

OFFICER DECISION RECORD

For staff restructures, please also complete an RA1 form to update the HR Portal. This is attached at Annex 2.

Decision Ref. No:
AHWB.002.2017Kingfisher
Wheatley Library Under
Lease

Box 1

DIRECTORATE: Adults, Health & **DATE:** 13/12/16
Wellbeing

Contact Name: Sharon Collins **Tel. No.:** 01302 734036

Subject Matter: Kingfisher/Wheatley Library Under Lease

Box 2

DECISION TAKEN:

For Kingfisher School to grant the Council a 1 year under lease of the library premises in the grounds of Kingfisher School which is due to transfer to an academy on 1st January 2017 to enable time for the library to be relocated. Any costs incurred with a relocation will be covered by the Library Service and budget has been identified.

Box 3

REASON FOR THE DECISION:

Give relevant background information

The school have applied for Academy status which has been approved for 1st January 2017. The library was relocated to an unused outbuilding within the school grounds in 2012 on a joint venture between the library service and the Head Teacher at that time. Due to the application to become an academy the school have requested the library space be vacated due to demand at the school. The SLA in place does give the option for the school to terminate the agreement to provide space for the library as it became a non maintained school. They have exercised this right.

Box 4

OPTIONS CONSIDERED & REASONS FOR RECOMMENDED OPTION:

If other options were considered, please specify and give reasons for recommended option

No other options were available as the SLA was agreed by both parties in 2012.

Box 5**LEGAL IMPLICATIONS:**

Section 111 of the Local Government Act 1972 provides that without prejudice to any powers exercisable apart from this section but subject to the provisions of this Act and any other enactment passed before or after this Act, a local authority shall have power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

Section 1 of the Localism Act 2011 provides that a local authority has the power to do anything that individuals generally may do.

Name: Jocelyn Ajimati **Signature:** By email **Date:** 19 December 2016
Signature of Assistant Director of Legal and Democratic Services (or representative)

Box 6**FINANCIAL IMPLICATIONS:**

The financial implications of this proposed new under lease are that the Library Service will need to contribute towards the costs of amenities for the school building, based upon occupancy from the 1st Jan 2017. Under the previous agreement there was no charge for this as costs were absorbed by the school.

The under lease is a temporary measure (up to 12 months only) to allow the Library Service to find other suitable premises. Notice can be given to terminate on a monthly basis.

These costs, currently estimated by the service at less than £5k, will be met from carefully managed underspends within the Library Service, as will any relocation costs once an alternative site is identified.

Name: Olivia Brown **Signature:** Olivia Brown **Date:** 16/12/12
Signature of Assistant Director of Finance & Performance (or representative)

Box 7**HUMAN RESOURCE IMPLICATIONS:**

There are no Human Resources Implications.

Name: Kelly Gunn **Signature:** By Email **Date:** 19th December 2016
Signature of Assistant Director of Human Resources and Communications (or representative)

Box 8

PROCUREMENT IMPLICATIONS:

No procurement implications for the under lease however any subsequent costs incurred by the council in terms of a library relocation must adhere with the CPRs

Name: Daniel Charlesworth Signature:  Date: 14th December 2016
Signature of Assistant Director of Finance & Performance
(or representative)

Box 9

ICT IMPLICATIONS:

There are no direct ICT implications in relation to the under lease of the library premises in the grounds of Kingfisher School.

However, the Libraries & Information Service should engage with ICT as soon as possible in relation to alternative sites for the library, so that the options, costs and lead times for data and telephone connectivity at the new location can be confirmed and notice given to terminate the ICT services to the existing building on the school site.

Name: Peter Ward (ICT Strategy Programme Manager)
Signature:  Date: 14/12/16

Signature of Assistant Director of Customers, Digital & ICT
(or representative)

Box 10

ASSET IMPLICATIONS:

The underlease will run for up to one year from the date of the school academisation. No rental will be payable, however the Council will be required under the terms of the lease to make a contribution towards utilities that we do not currently have to pay for. The Council has the ability to serve a notice to break at any time upon the School which will enable the library to relocate in a timely manner as soon as an alternative accommodation solution is confirmed.

Name: Gillian Fairbrother (Assets Manager, Project Co-ordinator)
Signature: By email Date: 19th December, 2016

Signature of Assistant Director of Trading Services and Assets
(or representative)

Box 11

RISK IMPLICATIONS:

To be completed by the report author

(Explain the impact of not taking this decision and in the case of capital schemes, any risks associated with the delivery of the project)

The risk associated with this is that should we vacate without arranging an under lease the library at Wheatley would close until a suitable alternative premises is found and prepared. This would have a significant negative impact on the Wheatley Community and also the sustainability of the volunteer group which have run the library for 4 years. This would also bring in unnecessary publicity around closing a library, in particular a community led library.

Box 12

EQUALITY IMPLICATIONS:

To be completed by the report author

A move to the new venue would not directly impact on residents with protected characteristics of race or religion.

It is vital that any changes made to the library provision will consider the needs of people with mobility or disability-related conditions. This is clear in a number of areas of service provision:

- Accessible spaces and stock
- DDA compliance
- Resource for visually impaired readers, including the visually impaired readers group
- Books on Prescription resources and dementia friendly spaces
- Print resources in a range of formats
- Access to free Digital services

Name: Sharon Collins Signature:  Date: 13/12/16
(Report author)

Box 13

CONSULTATION

Officers

(In addition to Finance, Legal and Human Resource implications and Procurement implications where necessary, please list below any other teams consulted on this decision, together with their comments)

Members

Under the Scheme of delegation, officers are responsible for day to day operational matters as well as implementing decisions that have been taken by Council, Cabinet, Committee or individual Cabinet members. Further consultation with Members is not ordinarily required. However, where an ODR relates to a matter which has significant policy, service or operational

implications or is known to be politically sensitive, the officer shall first consult with the appropriate Cabinet Member before exercising the delegated powers. In appropriate cases, officers will also need to consult with the Chair of Council, Committee Chairs or the Chair of an Overview and Scrutiny Panel as required. Officers shall also ensure that local Members are kept informed of matters affecting their Wards.

Please list any comments from Members below:

Box 14

INFORMATION NOT FOR PUBLICATION:

It is in the public's interest to be aware of this decision record under the Freedom of Information Act 2000, therefore this decision will be published in full, redacting only signatures.

Name: Amy Haughan Signature: by email Date: 10/01/2017
Signature of FOI Lead Officer for service area where ODR originates

Box 15

Signed:

[Redacted Signature]

Date:

11/17

Director/Assistant Director

Signed:

[Redacted Signature]

Date:

Property
19/01/17

Additional Signature of Chief Financial Officer or nominated representative for Capital decisions (if required)

Signed

[Redacted Signature]

Date:

Signature of Mayor or relevant Cabinet Member consulted on the above decision (if required).

- This decision can be implemented immediately unless it relates to a Capital Scheme that requires the approval of Cabinet. All Cabinet decisions are subject to call in.
- A record of this decision should be kept by the relevant Director's PA for accountability and published on the Council's website.
- A copy of this decision should be sent to the originating Directorate's FOI Lead Officer to consider 'information not for publication' prior to being published on the Council's website.
- A PDF copy of the signed decision record should be e-mailed to the LA Democratic Services mailbox