

# DELEGATED DECISION NOTIFICATION

REF NO<sup>1</sup>

11320

DEPARTMENT

DEVELOPMENT

SUBJECT<sup>2</sup>

**LICENCE OF NURSERY BUILDING AT ROBIN HOOD PRIMARY SCHOOL  
WAKEFIELD 3**

DECISION<sup>3</sup>

COUNCIL FUNCTION <input type="checkbox"/>	EXECUTIVE DECISION (KEY) <input type="checkbox"/>	EXECUTIVE DECISION (MAJOR) <input type="checkbox"/>	EXECUTIVE DECISION (OTHER) <input checked="" type="checkbox"/>
NOT SUBJECT TO CALL IN	<sup>4</sup> EXEMPT FROM CALL IN: YES / NO	<sup>4</sup> EXEMPT FROM CALL IN: YES / NO	NOT SUBJECT TO CALL IN

Terms have been approved for a childcare provider to take a 10 year licence of a building of 60 m<sup>2</sup> (645 sq ft) at the above school to provide before and after school care.

Approval was granted to the childcare provider entering into 9 year licence agreement for the use of the building.

AFFECTED WARDS

ARDSLEY & ROBIN HOOD

ADVICE SOUGHT

	Yes	No
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Finance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Personnel	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Equal Opportunities	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>

DECLARED OFFICER /  
MEMBER INTERESTS<sup>5</sup>

<sup>1</sup> This reference number will be assigned by Constitution and Corporate Governance Unit and notified to you

<sup>2</sup> A brief heading should be inserted

<sup>3</sup> Brief details of the decision should be inserted. This note must set out the substance of the decision, options considered and the reason for deciding upon the chosen option, although care must be taken not to disclose any confidential or commercially sensitive information. Guidance on the substance of the note is available from Central Services

<sup>4</sup> For Key and Major decisions only. If exempt details to be provided in background papers

<sup>5</sup> No officer having a pecuniary interest in any matter should take a decision in relation to that matter. Other interests of a non-disqualifying nature should be recorded here.

DISPENSATION BY STANDARDS COMMITTEE

DATE: .....

BACKGROUND PAPERS<sup>6</sup>

CONFIDENTIAL REPORT

YES  NO  RULE NO 10.4<sup>7</sup> ( )

DETAILS OF CONSULTATION UNDERTAKEN (OTHER REASONS/ ORGANISATIONS CONSULTED)

	Yes	No	Date
Executive Member	<input type="checkbox"/>	<input type="checkbox"/>	
Ward Councillors	<input checked="" type="checkbox"/>	<input type="checkbox"/>	12/05/04
Chief Officers Affected	<input type="checkbox"/>	<input type="checkbox"/>	
Others (Specify)	<input type="checkbox"/>	<input type="checkbox"/>	

CONTACT PERSON

JAYNE CONBOY

CONTACT NO

77897

AUTHORISED SIGNATORY<sup>8</sup>

	DATE 21.2.06
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	KEY	MAJOR	OTHER
<sup>9</sup> *First publication (5 day notice)			
Commencement for Call In			
Last date for Call In			
Implementation Date			21/2/06

\* If key decision not on Forward Plan, the reason and need that the decision be taken are that:

<sup>6</sup> A separate Index should be prepared if necessary. ALL DOCUMENTATION UPON WHICH THE DECISION WAS BASED MUST BE RETAINED AND BE READILY ACCESSIBLE SO IT CAN BE PRODUCED SHOULD THE DECISION BE CHALLENGED

<sup>7</sup> Access to Information Procedure Rules

<sup>8</sup> The signatory must be duly authorised by the Director to make the decision in accordance with the Department's scheme. It is not acceptable for the signature to be 'pp' for an authorised signatory. For Key Decisions only, the date of the authorised signature signifies that, at the time, the Officer was content that the decision should be taken. However, should representations be received following public availability of reports the signatory will consider the effect which such representations should have upon the final decision.

<sup>9</sup> Constitution and Corporate Governance Unit will enter these dates



**LEEDS**  
CITY COUNCIL

AGENDA ITEM NO.: 2
Originator: Brendan Mannion
Tel: 77810

The Appendix of this report includes Exempt/Confidential Information under Access to Information Procedure Rules 10.4.(9)

**REPORT OF THE DEVELOPMENT DEPARTMENT**  
**REPORT TO: THE DIRECTOR OF DEVELOPMENT DEPARTMENT**  
**DATE: 22 DECEMBER 2005**

<b>SUBJECT: LICENCE OF NURSERY BUILDING AT ROBIN HOOD PRIMARY SCHOOL WAKEFIELD 3</b>	
<b>Electoral Wards Affected:</b>  <b>ARDSLEY &amp; ROBIN HOOD</b>	<b>Specific Implications for:</b> Ethnic Minorities <input type="checkbox"/> Women <input type="checkbox"/> Disabled People <input type="checkbox"/>
Key Decision <input type="checkbox"/> Major Decision <input type="checkbox"/>	Eligible for call in <input type="checkbox"/> Not Eligible for call in <input type="checkbox"/>
Significant Operational Decision <input type="checkbox"/>	<input checked="" type="checkbox"/> Administrative Decision <input type="checkbox"/> (details contained in the report)

**1.0 INTRODUCTION**

1.1 The purpose of this report is to seek approval to the terms to grant a licence for an after school / holiday club at Robin Hood Primary School, Wakefield.

**2.0 BACKGROUND**

2.1 Learning & Leisure Department have requested that a Licence be granted to Apple Tree Childcare in order to facilitate an after school and holiday club with the purpose of providing childcare at Robin Hood Primary School.

2.2 The subject site is a detached single storey timber building, 60m<sup>2</sup> / 645sq ft in size situated within the grounds of Robin Hood Primary School, with shared use of the school playground. Pedestrian access is gained via the main gate and through the playground.

2.3 There are no such facilities currently provided at the school.

**3.0 CURRENT POSITION**

3.1 The proposed terms have been negotiated and provisionally agreed with the Licensee.

3.2 Education Leeds have confirmed that there are no redevelopment plans for the school site during the proposed period of the licence.

## **4.0 PROPOSAL**

4.1 Terms have now been negotiated with the childcare provider on the following basis:-

### **4.2 Term**

10 Year licence agreement. Rent reviews on the 2<sup>nd</sup> anniversary of the commencement of the term and every two years thereafter. A break clause in favour of both the Council and the Tenant is operable on the 5<sup>th</sup> anniversary of the commencement of the term.

### **4.3 Fee**

The Licensee is to pay an open market fee as set out in the confidential appendix plus the Council's legal and surveyors costs.

### **4.4 Use**

To provide after school ( 15.00pm – 18.00pm Mon – Fri) and school holiday care(7.30am – 18.00pm Mon – Fri) for children attending Robin Hood Primary School. In term time the building will also be utilised by the school during the normal school hours.

### **4.5 Repair**

The maintenance of the building and major internal and external repairs, will remain the school's responsibility as it was identified by the Learning & Leisure Department to be the main occupier. The Childcare provider will be responsible for decorations, minor repairs arising from their use and occupation, and general wear and tear.

### **4.6 Insurance**

The Licensee is to indemnify the Council against all claims arising out of the use of the premises including malicious damage to the premises by third parties.

4.7 The Head of Property Services confirms that in his opinion the terms offered to the Council represent the best consideration that can be reasonably obtained under Section 123 of The Local Government Act (1972).

## **5.0 RESOURCE IMPLICATIONS**

5.1 As the building is in the grounds of the school there are limited alternative uses.

5.2 Appletree Childcare Ltd will pay an annual Licence Fee. The fee will be split equally between Robin Hood Primary and the Learning & Leisure Department as implemented and agreed in September 2005 with the Early Years Service management.

## **6.0 BENEFITS AND LINKS TO CORPORATE PRIORITIES**

6.1 The creation of a nursery at Robin Hood Primary School will provide a benefit to the community supporting the corporate priority of 'delivering high quality affordable childcare'. The proposal also supports the corporate objectives and core values of:-

- (i) Working in Partnership;
- (ii) Putting the needs of the public first;
- (iii) Equality of Opportunity.

## **7.0 EQUALITY**

- 7.1 Robin Hood Primary School and Appletree Childcare Ltd will support the provision of after school activities and holiday care for school aged children and enable parents to continue or seek employment / training opportunities which is a Government priority.

## **8.0 CONSULTATION**

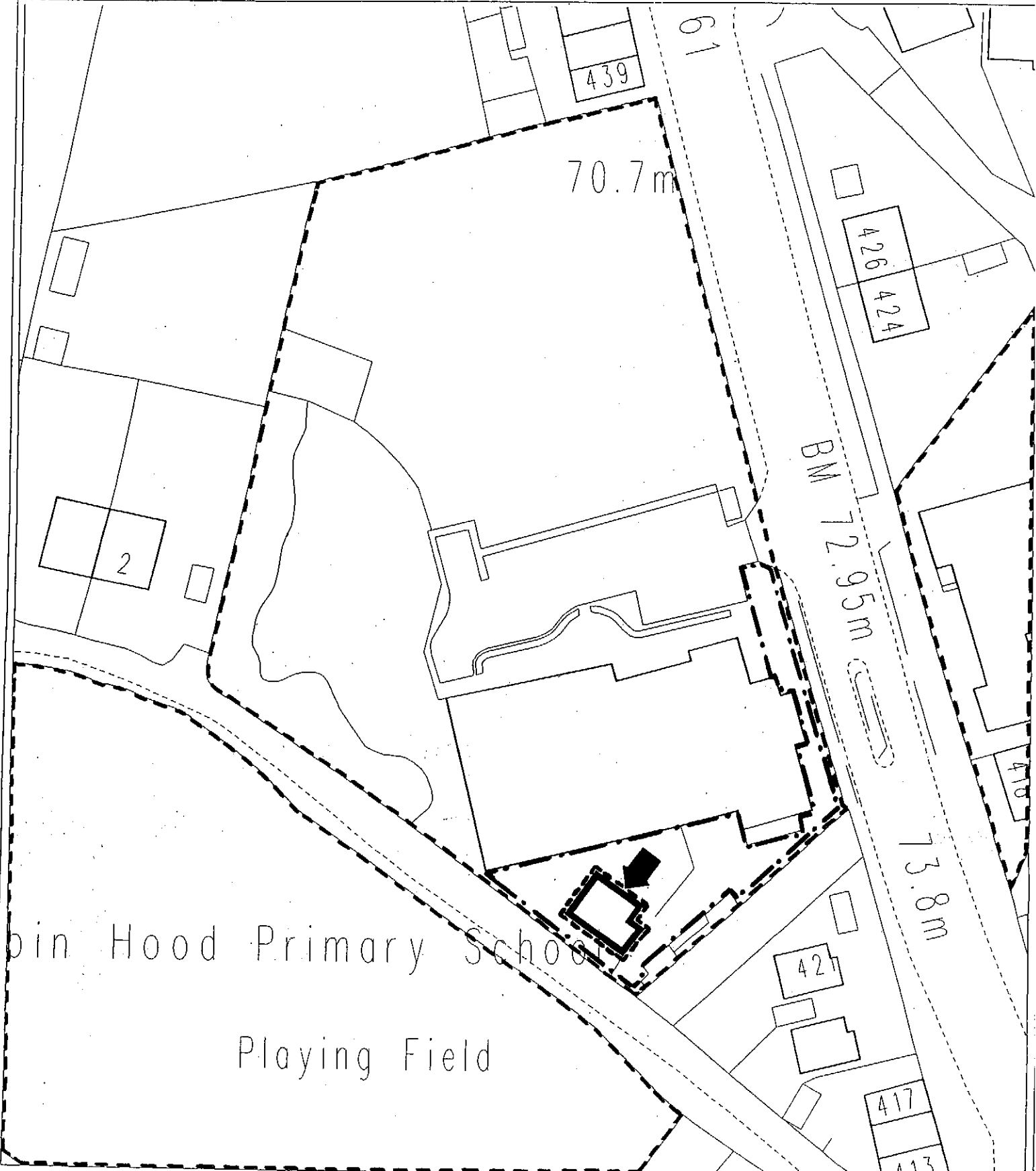
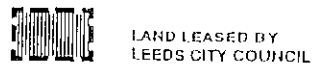
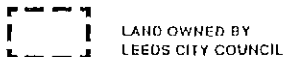
- 8.1 Learning & Leisure Department held an area Child Planning Forum on 12 May 2004 attended by the Headteacher, School Governors, and Ward Members. Appletree Childcare expressed their intention to open an After School/ Holiday Club. No adverse comments were received.

## **9.0 OPTIONS**

- 9.1 To do nothing. This is not recommended. The benefit of the nursery is in accordance with corporate priorities.
- 9.2 To grant a licence of the building to the nursery provider. This would ensure the provision of a nursery for the local community but control the use of the site and retain ownership of the freehold.
- 9.3 To dispose of the site. This is not recommended as the building is within the school grounds and in isolation has no development value.

## **10.0 RECOMMENDATION**

- 10.1 That approval be given to grant a licence on the terms set out in the report.



**ROBIN HOOD PRIMARY SCHOOL**  
**WAKEFIELD ROAD**  
**LOFTHOUSE**  
**LEEDS WF3**

PREP BY Ida006  
 DATE 03/01/2006



OS No 3226NE  
 Scale N.T.S.

NEG No 9401/B

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