



Press Release

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

8 JANUARY 2019

PROPERTY SECURITY COMPANY GUILTY OF OFFENCES AGAINST REGULATORY REFORM (FIRE SAFETY) ORDER 2005

On Monday 7 January 2019, at Chesterfield Magistrates Court, VPS (UK) Ltd* was fined a total of £70,000 for three breaches of the Regulatory Reform (Fire Safety) Order 2005.

VPS (UK) Ltd pleaded guilty to the three offences relating to the former Chesterfield Hotel, Corporation Street, Chesterfield, a property they were contracted to oversee.

Charge One:

On and before 27 October 2017 at premises known as The Chesterfield Hotel, Corporation Street, Chesterfield, Derbyshire S41 7UA, VPS (UK) Limited, being the responsible person for the said premises, failed to give effect to such arrangements as were appropriate, having regard to the size of its undertaking and the nature of its activities, for the effective planning, organisation, control, monitoring and review of the preventive and protective measures, therefore placing one or more relevant person at risk of death or serious injury in case of fire, in that it:

1. Allowed the said premises to be resided in before necessary fire safety arrangements identified in a fire risk assessment dated 1 August 2017 were in place including:
 - a. Failed to remove all unwanted rubbish/junk/items from rooms throughout the premises including from the evacuation route;
 - b. Failed to maintain all fire doors ensuring that these closed fully to the casing on their own steam, ensuring that all had combined cold smoke seals and intumescent strips fitted and intact and ensuring that any damaged fire doors were repaired;
 - c. Failed to ensure that fire doors were checked regularly and logged;
 - d. Failed to ensure that the fire alarm was tested weekly with tests logged and dated;

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www.derbys-fire.gov.uk

Terry McDermott MA
Chief Fire Officer / Chief Executive



- e. Failed to ensure that the emergency lighting was tested monthly with tests logged and dated;
- f. Failed to ensure that there were sufficient final exit, or that those final exits could be opened easily and had a 'fire exit keep clear' sign on the outside of the door; and
- g. Failed to ensure that there were suitable fire safety signs and notices.

Contrary to Articles 11(1) and 32(1) (a) of The Regulatory Reform (Fire Safety) Order 2005

Guilty Plea entered.

Fined £20,000

Reduced by a third for early plea = £13,333.33

Charge two:

On and before 27 October 2017 at premises known as The Chesterfield Hotel, Corporation Street, Chesterfield, Derbyshire S41 7UA, VPS (UK) Limited, being the responsible person for the said premises, failed, in circumstances where it was necessary in order to safeguard the safety of relevant persons, to ensure that persons could evacuate the premises as quickly and safely as possible, the said failures placing one or more relevant person at risk of death or serious injury in case of fire, in that it:

1. Failed to adequately protect the escape routes from smoke or fire,
2. Failed to reduce the travel distance to the exit from occupied bedrooms to not more than 18 metres,
3. Failed to update fire procedure notices, exit signs and running man signs which indicated escape routes that were no longer available.

Contrary to Articles 14(2)(b) and 32(1)(a) of The Regulatory Reform (Fire Safety) Order 2005

Guilty Plea entered.

Fined £20,000

Reduced by a third for early plea = £13,333.33

Charge three:

On and before 27 October 2017 at premises known as The Chesterfield Hotel, Corporation Street, Chesterfield, Derbyshire S41 7UA, VPS (UK) Limited, being the responsible person for the said premises, failed, in circumstances where it was necessary in order to safeguard the safety of relevant persons, to ensure that emergency doors were not so locked or fastened that they could not easily and immediately be opened by any person who may require to use them in an emergency, the said failures placing one or more relevant person at risk of death or serious injury in case of a fire.

Contrary to Articles 14(2)(f) and 32(1)(a) of The Regulatory Reform (Fire Safety) Order 2005

Guilty Plea entered.

Fined £30,000

Reduced by a third for early plea = £20,000

Total Fine: £46.668

Plus

Full costs awarded of £12,054.00

Victim Surcharge of £170.00

In response to the serious nature of the contraventions the Fire Authority commenced legal action against VPS (UK) Ltd.

Derbyshire Fire & Rescue Service, Deputy Chief Fire Officer, Gavin Tomlinson said: “On the 27 October 2017, during a routine risk awareness inspection of their local area, Firefighters from Chesterfield Fire Station noted activity at the Chesterfield Hotel, a property that had been empty for some time. Their enquiries resulted in Fire Safety Inspecting Officers attending to find that a number of people, referred to as Property Guardians, were occupying rooms on the premises. Due to fire safety concerns identified, a Prohibition Notice was served immediately meaning the occupants were not allowed to sleep at the premises until remedial work had been carried out to rectify the Officers concerns.

“Such was the serious nature of the breaches of fire safety, the Fire Authority commenced legal action against VPS (UK) Ltd.

“If a fire had occurred, as there was only one escape route in such a large building, the occupants would have been at serious risk. The blocking of escape routes by locks or boarding cannot be tolerated unless robust alternative provisions have been put in place to ensure the safety of all occupants.

“Owners and companies overseeing the security of vacant buildings should recognise that they have a legal responsibility to ensure that any sleeping accommodation they provide for guests, employees or guardians, or any other person has a suitable and sufficient fire risk assessment in place, which is reviewed regularly, and also ensure that facilities provided for safety from fire are maintained to a suitable standard.

“Derbyshire Fire & Rescue Service is able to offer advice and guidance to enable businesses to comply with the requirements of the fire safety law, however if a business does not follow the advice, or the breaches are significant, then the Service can use formal enforcement powers to ensure compliance.”

Hotels, Guest Houses and other Sleeping accommodation in Derbyshire 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. Derbyshire Fire & Rescue Service is able to offer advice and guidance to enable businesses to comply with the requirements of the fire safety law. For more information visit www.derbyshire.gov.uk

Note to Reporters/Editors

*Vacant Property Services (UK) Ltd is a company specialising in security for vacant property. VPS (UK) Ltd had a contract at the former Chesterfield Hotel, Malkin Street, Chesterfield.

Deputy Chief Fire Officer, Gavin Tomlinson is available for interview. Please contact Corporate Communications to arrange an interview on 01773 305305.

ENDS