

Agenda Item 8

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

26th September 2005

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 Explosives Act 1875.

3. BACKGROUND

- 3.1 A report was submitted to the Authority on 27th June, 2005 on a decision, taken after consultation with the Chair and Vice-Chair, to instigate legal proceedings in respect of the following premises for failure to comply with the requirements of the Explosives Act 1875:

D & D Powder Coatings, Unit 16, Hales Industrial Park,
Rowleys Green Lane, Coventry

- 3.2 The detailed circumstances surrounding the breaches of the legislation were reported to the Chair and Vice-Chair, and a copy can be provided to any Member of the Authority on request.
- 3.3 Following the issue of summonses it was found that the occupier of the premises at the time of the offences was in fact Soundformat Ltd, and following further consultation with the Chair and Vice-Chair, legal proceedings have now been instituted against Soundformat Ltd, Unit 16, Hales Industrial Estate, Rowleys Green Lane, Coventry, for failure to comply with the Explosives Act, 1875.

4. EQUALITY AND DIVERSITY IMPLICATIONS

There are no equality and diversity implications arising from this report.

5. **CORPORATE AIM SUPPORTED**

The principal corporate aim supported by the information in this report is as follows:

1. Meeting the Fire Authority's statutory duties, standards and expectations.

6. **LEGAL IMPLICATIONS**

The course of action recommended in this report does not raise issues which should be drawn to the attention of the Authority's Monitoring Officer.

7. **FINANCIAL IMPLICATIONS**

Any costs involved would be met from existing budgets.

BACKGROUND PAPERS

Letter to the Chair and Vice-Chair signed on 24th and 25th August, 2005.

F J E SHEEHAN
CHIEF FIRE OFFICER

F N SUMMERS
CLERK