



Decision Sheet

Essex Police, Fire and Crime Commissioner Fire and Rescue Authority Decision Report

Report reference number: 021/2020

Government security classification: Not protectively marked

Title of report:

Disposal of Day Crewed Housing – Sealing Authority – [REDACTED]
[REDACTED]

Area of County/Stakeholders affected:

Operational Response - Housing occupiers, day crewed fire station arrangements for Waltham Abbey, Great Baddow, South Woodham Ferrers and Dovercourt

Report by: Head of Property, Jon Doherty

Date of report: 7 July 2020

Enquiries to: Head of Property, Jon Doherty

1. Purpose of report

This report seeks approval of the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority for the disposal of former day crewed housing, [REDACTED], in accordance with the decision by the Essex Fire Authority in June 2017, and supported by additional agreement in June 2020 by the PFCC and Strategic Board around disposal of Surplus Assets (Decisions sheet 011-20)

2. Recommendations

That authority is granted to seal the completion documentation for the disposal of [REDACTED]

3. Benefits and Costs of Proposal

The continued disposal of the housing estate could generate receipts for the Police, Fire and Crime Commissioner Fire and Rescue Authority. In addition, there will be further savings from the reduction in revenue maintenance and repairs as well as capital works to ensure housing is kept to tenantable standards.

In June 2017 the Policy and Strategy Committee of Essex Fire Authority extended the existing delegations to the Chief Fire Officer for the disposal of day crewed housing. The decision in June 2017 allowed day crewed housing to be sold at market value to the firefighters and officers who are currently the tenants of those houses. This proposal was in support of the Authority's 2020 Programme and supported the Authority's dispute resolution agreement with the Fire Brigades Union.

The paper considered at that time was EFA/019/17 which is attached for reference and the minutes of the Policy and Strategy meeting recording the decision reached are set out in **Appendix 1**.

4. Background and proposal

The Police, Fire and Crime Commissioner Fire and Rescue Authority's housing portfolio includes 24 houses. Of these, one is a short-term tenancy and 11 houses are occupied and could be disposed of under this extant decision of the Authority. The intention as outlined in EFA/019/17 and recorded in the meeting notes at **Appendix 1** was to reduce the number of houses owned by the Authority through disposals at market value to existing occupiers. The offer was made to occupiers in line with the decision reached in June 2017.

The current proposal is for [REDACTED]
[REDACTED] The property was valued by Lambert Smith Hampton, independent valuers and Chartered Surveyors, on behalf of the Authority at [REDACTED]
[REDACTED] and the purchase is progressing at this price. The disposal plan is shown at **Appendix 2**.

It should be noted that the mortgage offer to the current tenant expires at the end of November 2020.

5. Strategic Priorities

The strategic priority of the proposal was agreed by the Essex Fire Authority's Policy and Strategy Committee in support of the Authority's 2020 programme. In addition, the Authority's dispute resolution agreement with the Fire Brigades Union reflects the fact that day crewed firefighters would be offered the opportunity to buy the houses they currently live in.

6. Operational Implications

The phased disposal of occupied housing is in line with the Authority's 2020 Programme. Vacant housing will form the last phase to ensure that the move to the on-call duty system at these four locations is supported through the transition and was agreed by SLT and the Strategic Board in May and June 2020 respectively in a surplus assets paper.

7. Financial Implications

Over the last three years the maintenance costs for housing have been:

- 17/18 £43k
- 18/19 £36k
- 19/20 £58k

There are a number of reasons for the increase. Replacement works have reduced while the disposal process is in place, putting more liability on repairs. Occupants may also be increasing their attention to minor defects while considering the most appropriate purchase moment. These revenue costs will be saved at the end of the disposals.

The backlog of capital replacement works to bring the houses up to current tenable standards could be in the region of £100k per annum.

The total capital income if all the properties were sold could be £6.25m.

8. Legal Implications

The disposal of the housing portfolio does release the Authority from the responsibilities of a social landlord. As a social landlord the Authority is under a duty to ensure that all housing is kept to a tenable condition requiring regular investment.

9. Staffing and other resource implications

There are no staffing or resource implications arising from this report.

10. Equality and Diversity implications

There are no direct equality or diversity implications arising from this report.

11. Risks

Changes to the agreed disposal policy may impact unduly on the dispute resolution agreement whereby the disposal of day crewed housing to existing day crewed firefighter and officer occupiers was agreed.

12. Governance Boards

N/A

13. Background papers

Appendix 1 - Essex Fire Authority – Minutes of the Policy and Strategy Committee meeting - 21 June 2017.


Appendix 2 – Disposal site plan

Decision Process

Step 1A - Chief Fire Officer Comments

(The Chief Fire Officer is asked in their capacity as the Head of Paid Service to comment on the proposal.)

I fully support the recommendation to dispose of 32, Leighlands Road, South Woodham Ferrers, Essex CM3 5XN in line with the agreement of the disposal of assets discussed and agreed in June 2020 (SLT May/ Strat Board June).



Sign -

Jo Turton – 22 July 2020

Step 1B – Consultation with representative bodies

(The Chief Fire Officer is to set out the consultation that has been undertaken with the representative bodies)

...There is no requirement for this to be discussed with the rep bodies however as noted this supported the dispute resolution agreement with the FBU.

Step 2 - Statutory Officer Review

The report will be reviewed by the Essex Police Fire and Crime Commissioner Fire and Rescue Authority's ("the Commissioner") Monitoring Officer and Chief Financial Officer prior to review and sign off by the Commissioner or their Deputy.

Monitoring Officer

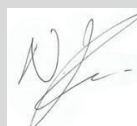
Sign:



Print: P.Brent-Isherwood
1 September 2020

Chief Financial Officer

Sign:



Print: ...Neil Cross...

Step 3 – Publication

Is the report for publication? YES/NO (except Appendix 2)

If 'NO', please give reasons for non-publication (state 'none' if applicable)

.....None.....

If the report is not for publication, the Monitoring Officer will decide if and how the public can be informed of the decision.

Step 4 - Redaction

If the report is for publication, is redaction required:

- 1. Of Decision Sheet YES/NO
- 2. Of Appendix YES/NO

If 'YES', please provide details of required redaction:

Address of the property to be redacted throughout.

Appendix 2 NOT to be published

Date redaction carried out:

If redaction is required, the Chief Financial Officer or the Monitoring Officer are to sign off that redaction has been completed.

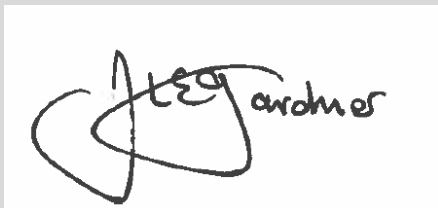
Sign:

Print:

Date signed:

Step 5 - Decision by the Police, Fire and Crime Commissioner or Deputy Police, Fire and Crime Commissioner

I agree the recommendations to this report:

A handwritten signature in black ink, appearing to read 'Jane Gardner', is written over a white rectangular background.

Sign:

Print: Jane Gardner, Deputy Police, Fire and Crime Commissioner

Date signed: 9 September 2020

I do not agree the recommendations to this report because:

.....
.....
.....
.....

Sign:

Print:

Date signed:

ESSEX FIRE AUTHORITY
Essex County Fire & Rescue Service



Policy and Strategy Committee

10:00	Wednesday, 21 June 2017	Kelvedon HQ GF/01,
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The Membership of the Policy and Strategy Committee will be confirmed by the Essex Fire Authority on 14 June 2017

Quorum: 5

Membership

- 7 Conservative Members
- 1 Labour Member
- 1 Liberal Democrat Member
- 1 Non-aligned Member

The Essex Police and Crime Commissioner, in his capacity as Chairman of the Emergency Services Collaboration Strategic Governance Board, is invited to attend meetings to offer strategic collaboration information in respect to agenda items.

**For information about the meeting please ask for:
Fiona Lancaster (Committee Officer, Essex County Council)
033301 34573 / fiona.lancaster@essex.gov.uk**

was proposed that the distinction between Directors be removed to allow maximum flexibility, however this would not prevent a mix of members and Officers being Directors in the future.

- It was clarified that the rights of the Essex Fire Authority to trade would transfer over under any new governance arrangements but only in respect of the Fire Service activities. It was suggested that it may be beneficial to discuss with the PCC the appointment of members to the Board of Directors and consider appointing the PCC for continuity.
- Members expressed the view that it was important that the PCC is aware of the company and its role and that it was also important that the work of the Company continues in the future. It was noted that at the current time this is a decision for the Essex Fire Authority.

Resolved:

That the Committee agreed the proposals for consideration by the full Authority in April 2017.

6 Delta Programme - Closure Report

The Committee considered report (EFA/018/17) by the Finance Director and Treasurer which sought approval to close the Delta (MIS Replacement) Programme.

The Committee was advised that the project had now been completed. There had been some difficulties with the first supplier, as it was found that after scoping they did not have the capability and capacity to deliver so the contract was terminated and a new supplier, Hitachi was brought in and has delivered the project. Lessons had been learnt from the process and there was a degree of future development. It would be an on-going process and users would be meeting to discuss priorities. Overall the cost had come in marginally over budget.

Resolved that:

- The Committee noted the successful delivery of the programme at a cost of £1,383k;
- The Committee agreed the closure of the programme.

7 Day Crewed Housing

The Committee considered report (EFA/019/17) by the Finance Director and Treasurer which sought approval to delegate to Officers powers to dispose of day crewed housing in support of the 2020 programme objectives.

Currently there is a delegation in place to the Chief Fire Officer allowing the disposal of empty day crewed housing. Through the 2020 programme of service changes that will see crewing of current day-crewed fire stations changing to On-Call, the disposal of all day-crewed housing is now being looked at. Legal advice had been sought and it was confirmed that the properties had to be sold at the market value. However the properties did not have to be sold on the open market and could be offered to the existing tenants. The arrangements with existing tenants occupying the housing could remain in place until 31 March 2020, then

the properties would be disposed of.

There was a potential issue with regard to taxation with the current provision of day crewed housing on a rent free basis, which was customary for employers to provide in these particular circumstances, and which is currently not a taxable benefit. However there was a risk that HMRC may review this test before 2020 and if changes did occur to this being a statutory exemption the Authority would need to decide how to manage the impact of the change.

The flexibility to allow the Authority to dispose of the housing to the existing firefighter occupants was a key consideration in the delivery of the 2020 programme of changes at these fire stations.

Members were very keen that consideration be given to offering the housing firstly to the current occupier and then to Local Authorities prior to it going on the open market. The view was expressed by a number of Members that the Local Authorities may welcome the opportunity to purchase the properties. The Committee therefore agreed to add a recommendation to reflect a three stage disposal plan based on offering the properties firstly to the current tenant, then to Local Authorities and then to the open market.

It was estimated that the properties were worth in total around £3-4million, however there was an assumption that these would be sold after 2020 due to the guarantees made to the tenants currently living in them. The properties were valued annually for the accounts.

Resolved:

1. That the Committee noted the importance of day crewed staff in the conversion of appliance crewing at those fire stations to On-Call;
2. That the Committee noted the benefit of current day crewed staff remaining in service with secondary On-Call contracts;
3. That the Committee noted the legal advice concerning the disposal of Fire Authority property;
4. That the Committee delegated authority to the Acting Chief Fire Officer to dispose of day crewed housing in support of 2020 programme objectives.
5. That the Committee agreed that a three stage disposal plan be followed based on offering the properties firstly to the current tenant, then to Local Authorities and then to the open market.

8 Date of Next Meeting

It was noted that the next meeting of the Committee would take place on Wednesday 24 May 2017 at 10.00 am.

The Finance Director and Treasurer proposed that the currently scheduled October 2017 meeting be brought forward to September 2017. A new date would be proposed in due course.

Appendix 2

32 Leighlands Road, South Woodham Ferrers



32 Leighlands Road
South Woodham Ferrers
Chelmsford
Essex
CM3 5XN

Map Ref: E81012 N97152