

Report on	Blueways Trail Development – Lease of Lands along the River Bann, Portglenone
Reporting Officer	Claire McNally, Council Solicitor
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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 for the Council to enter into a 25 year Lease in respect of a portion of land along the River Bann, Portglenone.
2.0	Background
2.1	In 1993 the former Magherafelt District Council established a public angling amenity area along the River Bann comprising of 89 individual angling stands, car park and public path way linking the angling stands, which has been known locally as the Glenone Coarse Angling Amenity.
2.2	The opportunity of linking this current angling facility at Glenone to the town of Portglenone became possible through an overall proposal to develop a Blueways route, from the town of Portglenone to another Council owned public amenity at Newferry West, by way of a six kilometres (approx.) off-road public path.
2.3	At a Council meeting in December 2017, the Council resolved to accept the offer of funding of up to £106k from Waterways Ireland in respect of this element of the proposed Blueways trail and thereafter to engage with Land and Property Services ("LPS") and landowners with a view to entering into lease agreements with relevant landowners.
2.4	Negotiations with local landowners have begun and the initial link from Portglenone town to Glenone Angling Amenity has been agreed in principle with a single landowner, Mr William Chesney ("the Owner"). These lands will also provide additional car parking and angling facilities.
2.5	Consultations with DAERA/Forest Service and other private landowners will be required to develop further lease and access agreements within the scope of the Blueways proposal to link Portglenone to Newferry West.

3.0	Main Report
3.1	In order to advance the development at Portglenone, funding from Waterways Ireland to the value of £106k has been sourced and a Letter of Offer is awaited. This funding will provide a new multi-use public path along the river bank, an additional 25 fishing stands and associated car parking. It is a requirement of Waterways Ireland's funding that the Council enter into a Lease with the relevant landowner before the end of this current financial year.
3.2	A pivotal objective at this stage is the link from Portglenone Town to the Council's Glenone Coarse Angling Amenity. Initial discussions with the Owner has presented the opportunity to develop a proposal on the basis of a lease to council of a strip of land approximately 460 metres long and 8 metres wide to create a development corridor to permit access and the establishment of additional angling stands. The proposal also includes an extension to the existing carpark to accommodate a total of 70 cars, doubling the current capacity. An indicative plan of the land take required to carry out this development is attached at Appendix A.
3.3	<p>The proposed draft Lease for the works at this initial stage is attached at Appendix B. The main terms of same Lease include:-</p> <ul style="list-style-type: none"> • 25 year term with option to renew; • 5 yearly rent reviews linked to market rent; • The Council will provide and maintain all agreed accommodation works associated to boundary stock proof fencing, gates or styles; • The Council will bear the initial cost of a water supply to the lands for the purposes of watering stock; • The Council will inspect and maintain the public car park area, public access pathways, angling stands and all furniture and signage associated to the amenity; and • The Council will provide public liability insurance.
3.4	LPS have been asked to provide a valuation on the proposed site and at the time of writing this report, their valuation is pending.
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: The Council will be responsible for the payment of the Lessor's reasonable legal fees and Agent fees in respect of this Lease. The Council is also responsible for LPS valuation costs and the annual rent agreed between the parties.</p> <p>Human: N/A</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>N/A</p>

4.3	<p><u>Risk Management Implications</u></p> <p>N/A</p>
5.0	Recommendation(s)
5.1	That Members approve the Lease at Appendix B and resolve that the Council enter into same on the terms contained therein.
6.0	Documents Attached & References
6.1	Appendix A – Draft map showing approximate area of land take required; and Appendix B – Draft Lease between William Chesney and Mid Ulster District Council.