>									
3.5	<p>Discussions with NIHE have since taken place with the Council's contractual offer having now been reinstated with a view to progressing this conveyance through to completion.</p>									
4.0	Other Considerations									
4.1	Financial, Human Resources & Risk Implications									
	<p>Financial: The Council will be responsible for payment of £1,000 consideration to NIHE as the “purchase price”; LPS fees (amount unknown); and its own legal fees.</p>									
	<p>Human: Officer time in completing the matter.</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 note the amended terms in Table 1 of this report and approve that the Council progresses the purchase of Lands at Killymerron Park, Dungannon through to completion.</p>									
6.0	Documents Attached & References									
6.1	<p>N/A</p>									