

Lancashire Combined Fire Authority

Meeting to be held on 17 February 2025

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 may also be 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

Prosecution Outcome

On the 24 January 2025, sentencing took place at Preston Crown Court regarding 284 Burnley Road, Cole where the responsible person, Potensial were sentenced to:

- A fine of £135,000.00
- Ordered to pay costs of £18,705.00 to Lancashire Fire and Rescue.

The offences to which Potensial pleaded guilty to were:

- Failure to take such general fire safety precautions so as to ensure the safety of residents and staff. Article 8(1)(b).
- Failure to make a suitable and sufficient fire risk assessment. Article 9(1).

Prosecution Case Progress

LFRS currently have two cases relating to the same premises within the court system. These relate to two responsible persons at a care and nursing home. One case is set for sentencing on the 29 January 2025 at the Magistrates Court. The second case has a dismissal hearing on the 24 March 2025 at Crown Court along with a trial date set for the 28 July 2025.

One further case is set for trial on the 14 July 2025 relating to student accommodation.

Protection teams continue to investigate and build case files in relation to nineteen 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 5
- Residential Flats x 1
- Mixed commercial and Residential x 6
- Commercial car repair garage x1
- Commercial restaurant x 1
- Nightclub x 1
- Health care setting x 1
- Hotel x 2

Enforcement Notice Appeals

LFRS have recently been engaged with two appeals against the issuing of Enforcement Notices.

One appeal has been withdrawn and costs paid to LFRS, with the other appeal being withdrawn following the company in question no longer having any level of control over the premises, thus no longer a responsible person. Regulatory activity continues to be in place on the premises to ensure fire safety compliance.

Arson risk reduction

There have been no arson convictions during this reporting period. There are 14 live cases ongoing through the Criminal Justice System that we continue to progress.

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