

# Lancashire Combined Fire Authority

Meeting to be held on 18th December 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 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

There are three cases in the Judicial system at present for offences under the Regulatory Reform (Fire Safety) Order 2005. Of these cases one is set for trial in July 2024, one is set for sentencing at Preston Crown Court in December 2023 and one plea hearing has recently been adjourned until Jan 2024.

The case due for sentencing in December was presented to the courts in October by LFRS Protection Officers. The comprehensive evidence presented to the court resulted in the immediate submission of guilty pleas by the defence. The judge then escalated the case to Crown Courts for sentencing.

Protection teams continue to investigate and build files in relation to 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 (in-dining restaurant with sleeping above)
- Converted residential premises – joint enforcement action with a local authority and Health and Safety Executive.

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

### **Business Fire Safety Checks (BFSC)**

Since April 2023 there have been 1,977 BFSC delivered and over 4,000 delivered across Lancashire since inception.

Of the 1,977 undertaken since April 1,702 (86%) have resulted in a satisfactory outcome, with 275 being deemed unsatisfactory resulting in follow up business safety advice.

Protection department follow up activities have resulted in three legal notices being issued, including the prohibition of two premises and around 100 informal letters issued to indicate fire safety improvements.

### **Legislation Changes Update**

The new Building Safety Act came into force on 1 October 2023, requiring Responsible Persons of High-Rise buildings to register their building with the Building Safety Regulator (BSR). To date LFRS have been notified that only 30% of the county's relevant buildings have been registered. LFRS operate as part of the Northwest Region to support the Building Safety Regulator (the Health and Safety Executive) and have implemented a dedicated role within our Protection team.

## **ARSON RISK REDUCTION**

### **R v Michael MCGOUGH**

Cardwell Street, Padiham

Date and Time of call – 03/01/2023, 07:56

This incident involved several separate fires set throughout a three storey end terraced house. The fires caused severe damage to the property and contents. The property also suffered structural damage as a result of exploding aerosol cans. Thankfully no people were in the property at the time of the incident but had the fires not been extinguished by the Fire Service, there was potential for fire spread throughout the house and to the neighbouring property, putting the occupant's at risk of potential harm.

Following a guilty plea to Arson with intent to endanger life, the defendant was sentenced on the 03/07/2023 at Preston Crown Court to serve 2 years and 10 months in prison.

### **R v restricted due to age**

Highfield Priory School, Fulwood Row, Preston  
Date and Time of call – 15/10/2022, 18:52

This incident involved a fire at an independent Preparatory School and Nursery. The fire caused devastating damage to the entire nursery building and contents. CCTV from the premises captured 4 youths starting a fire on composite decking in a play area adjacent to the nursery building.

Following guilty pleas, each of the 4 youths received a 12-month youth referral order at Preston Magistrates Court.

### **R v restricted due to age**

Bank Place, Preston  
Date and Time of call – 26/06/2023, 22:04

This incident involved a fire in a bedroom of a 2-storey end terrace property. At the time of the fire the property was occupied by the 13-year-old defendant and 2 support workers. The fire was contained to the bedroom causing severe damage by fire, heat and smoke.

Following a guilty plea, the defendant was given a 9-month referral order.

### **R v Male**

Edgemoor Close, Shawforth.  
Date and Time of call – 24/12/2023, 03:37hrs

Male set fire to shed adjacent to a block of flats, which spread to the building.

The individual pleaded guilty and received 5yrs imprisonment for arson & assault.

### **R v restricted due to age**

Horsebridge Rd, Blackpool  
Date & Time of call – 22/7/23 19:07hrs

A youth set fire to clothing in their bedroom and there were indicators of previous fire setting within same room. The individual admitted guilt following interview with the Police and subsequent reports provided by LFRS Incident Intelligence Officer (IIO).

The individual received a youth referral order which includes a referral for LFRS Fire Intervention Response Education Scheme (FIRES) aimed to target and educate young people who have developed a fascination with fire.

## **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