

REPORT OF THE LEADER OF THE COUNTY COUNCIL

OPERATIONAL DECISIONS TAKEN OUTSIDE THE POLICY COMMITTEE CYCLE APRIL - JULY 2017

Purpose of the Report

1. At the meeting of Finance & Property 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 operational decisions 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 new Policy Committee of Operational Decisions taken outside the Finance & Property Committee Cycle, between April and July 2017.

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 This report contains an exempt appendix, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) (Information relating to the financial or business affairs of a particular person (including the authority holding that information)). The exempt appendix provides details of the terms agreed. It is not in the public interest to disclose this information as it would prejudice the parties' commercial interest.
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)	Update w/c 7 August 2017
3209	Wayleave consent to install new internal and external cables at Donald Bailey Academy, Newark	Nottinghamshire County Council ICT department have requested Virgin Media Limited to provide telecommunications to the Nottinghamshire County Council owned CAMH building at Donald Bailey Academy to replace a section of low voltage internal and external cables. Virgin media are seeking consent to granting permission to install the cables under the terms of the Master Wayleave.	Legal completion 13/4/17.

3157	Porchester Junior School conversion to academy status	Proposed Conversion to Academy Status with 125 year lease.	Lease complete.
3191	Deed of Variation - Naish Farms Ltd – Edwinstowe	The land was originally allocated for the new RSPB Sherwood Visitor Centre; however Planning Consent for the new Visitor Centre has been granted on land to the west. Until the requirements of the RSPB are finalised, the Country Park & Green Estates Department wish to reduce the current holding of Naish Farms Ltd from 11.4 ha (approx.) to 10.9 ha (approx.). This reduction is to accommodate the fairground, parking (Robin Hood Festival) and an area for a drainage scheme.	This is currently being progressed by the Legal Department.
3228	Thrumpton Primary School - conversion to academy status & lease back of part to the County Council	Proposed Conversion to Academy Status with 125 year lease.	Legal currently progressing main 125 year lease.
3223	Redgate Special School - Conversion To Academy Status	Proposed Conversion to Academy Status with 125 year lease.	Lease to complete shortly.
3224	Bracken Lane Primary – Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.	Legals currently negotiating main 125 year lease. Awaiting confirmation from school site manager regarding statutory declaration for unregistered parcel of land.
3227	Samuel Barlow Primary & Nursery – Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.	125 year lease agreed.
3226	Robert Miles Infant School - Samuel Barlow – Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.	125 year lease agreed – awaiting instructions on deed of variation for adjacent pre-school.
3216	Gunthorpe C of E Primary – Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.	Lease completed.
3215	Wayleave to replace the substation Radcliffe Road, West Bridgford	Western Power has an ongoing project to replace the existing substation on Radcliffe Road.	With legal to complete.
3213	Wayleave - Sutton in Ashfield Library, Idlewells Shopping Centre, Sutton in Ashfield	Virgin Media have a small project to install additional fibre and apparatus to the Property on behalf of Telefonica O2.	With legal to complete.

3218	Buttercross Pre School - Deed of Variation	<p>Buttercross Pre School have been operating on the Robert Miles Infant School site since 2010. Their occupation has been formalised by way of a lease agreement.</p> <p>The Robert Miles Infant School are converting to Academy and the County Council will retain the land occupied by Buttercross Pre School.</p> <p>Acting in accordance with the principles of good estate management a Deed of Variation has been negotiated which will sit alongside the lease agreement, but which gives further clarity following the academisation.</p> <p>Next review date is 1st April 2020 and thereafter every 5 years</p>	Ongoing negotiations.
3236	Colonel Frank Seely School - Conversion to academy status	Proposed Conversion to Academy Status with 125 year lease.	Legal currently progressing 125 year lease.
3237	Westdale Junior School – Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.	Legal currently drafting main 125 year lease plus MUGA lease and an agreed shared use agreement.
3240	Yeoman Park Special School – Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.	With legal to complete.
3230	Disposal of Highway land at Boughton Industrial Estate, Ollerton, Nottinghamshire, NG22 9GS	The County Council are to sell 138m ² land situated at Boughton Industrial Estate to allow the purchaser to continue to access their existing car park. The boundary is also incorrect and will be rectified at the same time.	With legal to complete.
3239	Disposal 50 sq. m land rear of 48 Trowell Grove, Trowell, Nottingham, NG9 3QH	In 1990 the County Council sold 36 parcels of land to the rear of private dwellings on Trowell Grove to enable the residents' vehicular access to the rear of their houses. Each parcel comprised part garden land and part of the rear access road. At the time the then owner of 48 Trowell Grove did not pursue the purchase. The property was subsequently sold and the current owner is proposing to sell her property and requested to purchase the area of NCC land to the rear of her property as in line with other residents.	Op Dec approval obtained on 20/07/17 to dispose to resident. Legal instructed to prepare sale contract.
3243	Gotham Library - Surrender of Existing Lease	In order to facilitate the Community Partnership library (CPL) it is necessary for the County Council to surrender their existing lease of the library. Upon completion of the surrender an agreement will be simultaneously entered into between Inspire and the Trustees of Gotham Memorial Hall to facilitate the operation of the CPL.	Surrender to be completed as soon as CPL progresses.

3232	Flying High Academy at Ladybrook, Part lease Surrender and Regrant of Supplemental Lease	Revised redline area for land allocated to academy for the 125 year lease. Part lease surrender and regrant of supplemental lease.	With legal to complete.
3231	Proposed Garden Licence to the rear of 14 Piper Close, Hucknall, Nottingham NG15 8DS	NCC has since 2006 granted Garden Licences to 10 residents whose properties on The Drift, Parkgate & Piper Close, Hucknall, back onto the Robin Hood Railway Line. Between the railway line & their rear boundaries is a strip of vacant land & this has been let to individuals who have requested to extend their rear gardens. A similar request has now been received from the resident of 14 Piper Close. There are already Garden Licences in place in respect of her next door neighbours at No's 12 & 16 Piper Close.	Op Dec approval obtained on 20/07/17 to enter into a garden licence with the resident. Legal instructed to prepare Agreement.
3244	Grazing Licence - Winter Close, Underwood	The site is an area of grazing land that has previously been let by way of a Grazing Licence Agreement. The previous tenant left the area due to a personal issues and the proposed tenant looked after the land and horses for the tenant. The tenant has now removed their horses and the proposed tenant is still maintaining the land and has a pony on it. The rent has been paid up to and including 11 th August 2017. The tenancy is to run the same as the existing therefore ending on 24/3/19. Terms have now been agreed with the user directly to occupy the land on a new grazing licence and we are in receipt of written notice from the current tenant.	Awaiting allocation within Legal.
3245	Grazing Licence - Reclaimed tip no 2 - Winters Close, Underwood	See above	Awaiting allocation within Legal.
3246	Colonel Frank Seely School (Academy Conversion) Lease of Caretaker's Property to Academy Trust	As previously reported, Colonel Frank Seely is to convert to Academy Status in August 2017. The School site will be leased to the Academy on a 125 year lease, and the Caretaker's property will also be let to the Academy but on a shorter term lease of 10 years.	Legal currently progressing 10 year lease.
3248	Forest Town Primary - Licence to Tree House nursery (Robins Den)	The Tree House have been operating on the school site running a wrap around and holiday club since June 2016. The School Governing Body agreed the hourly charge and the Terms have been prepared to mirror the existing arrangements. Approval was granted under SP 3164 in December 2016 to this transaction. However, the 6 month timetable for completion has now expired and needs to be renewed.	With Legal to complete.

Other Options Considered

4. None.

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 members consider whether there are any actions they require in relation to the issues contained within the report.

Councillor Mrs Kay Cutts MBE
Leader of The Council

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

Constitutional Comments (SLB 16/08/2017)

7. This report is for noting only.

Financial Comments (RWK 17/08/2017)

8. There are no specific financial implications arising from this report.

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/
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Properties affected: 09998 - Various NCC Properties/non-property item