

CHESHIRE FIRE AUTHORITY

MEETING OF: FIRE AUTHORITY
DATE: 13 FEBRUARY 2019
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: JOINT USE OF FRODSHAM FIRE STATION BY
CHESHIRE CONSTABULARY

Purpose of Report

1. To obtain approval to the grant of a lease of part of Frodsham Fire Station to the Police and Crime Commissioner for Cheshire (PCC).

Recommended: That Members;

- [1] Agree to the grant of a lease of part of Frodsham Fire Station to the Police and Crime Commissioner for Cheshire with the final terms and conditions to be finalised by the Director of Governance and Commissioning.

Background

2. The rationalisation of the respective estates of the Fire Authority and the PCC is part of the Blue Light Collaboration Programme. Members will recall that the Authority agreed some Estates Sharing Principles in September 2018 and at the same meeting committed funds to establish the feasibility of creating a new joint fire and police facility on the Crewe Fire Station site. Work has also been taking place to determine the potential to share other sites.

Information

3. The Police Station at Frodsham was under-utilised, but a police presence needed to be maintained in Frodsham. The Police Station and Fire Station were less than 100 yards apart and the Fire Station was the obvious choice for joint use as there was some capacity and Cheshire Constabulary's requirements were relatively insignificant. There has been a police presence at the Fire Station since November 2017. Although there were some initial challenges associated with the joint use the arrangement is now working satisfactorily.
4. The documentation has taken time to develop, as there has been a long-running debate about the terms, in particular the charges associated with the occupation. The terms have now been agreed. The following paragraphs provide an outline.

Legal Basis	Lease contracted out of the security afforded by the Landlord and Tenant Act 1954
Area	Exclusive occupation of the room and parking spaces shown on the plan attached as Appendix 1 to this report and shared use of communal areas, e.g. corridors, kitchen, toilets
Term	20 years with breaks allowed at 5, 10 and 15 years
Permitted Use	Office associated with the activities of Cheshire Constabulary, specifically excluding any custodial use
Payment	PCC to pay a sum based on the proportion of the Fire Station that the Area represents together with a sum towards the communal areas, i.e. a payment towards rates and services; maintenance and cleaning; and annual lifecycle costs. The sum has been calculated at almost £6k per annum
Standard Terms	Usual provisions will be included that are intended to protect both parties. For example: Fire Authority: promises not to interfere with or obstruct Permitted Use PCC: promises not to cause nuisance, make alterations, interfere with or obstruct fire and rescue services etc.

Financial Implications

5. The Authority will receive sufficient funds from the PCC to cover the costs of the occupation of the Fire Station by Cheshire Constabulary. The PCC has been able to sell the Police Station, so there has been a wider benefit to the public purse.

Legal Implications

6. Creating a legal interest in a fire station could restrict what can be done with the building in the future. However, the lease will include provisions that allow the arrangement to be brought to an end at specific times and the normal security of the Landlord and Tenant Act 1954 will be excluded so that the PCC will not have an automatic right to a new lease at the end of the Term.

Equality and Diversity Implications

7. It may be necessary to review the current facilities at the Fire Station to ensure that they are appropriate for the regular users of the building.

Environmental Implications

8. The modernisation programme will consider any environmental impact and improvements that are needed with the change in the use of the site and intensification of activity on the site.

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BACKGROUND PAPERS: NONE