

LANCASHIRE COMBINED FIRE AUTHORITY
Meeting to be held on Monday 18th December 2017

FIRE PROTECTION REPORTS

Contact for further information:
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Executive Summary

This report deals with Lancashire Fire And Rescue Service (LFRS) prosecutions in respect of fire safety management failures and arson incidents within the period 1 September 2017 to 1 December 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 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. On 25 October a pre-trial hearing was carried out. Natasha Taylor pleaded guilty to the charges against her and is awaiting sentencing once the trial with Mr Bulling has concluded.

On 9 April 2017 a fire occurred in a premises in Preston, a thorough investigation has led to a summons been issued to the responsible person, Mr Patel. A pre-trial hearing will take place at Preston Magistrates on 13 December.

A fire occurred in a block of flats in Blackpool. After an investigation it was determined that a simple caution is to be offered to the responsible person. We await the response; should the responsible person not accept the simple caution then prosecution will be sought.

Further Fire Safety investigations are being carried out regarding: 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)

Since the update of the Primary Authority register and changes brought about by the introduction of the Enterprise Act on October 1st 2017, LFRS has been in a position to register new Partnerships. As a result three new partnerships with LFRS have been submitted to the Secretary of State for inclusion in PAS:

The Regenda Group – have 13,000 properties operating in over 30 local authority areas across the North West region. These include social rented housing, housing for older people, supported housing, private rented property, shared ownership and housing for sale.

Warwick Estates Property Management Ltd - National managing agents appointed by a premises management company to assist in administering the day to day running of their buildings and estate. They have 7 Area office buildings and over 600 premises consisting of high and low rise flats, Houses of multiple occupancy and rented properties.

Daniel Thwaites PLC – currently based in Blackburn, with premises consisting of 17 Hotels/Inns/Spas and over 250 tenanted public houses across the Country.

Primary Authority enables a business to form a legally recognised partnership with a single local authority. This ‘primary authority’ provides the business with robust and reliable regulatory advice which other local authorities must take into account in their dealings with the business. In this way, Primary Authority promotes consistency and fairness in the way that regulations are enforced locally.

For further information on a Primary Authority partnership with LFRS, businesses can email: PAS@lancsfirerescue.org.uk.

Partnership Working with LCC

Lancashire County Council (LCC) has sprinkler systems in all 17 of its care homes but LFRS staff have established, with the agreement of: LCC care home managers, their health and safety managers and property personnel, that sprinklers alone are not enough to ensure the safety from fire of the homes’ occupants.

LCC has identified that there has been a shift in recent years for care homes to have a greater number of residents with increasing mobility problems and disabilities.

When a fire occurs the alarm will sound, the sprinkler system will activate but evacuation of immobile residents becomes problematical. Moreover, building control ‘Approved Document B’ does not require self-closing doors in buildings where sprinklers are installed, where a suitable and sufficient Risk Assessment can identify other provisions which are in place. This leads to a very real possibility that vulnerable residents could be enveloped in cold smoke driven in their direction by the activated sprinkler or sprinklers.

There is a solution, the installation of a more sophisticated version of an alarm-activated door closure system which allows the door to be 'parked' in any semi-open/closed position – creating the preferred versatility expressed by care home residents and staff – but which ensures the automatic closure of the door when the fire alarm activates.

The outcome is a £6.5 million package of improvements to be implemented by LCC across their care homes. This will include the installation of the 'free-swing' door closure devices mentioned, together with improvements in LCC's Risk Assessments, staff training in fire prevention and protection, safe charging facilities and enhanced storage space for mobility scooters and battery packs (less clutter), better heating systems and improvements to address other health and safety issues identified.

This is an exceptional achievement and is set to make LCC's care homes the safest in the country, going over and above what is presently demanded of them in fire safety legislation. Indeed, in the light of the Grenfell Tower fire disaster and the emphasis this puts on the importance of sprinklers, the National Fire Chief's Council's National Sprinkler Network are to use the LFRS/LCC project as a case study in their advocacy of changes to 'Approved Document B' to introduce additional fire safety provision in high-risk premises.

Business Safety Advisors (BSA) Activity

During the week of 11 September the LFRS Fire Safety Offices participated in the National Fire Chiefs Council Business Safety Week. As part of this week Shopping Centres in Blackpool, Preston and Lancaster were visited and a stand was set up to provide business safety advice to both the shops in the shopping centres and business owners visiting the centre.

In the east of the county the Business Safety Advisor along with a colleague from the CFS department, went on Pendle FM to promote our making Lancashire Safer message, by explaining we offer a free business safety advice service. While in the central and southern areas of the county the Business Safety Advisor visited wholesalers in order to provide fire safety advice and guidance to business owners. Throughout the county the opportunity was taken to engage with numerous businesses to provide advice and ensure they are aware of the assistance available from LFRS.

On the 27th September the Business Safety Advisors throughout the county were at the Business Expo Blackpool 2017, one of the largest business events in the county. During the event the Business Safety Advisors took the opportunity to not only provide advice to a wide range of businesses, but also to network with the wider business community increasing their awareness of the services and assistance that LFRS can provide.

ARSON RISK REDUCTION

Arson convictions

R v Sajid Hussain - Lodge Street, Accrington

This incident was a failed arson attempt on the premises on Lodge Street. This case goes back 2 years. It has been a complex case and as such the long delay in going through the criminal justice system.

Mr Hussain was subject to a Hospital order under the mental Health Act and is to be detained for an undetermined period of time.

R v Anthony Peter Wall - The Spinney, Lancaster

Mr Wall set fire to a motor cycle that was parked adjacent to the front door of the premises whilst Mrs Wall and her family were in bed. The fire quickly got hold of the front door trapping all the occupants inside.

All the occupants escaped.

By chance, Mrs Wall had presented herself at Lancaster Fire Station the day before the fire saying Mr Wall had threatened to burn her out of the house. An Arson Threat Home Fire Safety check was carried out the same day where smoke alarms and a fire proof letter box cover were provided along with safety advice as to what to do in the event of an arson attack.

Mr Wall was arrested within 20 minutes of the first call to the fire service at the address where he was residing and was remanded in custody up to the date of the trial. A thorough fire investigation was carried out with LFRS staff called to Court to present evidence. Mr Wall pleaded guilty on the day of the trial to a charge of Arson with Intent to endanger life. He was later sentenced to 72 months imprisonment and a restraining order for an indefinite period.

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:		