

# Report

Report to:	<b>Housing and Technical Resources Committee</b>
Date of Meeting:	<b>5 February 2020</b>
Report by:	<b>Executive Director (Housing and Technical Resources)</b>

Subject:	<b>Proposed Lease of Ground at Seven Locations with associated Servitude Rights of Access</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ request approval to grant seven 99 year leases of ground to SP Distribution Plc at the following locations:-
  - ◆ Lanark Loch Car Park, Lanark
  - ◆ Abington Car Park, Abington
  - ◆ Smugglers Brig Road Car Park, Crossford, Carluke
  - ◆ Low Parks Museum Car Park, Hamilton
  - ◆ Chatelherault Country Park Car Park, Hamilton
  - ◆ Kildare Road Car Park, Lanark
  - ◆ Larkhall Park and Ride Car Park, McNeill Street, Larkhall
- ◆ in addition, to approve the laying of the cables and to grant a servitude right of access in favour of SP Distribution Plc to the substation and associated cables for maintenance and inspection

## 2. Recommendation(s)

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

- (1) that a 99 year lease of ground at the seven locations be granted to SP Distribution Plc on the main lease terms and conditions outlined in Section 4 of this report;
- (2) that consent be granted to SP Distribution Plc to construct the substations and servitude rights of access be granted to maintain and inspect the cables serving each substation; and
- (3) that the Executive Director (Housing and Technical Resources), in conjunction with the Head of Administration and Legal Services, if appropriate, be authorised to conclude all matters in respect of the grant of leases and to enter into the necessary legal agreements on terms which are in the best interests of the Council.

## 3. Background

3.1. On 4 February 2020, the Executive Director (Community and Enterprise Resources) submitted a report to Community and Enterprise Resources Committee advising of an Electric Vehicle infrastructure trial project involving Transport Scotland, Scottish Power Energy Networks (SPEN), North Lanarkshire Council and South Lanarkshire Council. The report sought approval to enter into the necessary legal or partnership agreements to deliver the project.

- 3.2. Working in partnership with the Scottish Government, Transport Scotland, Scottish Power Energy Networks (SPEN) and North Lanarkshire Council, proposals are currently being developed to provide an enhanced network of electric vehicle public charging infrastructure across Lanarkshire. It is estimated that around £2.5 million will be invested across South Lanarkshire with a similar amount in North Lanarkshire. All the capital funding will be provided by Transport Scotland with the works implemented by SPEN.
- 3.3. The project will see SPEN procure and install 220 electric vehicle charge points in potentially 37 locations (hubs) across South and North Lanarkshire. Some 60 of these charge points will be rapid (50kW) charge points.
- 3.4. To support the project SP Distribution Plc/SPEN has approached the Council to lease land to construct new substations at seven locations throughout South Lanarkshire. The substation sites are:-
- ◆ Lanark Loch Car Park, Lanark
  - ◆ Abington Car Park, Abington
  - ◆ Smugglers Brig Road Car Park, Crossford, Carluke
  - ◆ Low Parks Museum Car Park, Hamilton
  - ◆ Chatelherault Country Park Car Park, Hamilton
  - ◆ Kildare Road Car Park, Lanark
  - ◆ Larkhall Park and Ride Car Park, McNeill Street, Larkhall
- 3.5. The substations require to be constructed on sites extending to 25m<sup>2</sup> at these various locations, although at this stage the exact positions are under discussion. All of the locations are owned by South Lanarkshire Council and held in the Community and Enterprise Planning Account.
- 3.6. SP Distribution Plc requires a 99 year leases to site their substations and associated cabling.
- 3.7. It is an essential requirement of SP Distribution Plc that the leases for the substations are executed prior to energising the substations to allow power supply to facilitate the provision of electric vehicle charging points.

#### **4. Proposal**

- 4.1. It is proposed that the lease terms and conditions of each location 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 on condition that the substations are only to facilitate the charging hubs.
  3. The subjects shall be used for construction and operation of the electricity substation. In addition, SP Distribution Plc will have a right to lay, maintain, inspect, repair and renew underground cables, pipes and ducts serving the substation.

#### **5. Employee Implications**

- 5.1. There are no employee implications.

#### **6. Financial Implications**

- 6.1. Due to the Council's involvement in the Scottish Government project and on condition that the substations will solely be to facilitate the electric vehicle project, a nominal consideration is applicable.

## **7. Climate Change, Sustainability and Environmental Implications**

- 7.1. The public sector climate change duties and sustainability are embedded in the project, service delivery and partnership working.
- 7.2. The Council's strategies, plans and policies support communities to have more sustainability, reduce carbon emissions and adapt to a changing climate.

## **8. Other Implications**

- 8.1. By granting this lease the Council ensures SP Distribution Plc enter into a contract which formalises their agreement to construct the substations and allows them to provide the necessary electrical supply. In addition, it grants them future occupation of the site and obliges them to maintain the site and their apparatus.
- 8.2. By not proceeding, there is a risk that SP Distribution Plc cannot be held contractually responsible for constructing the substations and that will have a detrimental impact on the delivery of a power supply to support the electric vehicle charging points.

## **9. Equality Impact Assessment and Consultation Arrangements**

- 9.1. Consultation has been carried out with the Planning, Roads and Transportation, Community Resources and South Lanarkshire Leisure and Culture regarding the proposed substations and is essential to assist with the electric vehicle hub programme.
- 9.2. 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)**

10 January 2020

### **Link(s) to Council Values/Ambitions/Objectives**

- ◆ 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)

email: [frank.mccafferty@southlanarkshire.gov.uk](mailto:frank.mccafferty@southlanarkshire.gov.uk)