

Title of Report: Wayleave Agreement with NIE – Top of the Hill Country Park	Officer Presenting: Lead Legal Services Officer Author: Lead Legal Services Officer
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1 Purpose of Report/Recommendations

1.1 To seek Members approval to enter into to a Wayleave Agreement with NIE at the Former Immaculate Conception College grounds (being redeveloped by Council) at Top of the Hill, at such consideration as may be approved by LPS.

2 Background

2.1 Council has received a requested from NIE to enter into a Wayleave Agreement whereby NIE would be granted the right to install an electricity supply line across that portion of Council's land marked in red on the attached Maps (Appendix 1); This electricity supply is necessary to support the new infrastructure being installed by Council within these grounds.

2.2 Under the terms of the proposed Agreement NIE shall be afforded such access as is required to install and maintain the electricity line and indemnify Council appropriately in respect of any loss or damage;

3 Key Issues

- 3.1 Council will receive a small annual nominal fee from NIE in respect of the right to lay the electricity line and LPS will be asked to confirm that this is a reasonable fee in all the circumstances.

4 Financial, Equality, Legal, HR, Improvement and other Implications

None

5 Recommendations

- 5.1 That Council enter into a Wayleave Agreement with NIE to enable NIE to lay an electricity line along the Land subject to LPS confirming that the rental figure to be calculated in accordance with the terms of the Agreement is reasonable.

Background Papers

Appendix 1 – Maps showing affected area highlighted in red.