



## **DECISION RECORD**

### **Decision Record Number 94**

This document records a decision taken by the Police, Fire and Crime Commissioner, together with details of the advice he received prior to taking the decision.

### **Decision taken**

The Police, Fire and Crime Commissioner has taken the decisions to:

Agree Heads of Terms for the flats above the Mounts Fire Station (known as Belinda Ferrison House) with the County Council for a lease of the flats for 25 years.

### **Details of advice taken**

Advice has been taken from the statutory officers of the PFCC, the Chief Fire Officer, the legal department and the Estates and Facilities department.

**Stephen Mold**  
**Police, Fire and Crime Commissioner**  
**08/01/2019**

**END**



## Northamptonshire Police, Fire and Crime Commission

### Supporting Report to the Police, Fire and Crime Commissioner

<b>Date of Report</b>	1 <sup>st</sup> January 2019
<b>Subject</b>	<b>Heads of Terms for Lease Arrangement from the PFCC to Northamptonshire County Council for the flats at the Mounts Fire Station (known as Belinda Ferrison House)</b>
<b>Report Author</b>	Paul Bullen, Director for Delivery

#### 1. Purpose of Report

- 1.1 To outline the terms of the agreement with Northamptonshire County Council to allow the continued use of the flats above the Mounts fire station for County Council use, following the statutory transfer of the entire building to the PFCC.

#### 2. Decision(s) Recommended:

- 2.1 To formally agree the Heads of Terms with Northamptonshire County Council for the lease arrangements for Belinda Ferrison House, and therefore proceed to full contract for the property.

#### 3. Relevant background / Chronology of Key Events:

- 3.1 The PFCC became the Fire and Rescue Authority for Northamptonshire on 1<sup>st</sup> January 2019.
- 3.2 As part of the transition arrangements for the fire and rescue service from Northamptonshire County Council to the PFCC, arrangements needed to be negotiated between the parties for existing shared properties between fire and other County Council services. The Mounts Fire Station is one such property.
- 3.3 Belinda Ferrison House is the name given to the flats that are above the Mounts Fire Station. The County Council entered into an arrangement in the summer 2018 to lease the 21 flats for the purposes of accommodation for care leavers.

3.4 As part of the agreements between the parties, the PFCC agreed to lease the flats back to the County Council for a period of 25 years from the date of transfer. As such the lease will be developed to cover the period until 31<sup>st</sup> December 2043.

#### **4. Consultation:**

4.1 Prior to the transfer date, negotiations have taken place between the PFCC and Northamptonshire County Council. The PFCC has consulted with legal and estates colleagues to inform the Heads of Terms.

4.2 The transfer of the Mounts was included in the business case that the PFCC submitted to government to take on governance of the fire and rescue service. This was consulted on with the public in the summer 2017.

#### **5. Compliance Issues:**

##### **5.1 Is this a decision of 'significant public interest?'**

5.1.1 Not under the definition within the Corporate Governance Framework for the Fire and Rescue Authority.

##### **5.2 Is the recommended decision consistent with the priorities set out in the Northamptonshire Police and Crime Plan 2017/21?**

5.2.1 The Fire and Rescue Plan has yet to be developed. However the decision is consistent with the desire for the governance of fire and rescue to transfer that is included in the Police and Crime Plan.

##### **5.3 What are the financial and procurement implications of this decision?**

5.3.1 The implications of the decision are that the PFCC will not be able to utilise the space at Belinda Ferrison House for alternative purposes. It also means that any redevelopment of the site is lifted for the duration of the lease arrangements.

5.3.2 The PFCC agreed the lease with the county Council accepting these limitations. Fundamentally this would have delayed the transfer if it had not been agreed and delays in the transfer would have had a negative financial impact on the fire and rescue service.

##### **5.4 Will further decisions be required?**

5.4.1 A further decision will be required on the final agreement that builds on the Heads of Terms.

##### **5.5 Legal Implications**

5.5.1 The PFCC is legally obliged to agree the lease with the County Council following the statutory Property Transfer scheme being laid in parliament in late 2018.

5.5.2 Legal have been involved in the drafting of the Heads of Terms for the site and will draft the final agreement.

**5.6 Risk Management**

5.6.1 The risks in relation to this relate to not agreeing the Heads of Terms as this would mean the PFCC was not complying with the statutory transfer scheme.

**5.7 Has an Equality Impact Assessment been undertaken?**

5.7.1 No specific assessment has been undertaken.

**6. Evaluation of alternative option(s):**

6.1 The proposed Heads of Terms are the best negotiated position between the County Council and PFCC that had least impact on all parties and ultimately the public that both parties serves.

**7. List of background reports used to compile this report:**

Fire Governance Transfer Business Case (August 2017)

**8. List of appendices accompanying this report (if any):**

Heads of Terms for the property.

**9. Approvals**

**Date**

Has this report been approved by the author's line manager?		
Has this report been approved by the Chief Executive?		
Has this report been approved by the Chief Fire Officer?		