

From: Rebecca Spore, Director of Infrastructure

To: Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

Subject: Granting of formal lease for Electricity Substation at the proposed replacement school site at Crete Hall Road, Northfleet, for Rosherville Church of England Primary School.

Decision No.: 24/00090

Non-Key Decision

Classification: *Unrestricted with Exempt Appendix A, under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 refers.*

Future Pathway of report: Cabinet Member Decision

Electoral Division: Northfleet and Gravesend West
Dr Sullivan – Northfleet
Mr Broadley – Gravesend West

Is the decision eligible for call-in? Yes

Summary: This report seeks endorsement from the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services on the proposed decision to grant a lease in excess of 20 years to UK Power Networks (UKPN) for occupation and use of a new electricity substation located within the grounds of the school.

Recommendation(s):

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services is asked to consider and endorse or make recommendations on the proposed decision to:

1. authorise the granting of a lease in excess of 20 years to UKPN in order that a new electricity substation can be built within the grounds of the school, to serve the newly built development for operational educational requirements; and
 2. delegate authority to the Director of Infrastructure, in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to take necessary actions, including but not limited to entering into relevant contracts or other legal agreements, as required to implement this.
-

1. Introduction / Background

1.1 Kent County Council (KCC) has recently acquired the freehold ownership of land at the proposed replacement school site, Crete Hall Road, Northfleet for the Rosherville Church of England Primary School.

- 1.2 The existing Rosherville Church of England Primary School site on London Road, Northfleet needs expansion and relocation following considerable residential development in the locality and an increase in pupil numbers. This has necessitated the expansion and relocation of Rosherville Church of England Primary School.
- 1.3 KCC acquired the land via a Section 106 Agreement to construct a new school development in the locality which will provide modern, fit for purpose accommodation. This project is scheduled for delivery in September 2025.

2 Key considerations

- 2.1 The existing electrical grid at the present location is of insufficient capacity to provide the required supply to the proposed new development. To ensure a supply can be provided, a new substation needs to be installed within the school site. A very small part of the County Council's land has been identified for installation of a new substation which will exclusively serve the new school. A formal lease will need to be granted to UKPN, who have been appointed to erect and operate the substation which will remain their property. To enable the substation to be provided, UKPN require the County Council to grant them a lease of a term in excess of 20 years, to provide it with security of tenure for its desired legal estate in the land, having regard to the costs incurred in providing and maintaining the substation. UKPN also require the lease to be granted to them for a nominal consideration.
- 2.2 UKPN lease requirements accord with previous leases authorised and granted by the County Council for substations within school sites.
- 2.3 In order that UKPN can proceed with the provision, connection, use and maintenance of a new substation it first requires the County Council to commit to the granting of a lease in excess of 20 years.
- 2.4 The proposed lease terms are outlined in exempt appendix A, attached to this Report.

3 Options considered and dismissed and associated risk

- 3.1 The option of not offering the land to UKPN for its substation to serve the school was considered and rejected as there would be no other suitable sites available near to the new school buildings and it could not be operated without adequate electricity supply. The substation will be necessary to ensure the development can be completed and brought into use, which accords with a recommendation to offer the land and grant a lease to UKPN.

4 Financial Implications

- 4.1 UKPN to cover the County Council's reasonable legal fees.
- 4.2 A rent as set out in the Exempt Appendix A.

5 Legal Implications

5.1 The County Council is the current owner of the land upon which the substation is to be located, together with all necessary rights of access. Appropriate documentation will be executed to ensure KCC's, and UKPN's legal land holding relationship is properly documented as agreed under delegated authority.

6 Equalities Implications

6.1 The substation is required to provide power to the school at this location. This benefits all users of the school and the local community and has no impacts to groups identified under the Equalities screening process.

6.2 An Equality Impact assessment (EqIA) has been completed.

7 Data Protection Implications

7.1 A data protection impact assessment (DPIA) screening tool has confirmed that there are no DPIA implications.

8 Other Corporate Implications

8.1 This decision supports the Framing Kent's Future - Our Council Strategy 2022-2026 as the decision will enable the provision and operation of a brand new School. This supports KCC's commitment to maintaining its strategic role in supporting schools in Kent to deliver accessible, high-quality education provision.

8.2 Infrastructure for communities will be improved by the new substation, using modern materials and technologies associated with prevailing substation design and construction and protected for long term use by the presence of a long lease.

8.3 Environmental Step Change objectives will also be achieved, as the proposed lease will compel the operator to use sustainable materials and reduce any carbon emissions compared to the existing substation, which will help the County Council achieve its Net Zero targets.

8.4 The land on which the new school is being built has been provided under a s106 and so there will be no requirement for KCC to fund the land acquisition. The substation necessary to power the school will be supplied at no cost to KCC other than cost for the preparation of the leases etc. and therefore supports Securing Kents Future 2022-2026 - Budget Recovery Strategy.

9 Governance

9.1 The Local Members, Dr Sullivan and Mr Broadley, have been formally notified of the intention to allocate land under a lease to UKPN in order to power the new school.

10 Conclusions

10.1 The granting of the proposed lease in excess of 20 years will provide UKPN with an estate interest in a small area at the school and enable the facilities to be brought into full operational use.

Recommendation(s):

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services is asked to consider and endorse or make recommendations on the proposed decision to:

1. authorise the granting of a lease in excess of 20 years to UKPN in order that a new electricity substation can be built within the grounds of the school, to serve the newly built development for operational educational requirements; and
 2. delegate authority to the Director of Infrastructure, in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to take necessary actions, including but not limited to entering into relevant contracts or other legal agreements, as required to implement this.
-

11. Appendices / Background Documents

11.1 EXEMPT Appendix A - initial lease terms to UK Power Network

11.2 Appendix B – PROD – Proposed Record of Decision

11.3 Appendix C – EqIA – Equality Impact Assessment

12. Contact details

Report Author(s):

Matthew Edwards
Job title: Assistant Estates Surveyor
(Education Estate)
Telephone number: 03000 42 19 52
Email address:
Matthew.Edwards@kent.gov.uk

Mark Cheverton
Job title: Head of Real Estate Services
Telephone number: 03000 41 59 40
Email address: mark.cheverton@kent.gov.uk

Relevant Director:

Director: Rebecca Spore
Job title: Director of Infrastructure
Telephone number: 03000 41 67 16
Email address:
rebecca.spore@kent.gov.uk