

# **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**26 JUNE 2017**

## **1. RESULT OF RECENT FIRE SAFETY PROSECUTIONS**

Report of the Chief Fire Officer

RECOMMENDED

THAT the details of the fire safety prosecution be noted.

## **2. PURPOSE OF REPORT**

This report is submitted to inform the Authority of the result of prosecutions under the Regulatory Reform (Fire Safety) Order 2005.

## **3. BACKGROUND**

### **3.1 3-5 Meriden Street, Digbeth, Birmingham**

3.1.1 This section of the report relates to 3–5 Meriden Street, Digbeth, Birmingham, and the prosecution pursued by this Authority against one defendant who was charged with a range of offences contrary to the Regulatory Reform (Fire Safety) Order 2005. This was as a result of concern following an inspection of an adjoining property.

3.1.2 The defendant was Mr. Azhar (aka Steve) Chohan of Edgbaston who acted as the manager of the property. The offences included no working fire alarm, no fire risk assessment, lack of structural fire resistance and locked exit doors.

3.1.3 Mr. Chohan pleaded guilty to one offence which included the details of the remaining offences. He was fined £12,000 and ordered to make a contribution of £15,000 towards costs to be paid within 18 months.

### 3.2 **Gateway Legal Professional Services (UK) Limited**

3.2.1 This section of the report relates to Gateway Legal Professional Services (UK) Limited and Mr. Joga Basra, the sole director of the company. Both defendants were pursued by this Authority following a failure to provide information as part of an investigation into fire safety offences that occurred on 2<sup>nd</sup> July 2015. The information was required to be provided under Article 27 of the Regulatory Reform (Fire Safety) Order 2005.

3.2.2 Mr. Basra was to appear at Wolverhampton Magistrates' Court on 30<sup>th</sup> March 2017 but failed to turn up.

3.2.3 In his absence both he and his company were found guilty of the offence.

3.2.4 Mr. Basra was fined £2,500 and ordered to pay costs of £882.87. Gateway Legal Professional Services (UK) Limited was fined £3,000 and ordered to pay costs of £882.87.

## 4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out.

## 5. **LEGAL IMPLICATIONS**

The Regulatory Reform (Fire Safety) Order 2005 places a general duty on Responsible Persons, and others who have control to any extent, to provide general fire precautions to keep people safe in case of fire. The Order imposes a statutory duty on Fire and Rescue Authorities to enforce the provisions of the Order.

## 6. **FINANCIAL IMPLICATIONS**

### 6.1 **3-5 Meriden Street, Digbeth, Birmingham**

The award against the defendant covers the majority of costs incurred by the Authority in preparing the relevant prosecution file. The total prosecution costs were £18,500. The estimated cost of officer time spent on this case amounted to £5,500.

## 6.2 **Gateway Legal Professional Services (UK) Limited**

The award against the defendants covers all costs incurred by the Authority in preparing the relevant prosecution file. The total prosecution costs were £1,766. The estimated cost of officer time spent on this case amounted to £890.

## 7. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this report.

## **BACKGROUND PAPERS**

Fire Safety Files

The contact name for this report is Gary Taylor - telephone number – 0121 380 6006.

PHIL LOACH  
CHIEF FIRE OFFICER