

**Fire safety is finally being taken seriously, says David Sugden, Chairman of the Passive Fire Protection Federation (PFPF), as court cases under the FSO mount up.**

Enforcement of The Fire Safety Order is gathering momentum, with two court cases in the news before Christmas. These cases - and several others announced last year - show that the fire service is prepared to follow up on breaches of the legislation, which came into force in 2006 and places the responsibility for fire safety squarely on the shoulders of the owners and occupiers of all non-domestic premises (including schools, hospitals, care homes and social housing). What is significant about the latest lawsuits is that the Fire Safety Enforcement Authorities (usually the local Fire Service and/or Council) are not only prosecuting the owner/occupiers, they are also targeting contractors and consultants.

Newquay's Penhallow Hotel, where three people died in a fire in 2007, had a risk assessment completed only a couple of weeks before the incident. Now, Cornwall Fire and Rescue Service and Cornwall Council have taken the owners of the Penhallow Hotel and the Safety Consultant responsible for the risk assessment to court. The charges include failing to carry out a suitable and sufficient risk assessment, failing to take general fire precautions, a failure to ensure the hotel was equipped with an adequate fire detection and alarm system, and failing to ensure a quick and safe means of escape. The case was adjourned until the end of January at the time of writing, but the results will be important.

Meanwhile, a fire system contractor - and former firefighter - pleaded guilty to failing to maintain a fire detection and alarm system at a care home in Manchester, and failing to inform the owners of the deficiencies in the system. Christopher Morris was fined £5,000 and ordered to pay £6,000 costs. It seems the Fire Service - and the courts - firmly believe that taking on such a contract to maintain or assess the fire safety of a building extends the requirements of the Order to the contractor.

Hot on the heels of these headlines, a recent London Assembly report on fire safety in tall buildings and timber frame structures included some recommendations for all properties, calling for national minimum standards for fire risk assessors, the

tightening up of building control inspections and better implementation and policing of modifications to residential properties.

The message is clear: the responsibility for fire safety must be taken seriously.

Information and advice on built-in or 'passive' fire safety and risk assessments can be found on the PFPF website: [www.pfpf.com](http://www.pfpf.com).

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