

LANCASHIRE COMBINED FIRE AUTHORITY

Meeting to be held on 28/06/2021

FIRE PROTECTION REPORTS

Contact for further information: ACFO Ben Norman

Telephone number: 01772 866801

Executive Summary

This report summarises Lancashire Fire and Rescue Service's (LFRS) fire safety prosecutions and arson incidents (where evidence has been provided by Fire Investigators into the Criminal Justice System) where court proceedings have progressed to trial and sentencing stage.

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

Prosecutions

LFRS v Aheed Sultan

Plaza Beach Hotel, 96 – 98 Albert Road Blackpool, FY1 4PR.

The sentencing of Aheed Sultan was heard at Preston Crown Court on 13/05/2021.

On 04/02/2020 at Preston Crown Court, Mr Sultan pleaded guilty to 7 offences under the Regulatory Reform (Fire Safety) Order 2005.

Mr Sultan received fines totalling £7,700 for the 7 offences of the Regulatory Reform (Fire Safety) Order 2005 and was ordered to pay £7,300 in costs.

FIRE PROTECTION & BUSINESS SUPPORT INFORMATION

Risk Based Inspection Programme

The refreshed Risk Based Inspection Programme (RBIP) has been in use since early May. In addition to targeting inspections based on the risk-based approach, Protection Officers are currently focussing activity on premises which are most likely to present greatest risk when they re-open following recent lock-down easing. Typically, these are hotels and licensed premises, and the inspection activity follows a period of business support wherein businesses have been reminded of the importance of ensuring fire safety systems are fully functioning and risk assessments and staff training are reviewed if changes have been made due to Covid.

Protection Transformation Team

The Protection Transformation team continue to develop the function in line with evolving national expectations and legislation.

April marked a significant moment in the evolution of fire safety law following the Grenfell tragedy with the Fire Safety Act 2021 receiving Royal Assent on 29 April. The Act gives additional powers to Fire and Rescue Services with respect to the suitability of external wall systems (including cladding) and apartment front doors (fire doors opening onto shared escape routes) in all buildings comprising more than two domestic dwellings. Although Royal Assent has been given the Act is not yet fully in force as the Home Office intends to develop a risk prioritisation tool for use by social landlords. The Act is expected to come into force over the summer.

LFRS continues to contribute to the Government's Building Risk Review project. The project requires Fire and Rescue Services to provide a report on the external wall systems of all High-Risk Residential Buildings which, under current definitions, are domestic high-rise premises with upper floors above 18m. Although the review formally concludes in December, Inspectors have completed full audits of all 70 premises meeting these criteria in Lancashire. Technical reports are awaited on the External Wall Systems of 37 premises. To date 6 premises have been found to have unsatisfactory external wall systems and Inspectors are working with responsible persons as they undergo the complex and costly process of remediation. All 6 premises are subject to interim measures (waking watch) and an enhanced operational attendance should one be required.

The next stage in legislative change is the Building Safety Bill which will build significantly on existing fire safety powers in High-Risk Residential Buildings and will see the creation of a new (Joint) Building Regulator with Fire and Rescue Services working alongside the HSE and Building Control. The legislation is complex and is subject to ongoing consultations with key stakeholders. Development of the Building Safety Act, parliamentary processes, and associated guidance means the new Bill is currently likely to receive Royal Assent late in 2022.

Business Fire Safety Checks

Business Fire Safety Checks (BFSC) are a means to both support businesses and reduce risk at the same time. Undertaken by Operational Fire Crews, the purpose of the 'check' is to examine key aspects of fire precautions in simple premises and provide immediate support and feedback to the responsible person – thereby reducing risk for the business and making Lancashire safer. This is a different activity to Fire Safety 'audits', undertaken by fully qualified Fire Safety Inspectors, as Inspectors have the power to both inspect and enforce whereas Operational Crews can 'check' levels of risk and 'advise' but cannot enforce. Where serious non-compliance is found this will be referred to Fire Safety Inspectors however in all other cases crews have been trained to provide appropriate business support and advice. This is a new activity for LFRS and is being introduced alongside an iPad-based App which has been developed bespoke to LFRS needs, to support crews to deliver consistent checks alongside an allocation portal which enable station managers to target the activity in the areas which will achieve the greatest benefit. The Business Fire Safety Checks also provide an opportunity to provide arson risk reduction advice and to gather risk information for the fire appliance mobile data terminals. The

project has been delayed by Covid but is now in a position to go live on 28/06/2021. Pilot stations in Northern and Western Area will ensure the approach is optimised prior to roll out across Lancashire.

ARSON RISK REDUCTION

R v Carlton WATTERS

43 Cleveleys Avenue, Lancaster LA1 5HB
INCIDENT – 2005000251

Date and Time of call – 01/05/2020 18:29

This incident involved a fire in a bedroom of a 2-storey semi-detached house. The fire which had been set deliberately spread to the landing, staircase and roof of the house and caused significant damage to the attached neighbouring property.

The occupier of the house Carlton WATTERS initially entered a not guilty plea, and a trial was set to take place in November 2021. Having been presented with the evidence the defendant changed his plea to guilty and was sentenced to 26 months imprisonment and ordered to pay the neighbour whose house was damaged £23,000 within 28 days.

R v Jack CLEGG-WALSH

24 Cherry Tree lane, Aughton, Ormskirk, L39 5EH
INCIDENT – 2012004116

Date and Time of call – 16/12/2020 06:31

This incident involved a car on the driveway of a domestic property. A recycle bin had been moved next to the vehicle and ignited with the intent of affecting the vehicle.

On Thursday 20th May 2021 at Preston Crown Court Jack CLEGG-WALSH was sentenced to 3 years imprisonment having previously pleaded guilty to Arson being reckless as to whether life is endangered.

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 |
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| Reason for inclusion in Part II, if appropriate: | | |