

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

22ND JUNE 2009

1. SUTTON COLDFIELD FIRE STATION – EASEMENTS

Joint report of the Chief Fire Officer and Clerk.

RECOMMENDED

THAT approval be given for the Authority to grant and take such mutual easements as are considered appropriate by the Chief Fire Officer for the support, protection and maintenance of the Sutton Coldfield Fire Station and the Sutton Coldfield Magistrates' Court and to confirm the position of the boundary between the Sutton Coldfield Fire Station and the Sutton Coldfield Magistrates' Court to the satisfaction of the Chief Fire Officer.

2. PURPOSE OF REPORT

This report informs the Authority of the change in ownership of the Sutton Coldfield Magistrates' Court arising from which it is necessary to determine the boundaries of the Fire Station site and to agree mutual rights of access in respect of the Fire Station and the Magistrates' Court.

3. BACKGROUND

- 3.1 By paragraph 5 of the Transfer of Property (Abolition of Magistrates' Court Committee) Scheme 2005 made by the Lord Chancellor in exercise of the powers conferred upon him by paragraphs 1, 3 and 9 of Schedule 2 to the Courts Act 2003, the freehold estate in the Sutton Coldfield Magistrates' Court was expressed to transfer to and vest in the First Secretary of State in accordance with the terms of a Memorandum of Transfer made on 31 March 2005 the interested parties in which were (1) the First Secretary of State (2) Birmingham City Council and (3) West Midlands Police Authority.

- 3.2 There is a need for the Authority to enter into mutual easements with the Secretary of State for Communities and Local Government for the support, protection and maintenance of their respective properties, that is, Sutton Coldfield Fire Station and Sutton Coldfield Magistrates' Court and for the position of the boundary between the two properties to be confirmed. Sutton Coldfield Magistrates' Court is shown for the purpose of identification only edged red on the plan attached hereto.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out. The matters contained in this report will not lead to a policy change.

5. **LEGAL IMPLICATIONS**

The course of action recommended in this report is intended to provide for mutual rights and easements for the support, protection and maintenance of the Sutton Coldfield Fire Station and the Sutton Coldfield Magistrates' Court and confirmation of the position of the boundary between the two properties.

6. **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report.

BACKGROUND PAPERS

Transfer of Property (Abolition of Magistrates' Court Committee) Scheme
2005
Courts Act 2003

VIJ RANDENIYA
CHIEF FIRE OFFICER

SUSAN PHELPS
CLERK