

Lancashire Combined Fire Authority

Meeting to be held on 19 February 2024

Fire Protection Report

Contact for further information: Deputy Chief Fire Officer Steve Healey
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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

Fire Safety Teams are currently managing fourteen live case files for offences under the Regulatory Reform (Fire Safety) Order 2005.

Of these, four cases are in the Judicial system with one set for trial on 1 July 2024, one was due for sentencing on 2 January 2024, however, has been adjourned awaiting a new date, one is due for plea hearing on 9 February 2024, and one is due for plea hearing on 21 February 2024.

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:

- Care & Nursing Home x 2
- House in Multiple Occupation used as Student Accommodation x 1
- Mixed commercial and Residential (Takeaway with sleeping above) x 2
- Residential Flats x 2
- Commercial car repair garage x 1
- Nightclub x 1
- Hospital x 1

LFRS Protection department is also supporting a joint enforcement case with a local authority, Health and Safety Executive and Lancashire Constabulary regarding a complex converted mill.

FIRE PROTECTION & BUSINESS SUPPORT INFORMATION

Business Fire Safety Checks (BFSC)

The BFSC continues to deliver interventions by wholetime watches across Lancashire and has delivered 2517 during the 23/24 performance year to end December 2023.

Around 349 have led to unsatisfactory outcomes and been triaged by Fire Protection teams during this period, with both informal and formal enforcement taken.

Legislation Changes Update

LFRS continues to embed legislative changes coming about from 1 October 2023 amendments of the Regulatory Reform (Fire Safety) Order 2005, which have been introduced under Section 156 of the Building Safety Act 2022. These amendments require that all responsible persons must now record the fire risk assessment in full (including all the findings) along with the fire safety arrangements for premises in all circumstances.

In October 2023, the new Building Safety Regulator (BSR), a new regulatory body within the Health and Safety Executive, came into effect. The focus of the regulator is high-risk residential buildings, those being:

- at least 7 floors or at least 18 metres in height
- at least 2 residential units
- care homes and hospitals during their design and construction phases.

As a statutory partner of the new BSR, LFRS has appointed a dedicated BSR Fire Safety officer who will work as part of a north-west regional BSR team, comprising a Regional BSR Manager, 2 Fire Safety Engineers and 7 Fire Safety inspecting Officers.

ARSON RISK REDUCTION

R v Simon DARLINGTON

Clifford Street, Chorley, PR7 1SE

Date and Time of call – 11/12/2022, 02:51

This incident involved a fire at the bottom of the stairwell of a first floor flat situated above a retail unit with adjoining residential property at either side.

The fire caused damage to a wooden cabinet and loose timber at the bottom of the stairs and severe smoke damage to the stairwell. The remainder of the flat suffered minor smoke damage and smoke also penetrated the occupied adjoining flat, actuating their smoke alarm.

Following a guilty plea to 'Arson with recklessness', the defendant who was also the occupier, 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, to satisfy themselves that the required robust approach is being pursued.

Sustainability or Environmental Impact

None

Equality and Diversity Implications

None

Data Protection (GDPR)

Will the proposal(s) involve the processing of personal data?

No

HR implications

None

Financial implications

None

Legal implications

Failure of Responsible Persons to meet new legislative requirements placed upon them, may result in LFRS undertaking additional prosecution cases in future.

Local Government (Access to Information) Act 1985**List of background papers**

Paper:

Date:

Contact:

Reason for inclusion in Part 2 if appropriate: Insert Exemption Clause