

**From:** Rebecca Spore, Director of Infrastructure

**To:** Eric Hotson, Cabinet Member for Corporate and Democratic Services

**Subject:** Ground Lease at Meopham Academy, Wrotham Road, Meopham for the new Meopham Library

**Decision No.** 19/00022

**Classification:** Unrestricted

**Past Pathway of Paper:** Published on Forward Plan

**Future Pathway of Paper:** Cabinet Member Decision

**Electoral Division:** Gravesham Rural

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**Summary:** This report sets out the recommendation to enter into a new 999 year lease with Swale Academy Trust, for relocation of the new Meopham Library.

**Recommendation(s):**

The Cabinet Member for Corporate and Democratic Services is asked to enter into a new lease of land at Meopham Academy and for the Director of Infrastructure to finalise terms and complete the transaction.

## **1. Introduction**

**1.1** Meopham School entered the former grant-maintained sector in September 1992. The Transfer to the School's Governing Body was completed in January 1996. The School became a Foundation School on 1<sup>st</sup> September 2009 and converted to an Academy on 1<sup>st</sup> February 2013.

**1.2** At the time of the School's incorporation into the former grant-maintained sector, the County Council operated a Public Library from the School. In accordance with the Education Reform Act 1998, the County Council were entitled to retain an estate interest in the Library, as this property was neither held for nor used by the School at the time of conversion.

**1.3** As the Library formed part of the main School building at the time, the County Council took a 999 year internal – repairing lease of the Library, at a peppercorn rent, with rights of access, shared car parking facilities. The lease was completed in January 1998.

**1.4** The Academy was the subject of a Education Funding Agency (EFA) – led Priority School Building ( PSB ) Project, for redevelopment of the site to provide new education buildings. The approved design and layout of the new buildings did not include an integrated replacement Library, as it was considered more appropriate for a new Library to provided in a separate building, within the grounds of the Academy.

**1.5** The EFA's Direction, in the form of a letter dated 22<sup>nd</sup> March 2016, compelled the Trust to grant a new ground lease of an area within the Academy to the County Council, for construction, use and occupation of a new self-contained Library. The lease to be for a term of 999 years, at a peppercorn rent, for consistency with the lease previously granted in January 1998.

**1.6** The new Library was built in Summer 2017, handed over to the County Council in Autumn 2017 and opened to the public in early December 2017. The County Council vacated the former Library in December 2017. The County Council currently occupy the Library under the terms of a short term lease, pending completion of the 999 year lease. The former Library and original School buildings were demolished in 2018.

## **2. Corporate Objectives:**

The proposed decision meets the objectives of "Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement ( 2015 – 2020 )" as follows:-

- The young people of Meopham and adjoining communities will maintain access to work, education and training opportunities by the provision of a local Library,
- Meopham residents and adjoining communities will maintain a good quality of life, with social and cultural opportunities.

## **3. Consultations**

The Local Member has been formally notified of the proposed taking of the lease.

## **4. Financial Implications**

**4.1** A rent of £1 ( one pound ) per annum, if demanded. Each party to bear its own costs upon completion of the new lease.

**4.2** The running costs of the former Library and the new Library have increased which is representative of a stand alone building rather than an apportionment of costs based on the academy operating costs.

## **5. Legal**

The land subject of the proposed lease was previously owned by the County Council, prior to the Transfer to the Governing Body as referred to in item 1.1 above. The Governing Body have not disclosed any dealings they may have completed on the land since it came into their ownership which could prejudice the proposed lease, though full due diligence will be carried out as part of the process for the taking of the lease.

## **6. Equalities**

The new Library provides an improved full and direct disabled access compared to the former Library and exclusive and fully accessible welfare facilities for the Library staff and users. A disabled parking space is located directly in front of the new Library, considerably closer than before.

## **7. Conclusion**

The taking of the lease will provide the County Council with an estate interest in the new Library equal to its interest in the former Library and allows KCC to continue to provide its services in the locality

## **8. Recommendation**

The Cabinet Member for Corporate and Democratic Services is asked to enter into a new lease of land at Meopham Academy and for the Director of Infrastructure to finalise terms and complete the transaction.

## **9. Contact details**

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