

# FIRE SAFETY ENFORCEMENT POLICY

## REPORT OF THE CHIEF FIRE OFFICER



**For Approval**

### 1. PURPOSE OF REPORT

- 1.1 To seek approval to amend the Authority's Fire Safety Enforcement Policy (Appendix 1), to reflect recent changes to the Principal Officer structure.
- 1.2 To seek approval for the Legal Adviser and Monitoring Officer (LAMO) to make the necessary amendments to the Cleveland Fire Authority Scheme of Delegation (Appendix 2) to reflect the changes to the Fire Safety Enforcement Policy.

### 2. RECOMMENDATION

- 2.1 That Members approve the amendments to the Fire Safety Enforcement Policy, attached as Appendix 1.
- 2.2 That subject to the approval of 2.1, Members delegate to the Legal Adviser and Monitoring Officer to make the required amendments to the Cleveland Fire Authority Constitution and Scheme of Delegation to reflect the new arrangements.

### 3. BACKGROUND

- 3.1 The current Fire Safety Enforcement Policy states that only the Chief Fire Officer and the Assistant Chief Fire Officer, Community Protection are authorised signatories for both enforcement action and withdrawal of enforcement action.
- 3.2 A change of leadership of both roles has resulted in neither the Chief Fire Officer nor the Assistant Chief Fire Officer holding the necessary Fire Engineering qualifications to sign the statutory notices.
- 3.2 The changes in Section 4 below set out the amendments to the Policy to reflect new arrangements for statutory notices and their withdrawal to be signed by appropriately qualified roles. The new arrangements also comply with the signatory requirements within the Competence Framework for Fire Safety Regulators.

**4. FIRE SAFETY ENFORCEMENT POLICY AMENDMENTS**

- 4.1 For ease of reading, removal amendments are presented in red and addition amendments presented in green in the attached Policy at Appendix 1. The recommended changes to the Policy are shown below.
- 4.1 Remove the responsibility for the Chief Fire Officer to sign all Authority statutory notices (page 5).
- 4.2 Remove the responsibility for the Assistant Chief Fire Officer to sign all Authority statutory notices and their withdrawal in the absence of the Chief Fire Officer (page 6).
- 4.3 Add in an additional responsibility for the Head of Protection to sign, on behalf of the Authority, statutory notices and their withdrawal (page 6).
- 4.4 Add in the role of Competent Fire Safety Manager (as defined within the Competency Framework) to be responsible for adhering to the ethos and requirements of the policy and associated procedures and being authorised to sign statutory notices (and their withdrawal) on behalf of the Authority (page 6).
- 4.5 Add in the role of 'Other Duty Holders' who are Group Manager level, with a minimum of a Level 4 Certificate in Fire Safety, who, during out of hours and on weekends, can, in the absence of a competent Fire Safety Manager sign on behalf of the Authority statutory notices and their withdrawal. This is subject to advice and recommendations of a competent Fire Safety Inspector, as defined within the competency framework (page 6).
- 4.6 There are no other changes to the Policy.

**5. SCHEME OF DELEGATION**

- 5.1 The Cleveland Fire Authority Scheme of Delegation sets out the delegated powers for Fire Legislation, Fire Safety Legal Proceedings, and Fire Safety Enforcement at Section 1 - Operations and Fire Safety (Appendix 2).
- 5.2 The delegated powers for the above sections currently reside with the Chief Fire Officer and the Assistant Chief Fire Officer, Community Protection.
- 5.3 If Recommendation 2.1 is approved, the Fire Safety Enforcement Section, under the Scheme of Delegation, will be amended to reflect the new arrangements.

**PETER RICKARD**  
**CHIEF FIRE OFFICER**

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**COMMUNITY PROTECTION**