

**LANCASHIRE FIRE AND RESCUE SERVICE**



**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5(B); Criminal Procedures Rules 2005, Rule.27.1)

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Statement of: Stephen Simms

Age if under 18: \_\_\_\_\_ (if over 18 insert 'over 18') Occupation: Fire Safety Protection  
Team Leader

This statement (consisting of \_\_\_\_\_ page(s), each signed by me) is true to the best of my knowledge and belief and I make it knowing, that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature: \_\_\_\_\_ Date: 7/11/18

I STEPHEN SIMMS have been a member of Lancashire Fire & Rescue Service (LFRS) since 1996 and have worked within the Protection Team for approximately 10 years. I have been in my current position as Protection Team Leader for the Western Area of Lancashire (Blackpool and Fylde districts) since November 2015. I have completed all Fire Safety modules related to my role and achieved my Level 4 & 5 diploma's in Fire Safety.

I originally visited the Cornhill Hotel, 377-379 Promenade, Blackpool, FY1 3BH after one of the Fire Safety Inspectors in our team; Watch Manager PETER DERBYSHIRE (PD) raised some concerns regarding the fire safety in the building following a routine inspection. As a result of these concerns we arranged a full Risk Audit of the premises on 12<sup>th</sup> June 2018. During the visit I was accompanied by PD and met with the person who presented himself as the responsible person for the building ALAN DIAMOND (AD).

During the visit we encountered numerous serious Fire Safety issues including:

- Inadequate means of giving warning in case of fire, faults on the system and alarm engineers who were on site stated they were struggling to get the system functioning correctly.
- Poor layout of Fire Alarm and inappropriate detection (Heat Detection on Means of Escape adjacent to reception area)



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- Large amounts of combustibles stored in Reception area by final exit and doorway opened up into adjacent office (room of risk) with inadequate fire separation.
- Lack of testing and maintenance of: Fire Alarm, Emergency lighting, Fire Extinguishers & Fire doors
- Poor fire safety management
- Inadequate fire risk assessment
- Inadequate means of escape, including lack of fire separation in numerous areas.

To rectify the amount of issues highlighted would take a significant amount of time; AD had leased the Hotel for only a short period of time and claimed to have not understood the magnitude of the work to be done. Looking back through the history we had on our records for the Hotel the original alarm had been fitted by a company who were known to us for their poor workmanship. The issues were so serious that I felt the property would put anyone staying on the premises at risk of death or serious injury. Rather than prohibit the use of the building I felt a voluntary closure would be more appropriate to help support AD to comply with the regulations and also issued an enforcement notice to highlight what areas needed to be addressed,. AD agreed to this and signed PD's duty diary to this effect.

On 5<sup>th</sup> July 2018 I was on leave, the Protection Team Leader from Central & Southern area of Lancashire was contacted PAUL RATCLIFFE (PR) to attend the Hotel at the request of Station Manager LISTER HOWARTH (LH) following reports of people still staying on the premises. PR attended the Cornhill Hotel on 5 July 2018 along with PD, the purpose of the visit was to assess if the Hotel was still operating following the previous agreement by AD to voluntarily close the premises.

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Signature witnessed by: \_\_\_\_\_



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AD admitted he had reopened the Hotel as it was his understanding that once the fire alarm had been repaired he was okay to do so. He claimed this had also been his understanding following a recent a visit by the Fire Service and Blackpool Council the previous Saturday evening.

Upon limited inspection of the fire alarm system by Lancashire Fire & Rescue Services contracted Fire Alarm Engineer – WARREN PARKINSON (WP), it was identified that the fire alarm system had only limited functionality.

The owner agreed to relocate the four guests that were staying at the Hotel and to cancel further bookings for the weekend. He agreed not to allow any guests to stay at the premises until he has had confirmation from the Fire Service that they are safe to do so. He signed PD's duty diary to confirm he understood this agreement.

PR advised AD that his immediate priority should be to instruct a competent Fire Risk Assessor to carry out a Fire Risk Assessment of the premises.

On 6<sup>th</sup> August we received further information that the council had received over that weekend where people were still staying at the Hotel and were complaining regarding the standards.

We immediately attended and gained witness statements off several people who had been staying at the Hotel for Rebellion Punk Festival that is held locally. During the visit AD was not present however a man identifying himself as ASHLEY BROOKES (AB) was there. He was extremely aggressive and uncooperative and despite me explaining our powers of entry under the Regulatory Reform (Fire Safety) Order 2005 (RRO) he wanted us to leave. We called the police who then attended and explained to AB that we had right of entry.

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Signature witnessed by: \_\_\_\_\_



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Despite the Hotel having guests staying the majority of the initial fire safety issues still remained and the Fire Alarm was switched off. We explained that we would now be issuing a Prohibition Notice for the entire building under Article 31 of the RRO. We gathered evidence and attempted to interview AB under caution, however he gave a 'No Comment' interview. At 15:25 on 6<sup>th</sup> August 2018 we issued the Prohibition directly to AB who signed my duty diary to accept it.

Despite the two voluntary closures attempts with AD and the Prohibition notice being issued we still continue to receive reports of people staying at the premises. We are now considering prosecution due to the blatant disregard to people's safety within the Hotel.

Signature: \_\_\_\_\_

Signature witnessed by: \_\_\_\_\_