

LANCASHIRE COMBINED FIRE AUTHORITY

Meeting to be held on 14 September 2020

FIRE PROTECTION REPORTS

Contact for further information:

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Executive Summary

This report updates the Authority with respect to significant fire safety prosecutions, arson convictions and relevant changes to Fire Protection policy and delivery.

Recommendation

The Authority is asked to note the report.

FIRE SAFETY CONVICTIONS

Current prosecutions

LFRS v Alan Diamond (Cornhill Hotel Blackpool)

Sentencing for LFRS v Alan Diamond (AD) took place at Preston Crown Court on the 09/07/2020 in relation the Cornhill Hotel, 377 – 379 Promenade, Blackpool, FY1 6BH

AD had previously pleaded guilty to eight offences of the Regulatory Reform Fire Safety Order 2005 on the 20/02/2020, The Judge, His Honour Judge Medland, sentenced AD to 9 months prison sentence suspended for 18 months, total costs awarded were £7000.

In summing up HHJ Medland commented that ‘Despite all of the help and support given to you by Fire Safety Teams based in Blackpool you continually flouted the law and had little or no consideration for the safety of your guests’.

HHJ Medland further commented that ‘Fire Safety Teams in the local area should be commended for not only compiling an exemplary prosecution case file but also the help, support and professionalism shown throughout to Mr Diamond was above and beyond what was expected but unfortunately Mr Diamond chose to ignore it’.

LFRS v Aheed Sultan (Plaza Beach Hotel Blackpool)

On the 31st October 2019 Aheed Sultan pleaded guilty to 8 of the 10 offences he was charged of under the Regulatory Reform Fire Safety Order 2005.

Sentencing was due at Preston Crown Court on the 20/03/2020 but due to illness was adjourned and a new sentencing date scheduled for the 16/10/2020.

Gordon Working Men's Club, Springfield Street, Morecambe.

On the 09/10/2019 at the Gordon Working Men's Club, Springfield Road, Morecambe two persons were fatally injured as a result of a serious fire.

The joint investigation into the fire continues and is being carried out by Lancashire Constabulary, Lancaster City Council Health & Safety and LFRS.

Multi Occupied Dwelling Burnley Road, Colne.

On the 30/07/2019 a fire claimed the life of one of the residents of the property, the investigation is ongoing.

Case files under preparation

- Multi Occupied Dwelling Morecambe
- Take-away premises in Blackburn
- Multi Occupied Dwelling Blackpool
- Multi Occupied Dwelling Bamber Bridge
- Multi Occupied Dwelling Chorley

FIRE PROTECTION & BUSINESS SUPPORT INFORMATION

Fire Safety Information System and Inspection programme

The Fire Safety Inspection System is a desktop application used by Fire Protection teams to allocate finite audit and inspection capacity based on risk. The inspection programme includes elements which are continually refined based on emerging national and local issues (eg inspecting all High Rise buildings, 18m plus, annually) as well as a section based on a calculation which determines which of Lancashire's circa 60,000 non-domestic premises are included in the Risk Based Inspection Program (RBIP) and are inspected every three years (and indeed more frequently where there is a poor fire safety management history). The RBIP is currently being recalculated to ensure the Service can robustly differentiate and prioritise between different risks.

The software the Service uses to capture premises inspection history, the Community Fire Risk Management Information System (CFRMIS), was upgraded to version 6.3 on 7 April 2020. As part of the Enhancing Protection Services Project this was preceded by extensive system and user testing. Staff are receiving training to ensure new features the system offers are utilised to increase effectiveness. Initially this will involve the system automatically generating letters and notices following an audit. Eventually this work will underpin the ability for Protection Officers to use remote devices to record audit details directly into CFRMIS, and generate the resultant reports, whilst away from the office.

Business Safety and Website

The business safety section of LFRS' website has been continually developed throughout Covid to reflect changing fire risk resulting from the impact of the

outbreak on society. The advice currently focuses on the types of issues businesses have encountered when re-opening after a long period of lock down.

Implementing regulatory change and transforming fire protection services.

Planning committee approved a paper on the above on 13th July. The Service has now appointed a Station Manager to lead the Protection Transformation Team.

Building Risk Review (BRR) of all High Rise Buildings in Lancashire

The BRR is being led by the NFCC Building Safety Team and is a project to assess the safety of all high rise buildings in England that have an upper floor more than 18m from the access level. The focus being the External Wall system (EWS). Since the initial attention on Aluminium Clad Material (ACM) brought about by Grenfell, the programme now considers all EWS, their cladding material, insulation, cavity barriers and balconies etc. The national project concludes in December 2021. LFRS has reported a planning trajectory to NFCC that is shorter than this timescale and the aim is to have undertaken all the necessary audits by March 2021. This recognises that although the audit may have been completed, it might take considerably longer for Responsible Persons to undertake the necessary surveys and reports to confirm the full construction details of their EWS.

Lancashire has 73 High Risk Residential Building's that fall within the scope of the Programme. Although all 73 will be subject to a detailed audit, the majority have previously been inspected and 6 are already known to have a non-compliant EWS. These 6 all receive an enhanced operational attendance to confirmed fires and, until the EWS is remediated, the management maintain a waking watch. All premises management teams have been written to advising on the application window for the Government's remediation fund (1st June to 31st July).

Recruitment of Fire Protection staff

In order to deliver the full extent of the Fire Safety Inspection Programme it is essential all Fire Protection roles are filled with competent staff. The Service has recently completed a successful internal selection process and 14 appointments have been made to Fire Safety Team Leader, Fire Safety Inspecting Officer and Business Safety Advisor roles. Training for new staff will commence in November (taking 2 years to achieve competence in role). At the conclusion of the process 5.5 Fire Safety Inspecting Officer roles remain vacant. These will now be advertised externally for competent Fire Safety Inspecting Officers (green and grey book) and internally for green book staff.

ARSON RISK REDUCTION

R v Liam WHITTLE

Avenham Lane, Preston

This incident involved a deliberate fire that started in the entrance hall by occupant bringing a flame into contact with flammable materials. Fire contained to entrance hall within flat area, severe damage by fire to entrance hall.

Liam WHITTLE attended Preston Crown court in April 2020. He pleaded guilty and was sentenced to a 3 year community order, supervision by probation service for 3 years, 6 month residency order and attendance on a drink and drug rehabilitation programme for 12 months.

R v Terry BOLAN
Shaw Street, Blackburn

This incident involved a deliberate fire that was started in the bedroom by the occupier. Damage: Severe by fire to room of origin and contents.

Terry BOLAN was summoned to attend court in April 2020 but passed away before sentencing. Case closed.

R v Carl SALT
Burnley Road, Colne

This incident involved a 3-storey end terraced property with 3 adults having separate bedrooms but shared communal living space and bathroom. A resident deliberately set fire to a sofa in the downstairs living room. Damage: Severe by fire to living room and sofa, resulting in a fatal incident.

Carl SALT attended Preston Crown Court and was sentenced to 10 years for manslaughter and 4 years for arson reckless as to whether life is endangered. Sentences to run concurrently. Additional 4 years extended licence on completion of original 10 years.

R v 3 Youths
Glastonbury Avenue, Blackpool

This incident involved a deliberate fire starting in the attic room resulting in severe fire damage to the attic. All 3 youths participated in a Restorative Justice session.

R v Maciej BIEGUSZEWSKI
Central Drive, Blackpool

This incident involved deliberate ignition by the occupier to three separate parts of the property. Damage: 1st point of origin: slight by fire to handful of loose paper. 2nd point of origin: slight by fire to contents of cupboard (plastic bags and general waste). 3rd point of origin: severe by fire to half square meter of floorboards and skirting board, severe by fire to rear of door. The occupier smashed the upstairs window and climbed through the glass to escape the smoke sustaining cuts to his feet and body.

Maciej BIEGUSZEWSKI was sentenced on 03/06/2020 at Preston Crown Court to a hospital order under section 37 Mental Health Act.

R v Gemma TITTERTON and Gary KENNEDY
King Street, Blackpool

This incident involved a deliberate fire involving a large external smoking shelter.
Damage: Severe by fire to smoking shelter.

Gemma TITTERTON was sentenced to a 2 year Community Order. She will have to attend a drug rehabilitation programme. For the breach of suspended sentence she received 3 months imprisonment which was time served on remand to court.
Gary KENNEDY was sentenced to a 2 year Community order. He will have to attend a drug rehabilitation programme for 6 months. For the breach of suspended sentence, he received 6 months imprisonment which was time served on remand to court.

R v Joshua Colin James HENRY.
Hollingreave Road, Burnley

This incident involved a male who had thrown petrol around the internal areas of the property. He was making threats to ignite the petrol and was subsequently arrested by Police. A Fire Investigation Dog was used by the Incident Intelligence Officer and Volatile Organic Compound Detector equipment to identify the areas of contamination and nature of fuel used.

Joshua Colin James HENRY attended Preston Crown Court and was sentenced to 18 months custodial reduced to 8 months custodial due to early plea of guilty.

R v Brett DUFFY
Belgrave Road, Colne

This incident involved deliberately setting fire to a Suzuki LT50 Childs quadbike in a rear garden located approximately 3 metres away from the rear of property.

Brett DUFFY attended Burnley Crown Court and was sentenced to 12 months imprisonment, suspended for 2 years with 30 days Rehabilitation Activity Requirement. 6 months alcohol treatment programme. Curfew 8pm – 6am electronically monitored for 2 months. He also has to pay a surcharge to the court.

R v Guiseppe BONA
Wycollar Avenue, Burnley

This incident involved deliberate ignition of a living room of a first floor flat. Damage: severe by fire to living room and contents. Occupier of the flat had been making threats earlier in the day about setting fire and killing everyone. Male occupier was arrested at the scene by police. No other property affected by fire. One male occupier self-evacuated from first floor flat. 3 other male occupiers of ground floor flat evacuated by fire service as a precaution. Male occupier arrested at scene charged with arson to endanger life. Has since pleaded guilty to the charge.

Guiseppe BONA attended Burnley Crown Court on 3rd July 2020 and was sentenced to 32 months imprisonment.

Business Risk

Moderate – Members are made 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:		