

**REPORT OF THE LEADER OF THE COUNTY COUNCIL****OPERATIONAL DECISIONS ANNUAL REVIEW & QUARTERLY UPDATE  
NOV 2017 - FEB 2018****Purpose of the Report**

1. That Members confirm their continued support for the amendments to the authorising of operational decisions as originally approved by the Committee on 20 January 2014.
2. That the information set out in this report is noted.

**Information and Advice**

3. At the meeting of the 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.
4. In accordance with the above decision this is the fourth annual review report, together with the final quarterly report covering November 2017 to February 2018 informing Policy Committee of Operational Decisions taken between those dates.
5. This report contains an exempt appendix, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) (Information relating to any individual and the business affairs of a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.
6. Committee approved amendments to the list of day to day operational decisions which can be taken by the Director in January 2014. During 2017 there have been some 94 such decisions. Given that the process of preparing and submitting Committee reports takes on average 7 weeks (As a result of the time required to prepare the report, undertake consultation and meeting various deadlines for the despatch of reports and agenda) the reduction in the number of reports to be prepared has significantly reduced the time taken to approve operational decisions and has reduced the amount of staff time/cost being spent on routine relatively low value transactions.

7. In accordance with the recommendations in the report relevant Ward Members have been invited to comment on appropriate Estate Management decisions that are progressed via all operational decisions (except where Committee have been specifically advised otherwise). The new arrangements have enabled the more routine low value transactions to be progressed with greater efficiency, reducing the previously, relatively significant, time and cost involved in dealing with these matters. The changes have also ensured continuing appropriate governance relating to Estate Management decisions whilst providing greater clarity regarding which decisions should be reported to Committee for approval and which can be dealt with by means of operational decisions. It is therefore recommended that the amendments for authorising operational decisions as originally approved in January 2014 by Committee are confirmed.

8. Details of the decisions taken are shown below: -

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

SP	Ward(s)	TITLE	DESCRIPTION / open (extract from Operational decision)	Update
3291	Ollerton	Fanny's Grove (Picnic Site), Workshop Road, Budby, Nottingham, NG22 9EW	Surrender of 99 year lease following discussions with Landlord who wishes to manage the site directly. By surrendering the lease, this will absolve NCC of all its obligations under the lease.	Currently with Legal Services, awaiting completion.
3292	Sherwood	Wayleave Consent for cable – Rufford Craft Centre, Rufford Country Park	The existing cable from the sub-station in the gardens at Rufford County Park is too small and overheats. Western Power wish to run a new one to a junction in the grass area outside the Orangery where the cable splits to cope with the current and new electrical demands.	Completed
3295	Stapleford & Broxtowe Central	Licence to Assign Existing Lease Agreement for Gas Governor Sites	Granting a licence for the change of name from the existing lease agreement.	Completed
3306	West Bridgford North	Lease and Wayleave to replace the substation on Radcliffe Road - opposite McDonalds	Western Power has an ongoing project to replace the existing substation on Radcliffe Road.	Completed
3247	West Bridgford North	Proposed Licence Agreement - Installation of Ultra HD Cabinet within the car park to Trent Bridge House, Fox Road, West Bridgford	SIS Live Limited have been contracted by Sky Sports to provide fibre connectivity so that televised cricket matches can be broadcast in Ultra HD. Following a survey around the ground, the only place where the Ultra HD cabinet can be sited is within the car park serving TBH. The car park is held by NCC on a long lease from Notts County Cricket Club. The least disruptive area where this can be sited is against the wall fronting	Licence completed 14/02/18

			Fox Road in the car parking space immediately adjacent to the entrance to the car park. Part of the space will be lost, but a vehicle can still be parked. It is proposed to grant SIS Live Limited a Licence for the area taken up by the Ultra HD Cabinet.	
3288	Sutton North	Kingsmill Hospital Staff Parking, Skegby Lane, Sutton on Ashfield – Rent Reviews	The lease to Sherwood Forest Hospitals Trust provides for rent reviews in line with Staff parking charges which increase annually in line with RPI.	Terms proposed - in negotiation
3289	Kirkby North	Rocking Horse Nursery Kingsway - Deed of variation and pedestrian access rights	Licence to undertake works on NCC land, within demise and deed of variation relating to access and parking rights.	Planning refused. On hold pending revised route.
3298	Sutton North	Rent reviews Triple S Snooker Club	The premises are held by the snooker club under two ground leases both subject to rent review on 20 <sup>th</sup> June five yearly. Settlement is now proposed of 2012 and 2017 rent reviews.	Completed
3297	Collingham	Lease renewal - 51 Appleton Gate, Newark	A new lease to expire on 31 March 2025 on similar terms to the previous lease save for a rental increase. There will be a break clause at the 1 <sup>st</sup> April 2020 and 2022 to be actioned by either party with 3 months' notice.	Legal instructed
3304	Selston	Selston 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 Tin Hat Centre.	Completed
3287	Arnold North	Robert Mellors Primary School Transfer to Academy Status	Conversion to Academy Status with 125 year lease.	With Legal
3309	Worksop East	Worksop Library Cafe - surrender of existing lease	Within the ground floor of the above library there is a café, although the lease has expired, initially it was proposed they would renew their lease for a further two years and this was previously approved. The tenants remain in occupation and now wish to vacate. In order to formally terminate their lease the current lease needs to be surrendered and approval is therefore being sought to surrender the existing lease. It is proposed that a new café operator will be appointed to ensure the café service can continue.	Completed
3310	Retford East	St Swithuns C of E Primary - Transfer to Academy Status	Conversion to Academy Status with 125 year lease.	With Legal
3305	Carlton West	Temporary	To provide the property as temporary	Completed

		Occupation of Vacant Property Carlton Children's Centre	occupation for local kids club providing wrap around school care.	
3308	Arnold South	Approval for S104 connection in to existing drainage infrastructure	Granting consent to sign up to S104 document and allow access to connect into existing drainage infrastructure on NCC land.	With Legal
3301	Beeston Central & Rylands	Beeston Guides - Rent review	It was proposed to settle the outstanding rent review with effect from 6 <sup>th</sup> February 2016.	Completed
3321	Carlton East	Netherfield Primary School - conversion to academy status	Conversion to Academy Status with 125 year lease	Completed
3318	Nuthall & Kimberley	Mornington Primary School – Conversion to Academy Status	Conversion to Academy Status with 125 year lease	Completed
3316	Sutton Central & East	The Hillocks Primary School - Conversion to academy Status	Conversion to Academy Status with 125 year lease	See exempt paragraph
3326	Nuthall & Kimberley	Kimberley Primary School - Conversion to academy status	Conversion to Academy Status with 125 year lease	Completed
3320	Grealey & Brinsley	Gilthill Primary School - Conversion to Academy Status	Conversion to Academy Status with 125 year lease	Completed
3322	Calverton/ Sutton West	Relocation of County Supplies Calverton-Huthwaite	Subject to approval the County Supplies traded service will be moving from the Calverton ward to Sutton West. This move involves relocating a council owned traded service from privately let accommodation into a vacant council owned property with lower rent and business rates.	Break notice served. MG to serve HTS on proposed tenant.
3317	Tuxford	North Leverton Children's Centre - Lease to North Leverton Pre-School Playgroup and Out of School Club	The granting of a seven year lease to North Leverton Pre-School Playgroup and Out of School Club.	Currently with Legal Services, awaiting completion.
3319	Mansfield South	Chadburn House - Settlement of Dilapidations Claim and deposit refund	Various departments occupied parts of this building over an extended period dating from 2004. NCC vacated February 2017. Schedule of dilapidations has been served. Following negotiations a repayment has been agreed. The amount owing will be deducted from the rental deposit held by the landlord.	Completed

3314	Sherwood Forest	Wayleave to Erect H Pole at the future Sherwood Visitors Centre	To enable Western Power to erect H pole transformer to supply electricity at Naish's Field for the fairground site who hold part of the site on a 5 year lease. Along with the adjacent car park serving the proposed Sherwood Visitors Centre.	Completed
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### **Other Options Considered**

9. Reduce the number of transactions that can be progressed by means of operational decisions, this would lead to a loss of the current advantages outlined within the report which could prove problematic from a governance perspective. Lack of clarity on operational decisions may create uncertainty on whether a legal contract can be concluded without a committee decision.
10. An alternative option is to provide officers with delegated powers on routine estate decisions. This would require a significant change in the Council's constitutional arrangements and brings few added benefits beyond a clear and functioning operational decision process.

### **Reason/s for Recommendation/s**

11. The changes, it is suggested have, provided an important and continuing degree of governance relating to Estate Management decisions enabling Committee members to concentrate on those cases of significance, while more routine transactions are more efficiently progressed.

### **Statutory and Policy Implications**

12. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment 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 confirm their continued support for the amendments to the authorising of operational decisions as originally approved by the Committee on 20 January 2014.
- 2) That the information set out in this report is noted.

**Councillor Mrs Kay Cutts MBE**  
Leader of The Council

**For any enquiries about this report please contact: Mona Walsh Tel: 0115 804 3286**

**Constitutional Comments (SSR 27/04/2018)**

13. The recommendations fall within the scope of decisions which may be approved by Policy Committee.

**Financial Comments (RWK 25/04/2018)**

14. There are no specific financial implications arising directly from the report.

**Background Papers and Published Documents**

15. 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**

16. Ward(s): All  
Member(s): All

File ref.: /SB/SB/  
SP: 3332  
Properties affected: 09998 - Various NCC Properties/non-property item