

Report

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Report to:	Housing and Technical Resources Committee
Date of Meeting:	13 December 2017
Report by:	Executive Director (Housing and Technical Resources)

Subject:	Proposed Lease of Ground at South Vennel, Lanark 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:-

- ◆ request approval to grant a 99 year lease of ground at South Vennel, Lanark to SP Distribution plc
- ◆ in addition, approve the laying of the cables and to grant a servitude right of access in favour of SP Distribution plc to the sub-station 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 South Vennel, Lanark is 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 sub-station and a servitude right of access be granted to maintain and inspect the cables serving the sub-station, as shown on the attached plan; and
- (3) that the Executive Director (Housing and Technical Resources), in consultation with the 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. As part of the Council's new build housing programme, South Lanarkshire Council is developing the site of the former Lanark Swimming Baths. To provide power to the development the Council approached SP Distribution plc for a supply to service the 18 housing units to be constructed on the site.
- 3.2. Due to existing pressure on the network, SP Distribution plc confirmed a new sub-station is required for which SP Distribution plc require to be granted unrestricted access rights in order to inspect and maintain their apparatus.
- 3.3. The sub-station requires to be constructed on the ground extending to 25 square metres, shown on the attached plan, which is owned by South Lanarkshire Council and held in the Housing Account.

- 3.4. SP Distribution plc requires a 99 year lease to site their sub-station and associated cabling.
- 3.5. It is an essential requirement of SP Distribution plc that the lease for the sub-station is executed prior to energising the sub-station.

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. The Council shall warrant that the site is free from contaminates.
5. Each party will be responsible for their own legal expenses arising from the transaction.

5. Employee Implications

5.1. There are no employee implications.

6. Financial Implications

6.1. As noted above, there is a small rental charged in respect of the lease as the works are required to support the Council's house building programme.

7. Other Implications

7.1. By granting this lease the Council ensures SP Distribution plc can construct the sub-station and provide a service to the Council's development. In addition, it grants SP Distribution plc future occupation of the site with an obligation 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 which will have a detrimental impact on the Council's commitment to building new affordable houses.

8. Equality Impact Assessment and Consultation Arrangements

8.1. Consultation was carried out within Housing and Technical Resources regarding the proposal and the requirement for this new sub-station is essential to assist with the power supply to the Council's development.

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)

2 November 2017

Link(s) to Council Values/Objectives

- ◆ Efficient and effective use of resources
- ◆ Accountable, effective and efficient

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, Property Services

Ext: 4073 (Tel: 01698 454073)

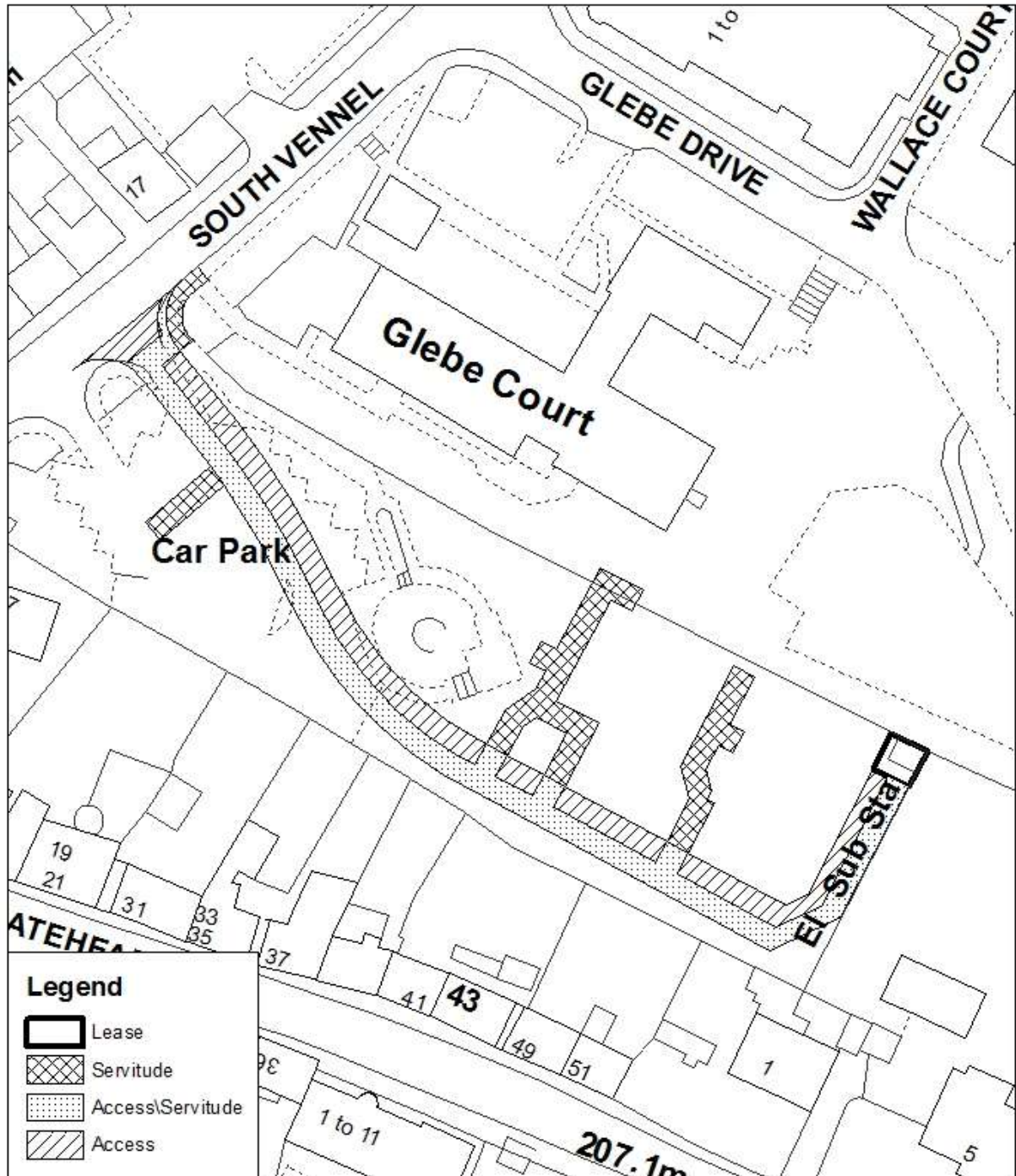
E-mail: frank.mccafferty@southlanarkshire.gov.uk

LOCATION PLAN - For Committee Purposes Only



South Vennel
Lanark

PROPERTY SERVICES



Ordnance Survey



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Ordnance Survey 100020730.

Contents outlined in Black 25 sqm or thereby

DATE: 19/10/2017