

Report

Report to:	Housing and Technical Resources Committee
Date of Meeting:	23 May 2018
Report by:	Executive Director (Housing and Technical Resources)

Subject:	Proposed Lease of Ground at East Kilbride Expressway with associated Servitude Right of Access in favour of SP Distribution plc
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ advise on action taken, in terms of Standing Order No 36(c) in view of the timescales involved, by the Executive Director (Housing and Technical Resources), in consultation with the Chair and an ex officio member, to the lease of ground at East Kilbride Expressway to SP Distribution plc, along with the associated servitude rights of access

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the following action taken, in terms of Standing Order No 36(c), by the Executive Director (Housing and Technical Resources), in consultation with the Chair and an ex officio member, be noted:-
- ◆ that a 99 year lease of ground at the East Kilbride Expressway be granted to SP Distribution plc on the main lease terms and conditions outlined in section 4 of this report
 - ◆ that consent be granted to SP Distribution plc to construct the sub-station and that a servitude right of access be granted to maintain and inspect the cables serving the sub-station, as shown on the attached plan
 - ◆ that the Executive Director (Housing and Technical Resources), in consultation with Head of Administration and Legal Services, if appropriate, be authorised to conclude all matters in respect of the grant of lease and to enter into the necessary legal agreements on terms which are in the best interests of the Council

3. Background

- 3.1. SP Distribution plc has approached the Council to lease land to construct a new sub-station. The sub-station is required to service the expansion to the Raith Interchange and M74 project.
- 3.2. The sub-station requires to be constructed on the ground, extending to 25m², shown on the attached plan, which is owned by South Lanarkshire Council and held in the Community and Enterprise Planning Account.
- 3.3. SP Distribution plc requires a 99 year lease to site their sub-station and associated cabling.

- 3.4. It is an essential requirement of SP Distribution plc that the lease for the sub-station is executed prior to energising the sub-station to allow a continued power supply to assist with the project.

4. Proposal

- 4.1. It is proposed that the lease terms and conditions are as follows:-

1. The lease will be for 99 years from the date of entry.
2. The rent is to be £1 per annum payable in arrears at Martinmas.
3. The subjects shall be used for construction and operation of the electricity sub-station. In addition, SP Distribution plc will have a right to lay, maintain, inspect, repair and renew underground cables, pipes and ducts serving the sub-station.
4. SP Distribution plc will be responsible for payment of the Council's reasonable Legal expenses.

5. Employee Implications

- 5.1. There are no employee implications.

6. Financial Implications

- 6.1. Due to the Council's involvement in the project a nominal consideration is applicable, however, the Legal fees incurred in relation to the lease will be met by SP Distribution plc.

7. Other Implications

- 7.1. By granting this lease, the Council ensures SP Distribution plc enter into a contract which formalises their agreement to construct the sub-station and allows them to provide a service. In addition, it grants them future occupation of the site and obliges them to maintain the site and their apparatus.
- 7.2. By not proceeding, there is a risk that SP Distribution plc cannot be held contractually responsible for constructing the sub-station that will have a detrimental impact on the future power supply in the area.

8. Equality Impact Assessment and Consultation Arrangements

- 8.1. Consultation was carried out with the Planning Department regarding the proposal and the requirement for this new sub-station is essential to assist with the continued power supply in the area.
- 8.2. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.

Daniel Lowe
Executive Director (Housing and Technical Resources)

20 April 2018

Link(s) to Council Values/Ambitions/Objectives

- ◆ Improve the road network, influence improvements in public transport and encourage active travel
- ◆ Accountable, effective, efficient and transparent

Previous References

- ◆ None

List of Background Papers

- ◆ None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Frank McCafferty, Head of Property Services

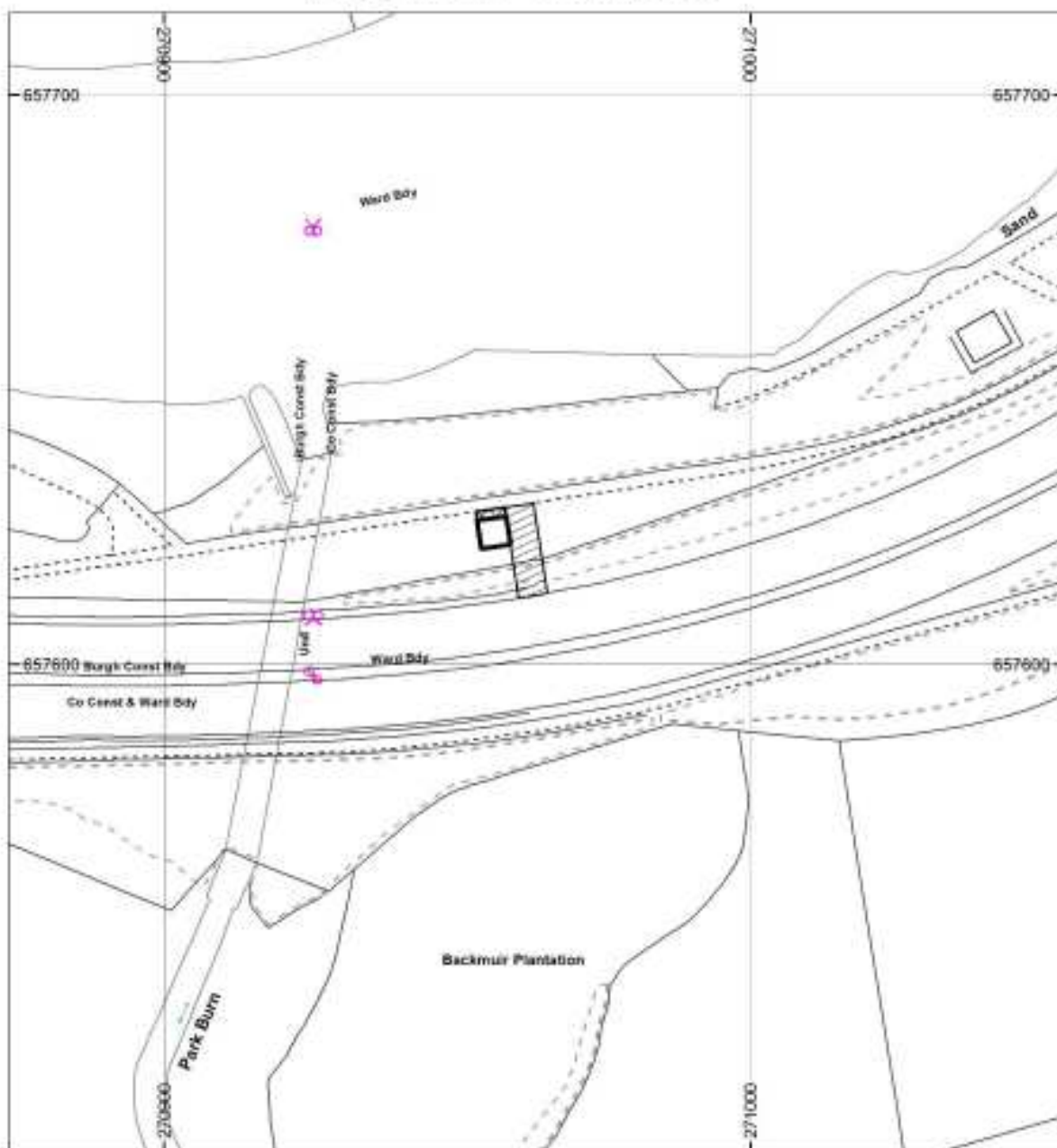
Ext: 4073 (Tel: 01698 454073)

E-mail: frank.mccafferty@southlanarkshire.gov.uk

LOCATION PLAN - For Committee Purposes Only
Land at M8/M73/M74 road network improvements site 7A
Hamilton





PROPERTY SERVICES



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 Ordnance Survey 100020730.

Contents outlined in Black 25 square metres or thereby.

-  5 Meter wide Vehicle & Personnel Access
-  Combined Vehicle Access & Cable Servitude

DATE: 13/03/2018