

17 October 2016

Agenda Item: 6d

**REPORT OF SERVICE DIRECTOR ENVIRONMENT, TRANSPORT &
PROPERTY****OPERATIONAL DECISIONS TAKEN OUTSIDE THE FINANCE &
PROPERTY COMMITTEE CYCLE JUNE – AUGUST 2016****Purpose of the Report**

1. As Members will recall at the meeting of this 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 Finance & Property Committee of Operational Decisions taken outside the Finance & Property Committee Cycle, between June and August 2016.

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 This report contains an exempt appendix, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) (Information relating to any individual and the business affairs of a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.
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)
3062	113 sqm Land Rear of 7 Temple Crescent, Nuthall – Disposal	The Land to the rear of Temple Crescent forms part of the noise reduction embankment to the A6002. In 2012, NCC sold 3 parcels of land to the rear of 8-10a Temple Crescent to the owners of these properties so that they could extend their gardens. A further request has been received from the new owners of 7 Temple Crescent to purchase approx. 113 sqm of land to the rear of the property.

3060	Allotments Gardens, Former Linby Colliery Site, off Linby Walk, Hucknall – 5 year lease	It has been drawn to the County Council's attention that a group of gardeners have created some allotments gardens within the site of the former Linby Colliery at Hucknall. They currently occupy approximately 3.65 acres without having any formal arrangement in place and following discussions, they have formed the Hucknall Stock Allotment Association. Terms have been agreed for them to occupy the site on a 5 year lease.
3065	Abbey Primary School – Lease to Learning Ladder	A lease to be granted to Learning Ladder to formalise their occupation of the pre-school unit at Abbey Primary School. A breakfast club and afterschool club will also be provided.
3022	St Johns Primary School – Lease of Caretakers Property and a minor realignment of the boundary	St Johns Primary School has been granted Academy Status and converted in December 2015. The Caretakers property will be let to the Trust but on a lease of 10 years or upon the current Caretaker's retirement. A minor boundary realignment will also be included in the transaction.
3063	Northern Depot, Station Road, Sutton-in-Ashfield- Variation of lease to permit subletting to Via.	The taking of a longer, varied lease from Ashfield District Council to allow the County Council to sublet to Via for the duration of the highways service contract.
3064	A617 Rainworth Bypass – Compulsory Purchase Claim – Renewal of approval, Plots 21, 23 & 40	In 2006, the Portfolio Holder for Finance and Property approved a compensation payment for land taken under CPO powers for the Rainworth Bypass. Recently it has come to light that the compensation was never paid. Following negotiation, it has been agreed that a revised payment will be made to the former owner of the land. This is a reduced amount due to a smaller area than first envisaged being taken.
3061	Proposed Non-Domestic Ratings Settlements – April 2016	Operational decision approval for a non-domestic (business) rate settlement. Gerald Eve (GE), Chartered Surveyors, is the Council's appointed ratings agent and the proposed settlement has been provisionally agreed by GE in negotiation with the Valuation Office Agency. 1 property for April, saving the Authority £8963.63 over the life of the current rating visit (2010-2017).
3074	Licence for vehicular access to the rear of Lincoln Street, Worksop	Licence for vehicular access to the rear of Lincoln Street to be granted to residents
3071	St Michaels Environmental Education Centre, Main Road, Hathersage - Lease Renewal	The outdoor educational and field study centre has been in use by NCC's Children, Families and Cultural Services (CFCS) since 2005. The lease expires on 31 st August 2016 and CFCS have requested a 3 year renewal of the lease until August 2019. The 3 year renewal will allow CFCS to continue to provide the Environmental Study service to Nottinghamshire schools.
3076	Collaboration agreement for disposal of land at Denewood	It is proposed that Nottingham City Council and Nottinghamshire County Council enter into a collaboration agreement to dispose of the site. Approval of the site disposal and demolition was granted at Committee on the 19 th January 2015. The purpose of the agreement is to ensure that the best terms are achieved and to distribute any profit arising from the disposal on the basis of the respective site proportions.
3080	Licence of Car Parking Spaces at MASH at Mercury House	It is proposed that the County Council renew an existing Licence for 40 car parking spaces; the Licence can be terminated at any time subject to 2 weeks' Notice.

3082	Licence of Car Parking Spaces for MASH at Mercury House	It is proposed that the County Council renew an existing Licence for 7 car parking spaces; the Licence can be terminated at any time subject to 2 weeks' Notice.
3081	Licence of Car Parking Spaces for MASH at Mercury House	It is proposed that the County Council renew an existing Licence for 18 car parking spaces; the Licence can be terminated at any time subject to 2 weeks' Notice.
3077	Grant of easement – 9 & 11 Church Street, Edwinstowe	Following the completion of the new respite centre the right of way along the drive for the resident of 9&11 Church Street has been altered and landscaped resulting in the construction of a new access road. As a result a new easement is being granted to the occupiers of 9&11 Church Street to permit them to have access along the new access road.
3068	Former Caretaker's Bungalow – Stevenson Junior School, Wadsworth Road, Stapleford, Nottingham, NG9 8BD – Approval to dispose and appointment of auctioneer	This former caretaker's bungalow is surplus to the County Council's requirements and it is therefore intended to dispose of the property at auction in September 2016.
3073	Redgate Special School - Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.
3090	Robert Miles Junior School – Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.
3092	Lease – Borehole, Daneshill Road, Lound	The County Council is to grant a lease to FCC Recycling (UK) Limited for a small area of land off Daneshill Road at Lound in order that they can monitor ground water and methane testing in order to comply with Environment Permits issued by the Environment Agency.
3099	Mansfield Community Arts Centre	Under the terms of the lease there was a rent review due in January 2015.
3095	Ollerton Primary School, Conversion To Academy Status	Proposed Conversion to Academy Status with 125 year lease.
3094	Crossdale Primary School, Conversion To Academy Status	Proposed Conversion to Academy Status with 125 year lease.
3093	Keyworth Primary School, Keyworth Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.
3091	St Peter's C of E Primary School - Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.
3088	Heymann Primary & Nursery School (KS2) - Conversion to Academy	Proposed Conversion to Academy Status with 125 year lease.

	Status	
3086	Academy Conversion - Greenwood Primary and Nursery School	Proposed Conversion to Academy Status with 125 year lease.
3083	Proposed Garden Licence to the rear of 11 Parkgate, Hucknall, Nottingham NG15 8FS	Since 2006 NCC has granted Garden Licences to 14 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. On 1 March 2013 a garden licence was granted to the owner of 11 Parkgate which included the land to the next door property, No 15. Under the terms of this licence, should No.15 be sold & the new owner request a garden licence to the land directly to the rear of their property, the Licence Agreement for No 11, covering the area to the rear of 11/15 Parkgate, would be terminated & a new licence granted for the land to the rear of No. 11 only.
3084	Proposed Garden Licence to the rear of 15 Parkgate, Hucknall, Nottingham NG15 8FS	Since 2006 NCC has granted Garden Licences to 14 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. On 1 March 2013 a garden licence was granted to the owner of 11 Parkgate which included the land to the next door property, No 15. Under the terms of this licence, should No.15 be sold & the new owner request a garden licence to the land directly to the rear of their property, the Licence Agreement for No 11, covering the area to the rear of 11/15 Parkgate, would be terminated & a new licence granted for the land to the rear of No. 11 only, in addition to that of No 15.
3089	Heymann Primary & Nursery School Annexe (KS1) - Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.
3087	Seely Church Primary School - Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.
3111	Flying High Academy at Ladybrook, Revised Redline Plan Area	Revised redline area for land allocated to academy for the 125 year lease.
3100	New 21 year License of a cycleway at Shirebrook	A 21 year lease to formalise the use of the cycleway in Warsop Term: Annual licence Rent: one peppercorn Notice 6 months written notice and requirement to remove and : reinstate surface to HRE's satisfaction. Fees: NCC to cover reasonable legal costs in preparation of the Agreement
3102	Crossdale Drive Primary School - Lease to Equals Trust for the former caretakers property	Crossdale Drive Primary School has been granted Academy Status and will convert on 1 st September 2016. The School site will be leased to the Academy Trust on a 125 year lease. The school would like to use the former caretaker's property to provide a pre-school provision for the families in the local area.

		<p>Busy Bees Pre School, a school owned company already operate from the school site.</p> <p>The property will be leased to the Academy Trust but may be sublet to a pre-school provider within the terms of the lease.</p>
3103	Oakdale Learning Centre, Westfield Lane, Mansfield - Renewal of Short Term Lease	The County Council is to renew the short term lease of the Oakdale Learning Centre to the Beech Academy Trust for a further 12 month period, pending the Education Funding Agency issuing approval for the Academy Trust to increase its pupil places. Following this approval, the previously agreed 25 year lease will be completed.
3108	Clarborough Primary School, Church Lane - overage payment	The school was disposed of in 2013 and was sold with an overage clause which has been triggered following the purchasers obtaining planning consent. The planning consent is for the erection of a new dwelling and conversion of part of the school to form an annex. As a result a payment is payable to the County Council.
3109	Land at Main St Blidworth - Overage payment	A parcel of land was disposed of by the County Council in 2013 and was sold with an overage clause which has been triggered following the purchasers obtaining planning consent. The planning consent is for the conversion of the pub into residential accommodation; only a small part of the land disposed of by the County Council will be built upon. As a result an overage payment will be payable to the County Council.
3105	Horsendale Primary School - Lease of Caretaker Property	Horsendale Primary School is to convert to Academy Status in October 2016. 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.
3104	Horsendale Primary School - Conversion to Academy Status	Proposed Conversion to Academy Status with 125 year lease.
3098	Blyth Highway Depot – Variation of lease to permit subletting to Via	The taking of a longer, varied lease from Euro Garages Limited to allow the County Council to sublet to Via for the duration of the highways service contract.
3121	Oakfield Lane/Sherwood Street Playing Field	Approval is requested to auction the site with an overage provision of 25% over 30years.
3120	Kirkby Woodhouse Primary School – Conversion to Academy Status	Academy Conversion - Kirkby Woodhouse Primary
3119	Academy Conversion - William Gladstone	Conversion to Academy Status
3070	51 Appleton Gate Newark	Approval is sought for a new lease to expire on 31 January 2022 on the terms of the previous lease save for an annual rent increase as set out in the exempt appendix. There will be a break clause at the 31 st January 2019 to be actioned by either party with 3 months' notice.
3113	Ollerton Primary School (The Forge Trust) - Underlease to Nottinghamshire County Council - Pre School	<p>Following a successful tender, Luan's Little People took up occupation of part of the school site to provide a childcare facility from September 2015. A lease was agreed.</p> <p>The Ollerton Primary School is now converting to Academy and</p>

	provision	an underlease for the provision will therefore be required, the rooms occupied will be protected for pre-school provision for the length of the lease to Forge Academy (125 years less 5 days)
3114	Willow Brook Primary School - Licence to WB's Wrap Around	WB's Wrap Around have been providing a wraparound provision for the pupils of the school since April 2014. The licence formalises their occupation.
3117	Robert Miles Junior School (Academy Conversion) Lease of Caretaker's Property	Robert Miles Junior School is to convert to Academy Status in September 2016. 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 15 years.
3118	Heymann Primary School (Academy Conversion) Lease of Caretaker's Property	Heymann Primary School is to convert to Academy Status in September 2016. 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 5 years.

Other Options Considered

4. This report is for information only.

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 the information set out in this report is noted.

Jas Hundal

Service Director – Environment, Transport & Property

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

Constitutional Comments (SOM 27.09.16)

7. The Report is for noting purposes only.

Financial Comments (RWK 26/09/2016)

8. There are no specific financial implications arising directly 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/

SP:

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