

**9. THE ROACHES ESTATE -- PROPOSED DISPOSAL OF LAND TO NATIONAL GRID ELECTRICITY DISTRIBUTION (WEST MIDLANDS) PLC TO CONSTRUCT A NEW ELECTRICITY SUB- STATION**

**1. Purpose of the Report**

The purpose of this report is to request that Members approve the disposal of a small area of land (16m<sup>2</sup>) on the Roaches Estate to the National Grid Electricity Distribution (West Midlands) plc (National Grid).

**1.1 Key Issues**

National Grid have requested to purchase a small area of land (16m<sup>2</sup>) to re-site an electrical sub-station on the Roaches Estate.

- Although the Estate is leased by the Authority to the Staffordshire Wildlife Trust, National Grid wish to purchase a freehold interest and as such, the Authority is required to be involved.
- The proposal from National Grid is acceptable to both the Authority and the Staffordshire Wildlife Trust subject to National Grid obtaining Site of Special Scientific consent and consulting with the Authority's Cultural Heritage and Access Teams.

**2. Recommendation**

- 1. To dispose of the area of land as shown on the Plan at Appendix 1 by private treaty to National Grid Electricity Distribution ( West Midlands) plc.**
- 2. To amend the Asset Disposal Procedure and associated Tool Kit to relax the need to follow the Tool Kit consultation process in the case of 'operational transfers of low value'.**

**3. How does this contribute to our policies and legal obligations?**

The proposal is in line with the need to cooperate with utility organisations where appropriate and the Authority's tenants.

**4. Background**

The Roaches Estate is owned by the Authority but was leased for 125 years to the Staffordshire Wildlife Trust (SWT) in 2013. The SWT are now entirely responsible for the management of the Estate but liaise with the Authority on a regular basis and formally report to Authority officers on an annual basis. The last annual report was presented to the Head of Asset Management and the Rural Estates Manager in May 2023 and it was pleasing to note the progress being made under SWT management.

One aspect of management is the sub- letting of Rockhall Cottage to the British Mountaineering Council (BMC) for use as a residential 'climbing hut' ( the Don Whillans Climbing Hut) associated with the famous crags above it. The electricity supply to climbing hut is facilitated via an electricity sub- station situated in a stone barn just below Rockhall Cottage.

SWT have been approached by National Grid about their concerns that the existing

sub- station no longer meets current safety standards and is in need to replacement with a new modern sub- station. They propose that the location of the new sub-station should be moved from the existing building to a new site adjacent to the road on the southern boundary of the Estate. It has been confirmed that planning permission is not required for any of this work but Site of Special Scientific Interest (SSSI) consent will be needed for the cabling. They will also be required to consult with the Authority's Cultural Heritage and Access Teams.

The existing and new location together with the associated underground cable is shown on the plan attached at Appendix 1

SWT are happy with the proposal. However, National Grid have now approached the Authority as they wish to take a freehold interest in the new site rather than a long term sub- lease from the SWT. Amendments to the existing lease will also be required as well as granting an easement for the cabling but these are delegated matters to officers.

### **1. Assessment of property as 'surplus'**

An internal assessment under the Authority's disposal procedure and accompanying 'Tool Kit.' would normally be required to declare the property as 'surplus' However, due to the small area and low value of the property to be disposed of, it is considered that this process is not necessary in this case. It could be classed as an 'operational transfer of low value'.

It is proposed to amend the Asset Disposal Procedure and Tool Kit to this effect, following approval of the Chair of Performance and Resources, the CEO and the Head of Asset Management

### **2. Any constraints on disposal**

The Authority will need to obtain SSSI consent to install the new cabling.

### **3. Other relevant matters**

#### **3.1 Authority's powers**

The Authority has power to dispose of land, provided in doing so it is i) pursuing its statutory purposes of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park, and promoting opportunities for understanding and enjoyment, ii) seeking to foster the economic and social well-being of local communities and iii) having due regard to the needs of agriculture and forestry and the economic and social interests of rural areas. Having considered all of the above matters, it is concluded that the disposal will be within Authority's powers.

#### **3.2 Duty to obtain best consideration**

Disposals must normally be sold on the open market. However there are certain allowable exceptions to such a disposal which may result in the land being disposed of at an 'undervalue'. Two of these exceptions apply in the case described in this report. These are:

- The land to be disposed of is relatively small in size and an adjoining or closely located landowner(s) is (are) the only potential or likely purchaser(s);
- Where a 'special purchaser' has been identified i.e. one for whom a particular asset has a special value because of advantages arising from its ownership that would not be available to other buyers in the market.

Where one of these exceptions is considered this must be approved by Programmes and Resources Committee (whatever the value of the property), who must be made aware of the following:

- a) the justification for the proposal;
- b) how the proposal satisfies the terms of the Local Government Act 1972 General Disposal Consent (England) 2003 (the General Disposal Consent), namely:
  - i) the disposal is likely to contribute to the promotion or improvement of the environmental, social or economic well-being of the whole or any part of the area or any persons resident or present in the area, and
  - ii) the undervalue is less than £2m
- c) a valuation of the land following the advice provided in the Technical Appendix to the General Disposal Consent

If the proposed disposal does not satisfy the terms of the General Disposal Consent, the specific consent of the Secretary of State will be required.

### 3.3 Consultation

Development Management, Legal Services, Cultural Heritage and Natural Environment Teams have been consulted.

## **4. Valuation**

National Grid have offered their standard price of £500 for such a site and this is considered acceptable.

## **5 Proposals**

It is proposed to sell the land to the National Grid on the basis outlined in this report

**Are there any corporate implications members should be concerned about?**

None

## **6 Financial:**

As Valuation section above.

## **7 Risk Management:**

None

## **8 Sustainability:**

NA

## **9 Equality:**

NA

## **Climate Change**

How does this decision contribute to the Authority's role in climate change set out in the UK Government Vision and Circular for National Parks?

- a. Educators in climate change  
No impact
- b. Exemplars of sustainability  
No impact The disposal of the small area of land concerned has negligible consequence on sustainable land management.

- d. Exemplars in renewable energy  
No impact
- e. Working with communities
- f. No impact

1. How does this decision contribute to the Authority meeting its carbon net zero target?
  - o No impact
2. How does this decision contribute to the National Park meeting carbon net zero by 2050?  
No Impact
3. Are there any other Climate Change related issues that are relevant to this decision that should be brought to the attention of Members?

None.

1. How does this decision contribute to the Authority's role in climate change set out in the UK Government Vision and Circular for National Parks?
  - a. Educators in climate change

No impact

- b. Exemplars of sustainability

No impact

- c. Protecting the National Park

Disposal conditional on planning permission being obtained

- d. Leading the way in sustainable land management  
No impact.

- e Exemplars in renewable energy  
See above, this may also be dependent on the new owner.

F Working with communities  
No impact

2. How does this decision contribute to the Authority meeting its carbon net zero target?  
The sale of the property will result in a reduction of 12.2t CO<sub>2</sub>e per annum from the Authority's emissions.
3. How does this decision contribute to the National Park meeting carbon net zero by 2050?  
As above the sale will move the Authority closer to this target.
4. Are there any other Climate Change related issues that are relevant to this decision that should be brought to the attention of Members?  
None.

**10 Background papers (not previously published)**

None

**Appendices**

Appendix 1 – Plan showing area of land described in the report

**Paper Author**

Chris Manby Rural Estates Manager 4<sup>th</sup> July 2023  
[Chris.manby@peakdistrict.gov.uk](mailto:Chris.manby@peakdistrict.gov.uk)