

LANCASHIRE COMBINED FIRE AUTHORITY

Meeting to be held on the 16 September 2019

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 of 1 June 2019 to 1 August 2019.

Fire Protection and Business Support Information included.

Recommendation

The Authority is asked to note and endorse the report.

FIRE SAFETY CONVICTIONS.

LFRS v GRAHAM HAMMER (DERBY COURT HOTEL PRESTON)

Sentencing for Lancashire Fire and Rescue Service (LFRS) v Graham Hammer (GH) took place at Preston Crown Court on 28/06/2019 in relation to the Derby Court Hotel, 1 Pole Street, Preston.

In 2005 GH pleaded not guilty to 2 offences under Section 7(4) of Fire Precautions Act 1971 at the same premises, he was later found guilty of failure to maintain a working fire alarm, fined £500 per offence x 2 and ordered to pay £2000 costs.

In deciding sentencing for this case His Honour Judge Parry made reference to this previous conviction and described GH's attitude towards fire safety as 'casual to say the least' and he should have learnt from his previous dealings with LFRS.

The Judge commented that GH had given no thought to protect the residents of the hotel from fire, the judge went on to say that his attitude, particularly when attending an interview under caution, was 'cavalier'

The Judge, His Honour Judge Parry sentenced GH to:

1. 6 months prison sentence suspended for 12 months.
2. 6 months curfew from 19:00 to 06:00
3. £20,000 fine in total (£5000 per count x 4)
4. Costs were awarded to LFRS which totalled £18,790

After the premises was prohibited by LFRS, GH sold the hotel and retired.

LFRS V AHEED SULTAN (PLAZA BEACH HOTEL BLACKPOOL)

On 4 September, 2017 the Fire Safety Team Leader for Western Area visited 96 -98 Albert Road, Blackpool, FY1 4PR. Whilst at the premises the Team Leader observed a number of serious breaches of the Fire Safety Order that would cause serious injury or death in a fire situation.

The decision was made to prohibit the use of the hotel on the day, a prosecution case file was prepared and the responsible person, Aheed Sultan, was summonsed to attend Blackpool Magistrates Court on 15/05/2019.

The case was heard at Blackpool Magistrates Court, Aheed Sultan pleaded not guilty to all offences, due to the limited sentencing powers the case was sent to Preston Crown Court for a Pre Trial Preparation Hearing which was heard on 19/07/2019.

Prior to the hearing we had been offered certain guilty pleas by Mr Sultan's legal representatives; these were discussed and agreed by the prosecution team; however Mr Sultan, against all advice, has decided to plead not guilty to all ten offences so therefore this case will now go to a full trial.

The trial date has been set for 04/11/2019 and is expected to last four days in total.

FIRE PROTECTION & BUSINESS SUPPORT INFORMATION

Risk Based Inspection Programme (RBIP)

The RBIP methodology is currently being evaluated in partnership with Lancaster University and a report will be available for the November meeting.

Business Support Website

The business support website is now housed within the main LFRS website and managed by corporate communications department and is working well to provide public access to fire safety support information.

Business Safety

Our Business Safety Advisers (BSA) continue to work as an area of focus on self-store units and are planning their work plan for National Business Safety Week in September. Two of our advisers are currently studying for the Skills for Justice Level 4 diploma and a further BSA is currently completing his coursework for this award. These additional qualifications will allow Business Safety Advisers to conduct low-level risk audits, which will release more time for Fire Safety Inspectors to look at more complex and higher risk premises.

Preventative work will be carried out to align with the National Fire Chief Council Business Safety Week (30th September to the 6th October 2019) which will mainly focus on self-storage units fire safety.

Primary Authority Scheme (PAS)

LFRS now has 12 registered partnerships Barchester Healthcare, Four Seasons Healthcare, Amber Taverns, Torus 62 housing, Daniel Thwaites, Warwick Estates, EH Booths, Regenda Group, Progress Housing Group, PBSA Student Roost, St Catherine's Hospice & Inclusion Housing. Witherslack Group is awaiting confirmation.

New agreements have now been formalised with Torus 62, Barchester, Four Seasons, Regenda, Amber Taverns, Warwick Estates, EH Booths, Daniel Thwaites & Inclusion to include a new hourly rate of £75/hour which equates to £4,500 per annum. This will be rolled out to the other partners on their 12 month anniversary dates.

There have also been discussions with 2 other very interested companies; Coasts & Castles, and Trafford Housing and 3 tentative companies; Amberstone, Homestead and Star Inns.

ARSON RISK REDUCTION

R v Oliver John KELLY

1a Parliament Street, Morecambe, LA31RQ
Date: 21st July 2018.

This incident was a fire involving a ground floor under stairs store room in flats of 3 storeys, the fire had spread onto the stairwell. The first floor and second floor flats suffered smoke damage. The fire was of deliberate ignition. The occupier of the second floor was led to safety by LFRS personnel and conveyed to hospital for a precautionary check-up for smoke inhalation.

Police on scene arrested a male following CCTV footage from the property next door.

Oliver John KELLY pleaded guilty to arson with intent as to whether life was endangered. Mr KELLY was sentenced to 6 years imprisonment with an additional 4 years on licence.

R v James MORRIS, Lee WAKEFIELD, Lewis KNIGHT, Kirk THOMPSON

Underbank Way, Haslingden
Date: 24th November 2018.

This incident was a fire involving heavy goods vehicle Tractor unit and trailer. The fire was deliberate ignition; the vehicle had been stolen and driven to its current location. The vehicle contained approximately 140 laptops, all of these were destroyed by fire.

All 4 offenders pleaded guilty of conspiracy to steal and received 5 years in prison.

R v Martin MULVEY

165 Rodwell Walk, Blackpool, FY3 7PA

Date: 10 -13th June 2019

This incident was a deliberately fire in a third floor flat started by its occupier. The occupant had deliberately ignited a mattress and duvet which spread to other household items. Damage was severe by fire, heat and smoke. The male occupant had barricaded himself in the flat and during the fire escaped by jumping from the window, receiving 2 broken legs, a broken arm and broken pelvis.

A Paramedic suffered smoke inhalation and was treated at scene then transferred to hospital.

Mr MULVEY was found Guilty of Arson and received 5 years and 4 weeks in prison for arson with intent.

R v Lee GROGAN

6 Wall Street, Blackpool FY1 2EG

Date: 12th May 2018

This Incident was a fire in a terraced house which was occupied by the offender. 3 separate fires had been started deliberately in 3 separate rooms covering ground and 1st floor.

Lee GROGAN was found Guilty of Arson and other offences. Mr GROGAN was sentenced to a total of 7 years and 6 months.

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 & 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 2, if appropriate:		