

Item 3

Atherstone-on-Stour fire

Purpose of report

For discussion and direction.

Summary

This report provides factual information on the 2007 Atherstone-on-Stour fire. Councillor Richard Hobbs and CFO Graeme Smith will address the Committee on latest developments.

Recommendation(s)

That Members agree a public statement, recognising the sub-judice nature of the issue.

Action

Officers to action as appropriate.

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Background

1. On 2 November 2007, a factory fire in Atherstone-on-Stour, Warwickshire, led to the tragic loss of four firefighters.
2. Following a lengthy investigation into the causes of the fire, the Crown Prosecution Service announced in February 2011 that 3 firefighters were to be charged with gross negligence manslaughter – the first case of its kind in the United Kingdom – and that Warwickshire County Council (WCC) Fire Authority was to be charged with failing to ensure the health and safety at work of its employees under section 2 of the Health and Safety at Work Act 1974. Both of these offences are considered criminal.
3. The legal processes will begin to unfold over the next 12 - 18 months. In the meantime, robust management arrangements are in place in Warwickshire to address the various aspects of the proceedings and to ensure 'business as usual' in delivering a comprehensive fire and rescue service in already challenging times.
4. Investigations under the Regulatory Reform Order (Fire Safety) of the occupiers of the factory have been undertaken by the Health and Safety Executive on behalf of Warwickshire Fire Authority. They have recently concluded their investigations and found there to be insufficient evidence to prosecute the owners of the factory.

The issue

5. The case is currently sub-judice, and as such it is clearly inappropriate for the LG Group to pre-empt the findings or comment on any possible implications of this case. However, the Chief Fire Officers' Association have gone further than this and have made a public statement expressing their shock and disappointment at the decision to proceed with the prosecution. Members are asked to consider the update from Warwickshire Fire and Rescue Service, and to consider whether the Committee wishes to agree a public statement at this stage. This would need to be very restricted, perhaps acknowledging that the case is sub-judice and saying it would be inappropriate to comment in detail at this stage, but suggesting that we are watching developments keenly and once due process has been completed, if there are lessons to be learned, we are sure the sector will want to reflect fully on these.

Financial Implications

6. There are no financial implications arising directly from this report.