Agenda Item 9

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

11th FEBRUARY, 2008

1. INSTITUTION OF LEGAL PROCEEDINGS

Report of the Chief Fire Officer and Clerk

RECOMMENDED

THAT the report to be noted.

2. PURPOSE OF REPORT

This report is submitted to inform the Authority of the institution of legal proceedings for failure to comply with the Regulatory Reform (Fire Safety) Order, 2005, as indicated below.

3. BACKGROUND

3.1 It has been decided, in consultation with the Chairman and Vice-Chairman, to instigate legal proceedings against the retail company and former premises manager in respect of the following premises, for failure to comply with the Regulatory Reform (Fire Safety) Order, 2005.

New Look Limited, Unit 11 A, The Fort Shopping Park, Birmingham

3.2 The detailed circumstances surrounding the breaches of the legislation have been reported to the Chairman and Vice-Chairman. A copy can be provided to any Member of the Authority on request.

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 referred to do not represent a change in the policies or functions of the Authority.

5. LEGAL IMPLICATIONS

The Regulatory Reform (Fire Safety) Order 2005 introduces for the first time a general duty of fire safety care for those responsible for non-domestic premises. 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

Any costs involved would be met from existing budgets.

BACKGROUND PAPERS

Report of the Chief Fire Officer to the Chairman and Vice Chairman approved on 3rd December, 2007.

F J E SHEEHAN
CHIEF FIRE OFFICER

SUSAN PHELPS
CLERK