

REPORT OF THE LEADER OF THE COUNTY COUNCIL

OPERATIONAL DECISIONS QUARTERLY UPDATE JAN - AUG 2020

Purpose of the Report

1. To update Members on the Operational Decisions taken outside the Policy Committee January to August 2020. This update includes more than 3 months as a result of delays due to the Covid 19 implications.

Information

2. 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.
3. In accordance with the above decision this is the quarterly report covering Jan to August 2020 informing Policy Committee of Operational Decisions taken between those dates.
4. 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 2020 there have been some 52 such decisions.
5. 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).
6. 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.
7. Details of the decisions taken are shown below: -

SP	Electoral Division(s)	TITLE	DESCRIPTION (extract from Operational decision)
3619	West Bridgford North	00030 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.

3615	Newstead	Request for Landlord Consent to underlet Unit 7a Ravenshead Library, Milton Court, Ravenshead NG15 9BD	The previous under lease expired on the 30 th September 2019. The tenants requested to renew the lease on the same terms.
3625	Outside Nottinghamshire	Licence to use land at St Michael's Catholic Church, Main Road, Hathersage	St Michael's Environmental Education Centre is a County Council run facility. Terms are agreed with the Diocese of Hallam for the County Council to use the woodland providing outdoor education programmes for school children and adults on a 2 year Licence.
3629	Warsop	Shirebrook Colliery Tip – Lease to Shirebrook Miners Welfare Angling Club	3 Year Lease to Trustees of the Shirebrook Miners Welfare Angling Club
3632	West Bridgford West	00753 - 77 Wilford Lane, West Bridgford	Nottinghamshire County Council have the benefit of an overage clause at the above property in which the Council receives 25% of any uplift in value arising from the grant of planning permission at sale. The current owners have now triggered the clause through gaining retrospective permission to build 3 car spaces and agreeing to sell the property and terms have been agreed for as overage payment.
3633	Newstead	Top Wighay Farm - Amendment to Farm Business Tenancy	As development of the scheme is due to commence the Farm Business Tenancy has been amended to reduce the area of land that the occupier can farm.
3646	Worksop North	James Hince Court – Lease	The proposal is for Eden Supported Living Ltd to occupy James Hince Court on a short term basis while their property in Worksop is repaired following flood damage sustained during last autumn's flooding. A 6 month lease has been agreed on full repairing terms at a rental of £7,083.33 per cal month.
3550	Toton, Chilwell & Attenborough	01340 Bispham Drive Junior School. Licence to wraparound club	The grant of a 3 Year licence of shared rooms within the school building to Bizzy Kidz for after school Childcare Provision.
3573	Various	Caretakers Properties - Rent Review	The implementation of the biennial rent review of caretaker accommodation throughout the County in line with the Personnel Handbook.
3590	Sutton Central & East	Forest Glade Primary School - Conversion to Academy	Conversion to Academy status
3637	Misterton	00045 27 Sutton Lane, Sutton cum lound, Retford	The above land was sold by the Council on 31 st March 2016 as part of a larger holding. The transfer requires the Council to give written consent to any transfer and the owners now wish to sell part of the land (a triangular piece) to the new owners of 27 Sutton Lane to be incorporated as part of their garden.
3636	Newark East	Consent for a wayleave for BT to install Telephone & Broadband at Newark Orchard School, 49 London	A request has been made by Nottinghamshire County Council for BT to extend the existing infrastructure of Telephone and Broadband network at Newark Orchard School, 49 London Road, Newark NG4 3AL to serve the new facility

		Road, Newark NG4 3AL	
3651	Worksop East	Release of overage at former Ryton Park Primary School, Memorial Avenue, Worksop	Nottinghamshire County Council has the benefit of an overage clause at the above property, from which the Council could receive 25% of any uplift in value arising from the grant of planning permission at sale. The Council has agreed terms with the property owner to release the site from the overage provision into the future to enable a sale.
3639	Leake and Ruddington	Brookside Primary School - Conversion to Academy Status	Conversion to Academy status
3627	Hucknall South	Land acquisition to rear of 48 High Street, Hucknall	Approval for the acquisition of land and to agree the Owner and Tenant's Claims following a Compulsory Purchase Order (CPO) to acquire 180 square metres of land at the rear of the 48 High Street, Hucknall for the Hucknall Town Centre Improvement Scheme (HTCIS).
3643	Collingham	01684 Bridge Children's Centre – Letting of part to Early Years childcare provider	The grant a 5 year sub-lease of part of the Children's Centre building to Country Kids Day Nursery an Early Years Childcare Provider and complete a deed of variation to the Head lease to allow childcare provision.
3644	West Bridgford South	Deed of Easement - Wayleave for Electricity supply to Rosecliffe Spencer Academy currently under construction	A wayleave agreement required to provide power to the site of the new build Academy School.
3640	Leake & Ruddington	Lease of IT Suite at East Leake Children's Centre	Proposed lease of IT suite currently occupied by Brookside Primary School as a result of conversion of the school to Academy status.
3634	Worksop East	Request for Deed of Grant on land to the front of Worksop Library	Site of a memorial plaque to a fallen policeman. The Police Authority is to take full responsibility for the installation, maintenance, repair and insurance.
3650	Hucknall South	Lease renewal of Hucknall Registrar's Office	The existing lease expired 26 August 2019 and a new 5 year lease has been agreed.
3652	Sutton Central & East	00728 Rushley Farm West – Grant of 2 new Farm Business Tenancies	Pending a future development scheme for the site, the granting of 2 short term Farm Business Tenancies to the existing occupier.
3655	Arnold South	Surrender and Re-grant of a Lease at Arnot Hill House	The Registry office are proposing to surrender a room within in their current Lease and take occupation of an additional, larger room which has recently become vacant on the ground floor of the building.
3654	Mansfield South	Lease of Unit 2, Hermitage Way, Hermitage Lane Industrial Estate, Mansfield	Following a short marketing period, terms were 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.
3656	Hucknall North	Wayleave for CCTV equipment and	The property is a vacant shop acquired as part of the Hucknall Inner Relief Road scheme. Ashfield District Council

		release of restrictive covenants at 28 Baker Street, Hucknall	(ADC) has agreed to release restrictive covenants on the title of the property in return for the grant of a wayleave to locate CCTV equipment.
3658	Retford West	Lease of a room at 17b The Square, Retford	The Registrars are proposed to take occupation of a single room within the building following their departure of Chancery Lane Offices. In addition to occupying the room for use as an office, the Registrars will also have access to the shared facilities in the building including the kitchen and toilets.
3659	Keyworth	Reduction in Payment to Rushcliffe Borough Council at Keyworth Leisure Centre	Following negotiations with Rushcliffe Borough Council reductions in the payment to RBC for the use of the Leisure Centre for Primary School Swimming Programme has been agreed.
3661	Ashfields	01933 Summer House Children's Centre - Lease of part for Early Years Childcare	The grant a 5 Year lease of rooms within the Children's Centre building to Little Lambs day nursery for Early Years Childcare Provision.
3662	Mansfield East	01131 Sherwood East (Clipstone) Children's Centre - Lease of part for Early Years Childcare	The grant a 5 year lease of rooms within the Children's Centre building to Learning Ladder Childcare for Early Years Childcare Provision.
3666	Sutton West	Unit 1 Fulwood View, Brookside Way, Huthwaite - New lease	A new five year lease to be granted at market rent to a new tenant following marketing.
3671	Tuxford	Western Power Wayleave for Connection at East Markham Primary School	A Wayleave has been requested for a Western Power connection at East Markham Primary School
3676	Sutton West	01964: Huthwaite Children's Centre - Service of break notice	Proposal for NCC to serve a Notice to Quit the 25 year underlease of the Children's Centre building, in accordance with the Report to Children and Young People's Committee, 10 th Feb 2020, Children's Centre Property Proposals.
3677	Mansfield East	01658 : Bellamy Children's Centre – Service of break notice	Proposal for NCC to serve a Notice to Quit the 25 year lease of the Children's Centre building, in accordance with the Report to Children and Young People's Committee, 10 th Feb 2020, Children's Centre Property Proposals.
3678	Farndon and Trent	00064 - Former Church Farm Rolleston	The land has been previously owned by the Council. The current owners have triggered an overage clause in favour of the Council as they have obtained planning permission for a 4 bedroomed house on the land and they have agreed terms to dispose of the freehold of the land. Terms have been agreed for the overage payment to the Council.
3663	Radcliffe on Trent	Consent for Western Power to legalise various wayleaves for residents adjacent to R on T Junior School	Western Power has recently received a request from the resident at 18 Cropwell Road for power to be installed to a new garage which has highlighted a discrepancy in respect of existing cables at Radcliffe on Trent Junior School.

3660	Hucknall North	Lease of land at Hucknall National C of E Primary School	Lease of land linked to conversion of the school to Academy status.
3683	Sherwood Forest	Sherwood Forest Country Park and National Nature Reserve - rent review	The rent payable under the head lease and the rent payable for the under lease of the property was due for review on 1 st April 2020; the revised rent is now agreed by all parties.
3684	Mansfield South	Rent Review in Respect of Mansfield Community Arts Centre	Rent increase under the provisions of the rent review clause contained in the lease.
3688	Sutton Central & East	Sycamore House, Portland College, Nottingham Road, Mansfield - Licence to Occupy	The taking of a short-term licence by the Commissioning & Placements Team as part of the Covid-19 contingency planning for children's residential care placements.
3696	Worksop East	02115 Prospect Kilton Children's Centre - Lease of part for Early Years Childcare provision	To grant a 5 year lease of rooms within the Children's Centre building to The Early Years Alliance for Early Years Childcare Provision with effect from 1 st September 2020 following expiry of their existing lease
3689	Hucknall North	70054 Garden Licence to the rear of 24 Piper Close, Hucknall NG15 8DS	A garden licence was granted to the resident of 24 Piper Close in July 2015 who has just sold the property. The new owner is requesting that a new licence be granted to them.
3690	Worksop West	Overage Receipt – Land adjoining The Lock House, Shireoaks	The owners of a parcel of land previously owned by NCC are intending to complete a sale on the land now in their ownership. If the transaction completes, NCC will be entitled to an overage payment.
3702	Sutton Central & East	Willow House, Portland College, Mansfield - Licence to Occupy	The taking of a short-term licence by the Commissioning & Placements Team as part of the Covid-19 contingency planning for children's residential care placements.
3648	Muskham & Farnsfield	Rent review and Deed of Variation - Bilsthorpe Depot Eakring Road, Bilsthorpe	A rent increase under the provisions of the rent review clause contained in the lease. Deed of variation to amend the rent review clause for forthcoming reviews in favour of NCC.
3675	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 trader.
3698	Sutton West	Unit 1 & 2 Fulwood Place - Dilapidation Settlement	<p>The County Council leased the above premises to The Bakkavor Group (the tenant) and the lease has now terminated. Under the terms of that lease the tenant was responsible for all repairs and maintenance to the property.</p> <p>The County Council has submitted a claim for dilapidations seeking a cash settlement in lieu of the tenant undertaking the dilapidations work. Following negotiations agreement has now been reached to settle this claim.</p>

3700	Sutton North	02131 New Woods Children's Centre - Lease of part for Early Years Childcare	The grant a 5 year lease of rooms within the Children's Centre building to The Early Years Alliance for Early Years Childcare Provision with effect from 1 st September 2020 following expiry of their existing lease.
3703	Hucknall South	06422 Butlers Hill and Broomhill Children's Centre - Lease of part for Early Years Childcare	The grant a 5 year lease of rooms within the Children's Centre building to Rocking Horse Nursey for Early Years Childcare Provision with effect from 1 st September 2020 following expiry of their existing lease.
3705	Misterton	Daneshill Lake - Lease to Daneshill Sailing Club	The grant of a new 21 year lease to Daneshill Sailing Club
3707	Eastwood	Brookhill Leys Primary School - Conversion to Academy Status	Proposed conversion to Academy status
3708	Mansfield South	Brunts Academy - Lease of Caretaker's Bungalow	Lease of Caretaker's Bungalow for use as a Special School Hub supporting with autistic spectrum condition and those with social, emotional and mental Health needs for the Trust and any neighbouring schools which would benefit from the service locally.
3714	Worksop North	Firbeck Colliery - Licence to Keepmoat Homes	Licence to Keepmoat Homes to allow works to be carried out to relocate ecology as part of a Section 106 agreement.
3721	Kirkby in Ashfield South	Mercury House and Piazza Building	The Council occupies these two offices properties on two separate leases on similar terms. The leases are for 10 years commencing in February 2016 and contain a tenants break on the fifth anniversary that can be triggered by serving of 6 months notice by no later than 22 nd August 2020 to vacate by 23 rd February 2021. Following consultation with occupying services it is now intended to collocate services from the two buildings to within Piazza Building therefore allowing service of break notice on Mercury House. In addition terms have been agreed with the landlord to vary the Piazza Building lease to include a tenants break after February 2023 and for a landlords break from February 2024.

Other Options Considered

8. 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.
9. 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

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

Statutory and Policy Implications

11. 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) To update Members on the Operational Decisions taken January to August 2020.

Councillor Mrs Kay Cutts MBE

Leader of The Council

**For any enquiries about this report please contact:
Matthew Neal, Service Director – Investment and Growth**

Constitutional Comments (SS 27/08/2020)

12. This report is appropriate to be considered by and resolved upon by the Policy Committee.

Financial Comments (RWK 27/08/2020)

13. 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