

**ESSEX POLICE, FIRE AND CRIME COMMISSIONER**  
**FIRE & RESCUE AUTHORITY**  
Essex County Fire & Rescue Service



<b>Meeting</b>	<b>Essex Fire and Rescue Performance &amp; Resources Board</b>	Agenda Item	<b>4</b>
<b>Meeting Date</b>	23 October 2017	Report Number	
<b>Report Author:</b>	Mark Earwicker, Engineering and Enforcement Department - Technical Fire Safety		
<b>Presented By</b>	Moira Bruin, Assistant Director of Prevention, Protection & Response		
<b>Subject</b>	<b>Technical Fire Safety Overview – Enforcement Activity</b>		
<b>Type of Report:</b>	Information		

## **RECOMMENDATIONS**

This report provides a review of the Essex County Fire & Rescue Service's (ECFRS) Technical Fire Safety (TFS) Department. Members of the board are asked to note the following contents of the report;

1. Overview of ECFRS TFS Department, who we are, what we do and how we do it
2. Current TFS Activity Levels
3. Future Activity
4. Lessons learned from recent incidents; Grenfell Tower

## **BACKGROUND**

Due to the highly technical nature of the role Officers within TFS are required to become qualified to BTEC Level 4 Diploma Standard in Fire Safety which takes on average 2-3 years to attain.

The Department also has three qualified fire engineers who have attained both a BEng (Hons) in Fire Engineering and an MSC in Fire Engineering. They are able to deal with complex buildings building designs and related issues.

The TFS team are responsible for the promotion of fire safety and the enforcement of fire safety legislation, The Regulatory Reform (Fire Safety) Order 2005) (RRFSO), across the County. In general the legislation is applicable to the commercial sector, although does incorporate other areas such as the common areas in blocks of flats.

The approach adopted is to educate and inform rather than immediately resort to formal enforcement action. This fosters economic growth within the County in line with Central Government agendas and also improves communication and relationships with the local business communities. It also tends to deliver compliance more quickly than formal enforcement. Where necessary however, formal action is and will be taken.

The Department has developed a proactive audit programme to reduce risk and improve safety. This has been developed on the basis of risk by looking at a variety of characteristics of types of premises. Risk factors include; whether it contains sleeping accommodation, whether dangerous processes take place, the level of compliance within that particular group, the number of fires within that group and the level of enforcement activity.

In addition to audits, the Officers are also reactive, attending premises covered by the RRFSO that have suffered a fire, or where intelligence has been received that unsafe conditions exist within a premises.

Fire Safety Inspections are also conducted by operational crews on simpler premises, who then work closely with the TFS Officers to resolve any issues identified.

Another role carried out by TFS Officers is that of a Statutory Consultee for Building Regulations and licensing etc. Here (as an example) TFS Officers will examine plans for a new building, assess compliance with the relevant guidance and report back to the consulting body advising whether the design is compliant with the regulations. This covers a variety of areas including means of warning and escape, limitations on fire-spread and access and facilities for firefighters.

### Current Activity Levels

The chart below shows TFS activity for the Period April 2016 to March 2017.

#### Fire Safety Activity by Premises Type

	Total number of audits (sum of satisfactory and non satisfactory audits)	Building regulations consultations	Other consultations
Hospitals	9	27	3
Care homes	211	21	2
Houses in Multiple Occupation (HMO)	2	10	2
Purpose built flats >= 4 storeys	20	53	5
Hostels	6	2	0
Hotels	137	23	34
Houses converted to flats	1	10	6
Other sleeping accommodation	23	44	6
Further education	3	16	0
Public buildings	3	9	10
Licensed premises	399	88	185
Schools	16	145	5
Shops	158	305	159

Other premises open to public	22	109	69
Factories or warehouses	92	90	7
Offices	25	156	22
Other	45	77	20
<b>Total</b>	<b>1,172</b>	<b>1,185</b>	<b>535</b>

In addition to the figures above, operational crews undertook over 4,400 fire safety inspections on simple premises across the county, which were reviewed by TFS Officers and further action taken where appropriate.

During the corresponding period, one Enforcement Notice was served and one Prohibition Notice was served. The Service have also been engaged in the Prosecution of a Responsible Person in the Tilbury area.

### **Future Activity**

The TFS Department are looking to develop our business engagement, having recognised that an apparently disproportionate level of enforcement in recent years has taken place within the Black, Asian & ethnic minorities (BAEM) communities within Essex. The premises involved are typically fast food/ takeaway restaurants that have sleeping accommodation above, with inadequate fire safety measures. Already we have engaged the Service's Equality and Diversity Advisor to assess this and to assist in developing community engagement events across the county where we will meet with local business communities and discuss fire safety matters, responsibility and where to go for help and assistance.

Fire Investigation is a function that sits within the TFS team. The investigations are carried out under powers from the Fire & Rescue Services Act 2004. The aim is to ascertain the cause, origin and spread of a fire. This informs the Service as to the cause of fires and enables early identification of trends.

Simple fire investigations are carried out at Level 1 where the Officer in charge of an appliance can identify the cause of a fire. More complex fires, those likely to involve criminal activity and fatalities are investigated at Level 2. These are carried out by Investigating Officers who have a higher level of training and can work alongside Police Officers, Crime Scene Investigators and appointed scientific advisors. Due to requirements of the Forensic Regulator for Crime Scene Investigators to be ISO17020 accredited by October 2020, ECFRS are currently examining options to achieve compliance.

Human trafficking is another area that TFS Officers are engaging with, developing links with the Police and other agencies to ensure timely reporting of potential trafficking, identified as a result of an audit. TFS officers also respond to incidents attended by the Police and other agencies when they have concerns about fire safety in premises they have identified as possibly being involved in trafficking or other activity.

ECFRS has been promoting sprinklers for over three year with a match funding scheme to promote the installation of suppression systems and to dispel the myths associated with them. The scheme is designed to protect the vulnerable in their homes, with the additional benefit of improved firefighter safety. To date, projects have been agreed that

will protect over 600 dwellings, a separate report has been provided on the agenda, providing greater details of the projects.

The fire engineering team currently undertake consultations from Suffolk FRS, Cambridgeshire FRS and have completed work for County Durham and Darlington FRS under contract through the Essex Fire Authority Trading (EFAT), the Service's trading arm. The team are looking to increase the number of FRSs that it has under contract, and plan to begin training a new fire engineer to add further resilience to the team.

ECFRS currently has three Primary Authority Schemes (PAS) under the contract of which we provide assured advice to Care UK, The Salvation Army and Co-Op East, the TFS Department is looking to increase the number of partners and the income generated by having an Officer dedicated to the Schemes.

### **Lessons Learned from Recent Incidents**

Following the tragic fire at Grenfell Tower, ECFRS immediately implemented a themed inspection programme of high rise residential buildings. This was conducted using a risk based approach, inspecting those buildings of 10 storeys and above as the first tranche. Once completed the team then inspected those premises in the range 5 – 9 storeys, hospitals and student accommodation blocks. Meetings were attended with residents and local authorities to reassure them on the correct procedures to adopt in case of the fire and the appropriateness of the 'stay put' policy.

In total, 60 10+ storey residential buildings and 168 5-9 Storey buildings were fully audited in response to the incident.

ECFRS have an officer nominated to assist the advisory panel to the enquiry and have responded to request for information generated by the National Fire Chief's Council. ECFRS are awaiting further information from the inquiry and are ready to act and implement recommendations made as a consequence of the incident

### **OPTIONS AND ANALYSIS**

This paper is provided for information.

### **BENEFITS AND RISK IMPLICATIONS**

A risk to the organisation is that, due to retirements, early retirements and transfers, the department is currently operating significantly below establishment, there are also a number of potential retirements anticipated due to the age profile of the team. Recruitment processes are being planned to recruit against the vacancies both current and anticipated.

### **FINANCIAL IMPLICATIONS**

There are no financial implications directly associated with this paper.

### **EQUALITY AND DIVERSITY IMPLICATIONS**

Are set out within the paper.

**WORKFORCE ENGAGEMENT**

None specific to this report.

**LEGAL IMPLICATIONS**

Are set out within the paper.