

CHESHIRE FIRE AUTHORITY

MEETING OF: CHESHIRE FIRE AUTHORITY
DATE: 18TH SEPTEMBER 2019
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: JOINT USE OF BIRCHWOOD FIRE STATION BY
CHESHIRE CONSTABULARY

Purpose of Report

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

Recommended: That Members;

- [1] Agree to a lease of part of Birchwood Fire Station to the Police and Crime Commissioner for Cheshire on the terms outlined.

Background

2. As part of the Blue Light Collaboration Programme between the Fire Authority and Cheshire Constabulary and the PCC, Members agreed overarching Estates Sharing Principles. Members also committed funds to create a new joint fire and police facility on the Crewe Fire Station site and on 13th February 2019, the Fire Authority agreed to grant a lease of part of Frodsham Fire Station to the PCC.
3. On 24th April 2019, the Fire Authority agreed to grant a lease of part of Birchwood Fire Station to the PCC.

Information

4. Since the meeting in April there have been further discussions about the use of the fire station. As a result and to satisfy the PCC's requirements different arrangements have been agreed. This has led to some minor changes to the terms of the lease to the PCC e.g. the area to be occupied is now on the ground floor rather than the first floor. The terms are shown in the table below:

Legal Basis	Lease contracted out of the security afforded by the Landlord and Tenant Act 1954
Area*	Exclusive occupation of the rooms shown on the plan attached as Appendix 1 to this report and shared use of communal areas, e.g. corridors, kitchen, toilets. Separate parking spaces to be marked out for police vehicles.
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 just under £12,500 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.

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. The plans for the facilities at the fire station had been reviewed to ensure they are appropriate for the regular users of the building.

Environmental Implications

8. There are no environmental implications associated with the grant of the lease to the PCC.

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BACKGROUND PAPERS:

Appendix 1 – Plan of area to be let