

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

28th June 2010

1. INSTITUTION OF LEGAL PROCEEDINGS

Report of the Chief Fire Officer and Clerk

RECOMMENDED

THAT the report 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

It has been decided in consultation of the Chairman and Vice Chairman to institute legal proceedings against the following named person for failure to comply with the Regulatory Reform (Fire Safety) Order 2005:

Pervaz Akhtar Khan

- 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 circumstances indicate a failure to comply with Articles 8-22 of the Regulatory Reform (Fire Safety) Order 2005 and those failures has placed one or more relevant persons at risk of death or injury from fire which constitutes an offence under Article 32(1)(a) of the Regulatory Reform (Fire Safety) Order 2005.

6. **FINANCIAL IMPLICATIONS**

Any costs involved would be met from existing budgets.

BACKGROUND PAPERS

Reports of the Chief Fire Officer to the Chairman and Vice Chairman approved on 22nd April, 2010.

VIJ RANDENIYA
CHIEF FIRE OFFICER

SUSAN PHELPS
CLERK