



**Derbyshire**  
Fire & Rescue Service  
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## Press Release

Press release from **Derbyshire Fire & Rescue Service** and **Derbyshire Fire & Rescue Authority**  
**Making Derbyshire Safer Together**

**11 MARCH 2020**

### **RESTAURANT OPERATOR AND OWNERS GUILTY OF OFFENCES AGAINST REGULATORY REFORM (FIRE SAFETY) ORDER 2005**

Syed Hussain, the manager and employer at an Indian Restaurant at 129 Dale Road Matlock has today been sentenced to 12 month's custody suspended for 2 years, 200 hours community service and ordered to pay costs of £5000 plus a victim surcharge, for 4 breaches of the Regulatory Reform (Fire Safety) Order 2005.

Mr Hussain appeared for sentencing at Derby Crown Court this afternoon, following a hearing on the 12 February 2020 when he pleaded guilty to all 4 breaches.

In August 2018, firefighters carrying out operational risk assessments in the area identified faults on the fire alarm system at the property and reported their concerns to Fire Inspectors.

Subsequently a fire safety audit also identified the fire alarm was not functioning, and discovered sleeping accommodation provided on the upper floors. This discovery ultimately led to Enforcement Notices being served on both Mr Hussain and the owners of the building, all from Normanton, Derby.

The fire and rescue service made numerous attempts to contact all involved parties – letters were ignored, or unanswered.

A further site visit by fire inspectors found persons still sleeping on the premises with the items identified within the Enforcement Notice still outstanding. As a result, a Prohibition Notice was served on Mr Hussain in April 2019 - this which was subsequently contravened as employees continued to sleep on the premises. The Fire Authority took the decision to formally prosecute Mr Hussain for the deficiencies.

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Gavin Tomlinson MBA MIFireE  
Chief Fire Officer / Chief Executive



Derbyshire Fire & Rescue Service, Group Manager Steve Wells said: “Had a fire occurred in this building, the lack of a fire alarm meant the people sleeping upstairs would have had insufficient warning to get out.

“Providers of any form of sleeping accommodation, including flats, bedsits and houses in multiple accommodation, must accept that they have a responsibility to ensure that the accommodation they provide has a suitable and sufficient fire risk assessment in place and that it is reviewed regularly. They also have a responsibility to ensure the measures provided for safety, including fire doors, fire alarms and smoke detectors are maintained to a suitable standard. In addition escape routes must not be allowed to be used as storage, or places for waste disposal.”

Premises known to provide sleeping accommodation are regularly inspected for fire safety compliance by Derbyshire Fire & Rescue Service, the vast majority of these are well managed, maintained and compliant with current fire safety regulations.

Group Manager Wells went on to say: “The Fire and Rescue Service will consider formal action against anyone found to be in breach of Fire Safety regulations, particularly where they fail to comply with any statutory notices issued. The Service will advise and give support to both local and national businesses and are always willing to help make sure they comply with Fire Safety Legislation. However, the public should continue to be reassured that legal action will be used when necessary, where any serious breaches of Fire Safety Regulations are identified.”

For more information regarding business safety visit [www.derbys-fire.gov.uk](http://www.derbys-fire.gov.uk)

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