

25 April 2016

Agenda Item: 6d

**REPORT OF SERVICE DIRECTOR ENVIRONMENT, TRANSPORT &
PROPERTY****OPERATIONAL DECISIONS TAKEN OUTSIDE THE FINANCE &
PROPERTY COMMITTEE CYCLE DECEMBER 2015 – FEBRUARY 2016****Purpose of the Report**

1. As Members will recall at the meeting of this Committee in January 2014 approval was given to amend the list of day to day operational decisions which can be taken by the Director, subject to the chair of Finance & Property Committee determining whether an operational decision should still be reported to Committee. It was also agreed that a report should be submitted to the Finance & Property Committee on a quarterly basis outlining all operational decisions made, supplemented annually by a review report on Estate Management operational decisions. In accordance with this decision this is the quarterly report to inform the Finance & Property Committee of Operational Decisions taken outside the Finance & Property Committee Cycle, between December 2015 and February 2016.

Information and Advice

2. This report contains an exempt appendix, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) (Information relating to any individual and the business affairs of a particular person (including the authority holding that information)). The exempt appendix provides details of the terms agreed. Disclosure of this information would prejudice the parties' commercial interests.
3. This report seeks to inform Committee Members of the decisions taken over this period. Details of the decisions taken are shown below: -

Please note relevant Ward Members have been invited to comment on these proposals.

SP	TITLE	DESCRIPTION / open (extract from Operational decision)
2978	Sale of 17 sqm fronting 11 Netherton Road, Worksop	As part of a (now abandoned) road widening scheme, NCC purchased number 11 Netherton Road in the 1970s. The semi-detached property was then re-sold excluding the front yard, which was let on licence to the new owner. The current owner wishes to acquire the freehold of the 17m2 yard, and terms have been agreed.

2972	Addition to master Wayleave Agreement - Cropwell Road, Radcliffe on Trent	Western Power Distribution have requested an easement as an addition to the master wayleave for the purposes of installing cables for an electricity supply to 20 Cropwell Road on the access drive to Radcliffe on Trent Junior School. Western Power will pay a £400 administration fee.
2967	Sale of Whinney Lane, New Ollerton, Nottingham : Appointment of Auctioneer and disposal by auction	The property comprises a former caretakers 3 bedroomed house located adjacent to Ollerton Primary School. The premise has been declared surplus as it has no further operational need.
2979	Kirkby East Children's Centre – New Lease	The taking of a 13 year lease with effect from 1 September 2012 for the exclusive use of part of The Summit Centre for use as the East Kirkby children's centre.
2980	West Bassetlaw Children's Centre, Langold – New Lease	The taking of a seven year lease with effect from 1 June 2012 for the exclusive use of the Sure Start building adjacent to Langold Dycarr Scholl for use as the West Bassetlaw Children's Centre.
2976	Lease of School Rooftops for solar panel installations	Granting a 21 year lease to a private sector company to permit the installation of solar panels on the rooftops of various schools throughout Nottinghamshire in exchange for providing the schools with free electricity.
2977	Renewal of Grazing Agreements for Horses on Former reclamation Sites Managed by Country Parks and Green Estates Team	Renewal of original Farm Business Tenancies to Grazing Licences
2968	The Schoolhouse, Blidworth Oaks Primary School – Deed of Grant for Access	In 1982, NCC sold the former school house at Blidworth Oaks Primary School. Within the Conveyance access rights were from the house down the school drive on to Belle Vue Lane. In 2009, NCC implemented an improvement scheme along the access road. Following the completion of this Scheme, the access rights required amending via a Deed of Grant. Approval is sought so that this piece of documentation can be formally completed.
2965	Proposed Non-domestic Ratings Settlements October 2015	Approval is sought for a batch of non-domestic (business) ratings settlements.
2986	Proposed hiring agreement at John Godber Centre – temporary Hucknall Library	Temporary accommodation by way of a room hiring agreement at the John Godber Centre whilst repair works are carried out on the Library in Hucknall.
2982	Boundary Rectification – Chapel Farm, Elston	A boundary rectification at Chapel Farm, Elston.
2993	Proposed easement for installation of underground cable at Land East of Cotgrave Golf Course	Lightsource have requested an easement to install a cable over a disused railway located to the East of the Nottinghamshire Golf Course to the North of Cotgrave. The route follows an existing track over the railway which links two agricultural holdings. The cable will be used to connect a proposed solar farm to the existing local electricity infrastructure on the Eastern side of the disused railway.
2989	Brettles Holding, Rolleston	Finance & Property Committee resolved to dispose of this land in October 2015. Following consultation with the Council's agricultural specialists, the land is to be placed for sale via public auction with Savills plc.

2990	Westfield Farm, Westborough, Newark	Finance & Property Committee resolved to dispose of this land in October 2015. Following consultation with the Council's agricultural specialists, the land is to be placed for sale via public auction with Savills plc.
2987	Fosse Farm, East Stoke	Finance & Property Committee resolved to dispose of this land in October 2015. Following consultation with the Council's agricultural specialists, the land is to be placed for sale via public auction with Savills plc.
2988	Chapel Farm, Elston	Finance & Property Committee resolved to dispose of this land in October 2015. Following consultation with the Council's agricultural specialists, the land is to be placed for sale via public auction with Savills plc.
2981	Deed of Surrender Queens Building, Worksop	The County Council vacated the building on 31 March 2012 and agreed to 'transfer ownership' to Bassetlaw District Council. A Deed of Surrender has been agreed to formally document the County Councils vacation.
2649	Chuter Ede Primary School – Lease to Balderton Pre-School	The Pre School have been on site for a number of years. The lease will formalise their use of the premises; good estate management practice.
2984	Transfer to NCC of Highway land at Swanton Close and Randall Park Way, Retford	Highway land that is currently under the ownership of HCA is to be transferred to NCC
2985	Walesby Primary School – Lease to Walesby School Playgroup	Walesby School Playgroup has been operating out of the school for many years. The lease formalises their occupation.
2995	Re-approval – 11 year Farm Business Tenancy 56Ha Land at former Firbeck Colliery, Carlton in Lindrick	Approval was granted in 2011 (SP2131) for an 11 year Farm Business Tenancy at Firbeck. Due to protracted negotiations with the Tenant by the Client Department and the time taken by the Tenant to enter into the Higher Level Stewardship Scheme, the FBT has not yet been completed. A re-approval of the original report is now sought.
2992	Proposed Non-Domestic Ratings Settlements - December 2015	<p>A total of 2 properties are proposed for settlement in the December batch of re-assessments and will result in a saving to the Authority of £30,944.00 over the life of the current rating list. (2010 – 2017) The properties are Springbank Primary School (Broxtowe) and 30-34 Watson Road (Bassetlaw).</p> <p>The Council's rating agents are paid a fee based on 3.95% of savings achieved, which amounts to £1222.29 for the settlements approved here. These fees will be netted off against the savings achieved.</p>
2991	Proposed Non-Domestic Ratings Settlements – November 2015	<p>1 property is proposed for settlement in the November batch of re-assessments and will result in a saving to the Authority of £18,229.77 over the life of the current rating list. (2010 – 2017) The property is Bramcote College (Broxtowe)</p> <p>The Council's rating agents are paid a fee based on 3.95% of savings achieved, which amounts to £720.08 for the settlement approved here. This fee will be netted off against the savings achieved.</p>
2996	Tollerton Allotments	A nomination has been submitted by Tollerton Parish Council to

		Rushcliffe Borough Council to list Tollerton Allotments as an Asset of Community Value.
3005	Deed of Release – Sandy Lane, Mansfield	<p>For background 3.43 acres of land was originally purchased in 2005 from the Trustees for Allotments for the Labouring Poor for the purposes of a new Residential Home with an additional parcel of land (0.17 acres) fronting Sandy Lane purchased from Mansfield District Council (MDC) to provide suitable access into the site for development purposes.</p> <p>The additional land has a covenant in MDC favour restricting the use of the land to the provision of a residential home for older people and a number of self-contained residential flats for occupation by the elderly. The covenant also precludes the use of the land for commercial or business activity.</p> <p>The whole site is surplus to requirements and was marketed extensively before offers were received.</p>
3007	Tenancy Agreement – Land on corner of Turner Road, Worksop	The Paving Stones Direct Company have enquired about purchasing the area of land left over from the junction improvement scheme on the corner of Turner Road adj to their business. Highways have advised although they have no immediate plans for the land they may want to carry out further junction improvements in the future. As the land has a history antisocial behaviour, overgrown trees and vegetation etc. it would be sensible to allow the enquirer a tenancy agreement as an alternative.
2998	Proposed 2 year lease to Edwinstowe Pre-School Playgroup : Former St John Ambulance Hut, Forest Corner, Sherwood Forest Country Park, Edwinstowe, Mansfield, Notts NG21 9NJ	NCC currently holds a 60 year lease of the Sherwood Forest Country Park from the Trustees of Thoresby Estates & within the Park is a large timber hut which was leased to St John Ambulance. The building is due to be demolished in 2017 as part of the new Visitor Centre which will be built by the Royal Society for the Protection of Birds (RSPB) who have recently signed an Agreement with the County Council to run the Country Park. St John's occupied the hut on a licence agreement which was terminated in November 2015. During their occupation, they sub-let the hut to the Edwinstowe Pre-School Playgroup & terms have been agreed for the Playgroup for them to occupy the building until it is demolished.
3006	Deed of Covenant: Land to the south of Humber Lane, East Stoke, Newark Notts NG23 5QG	NCC sold approx. 2,630 sq yards of land on the south side of Humber Lane, East Stoke in 1997. Within the conveyance is an overage clause, which entitles NCC to receive a sum of any enhancement in value should planning permission be granted within 20 years from the date of sale. The current owners are wishing to dispose of the site & in order to protect NCC interest, a Deed of Covenant needs to be entered into with the purchaser.
3011	34 Watson, Worksop – Approve to dispose and appointment of agent	The Authority is to offer 34 Watson Road, Worksop for sale via public auction with Savills. The property was originally acquired along with number 32 (now demolished) during the site assembly process for the new Worksop Bus Station.
3015	Oakdale Learning Centre, Westfield Lane, Mansfield - Renewal of Short Term 6 Month Lease	On 25 July 2015 the County Council approved terms for a 25 year lease of the Oakdale Learning Centre to the Beech Academy. Pending the Education Funding Agency issuing approval for the Beech Academy to increase its pupil places, the County Council agreed to grant a short term 6 month lease (expires on 26 February). The EFA approval has not yet been issued so in order to ensure that the lease is kept outside of the security of tenure provisions of the Landlord and Tenant Act 1954 the lease needs

		to be renewed for a further 6 months with effect from 27 February.
3002	Thoresby Close, Bircotes – Sub-lease to Bircotes Pre-School	<p>The Authority's Early Childhood services team need to ensure the provision of access to childcare for eligible 2 year olds throughout the County. The existing provision at Bircotes is being required to relocate, and a suitable replacement site has been identified at Thoresby Close.</p> <p>The County Council intends to enter into a lease from the District Council for the land and then sublet the site to Bircotes Pre School to enable the continuity of the existing childcare provision. This will involve the erection of a new modular unit on the site by the provider. All costs of the lease to be recharged to the childcare provider.</p>
3020	Eastwood Town Council Offices – New Lease	The Registrar's office for births and deaths is currently located within the DH Lawrence Heritage Centre. Broxtowe Borough Council are closing this building so new accommodation has been sought. A room within this building has been identified. The premises are owned by Eastwood Town Council and a lease to use the room is to be taken and used for the purpose of a registry office.
3019	Accommodation at Pure Offices, Lake View Drive, Sherwood Business Park – Licence in	It is proposed to take a Licence of additional office accommodation at Sherwood Business Park on a temporary basis until the space at the Piazza is ready for occupation.
3018	Sherwood Forest Country Park – Fairground	The Authority is granting a seasonal licence as in previous years for a children's fun fair at Edwinstowe.

Other Options Considered

4. This report is information only.

Reason/s for Recommendation/s

5. This report is for information only.

Statutory and Policy Implications

6. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the information set out in this report is noted.

Jas Hundal

Service Director – Environment, Transport & Property

For any enquiries about this report please contact: Andrew Stevens 0115 977 2085

Constitutional Comments (CEH 21.03.16)

7. The report is for noting purposes only.

Financial Comments (GB 23.03.16)

8. The financial implications are set out in the report and the exempt appendix.

Background Papers and Published Documents

9. None.

Electoral Division(s) and Member(s) Affected

10. Ward(s): all
Member(s): all

File ref.: /SB/SB/
SP: 3009
Properties affected: 09998 - Various NCC Properties/non-property item