

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	SCRUTINY COMMITTEE		
DATE:	18 SEPTEMBER 2025	REPORT NO:	CFO/18/2526
PRESENTING OFFICER	ASSISTANT CHIEF FIRE OFFICER, GED SHERIDAN		
RESPONSIBLE OFFICER:	AREA MANAGER, KEVIN LONGSHAW	REPORT AUTHOR:	AREA MANAGER KEVIN LONGSHAW
OFFICERS CONSULTED:	GROUP MANAGER NICK MCCORMACK, GROUP MANAGER STEVE MCMANUS		
TITLE OF REPORT:	ENFORCEMENT AND PROSECUTION UPDATE		
APPENDICES:	NONE		

### Purpose of Report

1. To provide Members with an update on the continued progress Merseyside Fire and Rescue Service ('Service') has made in its actions relating to Enforcement & Prosecution (E&P) activity within the Protection function.

### Recommendations

2. It is recommended that Members:
  - a) note the substance of this report the associated presentation accompanying and;
  - b) scrutinise the progress of the enforcement and prosecution actions by the Service as detailed within the accompanying presentation.

### Introduction and Background

3. The Protection Department within the Service have reviewed and scrutinised its processes and activities with the aim of ultimately progressing and enhancing its enforcement and prosecution activity for the purpose of reducing risk and keeping the community, it serves safe.
4. The outcomes from His Majesties Inspectorate of Constabularies and Fire & Rescue Services (HMICFRS) in 2023 resulted in a grading of 'Good' in the category of '*Public Safety Through Fire Regulation*'.
5. Within the associated HMICFRS report, there were a number of specific items for attention relating to E&P activity, namely:

- *The service should assure itself that its use of enforcement powers prioritises the highest risks and includes proportionate activity to reduce risk*
  - *Not all the audits we reviewed were completed in a consistent and systematic way or in line with the service's policies. We found evidence in all records that the authorising manager had given signed approval, but the Health and Safety Executive (HSE's) enforcement management model wasn't completed as a part of the fire safety audit*
  - *Inspectors lose confidence in the prosecution process*
  - *The service could improve how it shares information with other enforcement agencies*
6. The Service has undertaken a number of actions upon reviewing the enforcement and prosecution of the Protection Department in particular in response to the areas highlighted in the HMICFRS report. The presentation accompanying this report provides a summary of specific activities undertaken to directly address these areas. The Area Manager of Protection will provide the presentation to Members at the Scrutiny Committee.

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#### **Equality and Diversity Implications**

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7. Addressing the HMICFRS recommendations forms part of the previous and current Protection Functional Delivery Plan (FDP). All functional plan deliverables have been assessed from an equality and diversity perspective as recorded in the associated Equality Impact Assessment (EIA).

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#### **Staff Implications**

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8. All team members have been sighted on the functional delivery plan and briefed by the relevant line manager. FDP actions are posted at all Protection work locations to ensure visibility. Personnel are provided with periodic updates on FDP delivery progress.
9. Training and Continual Professional Development (CPD) elements associated with E&P activities have been included within the Protection Training Needs Analysis (TNA).

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#### **Legal Implications**

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10. The Protection function primarily enforces under its powers under the Regulatory Reform (Fire Safety) Order 2005.

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#### **Financial Implications & Value for Money**

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11. There are no direct implications within this report. However, in respect of any Protection function activity that requires financial outlay is covered via the extant

Protection cost centre and associated grants provided by Ministry of Housing Communities & Local Government (MHCLG) and Liverpool City Region Combined Authority (LCRCA).

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### **Risk Management and Health & Safety Implications**

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12. Protection Fire Safety Regulators prioritise their inspection activity based on the Risk Based Inspection Programme (RBIP).

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### **Environmental Implications**

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13. There are no direct environmental implications identified within this report.

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**Contribution to Our Vision:** *To be the best Fire & Rescue Service in the UK.*

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

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14. The discharging of the functional delivery plan and attention to the HMICFRS recommendations supports the departmental strive towards ensuring our local businesses and communal residential areas are maintained in a manner that affords the highest levels of fire safety to our communities and our firefighters.

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### **BACKGROUND PAPERS**

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NONE

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### **GLOSSARY OF TERMS**

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<b>CPD</b>	Continual Professional Development
<b>E&amp;P</b>	Enforcements & Prosecutions
<b>EIA</b>	Equality Impact Assessment
<b>FDP</b>	Functional Delivery Plan
<b>HMICFRS</b>	His Majesties Inspectorate of Constabularies & Fire & Rescue Services
<b>HSE</b>	Health & Safety Executive
<b>LCRCA</b>	Liverpool City Region Combined Authority
<b>MHCLG</b>	Ministry of Housing Communities & Local Government
<b>RBIP</b>	Risk Based Inspection Programme
<b>TNA</b>	Training Needs Analysis