

<b>Report on</b>	Village Renewal Scheme: Rural Development Programme 2014-2020 – Lease of non-owned Council lands
<b>Date of Meeting</b>	5 <sup>th</sup> July 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 Members' approval in principle to enter in to a lease arrangement with various landowners in respect of different projects under 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 proposed 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.

3.0	Main Report																														
3.1	In terms of the progression and implementation of the proposed strategic and minor works of non-owned Council lands under the Village Renewal Scheme, it is proposed that where works are to be carried out on third party lands (i.e., non-council owned), that different legal arrangements are entered into depending on the nature of the works. This is required to protect both the Landowner and the Council's interests and to comply with the funder's requirements.																														
3.2	<p>The Council is progressing with tranches of the various projects as and when they are agreed and in relation to the current tranche of projects, the Council would need to enter in to the following Lease agreements:</p> <table><tr><th colspan="3">Proposed Land Leases</th></tr><tr><th>Lessor</th><th>Location</th><th>Project</th></tr><tr><td>St Lurach's, Church of Ireland</td><td>Maghera</td><td>(Section of a) new walkway from Tobermore Road to Walled Garden on Church Street</td></tr><tr><td>Community Group</td><td>Upperlands</td><td>Play Park</td></tr><tr><td>NIHE</td><td>Killyman</td><td>Play Park</td></tr><tr><td>Landowner TBC</td><td>Eglish</td><td>Play Park</td></tr><tr><td>Clonoe Development Association</td><td>Clonoe</td><td>Play Park</td></tr><tr><td>NIHE</td><td>Tamnamore</td><td>Recreational Facilities</td></tr><tr><td>Education Authority</td><td>Brocagh</td><td>Play Park</td></tr><tr><td>Pomeroy Attested Sales Ltd</td><td>Pomeroy</td><td>Car Parking Provision</td></tr></table>	Proposed Land Leases			Lessor	Location	Project	St Lurach's, Church of Ireland	Maghera	(Section of a) new walkway from Tobermore Road to Walled Garden on Church Street	Community Group	Upperlands	Play Park	NIHE	Killyman	Play Park	Landowner TBC	Eglish	Play Park	Clonoe Development Association	Clonoe	Play Park	NIHE	Tamnamore	Recreational Facilities	Education Authority	Brocagh	Play Park	Pomeroy Attested Sales Ltd	Pomeroy	Car Parking Provision
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3.3	Whilst the terms and conditions of each Lease will differ according to each site, the individual Lease with each landowner will be taken back to Committee to be agreed and taken before Council individually for approval and sealing when available.																														
3.4	Therefore, at this juncture, Members are being asked to approve that the Council enter in to Lease arrangements with the relevant landowners in respect of the Projects as outlined in section 3.2 of this report, terms to be agreed and approved by Council. This is to ensure efficiencies going forward in respect of the application process under the Programme.																														

<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: The Council's legal fees in the preparation and negotiation of each Lease. The Council is likely to be responsible for the payment of the various Lessors' reasonable legal fees in respect of each Lease. The Council is also responsible for LPS valuation costs and the annual rent agreed between the parties. Details of this will be brought forward along with each future Lease.
	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 that the Council enter into a Lease with the relevant Landowners in respect of the Projects listed in section 3.2 under the Rural Village Scheme, the terms of each individual Lease to be agreed and approved by Council.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	N/A