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Date: 6 July 2012

Dear Member

POLICY AND RESOURCES CABINET COMMITTEE - WEDNESDAY, 11 JULY 2012

I am now able to enclose, for consideration at next Wednesday, 11 July 2012 meeting of the Policy and Resources Cabinet Committee, the following report(s) that were unavailable when the agenda was printed.

Agenda No	Item
B2	a) <u>MOD Boundary Rationalisation</u> (Pages 1 - 6)
	b) <u>Gas Governor Installation</u> (Pages 7 - 12)
	c) <u>Redevelopment of Toilet Block - Central Area</u> (Pages 13 - 18)
	d) <u>Area 64 - boundary rationalisation</u> (Pages 19 - 22)

Motion to exclude the Press and Public

That under Section 100A of the Local Government Act 1972 the public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of Exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

E5	<u>Kings Hill - Ransom Strip Serving Area F1 (to follow)</u> (Pages 23 - 30)
E6	<u>To agree to the disposal of a miscellanea of premises known as Wrens Cross, Maidstone (to follow)</u> (Pages 31 - 36)

Yours sincerely

Peter Sass
Head of Democratic Services

From: Roger Gough, Cabinet Member for Business strategy, performance and Health Reform & Barbara Cooper, Director of Economic Development

To: Policy and Resources Cabinet Committee 11th July 2012

Subject: **MOD Boundary rationalisation-Kings Hill South Eastern boundary and bridleway.**

Classification: Unrestricted

Summary: The transfer/swap of various small land parcels to facilitate the repositioned part of the south east boundary of Kings Hill, adjacent to the bridleway. The proposals will regularise already improved boundary arrangements and maintain the designated bridleway route which is essential to enhance public access around Kings Hill.

Recommendations: Members of the Cabinet Committee are asked to consider and either endorse or make recommendations on the Cabinet Member decision to authorise the transfer/disposal/swap of the respective land parcels necessary.

1. Introduction

Kent County Council owns the freehold of various small land parcels adjacent to Kent County Council's and the Ministry of Defence (MOD) co-boundary at the south east extent of the Kings Hill development. The various Kent County Council land parcels total an area of 832m², (0.21Acre). To allow a simple and equitable land swap the MOD land parcels also total 832m². The land parcels form part of the Kings Hill development area and falls within the control of the Development Partnership between KCC and Liberty Property Trust UK. Long term discussions with the MOD reached an agreement to have the SE boundary adjusted to facilitate a preferred and simplified boundary alignment that could be more effectively fenced and maintained.

Accordingly, the areas of land have already been fenced and incorporated into the Kings Hill development scheme and they form part of the public pedestrian circulation area which allows improved and alternative public access/ passage around Kings Hill for visitors and everyday users.

2. Financial Implications

The decision to implement the proposals will not have any impact on the Council's capital and revenue budgets and spending plans, due to the land swap taking place for nil consideration.

Each party is responsible for its own legal fees.

3. Bold Steps for Kent and Policy Framework

The decision directly links to the Council's Medium Term Plan (Bold Steps for Kent) in that it aligns with:

Priority 8 - Responding to key regeneration challenges working with our partners by unlocking a key site within a growth point and which contributes to providing new homes and commercial opportunities at Kings Hill. The bridle way contributes in part to essential passage and improved access/permeability through Kings Hills for members of the public without necessarily using the car.

Priority 9 - Support new housing growth that is affordable, sustainable and with the appropriate infrastructure; and

Priority 11 - Improving access to public services.

The proposed decision relates to the long term agreed Master Plan and strategy for Kings Hill and as part of the Council's Policy Framework.

4. The proposals

The proposed regularisation effectively formalises the existing arrangements, which has detailed planning permission, and contributes to a more effective access layout and directly forms a major part of a perimeter bridleway. The proposals have been sensitively designed, landscaped and incorporated to reflect and compliment the setting and appearance of the adjacent housing areas and woodland.

The revised part of the boundary ensures the delivery of a continuous peripheral public access route and which will ultimately connect around the majority of the Kings Hill scheme.

The bridleway provides essential safe and attractive direct access for the residents of large areas of housing to the proposed Heath Farm development of substantive sports and recreational facilities. These are currently under construction and expected to be completed during the 2012/2013.

In order to facilitate the land swap Kent County Council need to surrender their four land parcels in exchange for the five parcels of the MOD.

5. Conclusion

The land parcel exchange is necessary to conclude the formal rationalisation of the perimeter boundary, which forms an important part of the Kings Hill scheme. The reconfiguration of the boundary has been necessary to ensure an appropriate and logical edge to completed housing developments.

The proposals are the result of detailed land surveys by the Development Partnership in conjunction with the MOD. Other alternative options have been considered, including the retention of the original boundary, but were not capable of delivering the same results and the preferred solution.

6. Recommendations

The Cabinet Member for Business Strategy, Performance and Health Reform recommends the Cabinet Committee to delegate authority to the Corporate Director for Business Strategy and Support, on behalf of Kent County Council, to enter into the appropriate contracts for the land transfers and swap.

Members are requested to agree and endorse the recommendations as set out above on page 1 of the report.

7. Background Documents

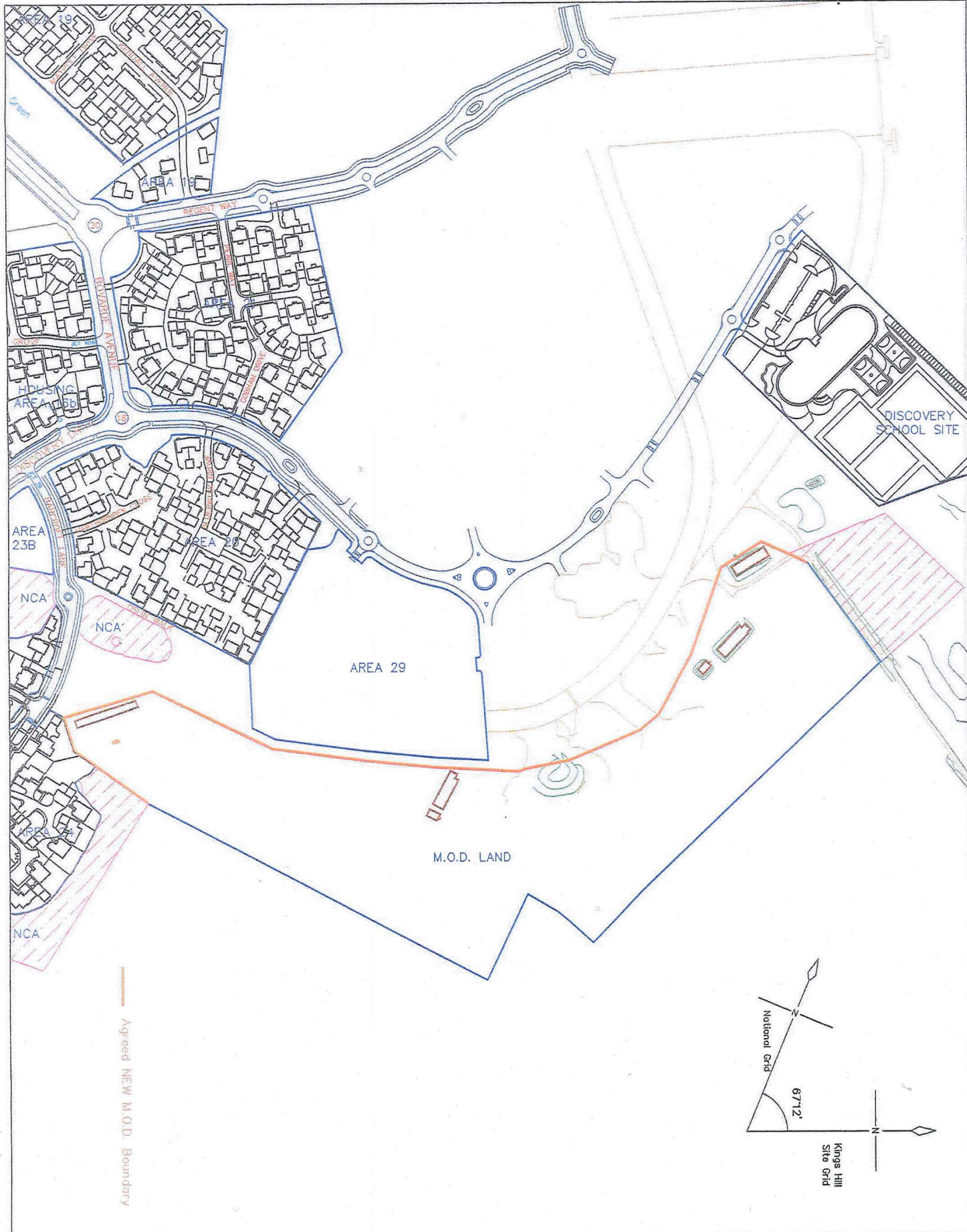
A plan based on the boundary survey is attached for reference purposes

8. Contact details

Matt Hyland Project Co-ordinator- Kings Hill
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MSD



Job Name: **AGREED MOD BOUNDARY
KINGS HILL, WEST MALLING**

Dwg Name: **BOUNDARY SURVEY**

Dwg No: **C9451/MOD/FINAL/2**
 Scale: **1/2500 (At A3)**
 Date: **MAY 2004**



Glen Surveys Ltd
 Chartered Land Surveyors

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 SIDCUP, KENT DA14 4DS.
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From: Roger Gough, Cabinet Member for Business strategy, performance and Health Reform & Barbara Cooper, Director of Economic Development

To: Policy and Resources Cabinet Committee 11th July 2012

Subject: **Gas Governor Installation-Lease to Southern Gas Networks PLC relating to Roundabout 4, Kings Hill Avenue, Kings Hill Avenue, Kings Hill**

Classification: Unrestricted

Summary: The granting of a Lease for a peppercorn and the grant of an easement to facilitate essential Gas infrastructure to be installed.

Recommendations: Members of the Policy and Resources Cabinet Committee are asked to consider and either endorse or make recommendations on the Cabinet Member decision to authorise the lease/easement of the necessary land.

1. Introduction

Kent County Council owns the freehold of the land. The land forms part of the Kings Hill development area and falls within the control of the Development Partnership between KCC and Liberty Property Trust UK. The proposals will allow the provision of an upgrade in the supply to the local network which is essential to current and future development.

2. Financial Implications

The decision to implement the proposals will not have any impact on the Council's capital and revenue budgets and spending plans. The lease will be granted for a peppercorn rent due to the essential need for the upgrade in infrastructure.

Southern gas Networks agree to indemnify the Landlord in respect of all losses arising from any breach of covenants or the occupation /use of the land and easement strip.

Each party is responsible for its own legal fees.

3. Bold Steps for Kent and Policy Framework

The decision links to the Council's Medium Term Plan (Bold Steps for Kent) in that it aligns with:

Priority 8 - Responding to key regeneration challenges working with our partners by unlocking a key site within a growth point and which contributes to providing new homes and commercial opportunities at Kings Hill. The increased gas capacity provides essential services for Kings Hill development areas.

Priority 9 - Support new housing growth that is affordable, sustainable and with the appropriate infrastructure; and

Priority 11 - Improving access to public services.

The proposed decision relates to the long term agreed Master Plan and strategy for Kings Hill and as part of the Council's Policy Framework.

4. The proposals

The proposed granting of the lease and associated rights over an easement strip for installation, maintenance and repair will enable a Gas Governor to be installed. This Gas Governor will regulate gas pressure in the local network and ensure newly built and further planned housing some of which is currently under construction are all adequately supplied with gas. Without the new infrastructure in place further new connections will not be possible.

Southern Gas Networks have advised that the installation of a Gas Governor is essential piece of equipment.

The main aspects of the lease are:

- a) The term of the lease will be 99 years;
- b) Rent will be a peppercorn
- c) Lift and shift provisions within the lease so that KCC/LPTUK has the ability to relocate the equipment /cabling if needed for redevelopment purpose
- d) The land will revert back to KCC at the end of the term
- e) There is a restriction to use the land solely for the purposes of a gas Governor.

Liberty Property Trust UL Ltd and Rouse Kent (Residential) Ltd are party to the agreement for the purposes of estate management functions.

Local member consultation has taken place.

5. Conclusion

It is essential that all necessary service provisions to serve the Kings Hill development are made and dealt with as a priority and that there are minimal

legal and/or commercial impediments in the delivery of those services serving the development.

The proposals are the result of advice from Southern Gas Networks and have been stated as imperative. There are considered to be no other alternative or better options available or capable of delivering the same optimum solution.

6. Recommendations

The Cabinet Member for Business Strategy, Performance and Health Reform recommends the Cabinet Committee to delegate authority to the Corporate Director for Business Strategy and Support, on behalf of Kent County Council, to enter into the appropriate contracts for the leases and associated easement.

Members are requested to agree and endorse the recommendations as set out above on page 1 of the report.

7. Background Documents

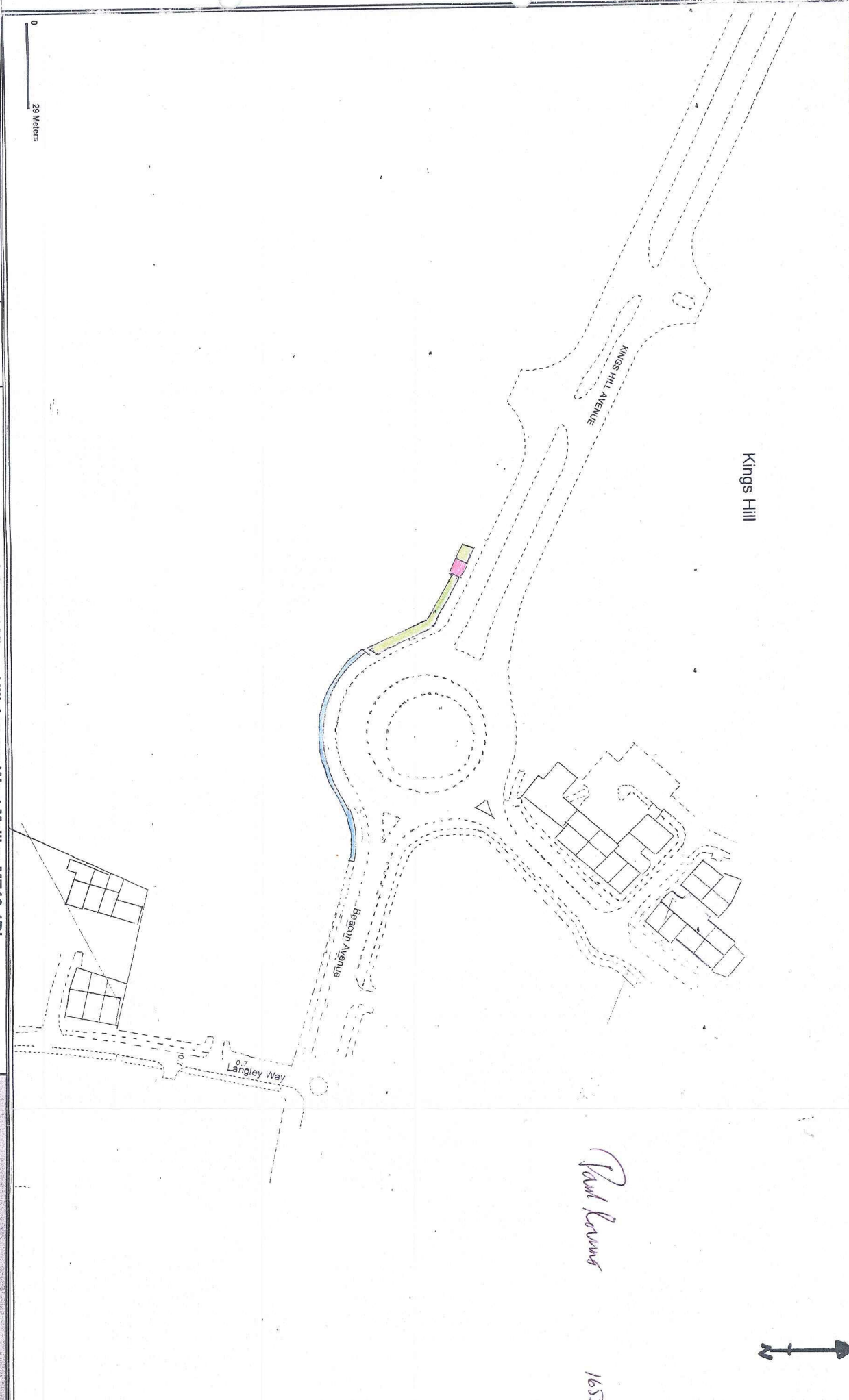
A location plan based on the survey is attached for reference purposes

8. Contact details

Matt Hyland Project Co-ordinator- Kings Hill
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Here are Area of Interest layers switched off. There may be Area of Interest polygons in this view which you cannot see.



Kings Hill

KINGS HILL AVENUE

Beacon Avenue

Langley Way

Paul Lewis

1652



0 29 Meters

SCOTIA
Gas Networks PLC

Diameter	Material	Pressure	Length (m)
100MM	PE	MP	7.7
250MM	PE	LP	194M

Address:
Landowner:
Leaseholder:
Tenant:
Drawn By:
Date:
Scale:
O.S. Ref:
Cost Code:
Project Type:
Project No:

Roundabout 4 Kings Hill Avenue West Malling ME19 4RL
Kent County Council Sessions House
Liberty Property Trust UK Ltd Rouse Kent (Residential) Ltd

This plan shows only those pipes owned by Southern Gas Networks Ltd in its role as a Licensed Public Gas Transporter (PGT). Gas pipes owned by other PGTs and also privately owned may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Southern Gas Networks Ltd, its agents or servants for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

Installation shown thus:-
Purchase Area shown thus:-
Manning Area shown thus:-

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From: Roger Gough, Cabinet Member for Business strategy, performance and Health Reform & Barbara Cooper, Director of Economic Development

To: Policy and Resources Cabinet Committee 11th July 2012

Subject: Redevelopment of Toilet Block – Central Area

Classification: Unrestricted

Summary: The transfer of land to facilitate the repositioning and redevelopment of the public toilets within the Central Area. The proposal will facilitate improved circulation arrangements and facilities essential to the enhancement and future of Kings Hill's centre.

Recommendations: Members of the Policy and Resources Cabinet Committee are asked to consider and either endorse or make recommendations on the Cabinet Member decision to authorise the transfer/disposal of part of the Central Area land and the footprint of the proposed new toilet building to McLagan Investments Ltd (Asda) and lease land to Liberty Property Limited Partnership.

1. Introduction

Kent County Council owns the freehold of land within the Central Area adjacent to the Asda store and the car park adjacent to the Central Area. The land parcels extends to a total approximate area of m2, is within the Kings Hill development area and falls within the domain of the Development Partnership between KCC and Liberty Property Trust UK.

The site already forms part of the public pedestrian circulation area where it is intended to allow the pedestrian flow and improved views of key buildings and areas to be far more evident to visitors and everyday users. The existing toilets currently obscure and frustrate the latest development arrangements and prevent the required connectivity between different main retailers.

2. Financial Implications

The decision to implement the proposals will not have any detrimental impact on the Council's capital and revenue budgets and spending plans, due to the forward planning and inclusion of the building costs within the Kings Hill Central area funding arrangements. The toilets are in essential need of replacement and the advantages the proposals bring will form part of plans to significantly enhance the visitor's experience to Kings Hill centre.

Each party is responsible for its own legal fees.

3 Bold Steps for Kent and Policy Framework

The decision directly links to the Council's Medium Term Plan (Bold Steps for Kent) in that it aligns with:

Priority 8 - Responding to key regeneration challenges working with our partners by unlocking a key site within a growth point and which contributes to providing new homes and commercial opportunities in the Kings Hill Central Area.

Priority 9 - Support new housing growth that is affordable, sustainable and with the appropriate infrastructure; and

Priority 11 - Improving access to public services.

The proposed decision relates to the long term agreed master plan and strategy for Kings Hill and as part of the Council's Policy Framework.

4. The proposals

The proposed new toilet building has detailed planning permission and the layout and form of the proposals have been sensitively designed to reflect and compliment the setting and appearance of the existing Control Tower, a Grade 2 listed building and a major landmark feature within the Central Area of Kings Hill.

The construction works and associated demolition are scheduled to take place simultaneously with the ongoing restoration and the completion of the conversion of the Control Tower.

In order to create the new toilets in the Central Area, Liberty Property Limited Partnership need to surrender part of their existing lease of Block 5, being the bin store area back to Kent County Council.

Once the new toilets have been developed and the works are complete, Kent County Council will then need to transfer the freehold of footprint of the new toilets to Asda. This arrangement forms the basis of a legal settlement agreement Asda.

Kent County Council will also need to grant Liberty Property Limited Partnership a new lease on the new bin store area for Block 5.

On transfer of the new toilets to Asda, Asda will need to transfer back the freehold of the land, the footprint of the old toilets, back to Kent County Council and so that Liberty as Kent County Council's development partners can demolish them.

As part of the land rationalisation a small area (Area 1) directly adjacent to the Asda store will also be transferred to McLagan Investments Ltd (Asda).

Asda are to own and control and maintain the new toilets as with the current facilities.

Local Member consultation has taken place.

5. Conclusion

The various land transactions are necessary to provide the new toilets and form an important integral part of the new Kings Hill Central Area layout. The latest reconfiguration of the Central Area has been necessary to take account of other recent and ongoing developments which collectively rejuvenate the range and quality of facilities provided, making provisions for the continued growth of Kings Hill as a successful mixed use development. The current proposals have come about after extensive and detailed evaluation by the Development Partnership. All other alternative options have been considered, including the retention of the existing toilets, but none of the alternative options are capable of delivering the same range and level of benefits.

6. Recommendations

The Cabinet Member for Business Strategy, Performance and Health Reform recommends the Cabinet Committee to delegate authority to the Corporate Director for Business Strategy and Support, on behalf of Kent County Council, to enter into the appropriate contracts for the transfer/disposal of part of the Central Area and the transfer back of the

Members are requested to agree and endorse the recommendations as set out above on page 1 of the report.

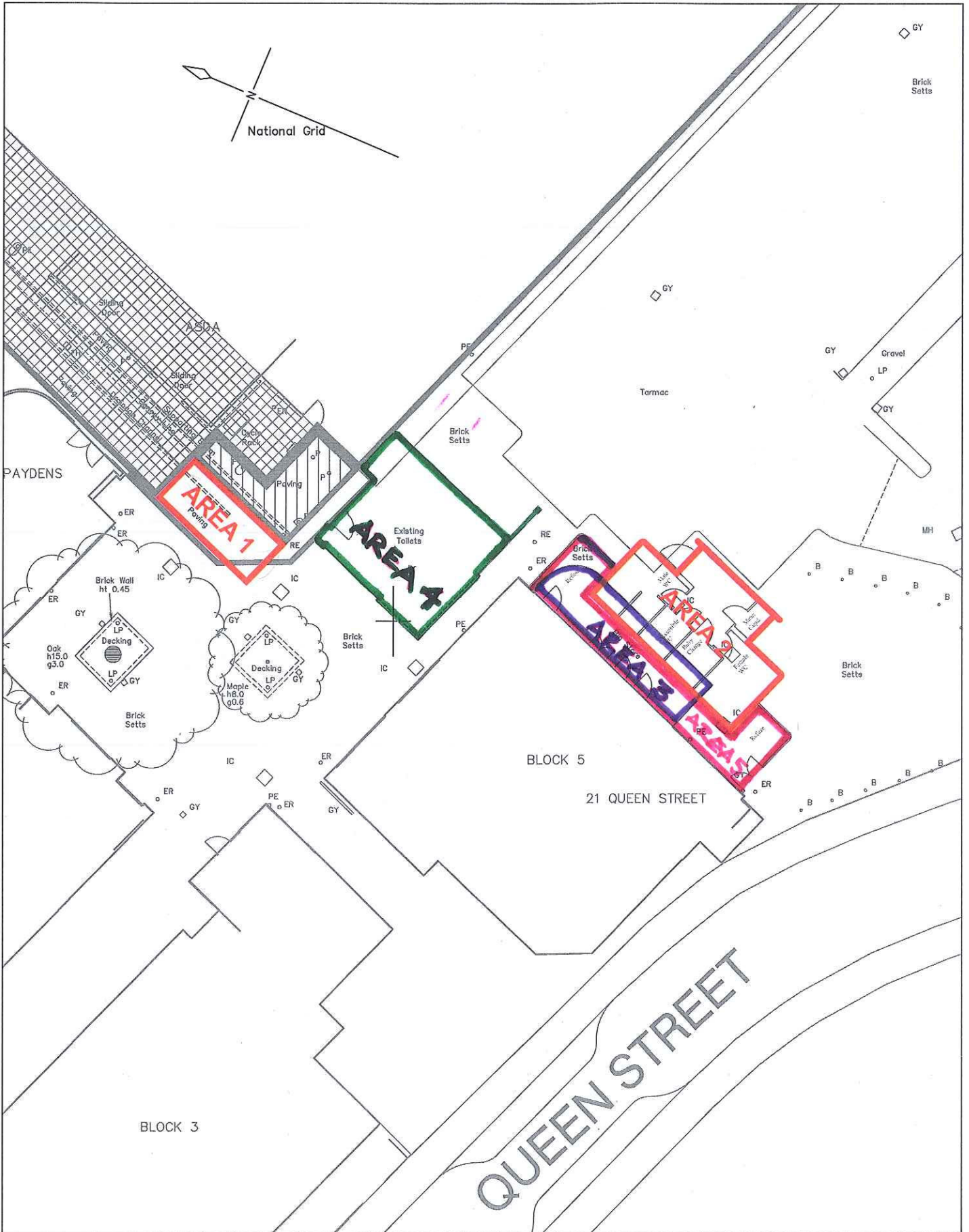
7. Background Documents

A location plan showing the respective parcels is attached for reference and location purposes.

8. Contact details

Matt Hyland Project Co-ordinator- Kings Hill

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Job Name: KINGS HILL, WEST MALLING
 McLAGAN INVESTMENTS LTD TRANSFER PLAN

Dwg Name: TRANSFER TO McLAGAN INVESTMENTS LTD

Page 17

Dwg No: C9451/LT/3

Scale: 1/200 (At A3)

Date: 27-10-2011

GLEN Glen Surveys Ltd
 Land & Engineering Surveyors

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 HAWLEY ROAD, N^r DARTFORD, KENT. DA1 1PX.

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From: Roger Gough, Cabinet Member for Business strategy, performance and Health Reform & Barbara Cooper, Director of Economic Development

To: Policy and Resources Cabinet Committee 11th July 2012

Subject: **Area 64 Boundary rationalisation-Kings Hill**

Classification: Unrestricted

Summary: The transfer back to Kent County Council various periphery parcels of land to facilitate the provision of landscaping and open space on the west/south boundary of Area 64 Beacon Avenue Kings Hill, adjacent to the co boundary of Village 2, Phase 2 Commercial Area and The Greenway. The proposals will regularise and improve boundary arrangements and make provisions for a attractive footpath route which is essential to enhance public access around Kings Hill.

Recommendations: Members of the Policy and Resources Cabinet Committee are asked to consider and either endorse or make recommendations on the Cabinet Member decision to authorise the transfer and receipt of the respective land parcels necessary for good design and estate management.

1. Introduction

Kent County Council originally owned the freehold of the whole of area 64. The land was recently sold to Hillreed Homes Ltd. The land parcels originally formed part of the Kings Hill development area and falls within the control of the Development Partnership between KCC and Liberty Property Trust UK. Hillreed Homes have agreed to transfer specific areas of land back to Kent County Council to facilitate a preferred and simplified boundary treatment that can be more effectively fenced and maintained.

Accordingly, the area of land received by KCC will be incorporated into the Kings Hill Residential Estate Management Company's control and will form part of the public pedestrian circulation area, which allows improved and

alternative public access/ passage around Kings Hill for residents, visitors and everyday users.

2. Financial Implications

The decision to implement the proposals will not have any impact on the Council's capital and revenue budgets and spending plans, due to the land being transferred to KCC for nil consideration.

Each party is responsible for its own legal fees.

3. Bold Steps for Kent and Policy Framework

The decision directly links to the Council's Medium Term Plan (Bold Steps for Kent) in that it aligns with:

Priority 8 - Responding to key regeneration challenges working with our partners by unlocking a key site within a growth point and which contributes to providing new homes and commercial opportunities at Kings Hill. The bridle way contributes in part to essential passage and improved access/permeability through Kings Hills for members of the public without necessarily using the car.

Priority 9 - Support new housing growth that is affordable, sustainable and with the appropriate infrastructure; and

Priority 11 - Improving access to public services.

The proposed decision relates to the long term agreed Master Plan and strategy for Kings Hill and as part of the Council's Policy Framework.

4. The proposals

The proposed regularisation will effectively formalise the revised layout arrangements, which has detailed planning permission, and contributes to a overall more effective access layout. The proposals are to be sensitively designed, landscaped and incorporated to reflect and compliment the setting and appearance of the adjacent housing area currently under construction.

The peripheral areas of the Area 64 site are to be transferred back to KCC for Kings Hill Residential Estate Management Ltd to manage. The transfer ensures that the areas identified are maintained to the required standards and are included within the overall management of the Greenway and play space.

Local Member consultation has taken place.

5. Conclusion

The three land parcel transfer is necessary to conclude the formal rationalisation of the boundary, which forms part of the Area 64 Hillreed Homes scheme.

The reconfiguration of the south and west boundary has been necessary to ensure an appropriate and logical edge to completed housing developments in Village 2.

The proposals are the result of detailed discussions with Liberty Property Trust UK Ltd, Kent County Council's development partners.

Other alternative options have been considered, including the retention of the original boundary, but were not capable of delivering the same results and the preferred solution.

6. Recommendations

The Cabinet Member for Business Strategy, Performance and Health Reform recommends the Cabinet Committee to delegate authority to the Corporate Director for Business Strategy and Support, on behalf of Kent County Council, to enter into the appropriate contracts for the land transfers.

Members are requested to agree and endorse the recommendations as set out above on page 1 of the report.

7. Background Documents

A location plan based is attached for reference purposes

8. Contact details

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item E5

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Agenda Item E6

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