

Lancashire Combined Fire Authority

Meeting to be held on 20 February 2023

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.

Given the rapidly evolving regulatory change in building fire safety, an update on Fire Protection and Business Support is also provided, detailing how the Service is adapting delivery, 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

During the period covered by this report, the Service achieved a successful prosecution in relation to Fire Safety offences which occurred during the fire at the Gordon Club in Morecambe during October 2019.

Two persons were sentenced; one received an 8-month custodial for 13 charges, whilst the other was found guilty of 6 charges and received a 6-month sentence, suspended for 12 months and given a 200-hours community order.

The prosecution received press interest, including local and national (link below).

<https://www.lancs.live/news/lancashire-news/terrified-customers-bang-locked-fire-26051620>

The Service also has one other Fire Safety prosecution case currently within the court system for offences under the Regulatory Reform (Fire Safety) Order 2005. The case is provisionally set for trial on 8 September 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 Regulatory Reform (Fire Safety Order) 2005, involving the following types of premises:

- Specialised Housing / Supported Living Scheme
- Care & Nursing Home

- House in Multiple Occupation used as Student Accommodation
- Mixed commercial and Residential (Takeaway with sleeping above) x2
- Residential Flats x3
- Commercial car repair garage
- Mixed commercial and Residential (restaurant with sleeping above)

Fire Protection and Business Support Information

Business Fire Safety Checks (BFSC)

The BFSC offer, to date (end of January 2023) has seen circa 1.9k checks undertaken across Lancashire with 360 identifying significant fire safety concerns resulting in follow up action by 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 new Fire Safety (England) Regulations took effect on 23 January 2023. The regulations make it a requirement for responsible persons of high-rise residential buildings to provide information on their building/s to their local fire and rescue service. The information to be shared includes details of the construction of the external walls, floor and buildings plans, and the information on known faults with key firefighting equipment.

The regulations have been introduced as an important step towards implementing the recommendations of the Grenfell Tower Inquiry Phase 1 report. They apply to England only and are being introduced under Article 24 of the Fire Safety Order. To ensure premises affected by these changes are kept informed and to enable them to adapt and plan to address these changes, we wrote to 1,940 residential flats premises of all heights. We also updated our website to provide information on the changes, with links to the government websites that contain more in-depth guidance. To support the implementation of the new requirements for premises, we have updated the website to enable information to be shared digitally; this includes the reporting of fire safety faults and the submission of building plans and other key information. Engagement sessions were held on the 5th and 12th January 2023 to brief and update responsible persons, managing agents, local housing providers and local strategic housing departments. The sessions were designed to provide awareness of the Fire Safety England Regulations and the individual requirements, based upon buildings of different heights.

Risk Based Inspection Programme

Lancashire Fire and Rescue Service have completed a review of the Risk Based Inspection Programme to ensure it remains accurate and the data enables the Fire Protection teams to work efficiently and effectively to target risk.

Arson Risk Reduction

R v restricted

Brennand Street, Burnley

Date and Time of call – 25/08/2022, 21:57

This incident involved the deliberate ignition of a pile of clothes in the bedroom of a mid-terraced house. The perpetrator, who was the occupier of the property, was rescued by fire service personnel and conveyed to hospital. Damage was moderate by fire to clothes, and severe by smoke to the front bedroom.

The defendant pleaded guilty to 'arson reckless as to whether life was endangered' and was sentenced to 3 years and 8 months imprisonment.

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