

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

28 NOVEMBER 2011

1. **RESULT OF RECENT FIRE SAFETY PROSECUTION**

Joint report of the Chief Fire Officer and Clerk and Monitoring officer.

RECOMMENDED

THAT the report be noted.

2. **PURPOSE OF REPORT**

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

3. **BACKGROUND**

3.1 **The Village Snooker Club, Kitts Green, Birmingham**

3.1.1 This report relates to the Village Snooker Club, Kitts Green, Birmingham and the prosecution that was pursued by this Authority following a multi agency inspection of the premises in 2007. At the time of the inspection Mr Basharat Ali was in part ownership of the Club.

3.1.2 During the course of the inspection a number of potential offences were identified by the Fire Safety Officers present: these included locked and blocked fire exits and escape routes both inside and outside the premises, failures in relation to the fire alarm system provided within the premises and the absence of a fire risk assessment.

3.1.3 Mr. Basharat Ali came to trial at Birmingham Magistrates Court on Friday 26th August 2011 under the Regulatory Reform (Fire Safety) Order 2005. He pleaded guilty to 8 offences contrary to the Order, not guilty pleas were accepted in relation to 4 other offences listed on the original summons.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out as the matters contained in this report do not represent a change in policies or functions of the Authority.

5. **LEGAL IMPLICATIONS**

The Regulatory Reform (Fire Safety) Order 2005 places a general duty of fire safety care for those responsible for non-domestic premises, although the Order does extend to the common areas in shared accommodation. The Order complements the change in emphasis of the role of the Fire and Rescue Authorities to one of prevention. The Authority is responsible for ensuring public safety by monitoring compliance with the law and, where necessary, enforcing the requirements of the legislation.

6. **FINANCIAL IMPLICATIONS**

Legal costs and officer time incurred in preparing the prosecution file have been recovered.

BACKGROUND PAPERS

Fire Safety files.

VIJ RANDENIYA
CHIEF FIRE OFFICER

NEERAJ SHARMA
CLERK AND MONITORING OFFICER