

REPORT OF THE LEADER OF THE COUNTY COUNCIL**OPERATIONAL DECISIONS ANNUAL REVIEW & QUARTERLY UPDATE
JULY – SEPTEMBER 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. To update Members on the Operational Decisions taken July to September 2018.

Information and Advice

3. This report contains an exempt appendix, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) (Information relating to any individual and the business affairs of a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.
4. 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, now Policy Committee on a quarterly basis outlining all operational decisions made, supplemented annually by a review report on Estate Management operational decisions.
5. In accordance with the above decision this is the fifth annual review report, together with the quarterly report covering July to September 2018 informing Policy Committee of Operational Decisions taken between those dates.
6. Committee approved amendments to the list of day to day operational decisions which can be taken by the Service Director, Investment & Growth in January 2014. Since January 2018 there have been some 97 such decisions.
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).

8. Care was taken with disposals and the granting of leases, licences and the like to ensure best consideration has been achieved by reference to and tested against market value(s) and rates. All charges and other fees levied were appropriate and commensurate with the transaction.

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

SP	Ward(s)	TITLE	DESCRIPTION / open (extract from Operational decision)
3382	Sherwood Forest	Naish's Field, Church Street, Edwinstowe - Farm Business Tenancy	The land, known as Naish's Field, was originally allocated for the new Sherwood Forest Visitor Centre. It has been let on a Farm Business Tenancy (FBT) since the Council acquired the site in May 2008. Following the signing of an Agreement with NCC, the RSPB are taking over the management of Sherwood Forest Country Park. Planning Consent for the new Visitor Centre has been granted on land to the west & included within the Consent is an area of Naish's Field for a car park to serve the new Visitor Centre that is due to open in August. The remainder of the land that is not required for car parking is to be let on a FBT. Term: 5 years
3386	Toton, Chilwell & Attenborough	Alderman Pounder Infant and Nursery School - Academy Transfer	Conversion to Academy Status with 125 year lease.
3362	Mansfield South	Polish Church Windmill Lane, Mansfield – Lease extension	An extension to the existing lease which expires in 2021 for a further 15 year period.
3377	Arnold South	Arnbrook Children's Centre - Lease to Little Beans Childcare Ltd	Extend the current licence agreement to offer a lease at peppercorn rent with service charges in accordance with policy paper dated 16 May 2018. Term: 5 years.
3397	Selston	Holly Hill Primary, Selston - Lease to PSLA	To grant a lease to Pre School Learning Alliance of some rooms with shared use of other areas. Term: 5 years.
3387	Leake & Ruddington	East Leake Children's Centre - Lease to East Leake Pre-school	To grant a lease of the former Children's Centre with the right to licence one room to the afterschool club Active Minds. Term: 5 years
3389	Mansfield South	King Edward Primary School - Licence to Eds Club for Wraparound Care	The school propose to offer a number of rooms for the purposes of wraparound care to Eds Club by means of a 3 year licence.
3388	West Bridgford North	County Hall - Licence to occupy for 4 car spaces	Proposed to offer 4 car spaces on licence to Arc Partnership within the main car park at County Hall.
3402 LT	Eastwood	Hall Park Academy -	Hall Park Academy have requested to enter into a sub-lease with western Power to enable a new substation and

		Western Power to underlet a new substation and power supply	supply to the academy.
3400	Leake & Ruddington	71 sq. m. land adjacent to 1 Camelot Street, Ruddington, Nottingham NG11 6AS - Approval to Dispose	Stopping Up Order required for land currently forming part of the adopted highway. The resident currently occupies the land by way of a garden licence. Resident to acquire the freehold once the Stopping Up Order is complete.
3401	Leake & Ruddington	30 sq. m. land to the rear of 1 Shelton Gardens, Ruddington, Nottingham NG11 6BS - Approval to Dispose	Stopping Up Order required for land currently forming part of the adopted highway. The resident currently occupies the land by way of a garden licence. Resident to acquire the freehold once the Stopping Up Order is complete.
3404	Mansfield South	Kiosk Unit 2, Mansfield Bus Station, Quaker Way, Mansfield - Lease Extension	An extension to the existing lease which expires on 6 th October 2018 on the basis of a short term arrangement which permits flexibility to grant a lease to a new tenant.
3407	Sutton North	Kings Mill Hospital staff car park - Lease renewal	Terms have been agreed to enter into a new lease on the basis of a five year term at a commencing rental of £15,000 per annum with effect from 1 st October 2018 rising to £20,000 with effect from 1 st April 2019.
3417	Sherwood Forest	Sherwood Forest Country Park Nature Reserve - New Licence and SLA	This site is required for NCC Outdoor Environmental Educational Team (OEE) to continue its delivery of National Curriculum linked outdoor activities at Sherwood Forest NNR. Term - 3 years from 1 st September 2018
3383	Nuthall & Kimberley	Larkfields Infant School - Academy Conversion	Conversion to Academy Status with 125 year lease.
3384	Nuthall & Kimberley	Larkfields Junior School, Coronation Road, Nuthall Notts NG16 1EP	Conversion to Academy Status with 125 year lease.
3385	Nuthall & Kimberley	Larkfields Junior School (Academy Conversion) Lease of Caretaker's Property	Caretaker's property will be let to the Academy on a shorter term lease of 10 years at a peppercorn rent.
3395	Blidworth	Python Hill Primary School - Conversion to Academy Status	Conversion to Academy Status with 125 year lease.

3393 LT	Sutton North	Triple S Snooker Club, Mansfield Road, Skegby - Assignment of two leases with deposit deed	The premises are held by the snooker club under two ground leases. Current tenant is seeking to retire and transfer the business.
3416 LT	Sherwood Forest	Rufford Railway Access Bilsthorpe - Licence	The land has transferred to the Council following closure of the original railway line and is now part of the Sherwood Pines leisure facility. The land is bordered on both sides by Forestry Commission Land and they have requested permission to use two crossing points to enable them to access their land for harvesting/land management. Price: A peppercorn per annum.
3329	Radcliffe on Trent, Soar Valley, Farndon & Trent, Hucknall North, West Bridgford Nth	Surplus and Blight Residential Properties Rent Review	The County Council holds 7 non-operational residential properties which have been held for future road schemes or are former staff houses. The rents for these properties are reviewed every two years and since 2007 have been assessed on a market rent basis.
3422 LT	Calverton	Wayleave Consent for underground cable at the old Calverton Railway line (Longdale Lane)	A Wayleave has been requested by Western Power Distribution as part of works to install a section of underground cable where it crosses the old Railway line. Western Power Distribution will contribute towards the authorities legal and surveyor's fees.
3425	Arnold North	Arnold Hill Academy County Council Landscape Maintenance Depot - Consent for Assignment of the pre-emption agreement	Consent to Assign the pre-emption agreement from Trent Academies Group to Spencer Academy Trust
3419		410 sq. m. land to the rear of 2 Kneesall Grove, Hucknall NG15 7UJ - Approval to Dispose	Following the completion of the Hucknall Town Centre Improvement Scheme in November 2016 with the construction of the new relief road, known as Torkard Way, an area of land between this road and 2 Kneesall Grove, has been declared surplus by Via East Midlands Limited (Highways). During construction of the new road, informal discussions took place between the owners of 2 Kneesall Grove and Via East Midlands Ltd. regarding the future of the land for which the owners were interested in acquiring it to extend their garden. The land was of no value to anyone but the owner of 2 Kneesall Grove and a disposal would relieve the Highway Authority of future maintenance liabilities. Terms have subsequently been agreed with the owners of 2 Kneesall Grove.

Other Options Considered

- 10.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.

11. 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

12. The decision making process requires a quarterly update and annual review to Policy Committee.

Statutory and Policy Implications

13. 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 authorising of operational decisions as originally approved by the Committee on 20 January 2014.
- 2) To update Members on the Operational Decisions taken July to September 2018

Councillor Mrs Kay Cutts
Leader of the County Council

For any enquiries about this report please contact:
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Constitutional Comments (CEH 27.12.18)

14. The recommendation falls within the remit of Policy Committee under its terms of reference.

Financial Comments (SES 28.12.2018)

15. There are no financial implications arising directly from this report.

Background Papers and Published Documents

1. 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

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