

Lancashire Combined Fire Authority

Meeting to be held on 16 September 2024.

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

One case has now been concluded, and the landlord, Mr Mohammed Asif Hussain, pleaded guilty to two breaches of the Regulatory Reform (Fire Safety) Order 2005, at 25 Bond Street, Blackpool.

The two offences to which Mr Mohammed Asif Hussain pleaded guilty were:

- Failure to take such general fire safety precautions, so as to ensure the safety of tenants. (Article 8)
- Failure to make a suitable and sufficient fire risk assessment. (Article 9)

On Monday 1 July 2024, sentencing took place at Preston Crown Court, where Mr Mohammed Asif Hussain was sentenced to the following:

- Five months to be served concurrently, suspended for eighteen months.
- Twenty days rehabilitation.
- Three hundred hours unpaid work (community service).
- Two fines with a combined total of £7,500 for failure to comply with the above articles of the Fire Safety Order.
- Ordered to pay £23,120 in costs to Lancashire Fire and Rescue Service.

Four cases currently sit within the court system, two cases were due to appear at Magistrates Courts on the 20 August 2024. One of these cases was postponed to the 15 October 2024 with the other elevated to Crown Court for the 17 September 2024. Two further cases will appear at Crown Court in September 2024 and July 2025.

Teams continue to investigate and build case files in relation to thirteen premises where offences are believed to have been committed under the Regulatory Reform (Fire Safety Order) 2005, which include the following:

- Care and Nursing Home x 1
- House in Multiple Occupation x 1
- Residential Flats x 3
- Mixed commercial and Residential x 3
- Commercial car repair garage x1
- Nightclub x 1
- Health care setting x 1
- Hotel x 2

Risk Intervention Activity

Business Fire Safety Checks (BFSC)

Crews continue to deliver BFSC's countywide supporting businesses to reduce the risk from fire.

86% (1094) have been deemed satisfactory, with 172 deemed unsatisfactory and triaged by protection teams resulting in both informal and formal enforcement taken.

BFSCs Q1:

Total: 924

Satisfactory: 791 (86%)

Unsatisfactory: 133

BFSCs YTD (including July 2024):

Total: 1,266

Satisfactory: 1094 (86%)

Unsatisfactory: 172

Arson Risk Reduction

There have been no arson convictions during this quarter. However, there are presently 15 live cases ongoing through the Criminal Justice System.

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