



Subject:	Grant of Right of Way to Trustees of St. Mary Magdalene Parish Church, Donegall Pass
Date:	4th September, 2018
Reporting Officer:	Gerry Millar, Director of Property and Projects, ext 6217
Contact Officer:	Celine Dunlop, Estates Surveyor, ext 3419

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	The purpose of this report is to seek the Committee's consent to a right of way through the Reverend Robert Bradford Memorial Park to provide an emergency exit for adjoining property occupied by the Trustees of St Mary Magdalene Parish Church.
2.0	Recommendation
2.1	The Committee is asked to: <ul style="list-style-type: none">• recommend to the Strategic Policy and Resources Committee that consent is granted to a right of way in favour of the Trustees of St Mary Magdalene Parish Church to provide an emergency egress through the Council owned Reverend Robert Bradford Memorial Park, as shown on the attached appendix.

3.0	Main Report
3.1	<p><u>Key Issues</u></p> <p>In or around 2006, the Council agreed to grant the Trustees of St. Mary Magdalene Parish Church a Right of Way over the area coloured yellow on the attached map. This was to provide an emergency egress from the rear of church property via a pathway leading to Lindsay Street. Over the past decade, the Church has continued to use this pathway but the legal process was not completed and no formal Grant of Easement has been executed. The Robert Bradford Memorial Park is due for refurbishment and the design proposal is to close the Lindsay Street access and incorporate the pathway into the park. This necessitates a realignment of the emergency exit onto Apsley Street and the issue of a formal Grant of Easement for execution by all parties. The proposed new route through the park is in line with the development proposals.</p> <p><u>Financial and Resource Implications</u></p> <p>3.2 Financial – the grant of a Right of Way will be subject to a nominal fee of £1.00 if demanded. A report will be taken to the Strategic Policy and Resources Committee, in line with Standing Orders.</p> <p>Resource – Estates will instruct Legal Services section to draft the legal documentation.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>3.3 None</p>
4.0	Document Attached
	Location map