



DECISION RECORD

Decision Record Number 96

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 lease (in part) of Walker House from Northamptonshire County Council.

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

Date of Report	1 st January 2019
Subject	Heads of Terms for the lease of Walker House (in part) from Northamptonshire County Council
Report Author	Paul Bullen, Director for Delivery

1. Purpose of Report

- 1.1 To outline the Heads of Terms for the agreement to lease part of Walker House from Northamptonshire County Council.

2. Decision(s) Recommended:

- 2.1 To formally agree the Heads of Terms with Northamptonshire County Council for the lease of Walker House, and therefore proceed to full legal agreement for the property.

3. Relevant background / Chronology of Key Events:

- 3.1 The PFCC became the Fire and Rescue Authority for Northamptonshire on 1st 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. Walker House is one such property.
- 3.3 Walker House is a leased office property of Northamptonshire County Council. The site has historically been used by the Fire and Rescue Service. More recently, they have condensed their usage into part of the building, to allow the County Council to utilise the space for other reasons.
- 3.4 The Heads of Terms are therefore being agreed for the property to allow the Fire and Rescue Service continued usage of the site, whilst also ensuring that the property

does not transfer to the PFCC and the County Council can utilise the building for alternative uses.

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 Walker House 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. Subsequent to this, the county Council decided they wished to retain this lease.

5. Compliance Issues:

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

5.1.1 No

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 enter in to an agreement to pay for Walker House based on the gross internal area that they occupy. The total annual rental for Walker House is £12,000 and therefore this is not a significant amount of money on an annual basis and it is built into the draft MTFP for the fire authority.

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 enter 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?