

From: Rebecca Spore - Director of Infrastructure

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

Subject: Formal Lease for an Electricity Sub Station within grounds of the former Walmer Science College, Deal - to serve The Beacon and the Southwood Centre, Deal.

Decision No. 25/00027

Non Key Decision

Classification: Unrestricted

Future Pathway of report: Cabinet Member Decision

Electoral Division: Deal and Walmer – Mr Trevor Bond and Mr Derek Murphy

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 decision to grant a Lease in excess of 20 years to UK Power Networks for occupation and use of a new electricity substation located within the grounds of the former College, for use by a new school and an existing Pupil Referral Unit.

Recommendations:

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services is asked to agree to:

1. authorise the granting of a Lease in excess of 20 years to UK Power Networks in order that a new electricity substation can be built within the grounds of the former Walmer Science College site to serve new buildings for use by The Beacon and the County Council's operational Southwood Centre; 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) are the freehold owners of land and playing fields at the former Walmer Science College, Deal. Part of the site is occupied by the County Council's Southwood Centre as a pupil Referral Unit and part is occupied by The Beacon, a Foundation School.
- 1.2 Several of the remaining existing buildings at the College are either in need of upgrading and/or beyond their economic life. The County Council are currently in the process of part refurbishing some of the former College accommodation as well

as erecting new buildings for expansion of The Beacon. The works at the school were subject to separate key decisions reference 20/0001 dated 3 April 2020 and 23/00018 dated 3 April 2023, as taken by the Cabinet Member for Education and Skills, in respect of the commissioning of the additional school places requirements and the capital allocations from the Children's, Young People and Education Cabinet Committee (CYPE) Capital programme in the Medium-Term Financial Plan (MTFP). This project is scheduled for delivery in September 2025.

- 1.3 The existing electrical supply to the former College buildings is of insufficient capacity to provide the required supply to the proposed new buildings. To ensure a supply can be provided, a new substation needs to be installed within the former College site. A very small part of the County Council's land has been identified for installation of a new substation, with cables to extend into parts of the new education buildings to be built, as well as to the Southwood Centre to improve the electrical supply to this operational property.
- 1.4 A formal lease will need to be granted to UK Power Networks, who have been appointed to erect and operate a substation within the College grounds to serve the new buildings and to supply the local electricity network in emergencies. UK Power Networks have been appointed to install and connect a proposed substation, which will remain their property.
- 1.5 To enable the substation to be provided, UK Power Networks require the County Council to grant them a lease in excess of 20 years, to provide security of tenure for their desired legal estate in the land, having regard to the costs incurred in providing and maintaining the substation. UK Power Networks also require such a long lease to be granted to them for nominal consideration.
- 1.6 UK Power Networks' lease requirements accord with previous leases authorised and granted by the County Council for sub stations within school sites.
- 1.7 In order that UK Power Networks 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.
- 1.8 Cable rights will need to be reserved within the lease which will be located under land owned by the County Council.
- 1.9 The proposed lease terms are outlined in the exempt Appendix A.

2. Options considered and dismissed, and associated risk

- 2.1 **Do not grant the lease:** If the lease is not granted, the proposed new accommodation for use and occupation by The Beacon will have an inadequate electricity supply for its operational requirements, thereby compromising the purpose for which the buildings are being provided. The County Council's operational Southwood Centre would also suffer from not having an upgraded electrical supply and would lose the opportunity to improve its own property and its operation.
- 2.2 Subsequently, not granting the lease would create operational issues to two education properties.

2.3 **Grant the Lease:** The land upon which the new buildings will be built is owned by the County Council. The precise location of the substation is close to the site boundary and unlikely to prejudice any redevelopment potential for the school site should it close at a future date. The proposed substation will serve the new education buildings and the Southwood Centre in the first instance.

2.4 As the substation will serve operational education properties, it is recommended that the lease should be granted.

3. Financial Implications

3.1 UKPN to cover the County Council's reasonable legal fees.

3.2 A rent as set out in the confidential Appendix A.

4. Legal Implications

4.1 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.

5. Equalities Implications

5.1 The substation is required to provide power to the school at this location. This will benefit all users of the school and the local community.

5.2 An Equality Impact Assessment (EqIA) has been completed, and no issues have been identified for EqIA.

6. Data Protection Implications

6.1 A Data Protection Implication Assessment (DPIA) screener has confirmed that there are no DPIA implications.

7. Other corporate implications

7.1 None - This decision will not have any impact on other areas of the Council's work.

8. Governance

8.1 The Local Members, Mr Bond and Mr Murphy, have been formally notified of the proposed granting of the lease with the capital project discussed at the CYPE Cabinet Committee, which is subject to a separate Key Decision.

8.2 The proposal will require a formal lease to be granted to UK Power Networks and legal advice will be sought if required.

9. Conclusions

9.1 The granting of the proposed lease will provide UK Power Networks with an estate interest in a small area at the school and enable the facilities to remain in full operational use.

Recommendations:

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services is asked to agree to:

1. authorise the granting of a Lease in excess of 20 years to UK Power Networks in order that a new electricity substation can be built within the grounds of the former Walmer Science College site to serve new buildings for use by The Beacon and the County Council's operational Southwood Centre; 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.
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10. Appendices / Background Documents

- 10.1 Appendix A – confidential initial lease terms
- 10.2 Appendix B – Site Plan
- 10.3 Appendix C – Proposed Record of Decision
- 10.4 Appendix D – EqIA – Equalities Impact Assessment

11. Contact details

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