

Lancashire Combined Fire Authority

Meeting to be held on 19 December 2022

Fire Protection Report

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Executive Summary

This report summarises Lancashire Fire and Rescue Service (LFRS) prosecutions pertaining to fire safety offences, in addition to convictions resulting from arson incidents which have been progressed via the criminal justice process.

An update on Fire Protection and Business Support is also provided, detailing how the Service is adapting delivery whilst developing our workforce, to ensure that we keep pace with the changes and improve public and firefighter safety within the built environment.

Recommendation

The Authority is asked to note the report.

FIRE SAFETY CONVICTIONS

Prosecutions

Two cases are within the court system at present for offences under the Regulatory Reform (Fire Safety) Order 2005 (RRO).

One of the cases was scheduled for trial at Preston Crown Court in early September 2022 however this has been vacated and provisionally set for trial September 2023.

The other case concerns a working men's club where two persons were fatally injured. Following hearings at Blackpool Magistrates Court in September 2022 and Preston Crown Court in October 2022 the defendants offered guilty pleas to 17 charges. The case is currently adjourned pending a sentencing hearing scheduled for late January 2023.

Protection teams continue to investigate and build files in relation to ten further cases wherein offences are believed to have been committed under the RRO, involving the following types of premises:

- Commercial Car Breakers;
- Care & Nursing Home;
- Licensed Public House / Bar;
- Mixed commercial and Residential (Takeaway with Sleeping above) x3;
- Residential Flats;
- House in Multiple Occupation used as Student Accommodation;
- House in Multiple Occupation used as Specialised Housing;
- House in Multiple Occupation.

FIRE PROTECTION & BUSINESS SUPPORT INFORMATION

Business Fire Safety Checks (BFSC)

The BFSC training programme has now rolled out to all wholtime watches across Lancashire. Complementary training is now being prepared to include Community Safety Advisors and Flexi Duty Officers.

To date, (end of October 2022) 1,058 checks have been undertaken across Lancashire with 22% identifying significant fire safety concerns resulting in follow up action by Fire Protection teams. This follow-up action has resulted in both enforcement and prohibition activity highlighting the benefits of this valuable work.

Legislation Changes Update

The Fire Safety Act 2021 (the Act) received Royal Assent on 29 April 2021 and commenced on 16 May 2022. The Act amends the Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order).

The Act clarifies that responsible persons (RPs) for multi-occupied residential buildings must manage and reduce the risk of fire for the structure and external walls of the building, including cladding, balconies and windows, and entrance doors to individual flats that open into common parts.

At the same time The Fire Safety (England) Regulations 2022 (the Regulations) were introduced as an important step towards implementing the recommendations of the Grenfell Tower Inquiry Phase 1 report. The Regulations are being introduced under Article 24 of the Fire Safety Order and will come into force on 23 January 2023.

To assist responsible persons to stay informed on the changes and enable them to adapt and plan to address these changes, the Service has written to 1,940 residential flats premises of all heights. The LFRS website was also updated to reflect current information, with links to the government websites that contain more in-depth guidance.

The protection teams are currently organising online engagement events to raise awareness of the Regulations ahead of them coming into force, along with writing again to 'Responsible Persons' with updated information and links to national guidance.

Inspection Programme

Protection staff are finalising a review of the Risk Based Inspection Programme (RBIP). The review, which will consider the requirements of the Building Safety Act (2022) will set out the type of interaction best suited to any premises and will form the basis for targeted inspection and BFSC activity going forward.

ARSON RISK REDUCTION

R v Lance COOK

This case involved persistent malicious 999 calls to LFRS, Police and Ambulance Services throughout 2022.

The defendant was sentenced to 20 months imprisonment and received a 3-year Criminal Behaviour Order which includes a condition not to call any emergency service on 999 unless there is a genuine need for that service.

R v restricted

Bolton Road, Chorley

Date and Time of call – 06/06/2021, 01:36

This incident involved the deliberate ignition of combustible items within one of the hotel bedrooms. The defendant, who was a guest at the hotel at the time of the incident, was assisted to safety through a failed window by two members of the public.

The fire caused severe damage to the room of origin & contents, and moderate damage to the corridor by smoke.

The defendant was sentenced to an indefinite hospital order for arson being reckless as to whether life was endangered.

R v restricted

Beaufort Street, Nelson

Date and Time of call – 06/06/2022, 12:12

This incident involved the deliberate ignition of a car in the roadway. The incident which was captured on CCTV resulted in 100% damage to the vehicle.

The youth defendant received a community order and £460 fine.

R v Yves TEMPLES

Nuttall Street, Accrington

Date and Time of call – 19/11/2019, 14:57

This incident involved the deliberate ignition of combustible items outside the front door of a ground floor flat. The perpetrator was the occupier of the flat and the fire caused damage to a nearby wooden outbuilding.

The defendant received a 24-month community order for arson, assaulting a Police Officer, and possession of a blade and imitation firearm.

R v restricted

Tesco Superstore, Eagle Street, Accrington

Date and Time of call – 03/01/2022, 13:48

This incident involved the deliberate ignition of paper towels in a disabled toilet. The fire caused severe damage to a baby changing mat, table & bin, and moderate damage by smoke to the room of origin.

A Community Resolution Order was issued to two youths who were identified from CCTV on the premises.

Business Risk

Moderate – Members are made aware of prosecutions related to fire safety activity and/or arson within Lancashire 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 2 if appropriate: N/A