

LANCASHIRE COMBINED FIRE AUTHORITY

Meeting to be held on Monday 19th February 2018

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 December 2017 to 1 February 2018.

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 9 April 2017 a fire occurred in a premises in Preston, a thorough investigation led to a summons been issued to the responsible person Mr Patel. After a pre-trial hearing at Preston Magistrates on 13 December and a guilty plea to 7 charges, it was determined that sentencing would be carried out at Preston Crown Court on 15 January 2018. The defendant was sentenced to 24 weeks imprisonment on each count to run concurrently suspended for 18 months. The defendant was also fined £12,000 and costs of £6445.41.

On the 4 August 2016 a serious fire occurred in the Masons Arms, Waterfoot, Rossendale. After a number of pre-trial hearings both responsible persons, Natasha Taylor and Derek Bulling, both pleaded guilty to serious fire safety offences relating to the Masons Arms Public House and flats. Sentencing will take place at Burnley Crown Court on 23 February 2018.

As a result of a fire on 14 July 2017 at a block of flats on Park Road, Blackpool, a “Significant Incident Fire Safety” was declared due to a number of fire safety breaches, including a disconnected fire alarm system. After investigations by Fire Safety Officers it was determined that the responsible person should be issued with a Simple Caution. This has been accepted and will take place at Service Headquarters during March 2018.

Two further premises in Blackpool are currently been investigated with the potential for prosecution.

A large hotel in Burnley has been prohibited after a multi-agency audit. A number of fire safety breaches were identified which, if a fire broke out, would in the opinion of

Fire Safety Officers, lead to serious injury or death. Further investigations are taking place by LFRS.

FIRE PROTECTION & BUSINESS SUPPORT INFORMATION

LFRS Protection Seminar 2018

Held at LFRS Training Centre on Thursday 8 February 2018, the day's event, sponsored by Kingspan, is completely full and attendees include representatives from NW fire services and all Primary authority partners.

Talks include:

- Reflections Post Grenfell - Nick Coombe (London Fire Brigade);
- Fire Test Certification and real fire case studies - Tony Ryan (Director KingSpan);
- Residential Care Homes - fire case study - Paul MacDonald (Hertfordshire FRS);
- The Role of the Risk Assessor and Enforcement in Specialised Housing - Warren Spencer (Blackhurst Budd).

ARSON RISK REDUCTION

Arson convictions

R v Daniel Glod Mayfield Ave, Lancaster

This incident involved a fire in the ground floor through lounge/dining room. A fire had been deliberately set adjacent to the fireplace with an amount of combustible items being stacked up and ignited. Following a thorough fire investigation by LFRS staff, the evidence was submitted to the Police/CPS. Throughout all the proceedings, Glod had pleaded innocent with the defence employing an expert witness to challenge the LFRS report. The expert witness report was counter challenged by the LFRS expert with no further disagreement coming from the defence.

Unusually, but on this occasion, the LFRS expert witness was not to be available on the first day of the re-arranged trial due to a prior engagement. However on the day of the trial our expert was summoned by the judge. Upon arrival at court of our expert, Glod pleaded guilty to Arson Reckless as to whether life endangered. He was later sentenced to 3 years imprisonment.

R V Shafqaat Hussain Blackburn Road, Accrington

This incident was a particularly ferocious fire requiring the rescue of a gentleman from a flat which was above the business premises that was targeted. Access had been gained to the rear of the premises by breaking in through an exterior store/garage. The rear window of a treatment room was then forced open and petrol

poured through the window. Upon ignition, a petrol vapour explosion took place which blew a large window out completely and with such force it went through the window of the next door neighbour some 5 metres away. A severe fire soon got hold, trapping the occupier of the 1st/2nd floor flat. When crews arrived, they had to use breathing apparatus to enter and lead the gentleman to safety whilst other crew members fought the fire. A multi agency investigation took place involving LFRS, the Police, a forensic scientist and CSI's. Damning evidence was found at the scene. Hussain was arrested later in the day at his home address in Manchester and his car was seized. This was also examined which also produced more damning evidence linking it to the fire scene. An in depth report was submitted by 2 LFRS fire investigation experts. Hussain pleaded guilty at the earliest opportunity in the criminal justice system and was later sentenced to 5 years and 4 months imprisonment plus an indefinite restraining order.

R v Mark Findlay Campbell St Blackburn

This case is unusual in that arson wasn't the index charge, but it formed part of a crime. Findlay had deliberately run over a love rival in his car, then later parked it up and set it alight to try and cover the evidence. The deliberate attempt to destroy evidence was the part of the crime that LFRS staff got involved with. The fire investigation concluded deliberate ignition and formed part of the evidence pack for the final charge at court.

Findlay was sentenced to 7 years imprisonment plus an indefinite restraining order.

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:		