

## **LANCASHIRE COMBINED FIRE AUTHORITY**

Meeting to be held on 16 December 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 the 1<sup>st</sup> June 2019 to the 1<sup>st</sup> August 2019.

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

#### **Recommendation**

The Authority is asked to note and endorse the report.

### **FIRE SAFETY CONVICTIONS**

#### LFRS v Aheed Sultan (AS) (Plaza Beach Hotel Blackpool)

On the 4<sup>th</sup> 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, AS, was summonsed to attend Blackpool Magistrates Court on the 15/05/2019.

The case was heard at Blackpool Magistrates Court, AS 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 the 19/07/2019 where AS pleaded not guilty to all offences, a trial date of the 4<sup>th</sup> November at Preston Crown Court was set.

On the 31<sup>st</sup> October 2019 AS pleaded guilty to 8 of 10 offences of the Fire Safety Order avoiding the case going to trial. Sentencing will take place at Preston Crown Court on the 14/01/2020.

#### LFRS v Alan Diamond (AD) (Cornhill Hotel Blackpool)

This case first came to light in July 2018 due to a complaint. There were numerous serious breaches of the Fire Safety Order, including:

- Breaches in compartmentation
- Fire alarm system not suitable & sufficient
- Fire risk assessment not suitable & sufficient
- Inadequate fire safety management
- Fire doors not suitable & sufficient

The hotel was prohibited in use on the 6<sup>th</sup> August 2018: the hotel must only be used for persons carrying out remedial fire safety works, and does not include sleeping on the premises.

Since the issuing of the Prohibition Notice AD has consistently carried on advertising the hotel and taking bookings, throughout this time LFRS has supported him and continually advised him that sleeping is strictly prohibited in use at the hotel.

Within the prosecution case file LFRS has exhibited on four separate occasions persons sleeping on the premises, these people have provided booking details and witness statements, they have agreed to give evidence in court if AD pleads not guilty. Lancashire Police have attended the Cornhill Hotel 23 times in 2018 for incidents ranging from assault, theft to serving alcohol on the premises without a licence, in 2019 the Police have attended 11 times, all of the incidents involved hotel guests, bearing in mind the hotel is prohibited and should not have paying guests.

The Fire Safety Order does not give the power to forcefully close the premises; as we were aware of the breaches of the Prohibition Notice a social media statement was issued by LFRS on the 1<sup>st</sup> April 2019 warning of the unsafe conditions.

The summons was served to AD on the 25/11/2019; the case will be heard at Blackpool Magistrates Court on the 04/12/2019 at 14:00. There are 15 offences of the Fire Safety Order.

#### Case files under preparation to go to court

- Multi Occupied dwelling Morecambe
- Fatality in supported living accommodation in Colne
- Restaurant Blackburn
- Multi Occupied Dwelling Blackpool
- Multi Occupied Dwelling Bamber Bridge
- Multi Occupied Dwelling Chorley

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

### Risk Based Inspection Programme

The Risk Based Inspection Programme (RBIP) methodology has been evaluated by Lancaster University. This was a three month project between Lancaster University, LFRS and Surety Fire Solutions The evaluation provided the dissertation module for a Data Science MSc course. The aims were provided by LFRS, based around evaluating our RBIP, a project plan was created to meet those aims and the result of the project was a prioritised list of changes to the RBIP. The RBIP proved to be an effective and flexible model. The project results allowed some well supported recommendations. However, since the RBIP is based on sound principles and is effective, it is too valuable to be changed dramatically. A presentation on the evaluation will be presented to the CFA Planning Committee in February 2020.

### Business Support Website

The business support website is now covered within the main LFRS website and managed by corporate communications department. This new system is working well.

### Business Safety

Our Business Safety Advisers (BSA) continue to work with businesses to support compliance with the Fire Safety Order and the area of focus during National Business Safety Week in September was fire safety within self-storage units. Additionally, BSA continues to be proactive on the reduction of unwanted fire signals.

### Primary Authority Scheme (PAS)

New agreements have now been formalised to include a new hourly rate of £75/hour which equates to £4,500 per annum per Primary Authority partner. There is on-going discussion with two other very interested companies; and tentative discussions with three other companies

## **ARSON RISK REDUCTION**

### R v Connor SNAPE

32C Pleasant Street, Blackpool FY1 2HU

Incident – 1902001093

Time of call: 04/02/2019 16:06:06

Deliberate Primary Fire involving a pile of clothes ignited with a naked flame, occupied by a 20 year old Connor SNAPE. Damage was severe by fire to pile of clothing on kitchen floor.

Connor received:

- 20 month young offenders Institute suspended for 2 years.
- A 60 day rehabilitation Activity requirement.
- Curfew between 9pm and 7am for 90 days.
- A surcharge to pay to the Court.

### R v Warren TEMPLETON

11 Oxford St Brierfield, BB9 5LN.

Incident – 1811005238

Time of call: 12/11/2018 21:25:48

A male occupant believed to have set fire to a t-shirt or shirt and then throwing it downstairs, igniting a bed at the bottom of the stairs which spread to stairway, door, door curtain and walls. The male occupant and two dogs were rescued from a first floor bedroom.

Warren TEMPLETON was sentenced to 4 years in Prison with an extended licence period of two years for arson reckless and a separate incident of unlawful wounding.

### R v Christopher ASHWORTH

101b Birch Hall Avenue, Darwen, BB3 0JW

Incident – 1903009703

Time of call: 31/03/2019 06:57:28

A pile of clothing and bedding at the end of a mattress in the back bedroom of a 1<sup>st</sup> floor flat was well alight on arrival. Christopher ASHWORTH stated that he had set fire to clothing in the bedroom and had left the premises.

Christopher ASHWORTH pleaded guilty and will receive a Hospital Order due to mental health illness rather than a custodial sentence.

R v Carina FIOCCA

66 Roebuck Close Blackburn

Incident – 1810002476

Time of call: 08/10/2018 01:27:18

A fire involving a bedroom of a first floor flat thought to have started close to the bed. Damage: bedroom and contents destroyed by fire, hallway and loft space severe by heat and smoke. Bathroom, lounge and kitchen severe by smoke.

The case against Carina FIOCCA was acquitted on the morning of the trial date due to an injury to the main witness who was unable to give evidence.

R v Angela ROE

87a Birkdale Drive, Preston, PR2 1UP

Incident – 1901002389

Time of call: 09/01/2019 02:25:33

A fire involving an area immediately surrounding the loft hatch in the hallway between lounge, bathroom and kitchen. The Police attended and arrested the occupant on suspicion of setting the fire deliberately. The sentencing was due on 9th September 2019. Unfortunately Angela ROE died from suicide, the Coroner's Court sat on the 24th October 2019.

R v Junaid AHMED

87a Ivinson Rd Darwen BB3 3AW

Incident – 1906002935

Time of call: 09/06/2019 07:53:41

A fire involving clothes stacked on the sofa in the lounge. A person has entered the flat, locked the door behind them, set fire to the lounge and attempted to set fire to the bathroom.

Junaid AHMED was sentenced to 28 months imprisonment and a 10 year restraining order.

R v Gemma Elizabeth BEEDHAM

19 Linden Court, Hartley Street, Earby, Lancashire. BB18 6XP

Incident – 1811003765

Time of call: 08/11/2019 11:36:54

Ignition of combustibles in a letter box. Forensic evidence was impounded by the Incident Intelligence Officer and the Crime Scene Investigator.

At the hearing on 11th November 2019 at Burnley Crown Court, Gemma Elizabeth BEEDHAM was sentenced to a community order and will have to:

- Participate in specified rehabilitation activities for a period of 20 days.
- Be supervised by the probation service for a rehabilitation period of 12 months.
- She must also pay a statutory surcharge to the court.

R v Stephen ORMEROD

Storm Art Gallery Burnley Rd Padiham. BB12 8DL.

Incident – 1902002122

Time of call: 07/02/2019 17:59:35

A fire involving an Art Gallery where the First floor and roof was well alight. Fire started by occupier/owner, who admitted the Arson to the Police during firefighting operations.

Stephen ORMEROD was sentenced to 3.5 years in prison. This sentence was a reduced term due to a mental health illness.

**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: |      |         |