

Finance and Property Committee

Wednesday, 22 May 2013 at 14:00

County Hall, County Hall, West Bridgford, Nottingham NG2 7QP

1	Appointment of Chair and Vice-Chair To note the appointment of Councillor David Kirkham as Chair of the Committee and Councillor Darren Langton as Vice-Chair.	1-2
2	Minutes of the last meeting held on 22 April 2013 Details	3 - 8
3	To note the Membership of the Committee: Councillors Reg Adair, Nikki Brooks, Stephen Garner, David Kirkham, Darren Langton, Diana Meale, Liz Plant, Darrell Pulk, Ken Rigby and two others.	1-2
4	Apologies for Absence Details	1-2
5	Declarations of Interests by Members and Officers:- (see note below) (a) Disclosable Pecuniary Interests (b) Private Interests (pecuniary and non-pecuniary)	1-2
6	Finance & Procurement Overview Presentation Details	9 - 24
7a	A612 Gedling Transport Improvement Scheme Details	25 - 30
7b	Disposal of Land off West Hill Drive, Mansfield Details	31 - 42
7c	Sale of Land at Sandy Lane, Mansfield Details	43 - 48
7d	Archbishop Cranmer C of E Primary School, Aslockton: Academy Conversion Details	49 - 56
7e	St Peter's CofE Primary School, East Bridgford: Academy Conversion Details	57 - 64

8	Work Programme Details	65 - 68
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9	Exclusion of the Public	1-2
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The Committee will be invited to resolve:-

“That the public be excluded for the remainder of the meeting on the grounds that the discussions are likely to involve disclosure of exempt information described in paragraph 3 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

Note

If this is agreed, the public will have to leave the meeting during consideration of the following items.

EXEMPT INFORMATION ITEMS

10	Exempt Appendix to Property Transaction Report (a) A612 Gedling Transport Improvement Scheme	1-2
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minutes

Meeting FINANCE AND PROPERTY COMMITTEE

Date 22 April 2013 (commencing at 10.30 am)

Membership

Persons absent are marked with 'A'

COUNCILLORS

Reg Adair (Chairman)
Eric Kerry (Vice-Chairman)
Chris Barnfather
Steve Carroll
John Clarke
Kay Cutts
Stephen Garner
A Darrell Pulk
Ken Rigby
Mel Shepherd
Martin Suthers

OFFICERS IN ATTENDANCE

Sue Blockley, Property Reports Officer
Ian Brearley, Estates Specialist
Lynn Cave, Interim Group Manager, Property Strategy and Compliance
Paul Davies, Democratic Services Officer
Justine Gibling, Group Manager, Early Years and Early Intervention
Jas Hundal, Service Director, Transport, Property and Environment
Anne Hunt, Risk and Insurance Manager
Paul Simpson, Service Director, Finance and Procurement
Nigel Stevenson, Group Manager, Corporate Accounting

MINUTES

The minutes of the last meeting held on 20 March 2013 were confirmed and signed by the Chairman, subject to the correction that Councillor Lynn Sykes had been present in place of Councillor Barnfather.

APOLOGY FOR ABSENCE

An apology for absence was received from Councillor Darrell Pulk (unwell).

DECLARATIONS OF INTEREST

None

AGENDA ORDER

With the consent of the Committee, the Chairman changed the order of the agenda.

INSURANCE TENDER

RESOLVED: 2013/038

That the report and the following decisions, made by the Service Director, Finance and Procurement in consultation with the Chairman of the Committee be noted:

- (1) That the Council places its insurances in line with option 4 in the report;
- (2) That the limit on the Fidelity Guarantee policy is increased from £5m limit to £20m;
- (3) That the impact of the tender is built into the insurance recharges for 2013/14;
- (4) That savings relating to schools in 2013/14 are retained in the Insurance Fund with a proportion being earmarked for risk management work in schools and that from 2014/15 the savings are passed on;
- (5) That the options for the excess layer of £10m on the liability policy should be obtained, and so long as the premium is in the region of the estimated £20,000 that the cover is placed. Should the premium significantly exceed £20,000 a further report should be brought before the Chairman of the Finance and Property Committee and Service Director, Finance and Procurement.

FINANCIAL MONITORING REPORT

RESOLVED: 2013/039

- (1) That the current position regarding the monitoring of revenue expenditure be noted;
- (2) That the income received from health partners in the form of Section 256 agreements be noted as in paragraph 4.9 of the report;
- (3) That the current position regarding the monitoring of capital expenditure be noted;
- (4) That it be noted that the level of borrowing is expected to remain within the Council's prudential limits.
- (5) That the Treasury Management update be noted.

OVERVIEW OF PROPERTY STRATEGY AND PERFORMANCE 2012/13

RESOLVED: 2013/040

That the progress made on the property strategy be noted, together with its contingent plans and programmes and performance information as set out in the report.

PROPERTY TRANSACTIONS

UPLIFT PAYMENT, WHATTON LODGE FARM, WHATTON

RESOLVED: 2013/041

That the acceptance of the overage payment in respect of Whatton Lodge Farm, Whatton be noted as detailed in the exempt appendix to the report.

HUCKNALL TOWN CENTRE IMPROVEMENT SCHEME: PROPERTY ACQUISITION - 28 TITCHFIELD STREET, HUCKNALL

RESOLVED: 2013/042

That approval be given to the acquisition of 28 Titchfield Street, Hucknall for the Hucknall Town Centre Improvement Scheme on the terms set out in the exempt appendix to the report.

HUCKNALL TOWN CENTRE IMPROVEMENT SCHEME: LAND ACQUISITION - BAKER STREET, HUCKNALL

RESOLVED: 2013/043

That approval be given to the acquisition of land at Baker Street, Hucknall for the Hucknall Town Centre Improvement Scheme on the terms set out in the exempt appendix to the report.

DISPOSAL OF FORMER CARETAKER'S DWELLING, EDGEWOOD PRIMARY SCHOOL, 27 EDWARD CLOSE, HUCKNALL

RESOLVED: 2013/044

- (1) That approval be given to the sale by auction by Savills of the former caretaker's dwelling at 27 Edward Close, Hucknall on the terms set out in the report;
- (2) That authority be given to the Service Director, Transport, Property and Environment in consultation with the Chairman (or Vice-Chairman in his absence) of the Finance and Property Committee, also in consultation with the auctioneers shortly before the auction date, to set the reserve price.

LAND OFF HIGHFIELD ROAD, CLIPSTONE: GRANT OF EASEMENT

RESOLVED: 2013/045

That the County Council grant an easement to Severn Trent on the brief terms set out in the exempt appendix to the report.

DISPOSAL OF LAND AT HALAM C OF E PRIMARY SCHOOL

RESOLVED: 2013/046

That approval be given to dispose of the land at Halam C of E Primary School on the terms set out in the exempt appendix to the report.

DEWBERRY HILL, RADCLIFFE-ON-TRENT

RESOLVED: 2013/047

That approval be given to the granting of a 50 year lease to Radcliffe-on-Trent Parish Council of Dewberry Hill, Radcliffe-on-Trent on the terms set out in the report.

MANSFIELD LIBRARY, FOUR SEASONS SHOPPING CENTRE: GRANT OF SUB-LEASE

RESOLVED: 2013/048

That a sub-lease be granted on the terms set out in the exempt appendix to the report.

EARLY SURRENDER OF LEASE TO BRITISH CANOE UNION AT JOHN DUDDERIDGE HOUSE, NATIONAL WATER SPORTS CENTRE

RESOLVED: 2013/049

- (1) That approval be given to the terms for the surrender of the lease by the British Canoe Union at John Dudderidge House, as detailed in the exempt appendix to the report;
- (2) That approval be given to jointly sign a letter of comfort with the British Canoe Union in order to document the terms of surrender which are subject to conditions.

PROPOSED LICENCE OF LAND AT BROOMHILL FARM, HUCKNALL, NOTTINGHAM ROAD, HUCKNALL

RESOLVED: 2013/050

- (1) That approval be given to the grant of a temporary licence agreement to the developer of Broomhill Farm Phase 1 to allow the creation of Public Open Space (POS) connected to the entire site development.
- (2) That the minimum land price as detailed in the exempt appendix to the report be approved.

**MANSFIELD CHILDREN'S COMMUNITY CENTRE, SOMERSALL STREET,
MANSFIELD**

RESOLVED: 2013/051

That the County Council accept a surrender of the lease to Mansfield Children's Community and take ownership of the building, which will ensure the delivery of a full children's centre service from the site.

WORK PROGRAMME

RESOLVED: 2013/052

That the work programme be noted.

EXCLUSION OF THE PUBLIC

RESOLVED: 2013/053

That the public be excluded from the remainder of the meeting on the grounds that discussions are likely to involve the disclosure of exempt information described in paragraph 3 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

EXEMPT INFORMATION ITEMS

EXEMPT APPENDICES TO PROPERTY TRANSACTION REPORTS

UPLIFT PAYMENT, WHATTON LODGE FARM, WHATTON

RESOLVED: 2013/054

That the exempt appendix be noted.

**HUCKNALL TOWN CENTRE IMPROVEMENT SCHEME: PROPERTY
ACQUISITION - 28 TITCHFIELD STREET, HUCKNALL**

RESOLVED: 2013/055

That the exempt appendix be noted.

**HUCKNALL TOWN CENTRE IMPROVEMENT SCHEME: LAND
ACQUISITION - BAKER STREET, HUCKNALL**

RESOLVED: 2013/056

That the exempt appendix be noted.

**DISPOSAL OFFORMER CARETAKER'S DWELLING, EDGEWOOD
PRIMARY SCHOOL, 27 EDWARD CLOSE, HUCKNALL**

RESOLVED: 2013/057

That the exempt appendix be noted.

LAND OFF HIGHFIELD ROAD, CLIPSTONE: GRANT OF EASEMENT

RESOLVED: 2013/058

That the exempt appendix be noted.

DISPOSAL OF LAND AT HALAM C OF E PRIMARY SCHOOL

RESOLVED: 2013/059

That the exempt appendix be noted.

MANSFIELD LIBRARY, FOUR SEASONS SHOPPING CENTRE: GRANT OF SUB-LEASE

RESOLVED: 2013/060

That the exempt appendix be noted.

EARLY SURRENDER OF LEASE TO BRITISH CANOE UNION AT JOHN DUDDERIDGE HOUSE, NATIONAL WATER SPORTS CENTRE

RESOLVED: 2013/061

That the exempt appendix be noted.

PROPOSED LICENCE OF LAND AT BROOMHILL FARM, HUCKNALL, NOTTINGHAM ROAD, HUCKNALL

RESOLVED: 2013/062

That the exempt appendix be noted.

MANSFIELD CHILDREN'S COMMUNITY CENTRE, SOMERSALL STREET, MANSFIELD

RESOLVED: 2013/063

That the exempt appendix be noted.

The meeting closed at 11.50 am.

CHAIRMAN

Presentation to the Finance & Property

22 May 2013

Overview of the Finance & Procurement Division

**Paul Simpson - Service Director –
Finance & Procurement**



**Nottinghamshire
County Council**

Purpose of Today's Session

- To brief the Committee on the roles & responsibilities of the Finance & Procurement Division.
- To outline the Structure and Service Overview for the Division.
- To present the key financial highlights of the revenue budget and capital programme.
- To highlight current issues

Our promises to the people of Nottinghamshire

Lead Nottinghamshire

Make it a place where businesses want to invest; tourists want to visit and stay; where people want to live and feel safe. These are our goals and we will work together with our partners to achieve them.

- [To foster aspiration, independence and personal responsibility](#)
- [To promote the economic prosperity of Nottinghamshire and safeguard our environment](#)
- [To make Nottinghamshire a safer place to live](#)

Deliver good services

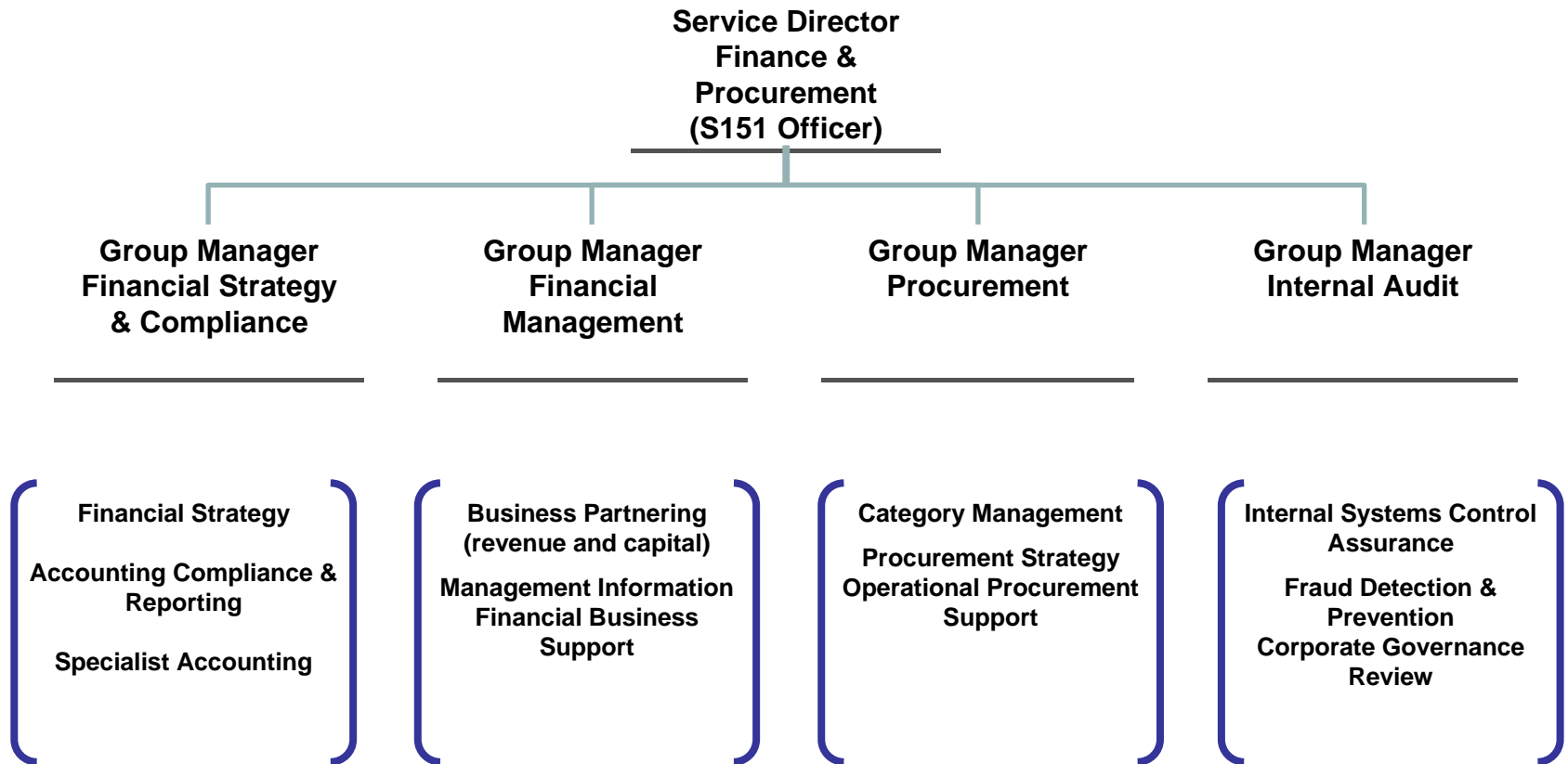
- [To secure good quality, affordable services](#)

Be an efficient Council

Be cost effective and remove inefficiencies. Reduce our running costs substantially to allow more to be spent on delivery of services.

- [To be financially robust and sustainable](#)

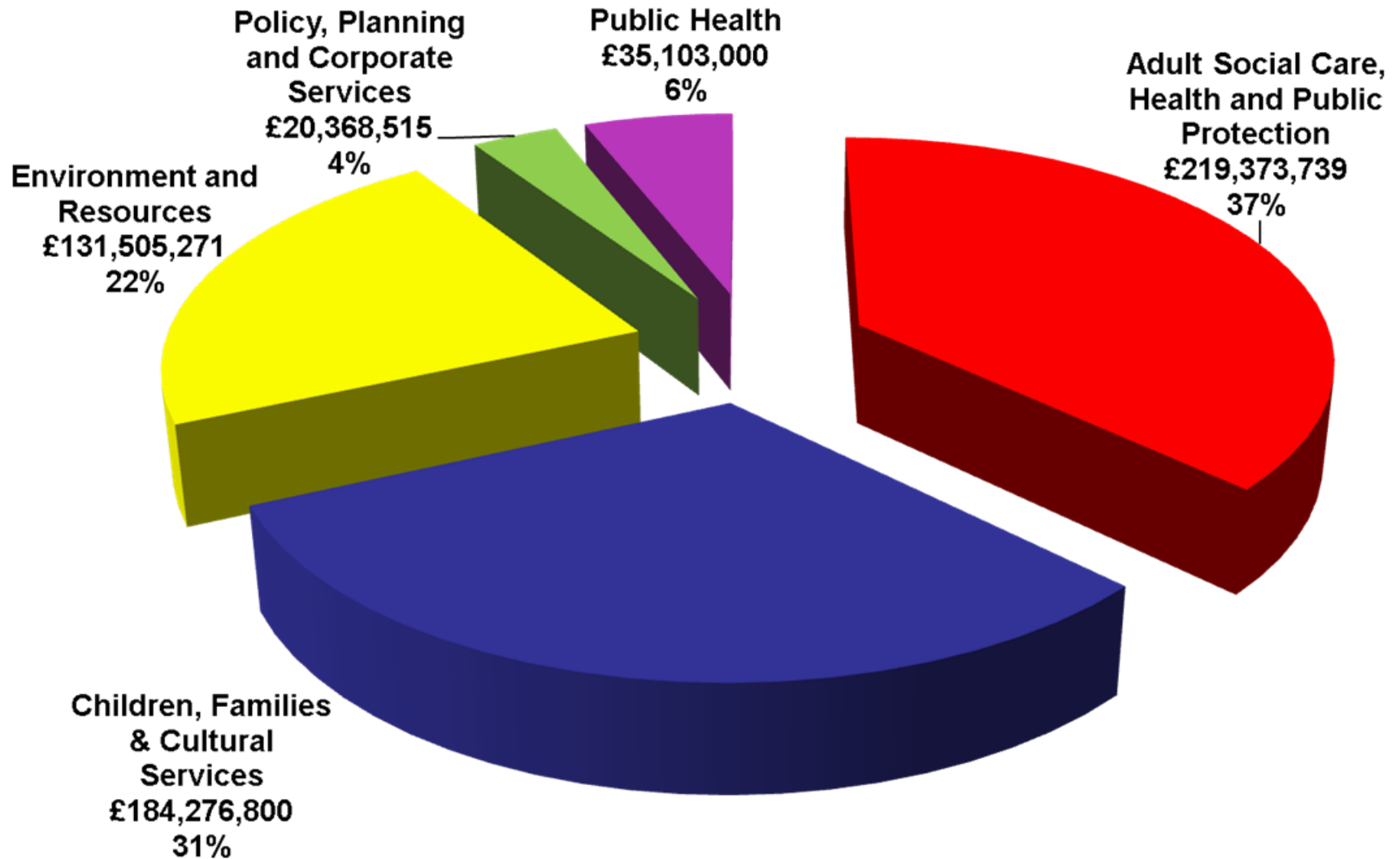
Finance & Procurement Division Structure



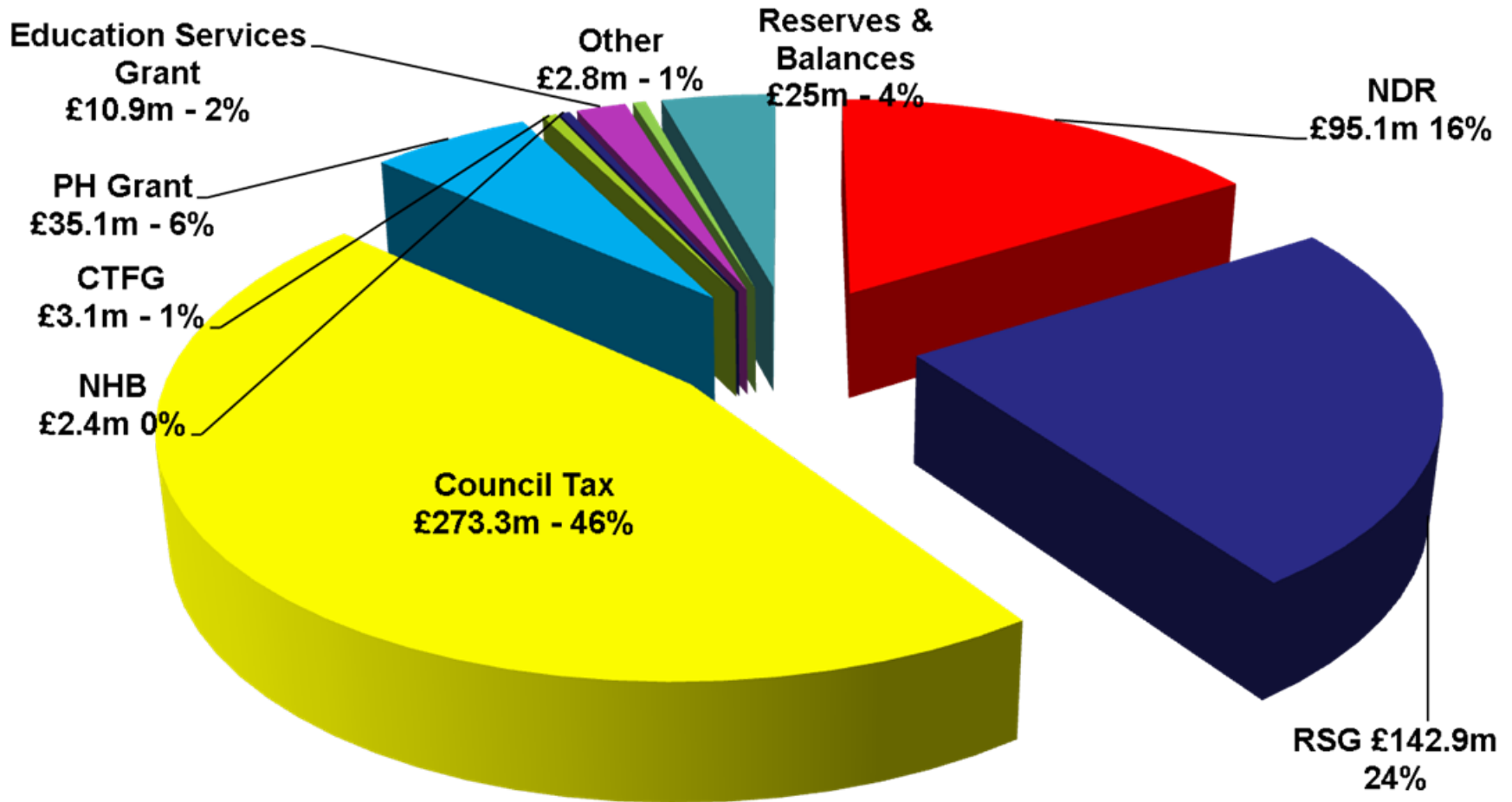
Service Overview

- 1. The overall purpose of the Finance & Procurement Division is to support the County Council in delivering its corporate priorities, through effective financial management and procurement support. The key outcomes of the Division are to:**
 - *Ensure the authority is financially robust and sustainable, and to safeguard public funds*
 - *Ensure the authority secures best value goods and services*
 - *Manage financial and commercial risk*
 - *Contribute to the delivery of effective Corporate Governance*
 - *Support the delivery of the County Council's Strategic Plan*
- 2. The key responsibilities of the Finance team are:**
 - *Providing high quality financial advice and information for decision makers i.e. Politicians, the Corporate Leadership Team and Departmental Management Teams, including the annual budget and Medium Term Financial Strategy;*
 - *Demonstrating accountability for public expenditure through the production of an annual Statement of Accounts*
 - *Providing financial management support to the Council's front-line service areas*
 - *Treasury management and financial management support to the Nottinghamshire Pension Fund*
- 3. Procurement provide both operational procurement (overseeing catalogues, contracts database, PO processing etc.) & the more strategic procurement support, via category management and supplier relationship management.**
- 4. Internal Audit carries out reviews of the Council's key systems and controls, and provides an assurance function to address issues such as fraud.**

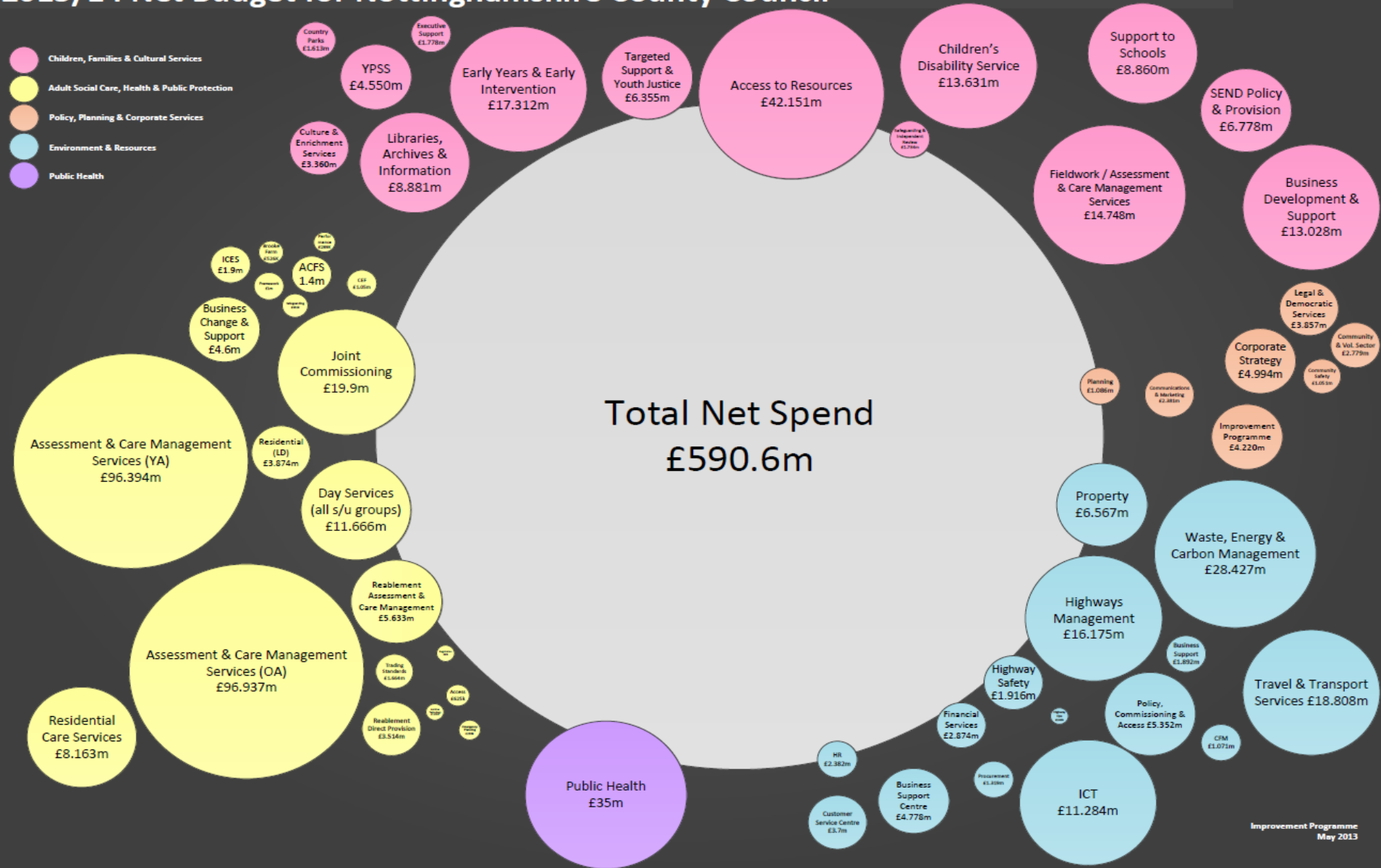
What the Council's Revenue Budget is in 2013/14 – Total £590,627,325



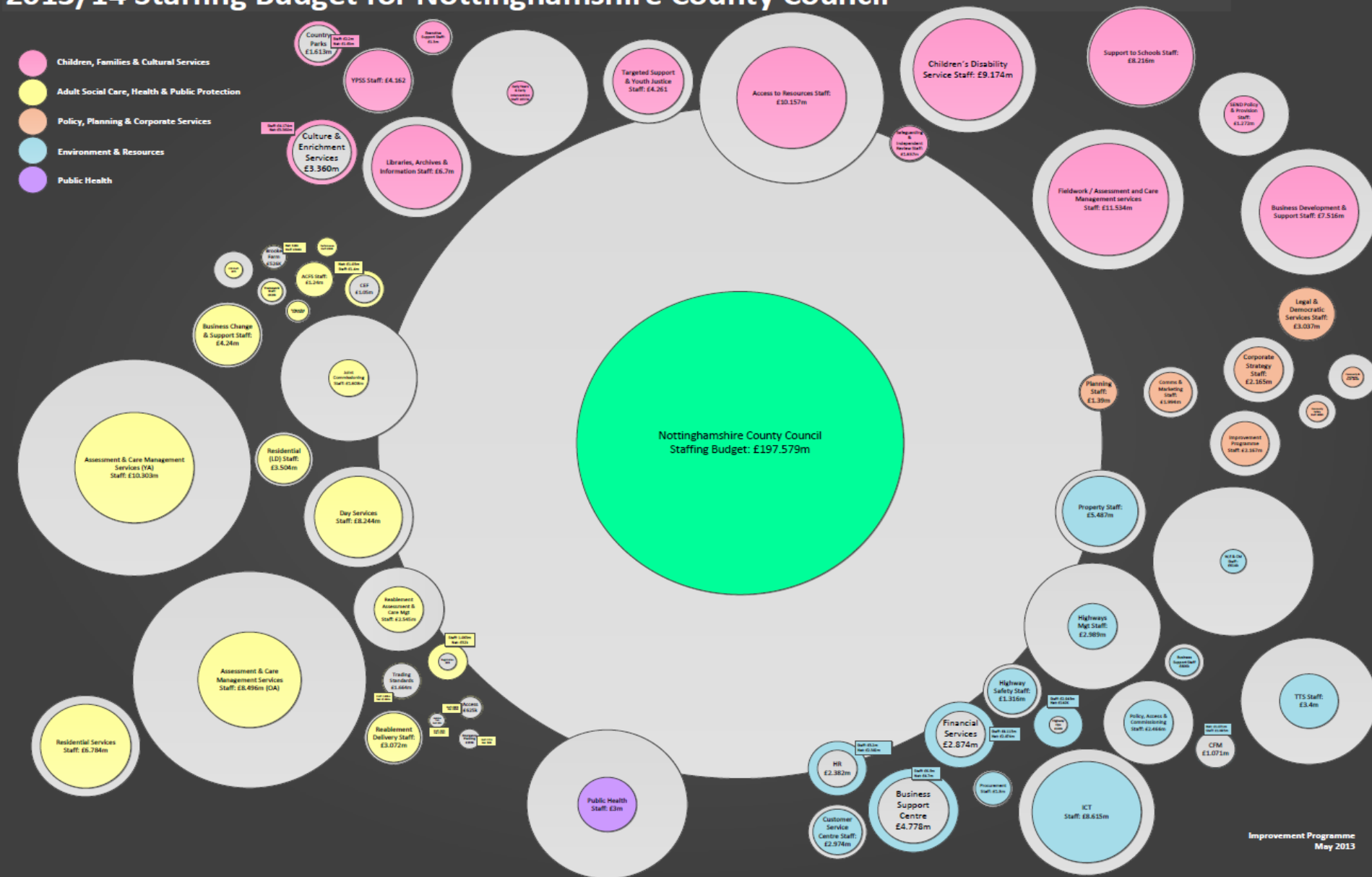
How the 2013/14 Budget is Funded



2013/14 Net Budget for Nottinghamshire County Council



2013/14 Staffing Budget for Nottinghamshire County Council



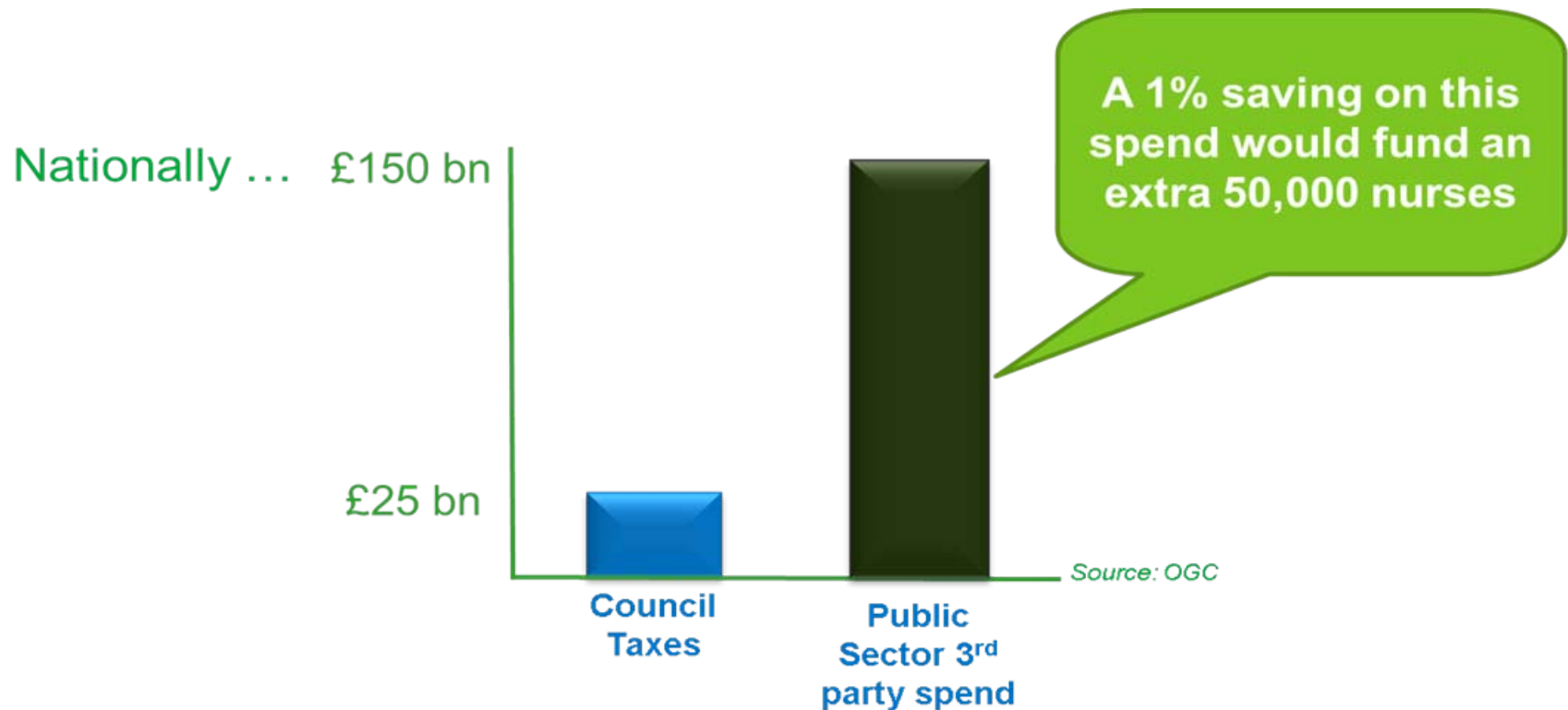
Improvement Programme
May 2013



**Nottinghamshire
County Council**

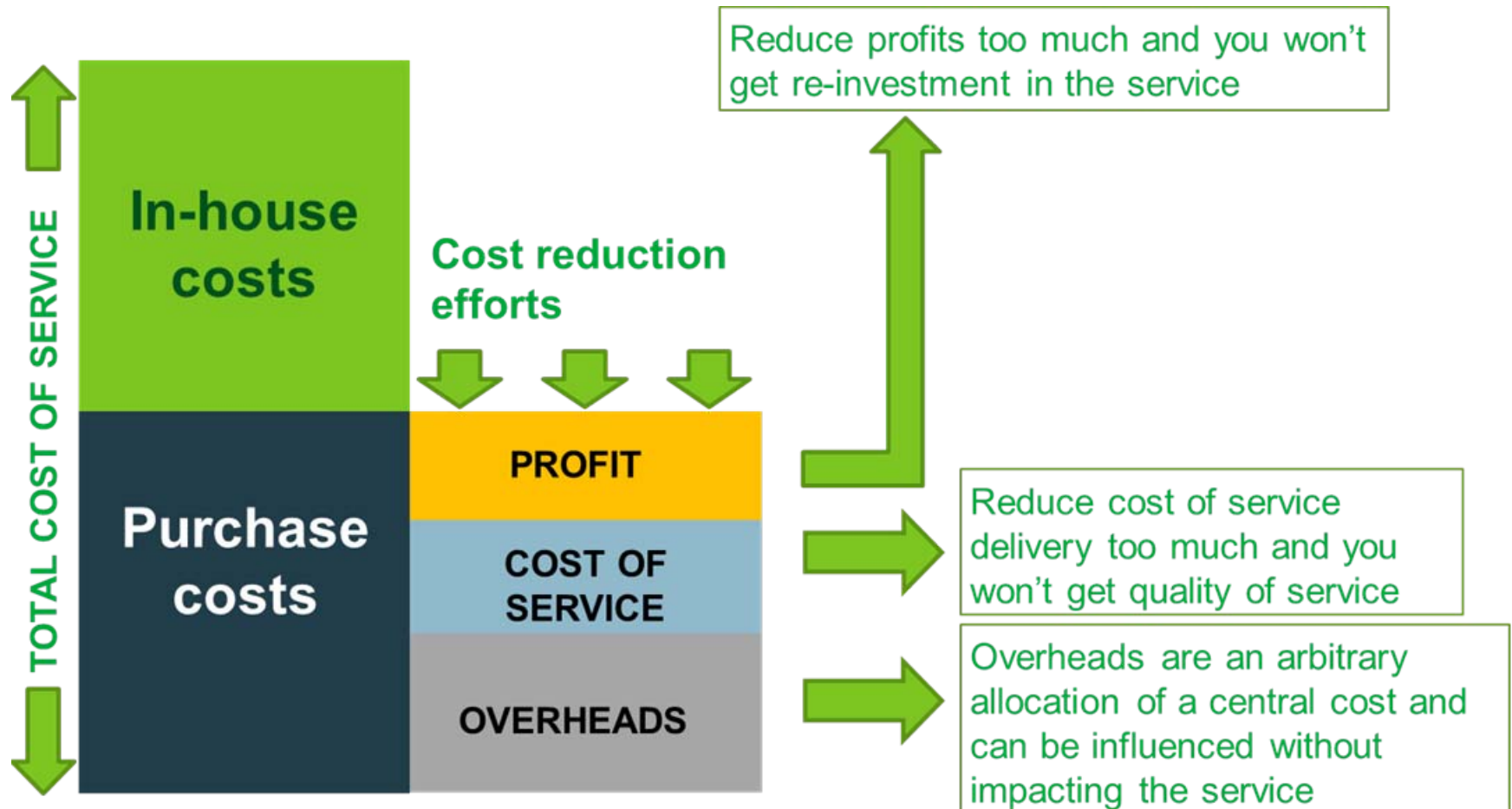
Finance & Procurement Overview

Some statistics

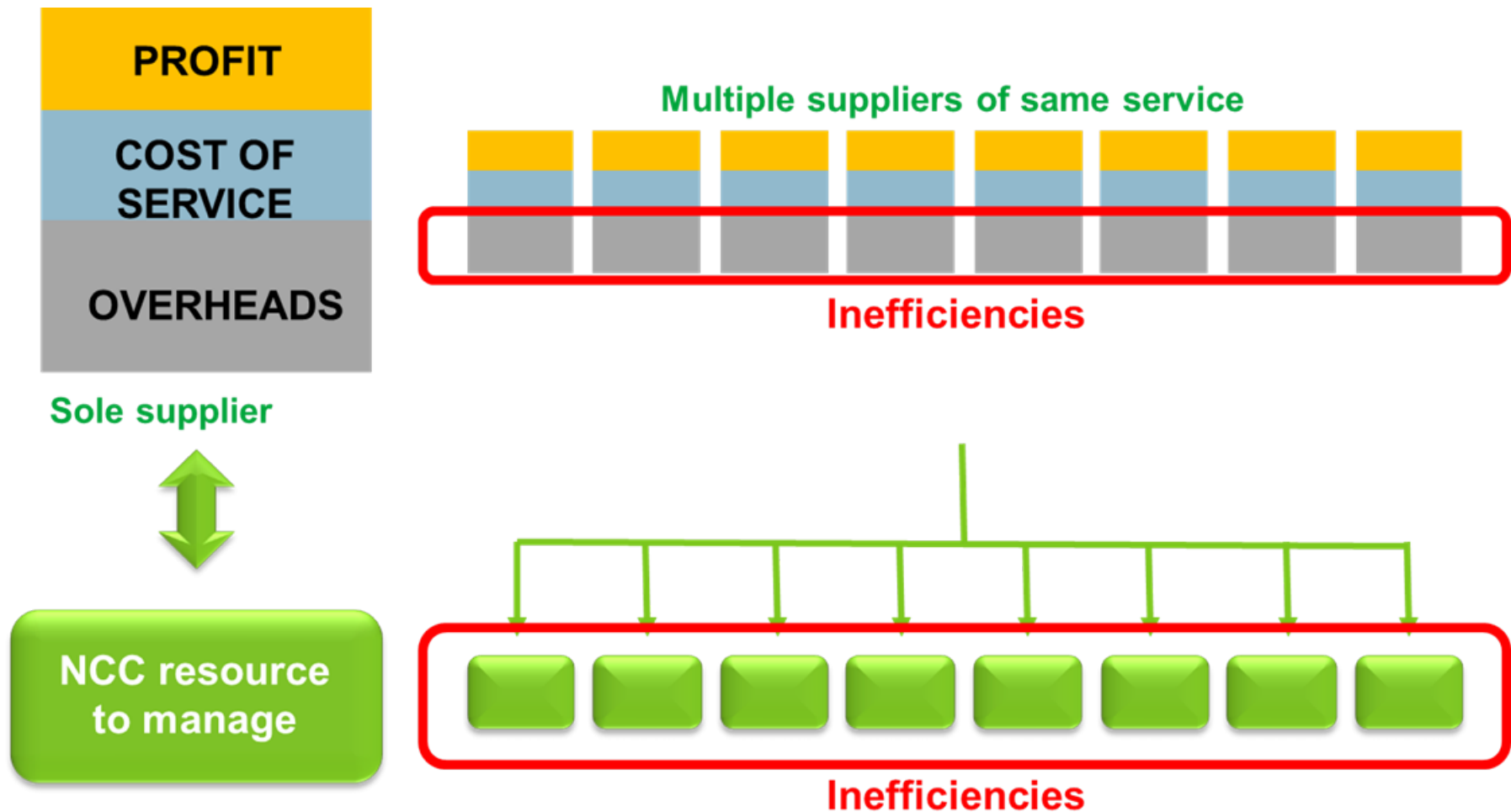


- This gives the public sector significant potential to achieve:-
 - o value for money
 - o innovation
 - o policies such as sustainability or diversity
- But it could distort markets and competition hence the need for EU rules

How should we make cost reductions?



Right-sized supply base



Summary Capital Programme

	Revised 2012/13 £'m	2013/14 £'m	2014/15 £'m	2015/16 £'m	2016/17 £'m	TOTAL £'m
Committee:						
Children & Young People*	9.854	4.294	8.900	.500	.000	17 548
Adult Social Care & Health	.418	.104	.650	.000	.000	3 172
Transport & Highways	8.602	3.324	7.707	5.865	6.256	81 754
Environment & Sustainability	.171	.853	.574	.200	.000	2 798
Community Safety	.003	.297				300
Culture	.147	.930	.204	.450	.322	5 053
Policy	.902	.075				3 977
Finance & Property	4.880	1.180	.450	.650	.650	7 810
Personnel	.088	.070	.070	.070	.070	368
Contingency	.200	.829	.500	.000	.000	2 520
Capital Expenditure	20.265	32.956	2.055	4.735	5.298	35 309
Financed By:						
Borrowing	7.298	2.444	6.706	6.100	1.672	24 220
Capital Grants †	6.162	4.351	7.679	7.465	2.456	78 113
Revenue/Reserves	.805	6.161	.670	.170	.170	2 976
Total Funding	20.265	32.956	2.055	4.735	5.298	35.309

Current Balances and Reserves

	2012/13				2013/14		
	Balance BF	Use	Contribution	Balance CF	Use	Contribution	Balance CF
	01/04/2012 £'000	£'000	£'000	31/03/2013 £'000	£'000	£'000	31/03/2014 £'000
Available Reserves							
County Fund Balances	(29,688)	0	(10,930)	(40,618)	15,137	0	(25,481)
Traders Reserves	(3,161)	1,509	(2,054)	(3,706)	400	0	(3,306)
Earmarked Reserves	(21,807)	5,012	(14,595)	(31,390)	22,667	0	(8,723)
Grants Reserves	(9,376)	4,010	(1,926)	(7,292)	7,292	0	0
Sub-total	(64,032)	10,531	(29,505)	(83,006)	45,496	0	(37,510)
Corporate Reserves							
Capital Projects Reserve	(27,636)	2,268	(9,000)	(34,368)	18,891	0	(15,477)
Corporate Redundancy Reserve	(3,119)	0	0	(3,119)	3,119	0	0
Earmarked Reserves	(1,689)	297	0	(1,392)	0	0	(1,392)
Improvement Programme	(17,997)	6,594	0	(11,403)	2,666	0	(8,737)
Lifecycle Maintenance	(3,705)	0	(500)	(4,205)	0	0	(4,205)
Pay Review Reserve	(2,059)	0	(1,000)	(3,059)	1,000	0	(2,059)
Insurance Reserves	(7,571)	0	(2,790)	(10,361)	0	0	(10,361)
Sub-total	(63,776)	9,159	(13,290)	(67,907)	25,676	0	(42,231)
Unusable Reserves							
Bassetlaw PFI Reserve	(1,289)	429	0	(860)	0	(383)	(1,243)
East Leake PFI Reserve	(3,115)	131	0	(2,984)	0	(267)	(3,251)
Waste PFI Reserve	(26,739)	0	(1,598)	(28,337)	0	(222)	(28,559)
Schools Statutory Reserve	(39,151)	0	0	(39,151)	0	0	(39,151)
Sub-total	(70,294)	560	(1,598)	(71,332)	0	(872)	(72,204)
Total Reserves	(198,102)	20,250	(44,393)	(222,245)	71,172	(872)	(151,945)

Incl. £11.764m S256 and PH Grants

IP use in 2012/13 TBC

Figures TBC

Major Areas of Risk & Uncertainty

- Spending review scheduled for June 26th - unclear as to what will be announced and all likelihood will only be for one year i.e. 2015/16. Another CSR after General Election in 2015.
- Pressure from Ministers of "non-protected areas" for HMT to remove ring-fenced protection for schools and hospitals but Chancellor indicated "trajectory" of public spending reductions to continue as per SR2010
- Uncertain impact on local government of Welfare Benefit changes, Pensions reform and Care Bill - implement a cap on care costs as recommended by Dilnot Commission
- National Insurance changes - Government to introduce a single-tier national state pension, the system of "contracting out" will end. This means that, in particular, public sector employers and their staff will have to pay higher NICs from 2016-17.

Comments & Questions?

22 May 2013**Agenda Item: 7 (a)****REPORT OF SERVICE DIRECTOR – TRANSPORT, PROPERTY &
ENVIRONMENT****A612 GEDLING TRANSPORT IMPROVEMENT SCHEME (GTIS)
LCA 1973 PT1 COMPENSATION PAYABLE WHERE NO LAND IS TAKEN****Purpose of the Report**

1. To seek approval of the Finance & Property Committee to pay the agreed Part 1 Claims detailed in the exempt appendix attached to the report.

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 the exempt appendix.
3. GTIS was opened to traffic on 8 May 2007. As with similar improvement schemes at Sutton-in-Ashfield, Hucknall, Awsworth, Rainworth and Mansfield, use of the scheme gives rise to claims under the Land Compensation Act 1973 Part 1. The first date that claims could legally be made was 8 May 2008 and since 8 May 2013 no further claims may be made. Over 200 claims have been made during the relevant period on behalf of claimants by several firms of agents who specialise in this field of professional work.
4. Statute recognises that housing in the vicinity of a new or altered highway may suffer depreciation in value on account of increased noise, fumes, vibration, dirt, as well as from intrusive illumination whether from static street lighting or from vehicle headlights. Unlike compulsory purchase claims, any loss of value attributable to loss of visual amenity cannot be taken into account.
5. It is usual to carefully consider claims inspect adversely affected property, interview claimants and negotiate reasonable compensation with claimants' agents, a lengthy process unless highway authorities are prepared to agree unreasonably high levels of compensation demanded by agents. If properly negotiated, a fair level of settlements where property has genuinely depreciated in value should result, with a rejection of claims where property lies too remote or is too shielded from the effects of new road use for any adverse effect on value having occurred.

6. At Gedling, inspections, interviews and negotiations have been carried out by appointed agents (Bruton Knowles) and as claims are provisionally agreed they have been reported for approval. This report carries an appendix listing properties where provisional agreement has been reached in respect of received claims.
7. Allowing for house price indices for the relevant dates, levels of compensation agreed are in line with those of the other similar schemes, those agreed by other local authorities or the Valuation Office Agency for the Highway Agency, or those as are awarded by the Lands Tribunal in disputed areas. Variations in levels of compensation proposed are as a result of variable house types and the closeness or remoteness of housing in relation to GTIS, which lies very close to some housing.
8. In many cases, although quantified claims were submitted, agents and householders have accepted the Council's opinion that properties have not been devalued and that the claims should be rejected. In most instances where claims have been agreed, they are for lesser sums than were either originally claimed by agents or subsequently agreed by them in negotiations.
9. Occasionally, and in order to reflect fair and proper compensation to claimants, agreed compensation may exceed that originally submitted by agents before anyone was fully able to take into account the adverse effects of traffic and lighting. This also accounts in part for why some original submissions were grossly excessive.

Other Options Considered

10. The only alternative to settling claims through negotiations is through expensive litigation at Lands Tribunal. The likely outcome of prolonged dispute and recourse to Lands Tribunal may be both higher levels of compensation plus the substantial legal costs charged by both sides' barristers.

Reason for Recommendation

11. The recommended payments are all at levels considered to be in line or possibly below that which the Lands Tribunal might award, hence the recommendation is considered the best financial option available.

Statutory and Policy Implications

12. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

1. That the Finance & Property Committee approve payment of the agreed Part 1 Claims detailed in the exempt appendix attached to the report.

Jas Hundal
Service Director - Transport, Property & Environment

For any enquiries about this report please contact: Tim Slater 0115 977 2076

Constitutional Comments (CEH 26-Apr-2013)

13. The Finance and Property Committee has authority to consider the matters and recommendation set out in the report by virtue of its terms of reference.

Financial Comments (TR 26-Apr-2013)

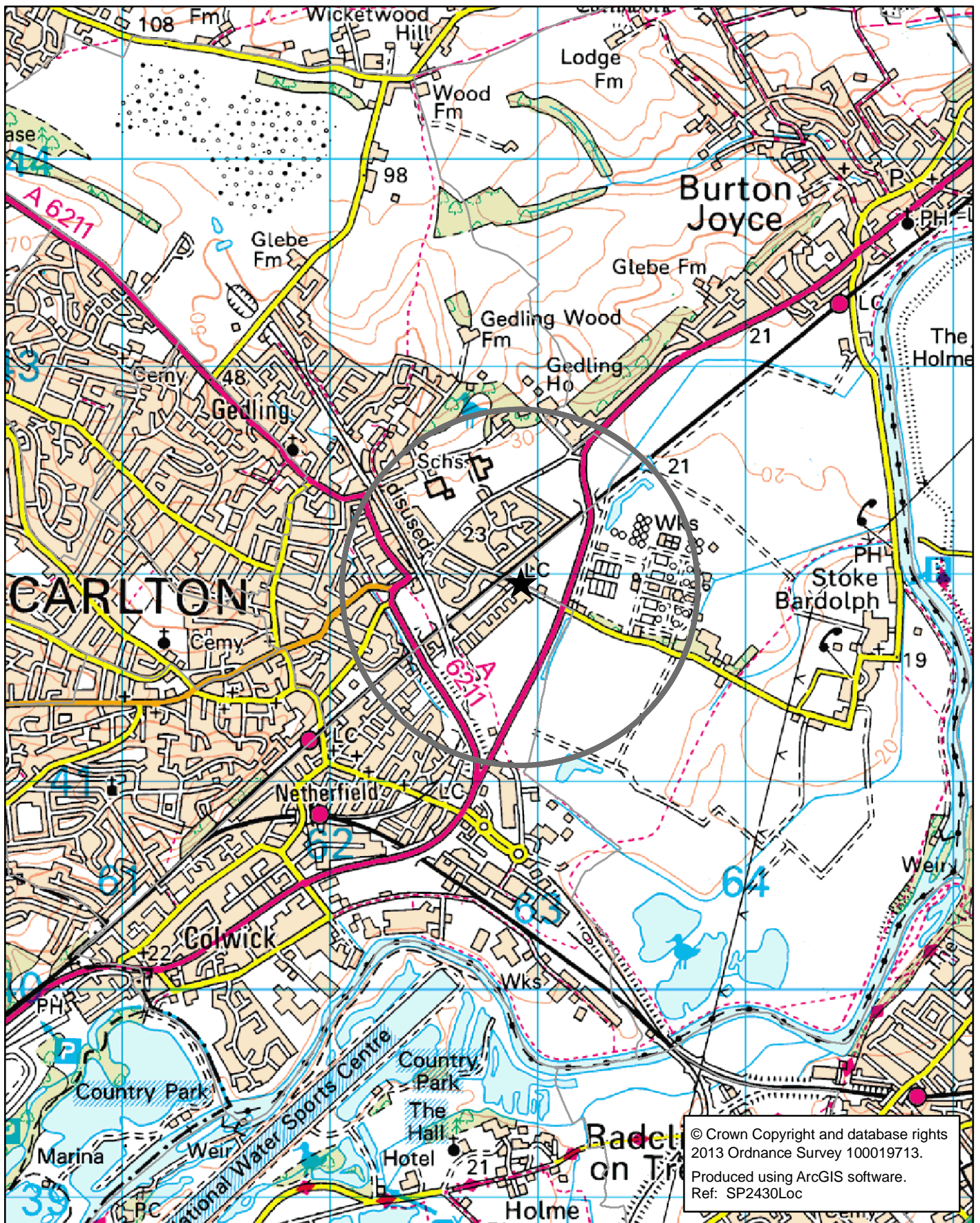
14. The financial implications are set out in the exempt appendix to the report.

Background Papers

15. None

Electoral Division(s) and Member(s) Affected

16. Ward(s): Carlton East
Member(s): Councillor Nicki Brooks, Councillor John Clarke



22 May 2013**Agenda Item: 7 (b)****REPORT OF SERVICE DIRECTOR – TRANSPORT, PROPERTY &
ENVIRONMENT****DISPOSAL OF LAND OFF WEST HILL DRIVE, MANSFIELD****Purpose of the Report**

To seek approval to:

1. The sale by auction via WA Barnes Auctioneers of the above surplus Highway land;
2. The reserve price being approved by the Service Director, Property & Environment, in consultation with the Chair (or Vice Chair in his absence) of the Finance & Property Committee in consultation with the nominated agent prior to the auction.

Information and Advice

3. This report is seeking approval to the sale of 262 sqm of land which has become surplus to the County Councils requirements following completion of the Mansfield Inner Relief Road.
4. The land currently consists of an overgrown area of vegetation located to the western end of a block of 9 residential terraced properties.
5. The land is situated on the busy junction of Chesterfield Road (Mansfield Inner Relief Road) and West Hill Drive.
6. It is contained within a substantial Highway Structural Wall (see background paper) and is not level.
7. Disposal by local auction is considered to be the most appropriate option and method of sale. It is considered that WA Barnes are the most suitable auctioneers due to the challenging nature of this site and given their specialist knowledge of the area.

Other Options Considered

8. Consideration was given to sale by informal tender – the site is small and located on a very busy junction. Access is very limited due to a large retaining Highway wall structure. Auction is the best method of achieving an uncomplicated and less protracted sale.

Reason/s for Recommendation/s

9. The Authority has no strategic requirement for the land.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service 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

That approval is given to:-

1. The sale by auction via WA Barnes Auctioneers of the above surplus Highway land.
2. The reserve price being approved by the Service Director, Property & Environment, in consultation with the Chair (or Vice Chair in his absence) of the Finance & Property Committee in consultation with the nominated agent prior to the auction.

Jas Hundal

Service Director - Transport, Property & Environment

For any enquiries about this report please contact: Gael Gamble 0115 9772083

Constitutional Comments (CEH 02-May-2013)

11. The recommendations fall within the remit of the Finance and Property Committee. When disposing of land the Council is required to obtain the best price reasonably obtainable on the open market and therefore Committee should satisfy themselves of this.

Financial Comments (TR 9-May-2013)

12. Any sale will generate a capital receipt which will be used to help fund the Capital Programme.

Background Papers

13. Attached.

Electoral Division(s) and Member(s) Affected

Page 32 of 68

14. Mansfield North
Councillor Joyce Bosnjak, Councillor Parry Tsimbiridis

File ref.: /GG/SB/70033

SP: 2432

Properties affected: 70033 - Land Off West Hill Drive

PLANNING STATEMENT

The site comprises approx 225m² of surplus NCC Highway land just outside the Town Centre boundary. It is bordered by West Hill Drive to the north and west, Chesterfield Road South to the south and No 79 West Hill Drive to the east. The site lies in a prominent position on a site sloping from east to west and north to south and sits well above Chesterfield Road to the south. The site exposes the blank brick gable end wall of number 79 West Hill Drive.



View of site from west across Chesterfield Road

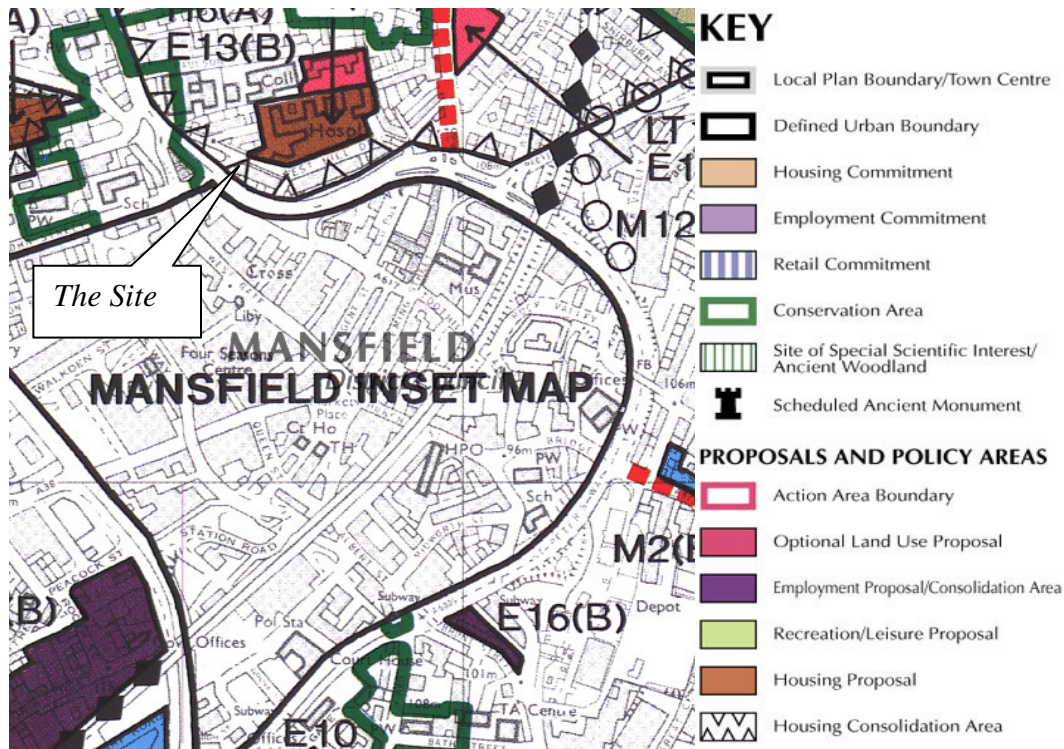
The site lies within a housing consolidation area and is close to the former hospital site which is a housing proposal site. Across the Chesterfield Road is the West Gate Conservation Area.



View of site across end of West Hill Drive

Developing the site would complement the local policies of

- encouraging urban redevelopment and in so doing would sustainably make use of the existing transport and services facilities
- infilling vacant sites, especially if done in a complementary way
- improving sites with a current potential for possible vandalism and misuse



Part of the Mansfield DC Local Plan

DESIGN AND ACCESS STATEMENT

The proposed use of the site would be housing in the form of either a single house or multiple flats. As the site access off West Hill Drive is restricted and on-site parking space is limited, a single house would appear to be the more appropriate option unless relaxations were given with regards to off site parking for multiple dwellings.

Due to the slope of the site, it would be possible to construct a three storey dwelling. Many of the adjacent properties on West Hill Drive make use of their roof space: by stepping the proposed ground floor down and by continuing the same roof line as the neighbouring property, a three storey building could be comfortably accommodated on the site. The design could incorporate feature dormer windows on the north and south elevations with possible feature Juliet balconies on the more prominent west elevation.

The proposed dwelling should make full use of windows on the west elevation – as well as the north and south (front and back) - which would introduce some character to the end of the terrace. Existing brick corbelling details and fenestration layouts including bay windows and recessed entrances could be emulated to enhance the West Hill Drive elevation. Although the main materials would be brick walls and a tiled roof to match the existing properties, elements of other materials (eg render) could be applied to enhance the west elevation.

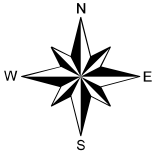
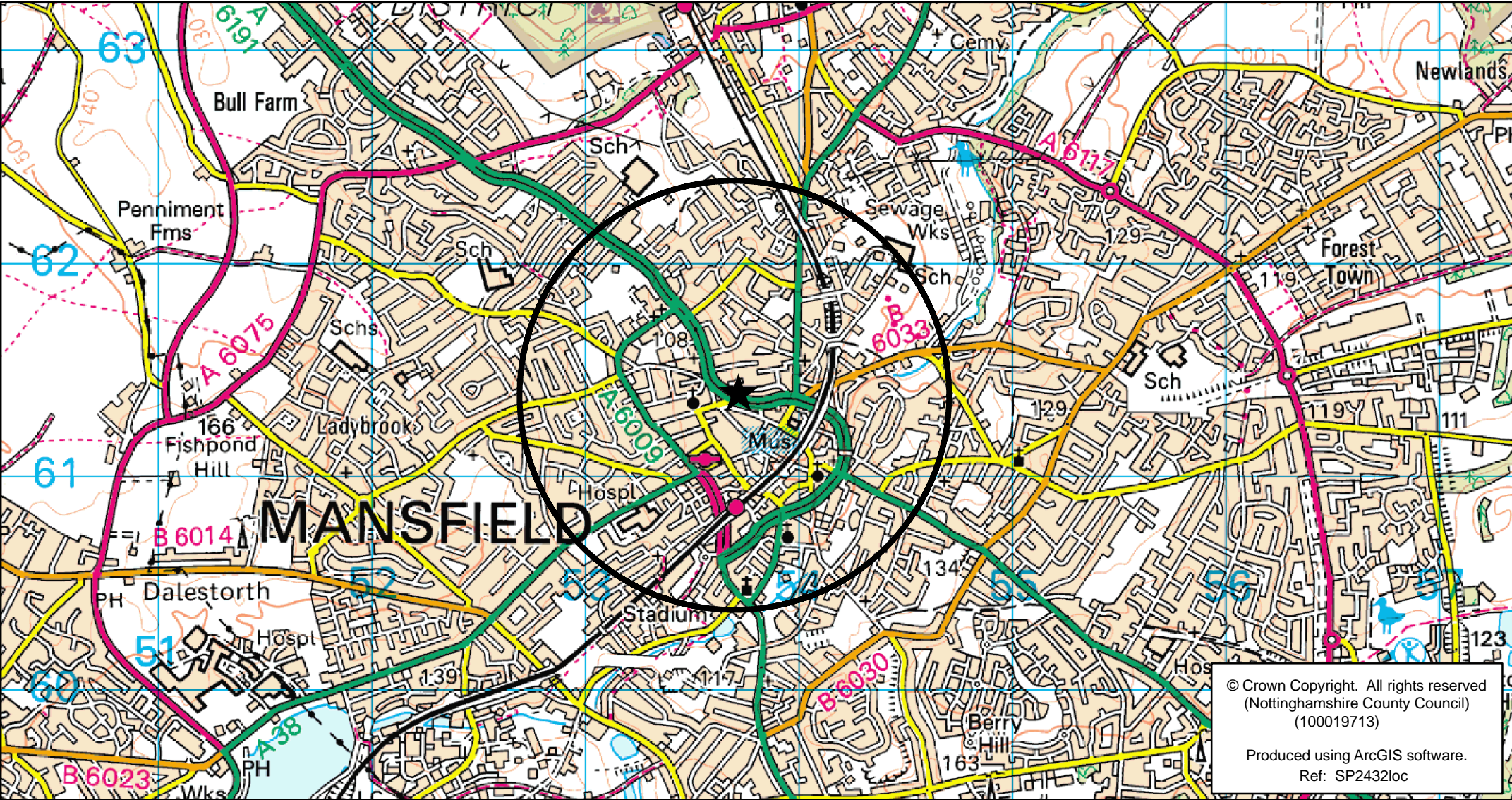


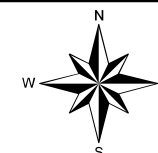
Views up and down West Hill Drive (note brick corbelling, bay windows, traditional recessed entrances, stepped roofs and ground floors)

The building line would be retained on West Hill Drive with a slight set back of part of the ground floor to accommodate off street parking. The form of the main part of the terrace would be extended (ie without the rear projections) so as to minimise over shadowing of the neighbouring dwelling and to provide a more solid, symmetrical front when viewed from the west.

The existing trees would be removed to enable construction to take place. Appropriate landscaping including tree planting could be designed partly to provide some privacy to the house and partly to soften the view of the development and the existing boundary wall.

Accessibility will be attained to Building Regulations Part M standard including level access onto the site and into the building.





22 May 2013

Agenda Item: 7 (c)

REPORT OF SERVICE DIRECTOR – TRANSPORT, PROPERTY & ENVIRONMENT

SALE OF LAND ON SANDY LANE, MANSFIELD

Purpose of the Report

1. To seek approval to the sale by informal tender of the land on Sandy Lane, Mansfield as shown on the attached plan.

Information and Advice

2. The 3.43 acres of land was originally purchased 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.
3. The additional land has covenants 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.
4. NCC are currently in negotiations with MDC regarding release of the above restrictive covenant.
5. At present the site is allocated as housing in the MDC local plan.
6. MDC own the land behind the site and access to their land will be problematic to develop without an access road through our site.
7. As the site is not required for extra care provision it is therefore surplus to the County Council and can be sold.

Other Options Considered

8. To retain the site but this would incur ongoing costs to the County Council i.e. fly tipping etc.

Reason/s for Recommendation/s

9. To generate a capital receipt from a site which is surplus to the operational requirements of the County Council.

[Page 43 of 68](#)

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service 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 is given to the sale by informal tender of the land at Sandy Lane, Mansfield as shown on the attached plan.

LEGAL COMMENTS (CEH 02-May-2013)

11. The recommendation falls with the remit of the Finance and Property Committee.

COMMENTS OF THE SERVICE DIRECTOR - FINANCE (TR 9-May-2013)

12. Any sale will generate a capital receipt which will be used to help fund the Capital Programme.

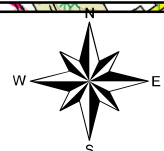
Background Papers

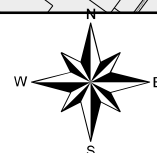
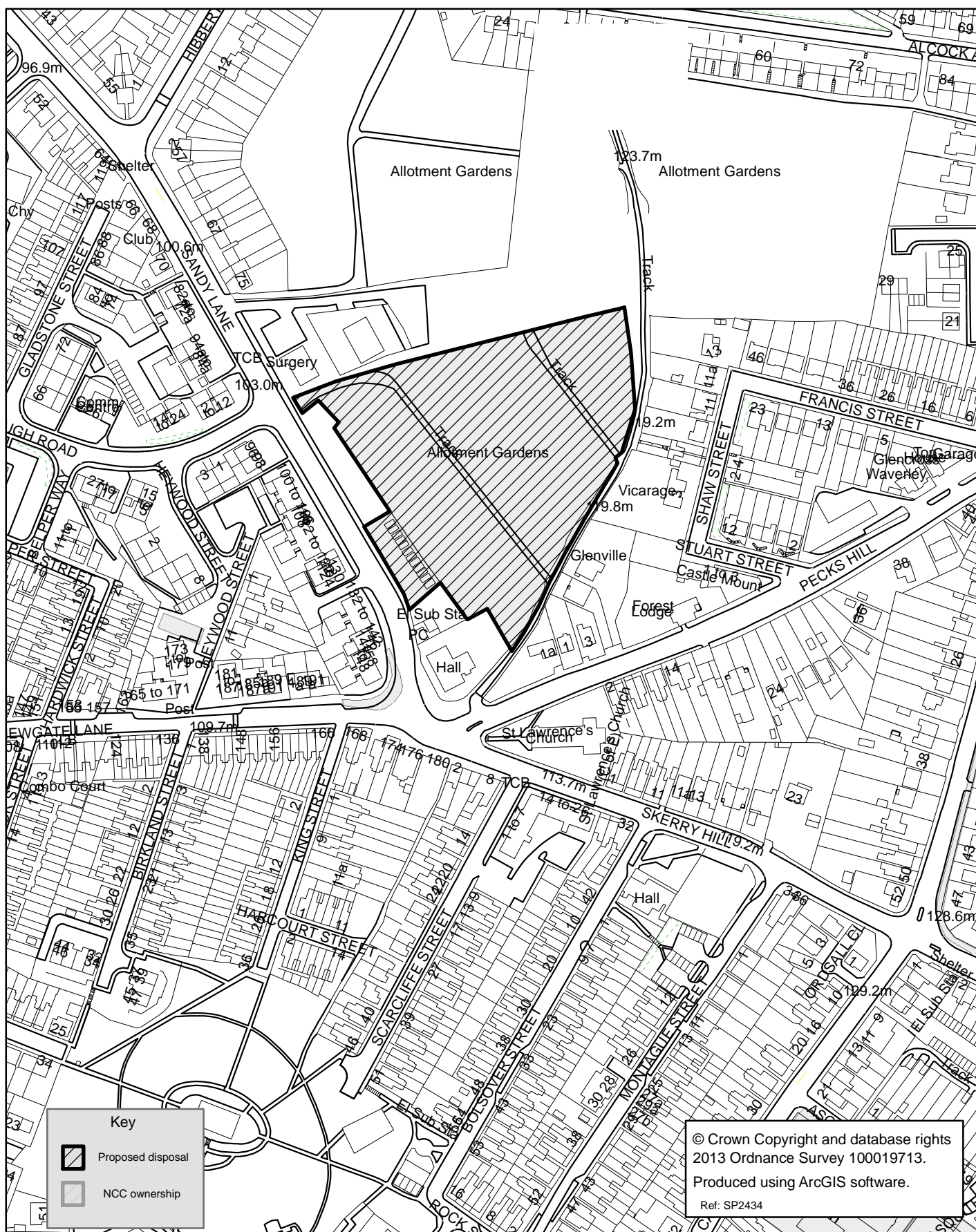
13. None.

Electoral Division(s) and Members(s) Affected

14. Ward(s): Mansfield South
Member(s): Councillor Andy Sissons, Councillor Stephen Garner

File ref.: /GG/SB/06415
SP: 2435
Properties affected: 06415 - RHOP Sandy Lane





22 May 2013**Agenda Item: 7(d)****REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY &
ENVIRONMENT****ARCHBISHOP CRANMER C OF E PRIMARY SCHOOL, ABBEY LANE,
ASLOCKTON****Purpose of the Report**

1. To seek approval of the Finance and Property Committee to the grant of a 125 year lease on the standard terms set out in the attached appendix to the Academy Trust for Archbishop Cranmer C of E Primary School, Abbey Lane, Aslockton, Nottingham, NG13 9AW this being subject to subsequent approval of any site specific details.
2. To authorise the Corporate Director, Environment & Resources, (or his nominee) to approve site details and specific conditions in consultation with the Chair (or Vice Chair in his absence) of the Finance and Property Committee.

Information and Advice**Background**

3. Councillors are probably aware that the Academies Act 2010 allows maintained schools to become Academies by applying to the Secretary of State for Conversion.
4. Once the conversion order has been granted it requires all parties to enter into a Transfer Agreement.
5. As a part of the Transfer Agreement the County Council is required to transfer the relevant assets currently held by the County Council or the existing governing body to the Academy Trust.
6. On a related matter, Councillors should note that other aspects of Academy Transfer will be reported to the Children & Young People's Committee as appropriate.
7. Archbishop Cranmer C of E Primary School is shortly to acquire Academy status and as part of the conversion process, governing bodies of Academy Schools are entitled to 125 year full repairing and insuring leases at a peppercorn rent of any Council owned land, forming part of the principal operational School site subject to rights to be reserved and leaseback of Council facilities where appropriate.

8. This report seeks approval to the granting of a 125 year lease to the Academy Trust on the Heads of Terms set out in the attached Appendix.

Other Options Considered

9. The Academies Act 2010 does not allow the Authority any options as regards the transfer and therefore no other options have been explored.

Reason/s for Recommendation/s

10. To comply with statutory requirements.

Statutory and Policy Implications

11. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Recommendation

That approval is given to: -

1. The grant of a 125 year lease on the standard terms set out in the attached appendix to the Academy Trust for Archbishop Cranmer C of E Primary School, Abbey Lane, Aslockton, Nottingham, NG13 9AW this being subject to subsequent approval of any site specific details.
2. Authorise the Corporate Director, Environment & Resources, (or his nominee) to approve site details and specific conditions in consultation with the Chair (or Vice Chair in his absence) of the Finance and Property Committee.

Jas Hundal

Service Director, Transport, Property and Environment

For any enquiries about this report please contact: Peter Grinnell on 07753 625269

Constitutional Comments (CEH 26-Apr-2013)

12. The recommendations within the report fall within the remit of the Finance and Property Committee.

Financial Comments (TR 26-Apr-2013)

Page 50 of 68

13. The granting of the lease to the academy will reduce the assets held on the Council's balance sheet. This is not a charge against council tax.

Background Papers

14. None.

Electoral Division(s) and Member(s) Affected

15. Ward(s): Bingham
Member(s): Councillor Martin Suthers OBE

File ref.: /PG/SL/01499

SP: 2428

Properties affected: 01499 - Archbishop Cranmer C of E Primary

APPENDIX

Heads of Terms

Demise:

All that land to be shown as edged red on the Red Line Plans to be prepared for the school for subsequent approval as provided in item 2 above.

Landlord:

Nottinghamshire County Council
County Hall
West Bridgford
Nottingham
NG2 7QZ

Tenant:

The Academy Trust for Archbishop Cranmer C of E Primary School

Rent:

A peppercorn

Term:

125 years (The lease to be contracted outside the security of tenure provisions of the 1954 Landlord & Tenant Act.).

Outgoings:

The Tenant will be responsible for the payment of all outgoing which are now or may during the term be payable in respect of the Property.

Alienation:

The Tenant will not part with or share the possession or occupation of the whole of the property nor hold the property or any part or parts of the property or this lease on trust for another.

Repair:

The Tenant will keep the Property clean and tidy and make good any damage it causes to the Property and/or any deterioration to the condition of the Property that may arise from the term commencement date.

Signs and Advertisements

The Tenant to notify the Landlord of the affixing or display on the boundaries of the Property other than signs which are required by law to be displayed, do not require planning permission or are necessary or usual for the authorised use of the Property.

Use

The permitted use will be for the purposes of the Academy Trust (as set out in any charitable objects, memorandum and articles of association of the Tenant from time to time) for the provision of educational services and for community, fundraising and recreational purposes which are ancillary to the provision of educational services.

Insurance

The Tenant will:

- Keep the Property insured with a reputable insurance office against loss or damage by the Insured Risks in the sum the tenant is advised represents the Reinstatement Value of the Property from time to time;
- Pay the premiums for insurance promptly as they become due and maintain in force the policies of insurance on the Property;
- Following damages or destruction and subject to obtaining all necessary consents and as soon as may be reasonably practicable, unless it will be impossible or impractical, reinstate the property and lay out all monies in reinstating and rebuilding the property.

Alterations:

The Tenant will not make any external or structural alterations or additions to any structures for the time being on the Property without the Landlord's prior written consent, submitting to the Landlord adequate plans and specifications describing the proposed alteration, addition or variation, consulting generally with the Landlord on the proposed alterations and dealing with any queries that the Landlord acting reasonably may raise.

Statutory Obligations:

Statutory obligations, health and safety and CDM regulations in this clause "regulations" means the construction (design and management) regulations 1994 and "client" "health and safety plan" health and safety file" "planning supervisor" and "principal contractor" have the same meanings as in the regulations;

The Tenant will comply with all laws (including the premises acts) affecting the property, the physical condition or the user of them or the use of any fixtures and fittings in them;

Timescale:

The Tenant will complete the Lease on receipt and agreement of the Legal documentation by their Solicitors.

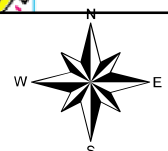
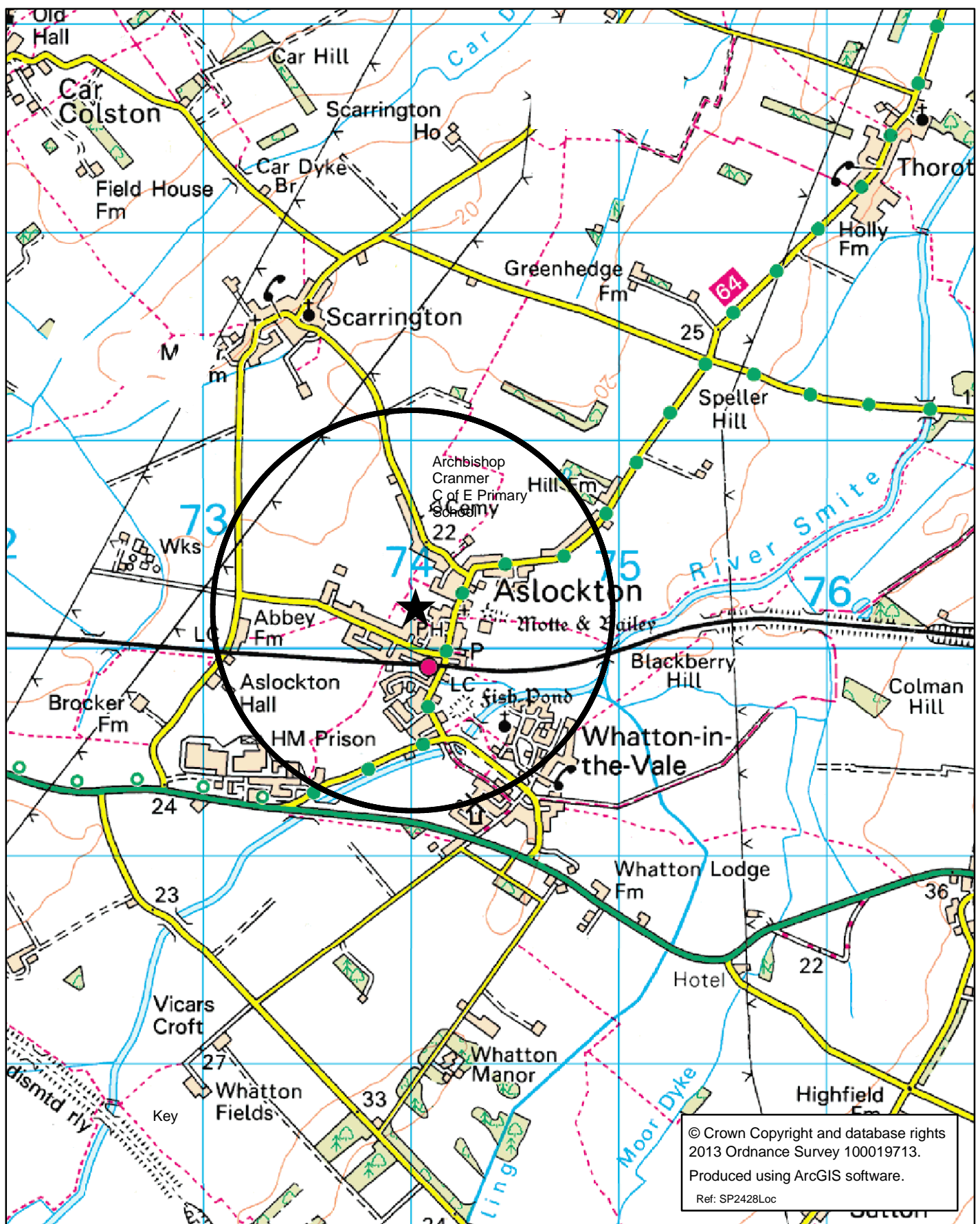
Legal Costs:

Each party will bear their own legal costs involved in the granting the leases.

Conditions

The above remains subject to: -

- (a) Contract;
- (b) Confirmation that the financial status of the Tenant is acceptable to the Landlord; and
- (c) VAT



22 May 2013**Agenda Item: 7(e)****REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY &
ENVIRONMENT****ST PETER'S (EAST BRIDGFORD) C OF E PRIMARY SCHOOL, KNEETON
ROAD, EAST BRIDGFORD****Purpose of the Report**

1. To seek approval of the Finance and Property Committee to the grant of a 125 year lease on the standard terms set out in the attached appendix to the Academy Trust for St Peter's (East Bridgford) C of E Primary School, Kneeton Road, East Bridgford, Nottingham, NG13 8PG this being subject to subsequent approval of any site specific details.
2. To authorise the Corporate Director, Environment & Resources, (or his nominee) to approve site details and specific conditions in consultation with the Chair (or Vice Chair in his absence) of the Finance and Property Committee.

Information and Advice**Background**

3. Councillors are probably aware that the Academies Act 2010 allows maintained schools to become Academies by applying to the Secretary of State for Conversion.
4. Once the conversion order has been granted it requires all parties to enter into a Transfer Agreement.
5. As a part of the Transfer Agreement the County Council is required to transfer the relevant assets currently held by the County Council or the existing governing body to the Academy Trust.
6. On a related matter, Councillors should note that other aspects of Academy Transfer will be reported to the Children & Young People's Committee as appropriate.
7. St Peter's (East Bridgford) C of E Primary School is shortly to acquire Academy status and as part of the conversion process, governing bodies of Academy Schools are entitled to 125 year full repairing and insuring leases at a peppercorn rent of any Council owned land, forming part of the principal operational School site subject to rights to be reserved and leaseback of Council facilities where appropriate.

8. This report seeks approval to the granting of a 125 year lease to the Academy Trust on the Heads of Terms set out in the attached Appendix.

Other Options Considered

9. The Academies Act 2010 does not allow the Authority any options as regards the transfer and therefore no other options have been explored.

Reason/s for Recommendation/s

10. To comply with statutory requirements.

Statutory and Policy Implications

11. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Recommendation

That approval is given to: -

1. The grant of a 125 year lease on the standard terms set out in the attached appendix to the Academy Trust for St Peter's (East Bridgford) C of E Primary School, Kneeton Road, East Bridgford, Nottingham, NG13 8PG this being subject to subsequent approval of any site specific details.
2. Authorise the Corporate Director, Environment & Resources, (or his nominee) to approve site details and specific conditions in consultation with the Chair (or Vice Chair in his absence) of the Finance and Property Committee.

Jas Hundal
Service Director, Transport, Property and Environment

For any enquiries about this report please contact: Peter Grinnell on 07753 625269

Constitutional Comments (CEH 26-Apr-2013)

12. The recommendations within the report falls within the remit of the Finance and Property Committee.

Financial Comments (26-Apr-2013)

13. The granting of the lease to the academy will reduce the assets held on the Council's balance sheet. This is not a charge against council tax.

Background Papers

14. None.

Electoral Division(s) and Member(s) Affected

15. Ward(s): Radcliffe on Trent
Member(s): Councillor Mrs Kay Cutts

File ref.: /PG/SL/01511

SP: 2429

Properties affected: 01511 - St Peter's (East Bridgford) CofE Primary

APPENDIX

Heads of Terms

Demise:

All that land to be shown as edged red on the Red Line Plans to be prepared for the school for subsequent approval as provided in item 2 above.

Landlord:

Nottinghamshire County Council
County Hall
West Bridgford
Nottingham
NG2 7QZ

Tenant:

The Academy Trust for St Peter's (East Bridgford) C of E Primary School

Rent:

A peppercorn

Term:

125 years (The lease to be contracted outside the security of tenure provisions of the 1954 Landlord & Tenant Act.).

Outgoings:

The Tenant will be responsible for the payment of all outgoing which are now or may during the term be payable in respect of the Property.

Alienation:

The Tenant will not part with or share the possession or occupation of the whole of the property nor hold the property or any part or parts of the property or this lease on trust for another.

Repair:

The Tenant will keep the Property clean and tidy and make good any damage it causes to the Property and/or any deterioration to the condition of the Property that may arise from the term commencement date.

Signs and Advertisements

The Tenant to notify the Landlord of the affixing or display on the boundaries of the Property other than signs which are required by law to be displayed, do not require planning permission or are necessary or usual for the authorised use of the Property.

Use

The permitted use will be for the purposes of the Academy Trust (as set out in any charitable objects, memorandum and articles of association of the Tenant from time to time) for the provision of educational services and for community, fundraising and recreational purposes which are ancillary to the provision of educational services.

Insurance

The Tenant will:

- Keep the Property insured with a reputable insurance office against loss or damage by the Insured Risks in the sum the tenant is advised represents the Reinstatement Value of the Property from time to time;
- Pay the premiums for insurance promptly as they become due and maintain in force the policies of insurance on the Property;
- Following damages or destruction and subject to obtaining all necessary consents and as soon as may be reasonably practicable, unless it will be impossible or impractical, reinstate the property and lay out all monies in reinstating and rebuilding the property.

Alterations:

The Tenant will not make any external or structural alterations or additions to any structures for the time being on the Property without the Landlord's prior written consent, submitting to the Landlord adequate plans and specifications describing the proposed alteration, addition or variation, consulting generally with the Landlord on the proposed alterations and dealing with any queries that the Landlord acting reasonably may raise.

Statutory Obligations:

Statutory obligations, health and safety and CDM regulations in this clause "regulations" means the construction (design and management) regulations 1994 and "client" "health and safety plan" health and safety file" "planning supervisor" and "principal contractor" have the same meanings as in the regulations;

The Tenant will comply with all laws (including the premises acts) affecting the property, the physical condition or the user of them or the use of any fixtures and fittings in them;

Timescale:

The Tenant will complete the Lease on receipt and agreement of the Legal documentation by their Solicitors.

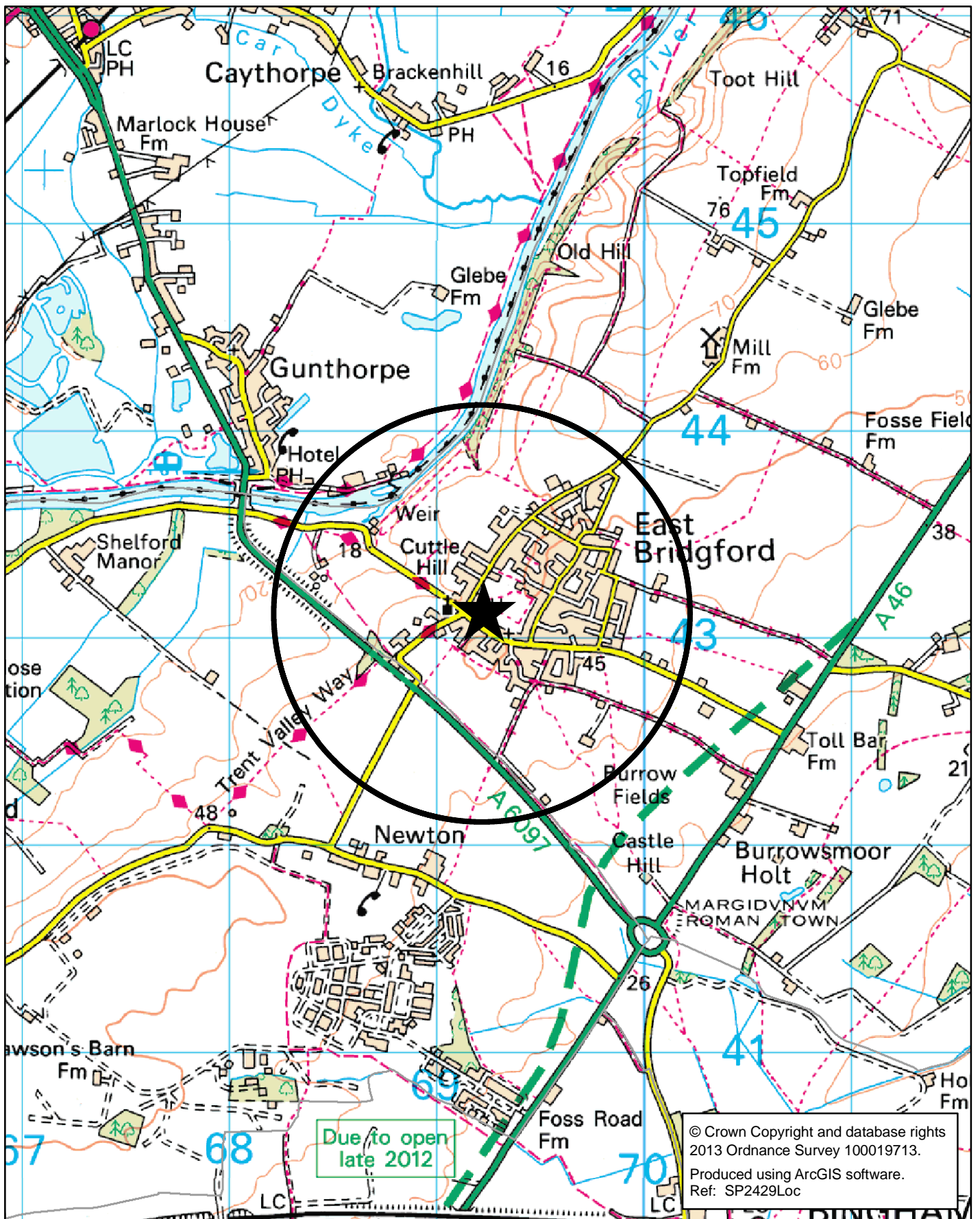
Legal Costs:

Each party will bear their own legal costs involved in the granting the leases.

Conditions

The above remains subject to: -

- (a) Contract;
- (b) Confirmation that the financial status of the Tenant is acceptable to the Landlord; and
- (c) VAT



22 May 2013**Agenda Item: 8****REPORT OF CORPORATE DIRECTOR, POLICY, PLANNING AND
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2013/14.

Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the revised committee arrangements from 2012, committees are expected to review day to day operational decisions made by officers using their delegated powers. It is anticipated that the committee will wish to commission periodic reports on such decisions. The committee is therefore requested to identify activities on which it would like to receive reports for inclusion in the work programme.

Other Options Considered

5. None.

Reason/s for Recommendation/s

6. To assist the committee in preparing its work programme.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service 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 committee's work programme be noted, and consideration be given to any changes which the committee wishes to make.

Jayne Francis-Ward
Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Paul Davies, x 73299

Constitutional Comments (HD)

1. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (PS)

2. There are no direct financial implications arising from the contents of this report. Any future reports to Committee on operational activities and officer working groups, will contain relevant financial information and comments.

Background Papers

None.

Electoral Division(s) and Member(s) Affected

All

FINANCE & PROPERTY COMMITTEE - WORK PROGRAMME

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information ?</u>	<u>Lead Officer</u>	<u>Report Author</u>
May 2013				
Presentation	Presentation on Finance & Procurement, ICT and Property	Info	Tim Gregory	
Property Transactions	Various	Decision	Jas Hundal	Various
June 2013				
Draft Management Accounts 2012/13		Decision	Paul Simpson	Pauline Moore
Monthly Budget & Capital Monitoring Report 2013/14	Budget Capital Monitoring, Capital Receipts, Capital Variations	Decision	Paul Simpson	Pauline Moore
Property Transactions	Various	Decision	Jas Hundal	Various
July 2013				
Property Transactions	Various	Decision	Jas Hundal	Various
Monthly Budget & Capital Monitoring Report 2013/14	Budget Capital Monitoring, Capital Receipts, Capital Variations	Decision	Paul Simpson	Pauline Moore
September 2013				
Local Authority Mortgage Scheme	Progress report after first 6 months	Info	Paul Simpson	Nigel Stevenson
Monthly Budget & Capital Monitoring Report 2013/14	Budget Capital Monitoring, Capital Receipts, Capital Variations	Decision	Paul Simpson	Pauline Moore
Property Transactions	Various	Decision	Jas Hundal	Various

