

**LANCASHIRE COMBINED FIRE AUTHORITY**  
Meeting to be held on Monday 18 September 2017

**FIRE PROTECTION REPORTS**

Contact for further information:  
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**Executive Summary**

This report deals with prosecutions in respect of fire safety management failures and arson incidents within the period 1 June to 1 September 2017

In addition, Fire Protection and Business Support Information are included in the report.

**Recommendation**

The Authority is asked to note the report.

**FIRE SAFETY CONVICTIONS**

**Prosecutions under the regulatory reform (fire safety) order 2005 (RRO)**

On 27 July the appeal hearing of Dr Muhammad Bhatti, previously found guilty of four offences, at HMO 143 Manchester Road, Burnley, took place. After a full day in Court the Judge found for the prosecution in that Dr Bhatti had control of the premises, as a person responsible for fire safety and he could not simply divest himself of his fire safety responsibilities by a disclaimer in an email to the leaseholders.

As a result of the appeal Lancashire Fire & Rescue Service were awarded full appeal prosecution costs of £3,980 to be paid within 6 months.

On 12 June at Lancaster Magistrates Court the defendant Mr Syed Masood Ahmed, pleaded guilty to all 12 fire safety offences relating to Sunnys Hotel in Morecambe and on 18 August sentenced at Preston Crown Court to eight months imprisonment, suspended for two years, 120 hours unpaid work and ordered to pay LFRS full costs of £10,752.

On 16 August at Burnley Crown Court, Natasha Taylor and Derek Bulling, both pleaded not guilty to serious fire safety offences relating to the Masons Arms Public House and flats, Rawtenstall. A trial date has been set for 8 January 2018.

Further Fire Safety investigations are being carried out regarding, a Take Away in Lancaster, a fire at Flats in Preston, a House of Multiple Occupancy in Blackpool, a Hotel in Blackpool and an Industrial Unit in Blackburn.

## **FIRE PROTECTION & BUSINESS SUPPORT INFORMATION**

### Primary Authority Scheme (PAS)

On 10 August Lancashire Fire & Rescue Service (LFRS) became the Primary Authority partner for its 5<sup>th</sup> company the Torus housing Group, based in St Helens, Merseyside. They have 22,000 homes, predominately across the Mid-Mersey and North West regions, consisting of sheltered accommodation, purpose built flats, House of Multiple Occupancy and houses.

LFRS is currently in talks with two large national chains within the licencing trade and two large housing providers who contacted the Primary Authority Partnership Officer with a view to working together and further improving their premises fire safety provision, procedures and management. Signing and registration of these companies has been delayed due to the update of the Primary Authority register and changes brought about by the introduction of the Enterprise Act. The changes will allow small and start-up businesses to join the Primary Authority Scheme. For further information on a Primary Authority partnership with LFRS businesses can email [PAS@lancsfirerescue.org.uk](mailto:PAS@lancsfirerescue.org.uk).

### Business Safety Advisors (BSA) Activity

The Business Safety Advisor in the Northern area has been working with the Health and Safety Officer for St Johns Hospice in Lancaster to assess any potential risk of fire at the hospice and shops and provided guidance on reviewing their Fire Risk assessments and Business Continuity Advice.

In July Prevention and Protection teams hosted a 'Places of Worship' seminar at Burnley Fire Station. Trustees and managers from churches and mosques across the area were invited to the seminar which was supported by Lancashire Council of Mosque and Blackburn Diocese. In working closely throughout the year with people from Churches and Mosques across East Lancashire, information and education has been provided to people about the risks of fire and their legal responsibilities.

On the week commencing 11 September LFRS Fire Safety Offices will be participating in National Fire Chiefs Council Business Safety Week. The week is an opportunity to engage with local business with the main driver being education not enforcement. The main focus is to be on small to medium businesses, retail premises, pubs and hotels. A number of events have been organised including visits to local markets during trading days and visits to wholesalers to make contact with owners of local businesses.

## **ARSON CONVICTIONS**

### **R v Todd and Ibbotson**

Cumberland Ave  
Clayton-Le-Moors  
Accrington

This fire stems back to April 2014 where Todd and Ibbotson along with 2 females were charged with conspiracy to commit arson being reckless as to whether life endangered. The accused had allegedly poured a large amount of petrol throughout the premises and upon ignition; a huge petrol vapour explosion took place which all but destroyed the house.

The case eventually made it to court in 2016 where 5 members of LFRS were called to present evidence. Following the initial hearing, the case was dropped against the 2 females and Todd was found guilty at that hearing.

Unusually, a re-trial for Ibbotson was ordered by the judge to be held in 2017. At the re-trial LFRS again presented evidence with the outcome that Ibbotson was also found guilty.

Both Todd and Ibbotson were sentenced to 4 years imprisonment each.

### **R v William John Morrison**

Grafton Road  
Morecambe.

This incident took place in a flat in Grafton Place Morecambe. Morrison had allegedly poured an accelerant over another male in the flat and ignited it. LFRS personnel provided the Police and CPS with an in depth investigation and impact statement which was sufficient evidence to charge Morrison.

At the Plea and Case Management Hearing (PCMH) Morrison pleaded guilty and was later sentenced to 18 months imprisonment to run concurrent with a separate and unrelated charge of 11 and a half years imprisonment.

### **R v Richard Guy**

Ivy St  
Burnley

This fire occurred in the early hours of the morning. Guy had allegedly deliberately set fire to the stairs of the premises which resulted in a female occupier being trapped by fire. She was rescued by LFRS personnel and led to safety.

Neighbours had seen Guy fleeing the scene. He was later arrested and charged with arson with intent to endanger life. An in-depth fire investigation took place with a report submitted to the Police/CPS. Guy initially pleaded not guilty but after the CPS requested more detail an in depth statement was provided by LFRS to compliment the fire investigation report already submitted.

At Guy's PCMH he entered a guilty plea. He was later given 4 years imprisonment.

The Judge and prosecution barrister both thanked LFRS for their detailed report and statement.

### **R v Geoffrey Lord**

St Huberts Rd  
Great Harwood

This incident involved the alleged deliberate ignition of an armchair within the rented flat of Lord.

Lord's flat was above a retail premises. On the morning of the fire the proprietor of the shop had just opened up when he heard Lord banging on the door which leads from the shop floor to the access staircase to the flat.

Lord was demanding to be let into the shop to purchase some alcohol. When the proprietor refused, Lord became more agitated and began shouting louder and began kicking at the door. The proprietor started to record the audible events on his mobile, where it could be clearly heard Lord shouting that he would set fire to his flat.

A few minutes later Lord was at his flat window shouting for help. The shop proprietor went in to rescue him and called the Fire Service.

The ensuing fire investigation concluded a deliberate ignition. Lord pleaded guilty at the PCMH and was later sentenced to 32 Months imprisonment.

### **R v Philip Andrew Martin**

Gannow Lane  
Burnley

This fire involved a rear room of an empty shop, though it had an occupied flat above it. A male had to be rescued from his first floor flat via a ladder by LFRS personnel. He was conveyed to hospital and treated for smoke inhalation. It had been a severe fire to the ground floor shop unit which had heavily smoke-logged the flat above.

LFRS personnel carried out a thorough fire investigation and submitted a stage 1 fire investigation report and a lengthy statement to the Police.

Subsequently it turned out that the male rescued from the first floor flat was Martin himself. Martin self-presented at the Police station and admitted to starting the fire

himself. Not only had Martin put his own life in danger but neither was he aware if his neighbours were in next door. The fire was reported to have cost £100,000 in damage and loss of earnings.

All in all, from the time of call to an arrest and charge of Arson reckless as to whether life endangered took less than 24 hrs.

Martin was later sentenced to 33 months imprisonment.

## **R v Phillip Parrish**

Fishergate Hill  
Preston

This incident was an alleged deliberate ignition of a quantity of clothing in a basement corridor of an HMO that housed up to 50 people. Although the fire was contained within the corridor it was deemed that the lives of the occupants of the HMO were put at risk. When the fire occurred, one of the occupants had silenced the alarm before the arrival of the Fire Service.

A thorough fire investigation was carried out by LFRS personnel and submitted to the Police. With the addition of some damning CCTV Parrish pleaded guilty at the PCMH and was later sentenced to 30 months imprisonment.

In a press release after the sentencing, Group Manager Tony Crook said *"At this time, in the aftermath of the tragic events at Grenfell Tower in London, we are only too aware of the potentially terrible consequences of fires in living accommodation. Although the fire that resulted in this prosecution did not result in a loss of life, it so easily could have developed into a major fire and killed someone. It was down to chance that it didn't and the custodial sentence surely reflects the seriousness of the offence."*

LFRS' continued close working relations with Lancashire Constabulary and the CPS are still resulting in one of the best arson detection/conviction rates in the Country.

## **Business Risk**

Moderate – Members need to be aware of prosecutions related to fire safety activity and/or arson within Lancashire in order to satisfy themselves that the required robust approach is being pursued.

## **Environmental Impact**

None

## **Equality and Diversity Implications**

None

**HR Implications**

None

**Financial Implications**

None

**Local Government (Access to Information) Act 1985****List of Background Papers**

Paper	Date	Contact
Reason for inclusion in Part II, if appropriate:		