

WYRE FOREST DISTRICT COUNCIL**CABINET**
15th MARCH 2011**Land at Cemetery Site, Minster Road, Kidderminster**

OPEN	
SUSTAINABILITY COMMUNITY STRATEGY THEME	Economic Success Shared by All
CORPORATE PLAN AIM:	A Well Run and Responsive Council
CABINET MEMBER:	Councillor A Hingley
DIRECTOR:	Caroline Newlands – Director of Legal and Corporate Services
CONTACT OFFICER:	Philip Harris – Ext 2704 Philip.harris@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 – Site Map

1. PURPOSE OF REPORT

- 1.1 To seek Members' approval to enter into negotiations to dispose of the freehold interest of a new electricity substation site that forms part of the Cemetery site, Minster Road, Kidderminster.

2. RECOMMENDATION

The Cabinet is asked to DECIDE:

- 2.1 **That the Director of Legal and Corporate Services be given delegated authority to enter into negotiations with Central Networks West Plc for and complete the transfer of the freehold of the electricity substation site and granting of access rights for the purposes of laying maintaining electricity cabling serving the cemetery site.**

3. BACKGROUND

- 3.1 The Council is in the process of granting a long leasehold interest of the Cemetery site to "Dignity" and both parties have entered into an agreement for lease with a lease anticipated to complete by end March 2011. Various electricity works to serve the cemetery site are required to be undertaken by Central Networks West Plc and they have confirmed that they will not switch on the new electricity supply until the freehold of the substation site is transferred to them. The substation site (coloured pink) on attached plan is located at the far north eastern corner of boundary of the site and there will be new electricity cabling running east to west along the length of the rear boundary towards Minster Road. The utility company will require an easement strip to be included as part of the transfer documentation and this will be within the yellow lines as detailed on the attached plan. Access rights granted will be for the purposes of laying, maintaining and renewing the electricity cable together with access rights to park vehicles on the brown land adjacent to the electricity sub station and such other ancillary rights.

4. KEY ISSUES

- 4.1 Central Networks West Plc has confirmed to us that they will not switch on the new electricity supply until the freehold of the substation site is transferred to them. It is therefore in the interest of the Council to expedite the transfer of the electricity substation site as this could ultimately hold up the operation of the new cemetery site.

5. FINANCIAL IMPLICATIONS

- 5.1 The prospective purchaser will be responsible for the Council's reasonable Legal costs incurred in the transaction.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 None.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 There are no issues to be addressed.

8. RISK MANAGEMENT

- 8.1 There are no issues to be addressed.

9. CONCLUSION

- 9.1 Based upon the information provided the transfer of the freehold of the electricity substation site and granting of easement rights is recommended.

10. CONSULTEES

- 10.1 None.

11. BACKGROUND PAPERS

- 11.1 None.