

25 January 2022

Agenda Item: 8

REPORT OF THE SERVICE DIRECTOR, INVESTMENT & GROWTH

OPERATIONAL DECISIONS ANNUAL REVIEW QUARTERLY UPDATE OCT TO DEC 2021

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 October to December 2021.

Information

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, now Economic Development and Asset Management 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 quarterly report covering October to December 2021 informing Economic Development and Asset Management Committee of Operational Decisions taken between those dates.
5. 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 October 2021 there have been some 17 such decisions.
6. Relevant Electoral Division Members have been invited to comment on appropriate Estate Practice decisions that are progressed via operational decisions (except where Committee have been specifically advised otherwise).
7. 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.
8. Details of the decisions taken are shown below:

| SP | Electoral Division(s) | TITLE | DESCRIPTION (extract from Operational decision) |
|-----------|------------------------------|--|---|
| 3877 | Hucknall West | Access to land at Washdyke Lane, Hucknall | Terms agreed for access over County Council land at Washdyke Lane, Hucknall to enable the construction of two dwellings on private land. |
| 3796 | Mansfield South | Unit 4 Mansfield Advance Factory No.2 - lease renewal | Terms agreed to renew the lease of the property for a five year term. The rent is considered to be a market rent. |
| 3893 | Radcliffe on Trent | Radcliffe Barn Farm - Renewal of 2 existing Farm Business Tenancies 2021 | Grant of the existing farm business tenants a new 2 Year Farm Business Tenancy respectively. |
| 3889 | Sutton West | 32 Sudbury Drive, Huthwaite, Nottinghamshire - Grant of new lease | Consent for the grant of new lease to Homes 2 Inspire Ltd to provide residential accommodation for children in the care of NCC. |
| 3785 | Arnold South | 1466 Stanhope Primary School - Agreement to Jestres Childcare Ltd | Grant of a 5 Year licence of rooms within the school building to Jestres Childcare Ltd for Early Years and Wrap around Childcare. |
| 3894 | Worksop West | Land at Coach Road, Shireoaks - new grazing tenancy | Following the previous tenant providing notice to quit the property, the property was marketed to let by informal tender and terms were agreed with a new tenant. |
| 3876 | Hucknall North | Unit 2, Fairway Court, Wigwam Lane, Hucknall Lease renewal | Lease renewal of an Industrial unit for 3 year period from 4 August 2021 in line with existing lease terms at a new market rent. |
| 3891 | Hucknall North | Disposal of land at Annesley Road, Hucknall | Terms agreed to dispose of County Council land at Annesley Road, Hucknall for part of the highway and landscaping on an adjoining development site. |
| 3897 | Misterton | Daneshill Lakes - Lease of fishing rights to Daneshill Angling Club | Grant of a new 10 year lease of fishing rights to Daneshill Angling Club with effect from 1st June 2021. |
| 3798 | Ollerton | Unit 1 Trent Court - lease renewal | Terms agreed to renew the lease of the property for a five year term. The rent is considered to be a market rent. |
| 3902 | Warsop | Unit 1, Meden Court - lease renewal | Terms agreed to renew the lease of the property for a three year term. The rent is considered to be a market rent. |
| 3904 | Kirkby South | Dilapidations at Mercury House | Following the Council terminating its lease of Mercury House and vacating the building the dilapidations claim was agreed. |
| 3903 | West Bridgford North | Licence for vehicular access to the rear of Byron Road, West Bridgford | Licence for vehicular access to the rear of Byron Road. |
| 3905 | Selston | Sub letting of café at Selston Country Park | The County Council give landlords approval to its tenant, Ashfield District Council, to the sub letting of the café at Selston Country Park. |

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| 3543 | Mansfield South | Unit 3, Mansfield Advance Factory No.2 - lease renewal | Terms agreed to renew the lease of the property for a six year term. The rent is considered to be a market rent. |
| 3907 | Sherwood Forest | 5G Connected Forest Project - lease of land and licence for trials at Sherwood Forest Visitor Centre | As part of the 5G Connected Forest Project, an area of land is to be leased to erect telecommunications equipment, and an additional area is to be used to carry out trials of airborne drones and remote ground robots. |
| 3917 | Farndon & Trent | 3917 - Licence of former Newark Depot site | To licence the former depot site to Secretary of State for Health and Social Care to run as a covid testing site. |

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 for Recommendation

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

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.

RECOMMENDATIONS

- 1) That Members confirm their continued support for the authorising of operational decisions as originally approved by the Committee on 20 January 2014.

Matthew Neal

Service Director, Investment and Growth

For any enquiries about this report please contact: Neil Gamble, Group Manager, Property Asset Management, Tel: 0115 9773045

Constitutional Comments (KK 23/12/2021)

13. The proposals in this report are within the remit of the Economic Development and Asset Management Committee.

Financial Comments (KRP 23/12/2021)

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

Background Papers and Published Documents

- None.

Electoral Division and Member Affected

- All.

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SP: 3919

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