

REPORT OF THE LEADER OF THE COUNTY COUNCIL**OPERATIONAL DECISIONS ANNUAL REVIEW & QUARTERLY UPDATE
JULY - DECEMBER 2019****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 December 2019.

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 Policy 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 annual review report, together with the quarterly report covering July to December 2019 informing Policy 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 (Currently being taken by Service Director Place & Communities). Since January 2019 there have been some 88 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)
3526	Muskham & Farnsfield	Break Notice, 03369 Sherwood East (Bilsthorpe) Children's Centre	Proposal for NCC to serve Notice to Quit the 125 year Underlease of the Children's Centre building, in accordance with the Report to Children and Young People's Committee, 19 March 2018, Maximising the value of Nottinghamshire's Children's Centre Services.
3527	Worksop East	02136 Manton Children's Centre - Licence of part to Townroe Tiny Tots, Early Years Childcare	To grant a 5 year licence of shared rooms within the Childrens Centre building to Townroe Tiny Tots for Early Years Childcare Provision.
3523	Mansfield North	Proposed Garden Licence to the rear of 65 Kingsley Avenue, Mansfield Woodhouse	A garden licence to be granted on small void of land that runs between the boundary of Kingsley Avenue and the school grounds.
3534 LT	Beeston South and Attenborough	Deed of Variation 74 Middle Street Reception extension into communal area	A proposal to extend their reception into the communal hallway. It is proposed to document this by way of a Deed of Variation. Beeston Day Services will be responsible for all statutory compliance.
3528	Worksop West	01931 Gateford Children's Centre - Licence for rooms to Early Years Childcare provider	To grant a 5 year licence of rooms within the Children's Centre building to Puddleducks for Early Years Childcare Provision.
3529	Ollerton	07595 Parkgate Pre School - New Lease to Luan's Little People	To grant a new lease to Luan's Little People an existing Early Years Childcare Provider to enable continued occupation of the premises for Early Years Childcare Provision.
3531	Mansfield South	01136 - King Edward Primary School - Licence to Tree House Out of School Club	To grant a 5 Year licence of shared rooms within the school building to Tree House Out of School Club (Ed's Club) for wrap around Childcare Provision.
3533	Arnold South	NCC Registrations Services proposal to lease an additional room at Arnott Hill House	The Registry office are proposing to take an additional room on the ground floor of the building.
3535	Arnold North	Academy Conversion - Richard Bonington Primary & Nursery School, Arnold	Conversion to Academy Status with 125 year lease
3537	West Bridgford West	Demolition of Rushcliffe Day Centre Loughborough Rd, West Bridgford	Surplus property in poor condition; no service interests. High holding and security costs. The site is in the capital programme for disposals.

3538 LT	Beeston Central & Rylands	To formalise the occupation of NHS staff sharing office accommodation at 74 Middle Street Beeston	3 members of NHS funded staff work permanently within the Community Learning Disability Team. They along with the NCC team are being relocated to Middle Street. It is proposed to document the occupation of these NHS staff by way of formal correspondence
3542	Southwell	Approval to build a flood defence pond at Southwell Rugby Club	Approval for the NCC Flood Resilience Southwell project to build a pond on Southwell Rugby Club site. The project aims to install natural flood management in the upper reaches of the Southwell catchment.
3530 LT	Mansfield West	Wayleave consent - The Beech Academy, Westfield Lane, Mansfield, NG19 6AH	A Wayleave has been requested by Virgin Media to assist with the relaying of electric cables at The Beech Academy, Westfield Lane, Mansfield.
3548	Hucknall West	New Primary School, Hurricane Road, Hucknall - Academy Conversion	Proposed Conversion to Academy Status with 125 year lease
3547	Kirkby South, Ollerton, Retford West	Adult Care Homes - Potential Future Demolition	Approval to the demolition of Kirklands, Kirkby in Ashfield, Bishops Court, Ollerton & St Michaels View, Retford.
3545 LT	Mansfield North	Western Power wayleave for land at Northfield Lane / Cox Lane	A Wayleave requested by Western Power was approved to upgrade the overhead cables which currently cross NCC land.
3549	Muskham	Vesting of Land with the Diocese and Conversion to Academy Status - Halam CofE Primary	Vesting of Land to the Diocese and Transfer of Land from the Diocese and Proposed Conversion to Academy Status with 125 year lease.
3532	Carlton West	Proposed underletting and refurbishment of All-weather football pitches at Carlton Academy	Landlord consent to Carlton Academy to sublet the redundant all weather football pitches at Carlton Academy, Coningswath Road, Carlton
3568 LT	Sutton Central & East	Licence to Occupy – Sycamore House, Portland College, Mansfield	This licence has been requested by the Integrated Children's Disability Service. NCC is taking a licence of the above property, to temporarily house a family whilst works are being carried out to their home to accommodate a child with disabilities.
3554 LT	Sutton North	Request approval for letting units 2 & 3 Brierly Industrial Estate	NCC have a restriction noted on the title, preventing any disposition without NCC giving permission confirming that the provisions have been complied with. Ashfield are to grant a 3 lease on units 2 & 3 and their proposed tenant Sherwood Animal Care Limited.
3540	Newstead	Proposed lease renewal at unit 7a Ravenshead Library	The current lease expires on the 30 th September 2019. The tenants would like to renew the 5 year lease.

		Milton Court, Ravenshead	
3560	Calverton	Calverton Household Waste Recycling Centre - Rent Review	A rent review of the above property was due on 21 st December 2018; following negotiations with the Landord a revised rent is now agreed by the parties.
3536	Mansfield West	Pleasley Landmark Centre - New lease	Pleasley Landmark Centre was previously leased to Pleasley Y2K by way of a 99-year lease from 2002. Pleasley Y2K entered liquidation and ceased trading in 2018; terms are now agreed with R.E.A.L Education Limited for a new 21year full repairing lease of the property at market rent.
3574	Sherwood Forest	St Mary's C of E Primary School - Conversion to Academy	Conversion to Academy status
3564	Mansfield South	01061 Berry Hill Primary & Nursery School - Licence to after school club	Granting of a 2 Year licence of shared rooms within the school building to Sherwood Childcare after School Club.
3572	Ollerton	01196 : The Parkgate Academy: Proposed licence for Landlord consent to renew a sublease	The granting of a licence for landlord consent to the Forge Trust Academy for the renewal of a sublease to The East Midlands Reserve Forces and Cadets Association EMRFCA.
3563	West Bridgford West	Disposal of land at Becket Way, West Bridgford	The County Council received an offer to acquire land, as it has no operational requirement for this land, it was approved that the offer was accepted and the sale proceed.
3585	Radcliffe on Trent	Radcliffe Barn Farm - New Farm Business Tenancy x 2	Grant the existing Farmhouse tenant a new 2 Year Farm Business Tenancy for the farmhouse with a reduced land holding and grant a new 2 Year Farm Business Tenancy of the remaining farmland, in order to maximise rental income.
3582	Farndon & Muskham	Chapel Farmhouse Elston (Lot 3) 2 year lease extension	Following a successful Tender exercise in 2018 it is proposed to extend the existing Farmhouse Tenancy for a further 2 years.
3580	Retford East	Sale of Garden Land 22 Union Street, Retford	Sale of a small piece of landlocked Garden Land
3546	Southwell	Lease of Home Farm, Dairy and land at Brackenhurst Campus, The Nottingham Trent University	The County Council delivers Outdoor Education programmes at NTU's Brackenhurst Campus. NTU has proposed the County Council enter into a lease of two classrooms and the use of the campus grounds which have been negotiated and approved.
3581	Leake & Ruddington	Underletting at Rushcliffe Country Park to Nottinghamshire Society of Model Experimental Engineers (NSMEE)	Nottinghamshire Society of Model Experimental Engineers (NSMEE) own a freehold site adjacent to Rushcliffe Country Park on which they have built a miniature railway track open to the public during summer months. NSMEE have negotiated with Rushcliffe Borough Council to occupy part of the park and install an 800-foot railway track which will be connected to their existing track. This

			<p>occupation will be by way of a 20-year sublease.</p> <p>There is no financial consideration to NCC, however NSMEE will pay Rushcliffe a percentage of the takings from the summer months which Rushcliffe will allocate towards the annual upkeep of the park.</p>
3579	Worksop West	Haggonfields Primary School - Conversion to Academy Status	Proposed conversion to Academy status
3584	Arnold South	Mapperley Plains Primary School.- Licence to woodpeckers for after school Child Care	The grant of a 3 Year licence of shared rooms within the school building to Woodpeckers for after school Childcare Provision.
3562	Ollerton	Perlethorpe Environmental Education Centre - Rent review	The rent for the Perlethorpe Environmental Education Centre has been reviewed in accordance with lease terms
3594	Keyworth	Lease renewal of 0.52acres of land at Millers Lane Costock Nottinghamshire	The Parish Council of Costock lease 0.52 acres of land at the rear of Millers Lane from NCC which is used for recreational purposes . The previous lease was for a period of 10 years from the 1 st January 2004 and is holding over. The Parish Council are trying to secure grant funding to install a children's play area on the land and require a new 20-year lease in order to comply with the grant requirements. NCC have agreed terms with the tenant: for a 20 year lease with an initial rental agreed which will be subject to 5 yearly reviews to rise in-line with RPI.
3589	West Bridgford West	Consent to a deed of easement for drainage connection in access road at 77 Wilford Lane West Bridgford NG2 7RN	<p>The title to 77 Wilford Lane contains a restriction in favour of Nottinghamshire County Council to request an uplift in value if the property is sold. The title also requires the owner to obtain consent for NCC for matters concerning the title.</p> <p>To comply with the title restrictions, the Freeholder has requested landlord consent for a deed of easement for a new connection into the drains at the property.</p>
3610	Keyworth	Consent required for a Deed of Covenant to enable transfer of Land on the South West side of Old Melton Road, Widmerpool	Consent was given from Nottinghamshire County Council to enter a new Deed of Covenant with Quercus Nursing Homes 2010 Limited, this Deed will protect NCCs overage for the remaining 20 years of the original 25-year term.
3583	Calverton	Manor Park Infant and Nursery School. Licence to wraparound club	The grant a of 3 Year licence of shared rooms within the school building for wrap around Childcare Provision.
3598	Muskham	Bilsthorpe Flying High Academy - Licence to NCC for shared use of the community room	NCC have approved a licence to Early Years Children's Services to occupy on a shared basis the Community room within the Academy school.

3592	Retford West	Former Retford Depot, Bolham Lane, Retford	The above land was sold by NCC to C.S.L. Industrial Limited on 31 st March 2016 with an overage clause stating that if planning permission was obtained NCC would be entitled to part of the uplift in value. It also required NCC to give written consent to any transfer. The owners have now applied for written consent to transfer the property to a group company called CSL Commercial Properties Limited. There is no planning permission applied for or in the process of being applied for by the owners and therefore there is no overage payment due to NCC, however they do require our consent for the transfer which was given.
3612	Keyworth	Keyworth Primary School Bungalow – New Lease to Rushcliffe Play Forum	Grant of a new three Year lease to the Trustees of the Rushcliffe Play Forum for the continued occupation of the former caretaker bungalow at Keyworth Primary School.
3575	Worksop East	Unit 6, Kilton Terrace, Worksop - new letting	Following a short marketing period, terms are agreed for the grant of a five year lease of the property. The rent is considered to be a market rent and the proposed tenant is a local company.
3607	Arnold South	Licence to Westdale Pre School	The grant of a 5 year licence of a shared mobile within the school site to Westdale Pre-school.
3611	Arnold South	Licence to Woodpeckers After School Club Ltd at Westdale Infant School	The grant of a 5 year licence of a shared mobile within the school site to Woodpeckers After School Club Ltd.
3615	Newstead	Request for Landlord Consent to underlet Unit 7a Ravenshead Library, Milton Court, Ravenshead NG15 9BD	The current under-lease expired on the 30 th September 2019. The tenants requested to renew the lease on the same terms.
3619	West Bridgford North	Trent Bridge House- Licence to occupy Floor 6 to CCG	The grant of a 1 Year licence of Floor 6 within Trent Bridge House (TBH) to Clinical Commissioning Group (CCG) commencing on 1 st February 2020.
3621	Nuthall & Kimberley	60 Borman Close, Nuthall - Deed of Covenant	The above land was sold by NCC to the current owners on 25 August 2015 with an overage clause stating that if planning permission was obtained NCC would be entitled to part of the uplift in value. It also required NCC to give written consent to any transfer. The owners now wish to sell the property. There is no planning permission applied for or in the process of being applied for by the owners and therefore there is no overage payment due to NCC, however they do require our consent for the transfer. The new owners will enter into a deed of covenant so that the overage clause continues to apply.

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 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.

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 December 2019.

Councillor Mrs Kay Cutts MBE

Leader of The Council

**For any enquiries about this report please contact:
Derek Higon, Service Director - Place and Communities**

Constitutional Comments (SS 17/01/2020)

13. It is within the remit of the Policy Committee to consider this report and resolve accordingly.

Financial Comments (RWK 13/01/2020)

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

Background Papers and Published Documents

- None.

Electoral Division(s) and Member(s) Affected

- All

File ref.: /SB/SB/09998

SP: 3587

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

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