

25 January 2016

Agenda Item: 6b

REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY & ENVIRONMENT

PROPOSED GRANT OF LEASE OF MISTERTON LIBRARY, HIGH STREET, MISTERTON

Purpose of the Report

1. To seek approval to the granting of a lease of Misterton Library, Misterton, on terms outlined within the exempt appendix.

Information and Advice

2. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position. The exempt information is set out in exempt appendix.
3. The Misterton Library is currently operated by the County Council from a building owned by the authority, the library operates from the front portion of the building and the rear section of the building is used by Youth & Community Services.
4. Library Services have been reviewing their financial obligations and service delivery, following the business case for Community Partnership Libraries which was agreed at Full Council in February 2014 (Outline Business case B13) (Resolution Number 2014/012). This is part of the Libraries, Archives, Information and Learning's response to the budget reductions and it falls within the *Strategy for Nottinghamshire Libraries*, specifically the pledge to "increase community involvement in the shaping and delivery of libraries provision".
5. As part of this review it was identified that Misterton would be suitable for a Community Partnership Library (CPL). This, together with a number of other potential CPLs was outlined in the report approved at Finance and Property Committee on 9 November 2015.
6. Misterton Parish Council are currently occupying premises where the lease expires in June 2016. They have therefore taken this as an opportunity to look for alternative accommodation
7. Following discussions with the Parish Council it is proposed that they locate their Parish office within the library and also, through increased volunteering and

community activity, a full Community Partnership Library will be created. In order to facilitate this a separate Service Level Agreement is to be prepared.

8. Approval to the Parish operating the library service was granted at Culture Committee on 3 November 2015, Resolution Number 2015/052.
9. The lease is to be granted at a peppercorn rent. It is considered that this letting promotes or improves environmental, economic and social well-being aims which allows the County Council to consider a grant of a lease at a rent below market value.
10. The proposed terms for the lease have been reviewed by the Council's Group Manager (Legal Services) and the "Section 151 Officer" (Service Director, Finance and Procurement).
11. Further to the Finance and Property Committee Report of 9 November 2015, all leases being granted from the County Council to Culture Learning and Libraries (Midlands) are to be with effect from 1 April 2016 for a term of 5 years. However, as the proposed lease to the Parish Council is to commence in June 2016 it will be necessary for a short term lease to be granted between the County Council and CLL which will be from 1 April 2016 and until such time as the lease to the Parish Council commences. This arrangement would be necessary in order to ensure the continued delivery of the library service.

Other Options Considered

12. Not granting the lease - this would prevent the achieving of a reduction in ongoing running costs and developing a sustainable Library within the community.
13. Charging a market rent for the property - This was considered however it is not an option as the tenant would not be able to meet this financial commitment particularly as they will be running the Library Service on behalf of the County Council. This will bring significant savings and ensure the library service can continue to be delivered to the community.

Reason/s for Recommendation/s

14. The proposal will facilitate a more sustainable library service at a lower cost.
15. The proposal allows for further development of volunteering and greater partnership working.
16. Approval to move the Library Service to the hub was approved at Culture Committee on 3 November 2015. The granting of a lease would therefore ensure this service can continue to be delivered

Statutory and Policy Implications

17. 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 approval be given to the granting of a lease on terms detailed in the exempt appendix.

Jas Hundal

Service Director – Transport, Property & Environment

For any enquiries about this report please contact:

Constitutional Comments (EP 16.12.15)

18. The recommendation falls within the remit of the Finance and Property Committee by virtue of its terms of reference.

Financial Comments (GB 13.01.16)

19. The financial implications are set out within the report.

Background Papers and Published Documents

20. Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

21. Ward(s): Misterton
Member(s): Councillor Liz Yates

File ref.: /LS/SB/

SP: 2974

Properties affected: 03119 - Misterton Youth Centre & Library