

Individual Executive Decision Notice

Report title	i54 Western Extension Virgin Media Wayleave Agreement
Decision designation	GREEN
Cabinet member with lead responsibility	Councillor Stephen Simkins Leader of the Council
Wards affected	Bushbury North; Oxley;
Accountable director	Richard Lawrence, Director of City Development
Originating service	City Development
Accountable employee	Zareena Ahmed-Shere, Regeneration Manager Tel: 07890397677 Email zareena.ahmed-shere@wolverhampton.gov.uk
Report to be/has been considered by	n/a

Summary

Cabinet on 23 January 2019 in the report titled “i54 Western Extension” delegated authority to the Leader of the Council and the Cabinet Member for Resources, in consultation with the Director of City Development and Director of Finance to approve the Council entering into any agreements, transfer or leases relating to the disposal of the development to plot purchasers.

This report seeks approval to proceed with land and property transactions and their terms as detailed herein.

Recommendation for decision:

That the Leader of the Council and the Cabinet Member for Resources, in consultation with the Director of City Development and the Director of Finance are recommended to approve the Wayleave for the supply of Blaze / Virgin Media Service to i54 Western Extension Plot 2 occupier Fortune Brands.

1.0 Background

- 1.1 The 24 ha / 60 acre i54 Western Extension (South) project is being delivered in a JV partnership comprising Staffordshire County Council (SCC) and City of Wolverhampton Council (CWC) (JV Partners). The site provides serviced development platforms which have been marketed and in September 2023 the JV Partners completed on the land sale of Plot 2 to Fortune Brands.
- 1.2 Fortune Brands (also referred to as Global Plumbing Group) are fitting out and starting to operate their new facility which will be their new Europe, Middle East, Africa and Australasia (EMEA) headquarters and manufacturing building of circa 285,557 sq ft together with 400 permanent car parking spaces and an expansion capability of up to 106,900 sq ft on a site of approx. 16.8 acres net developable at the i54 Business Park Wolverhampton.
- 1.3 This is another global brand on i54 and brings positive regeneration outcomes both on site at i54 but also to the City of Wolverhampton area. As well as circa 300 jobs on i54 will help support and generate job opportunities in the supply chain of about 500 jobs.
- 1.4 As part of Fortune Brands operational and cyber security requirements they are seeking additional connectivity to future proof their digital infrastructure with a supply by Virgin Media.

2.0 Progress

- 2.1 Site meetings have been held with Blaze / Virgin Media to consider and agree the most appropriate route of the proposed new media infrastructure and have approached City of Wolverhampton as landowner for permission to lay cables under an associated wayleave agreement.
- 2.2 Once approved the works will be undertaken and completed by Summer 2024.

3.0 Evaluation of alternative options

- 3.1 Doing nothing and reject Blaze / Virgin Media's request for a Wayleave Agreement on behalf of Fortune Brands is not recommended. Not supporting Fortune Brands with protecting their operation may have a negative impact on the functioning of their headquarters and manufacturing facility which in turn may impact on jobs, supply chain and local investment.
- 3.2 Enter into the wayleave agreement to allow Blaze Virgin Media to install the infrastructure for Fortune Brands.

4.0 Reasons for decision

- 4.1 **Enter into the Wayleave Agreement** – This decision will enable the required infrastructure to be installed to provide connectivity for Fortune Brands.

4.2 This decision will demonstrate the continued support to local businesses and help promote sustainable businesses within the area.

5.0 Financial implications

5.1 The works will be completed and funded by Virgin Media, resulting in no financial implications to the Council.

[RJ/12032024/S]

6.0 Legal implications

6.1 This transaction will be carried out in accordance with conveyancing practices and the Council's constitution. To grant or take wayleave agreements and enter into leases is permitted at paragraph 28 of the Contracts and Procedure Rules, which forms part of Part 4 of the Constitution.

6.2 The wayleave will be based on existing agreements in place between Virgin Media and the Council.

[JA/14032024/T]

7.0 Equalities implications

7.1 There are no equalities implications associated with this report.

8.0 Climate change and environmental implications

8.1 There are no environmental implications associated with this report.

9.0 Human Resources implications

9.1 There are no human resources implications associated with this report.

10.0 Corporate Landlord implications

10.1 Corporate Landlord have been involved in the development of the approach around using standardised leases for telecoms purposes.

11.0 Health and Wellbeing implications

11.1 There are no health and wellbeing implications associated with this report.

12.0 Covid-19 implications

12.1 There are no Covid-19 implications associated with this report.

13.0 Schedule of background papers

13.1 None

14.0 Appendices

14.1 None