

Request for a Police, Fire & Crime Commissioner Decision

SECTION 1

Please identify who is requesting the decision:			
OPFCC Decision	YES	Decision Number:	PF 019-2025
CCFRA Decision	Y/N	Decision Number:	CF xxxx/yyyy
Constabulary Decision	Y/N	Decision Number:	CC xxxx/yyyy

(Please indicate whether this is a PART 1 or PART 2 decision (For Part 2 decisions, only the Section 1 is to be published))

PART 1 Decision:		PART 2 Decision:	✓
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DECISION TITLE: Prosecution – Responsible Persons (2) relating to an HMO in Barrow in Furness

Executive Summary:

A fire occurred at a building in Barrow-in-Furness, Cumbria (“the Building”) used as a house of multiple occupancy (“HMO”). The fire investigation report concluded that the fire started by human interaction bringing a combustible material into contact with a heat source.

There was a multi-agency response for this incident. 2 occupants were taken to hospital because of the incident. One of those occupants was in hospital for 6 months and has received life changing injuries.

A Fire Safety Officer visited the Building and identified several deficiencies under the Fire Safety Order. Information received from those responsible for the building revealed further breaches.

The Chief Executive is asked to agree to commence proceedings against 2 defendants who are responsible persons for the Building, offences relating to the breaches having been made out and it being in the public interest to do so.

Recommendation:

The Chief Executive is asked to approve the prosecution of 2 defendants for offences under the Regulatory Reform (Fire Safety) 2005 Order.

Police, Fire & Crime Commissioner

I confirm that I have considered whether or not I have any personal or prejudicial in this matter and take the proposed decision in compliance with the Code of Conduct for Cumbria Police, Fire & Crime Commissioner. Any such interests are recorded below.

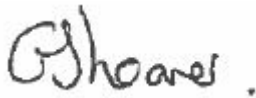
N/A – decision by Chief Executive under delegation.

I hereby:	Approve	the recommendations as set out above.
	do not approve	

Delete as appropriate:

Chief Executive

Signature:



Date: 27/01/2026

For OPFCC Office Use only:

Date of publication of decision:	04/02/2026
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PART 1 – NON CONFIDENTIAL FACTS AND ADVICE TO THE PCC**1. Introduction & Background**

A fire occurred at a building in Barrow-in-Furness, Cumbria (“the Building”) in 2023. The Building at the time of the fire was being used as a house of multiple occupancy (“HMO”) and had 3 flats, one on each level. The fire took place on the ground floor of this three-storey building. The fire investigation report concluded that the fire started by human interaction bringing a combustible material into contact with a heat source.

There was a multi-agency response for this incident which included 4 appliances, a flexi duty officer, principal officer and a fire investigator. 2 occupants were taken to hospital because of the incident. One of those occupants was in hospital for 6 months and has received life changing injuries.

2. Issues for Consideration

The Building was visited by a Fire Protection Inspector for Cumbria Fire and Rescue service, as the Regulatory Reform (Fire Safety) 2005 order applies to the common areas of the HMO.

The Inspector identified several deficiencies against the Fire Safety Order.

The Fire Protection department sent several Article 27 letters to the Responsible Persons for the Building, the responses to which revealed further breaches.

3. Financial Implications

There will be costs associated with the prosecution. If the prosecution is successful, the Court will be requested to order that those costs be paid by one or both of the defendants.

4. Summary and Recommendation

The Chief Executive is recommended to approve proceedings being commenced against 2 defendants for breaches of the Regulatory Reform (Fire Safety) 2005 in connection with a fire at the Building in 2023 which resulted in personal injury to one occupant.

5. Further Implications

Legal

The Fire and Rescue Service, has taken external legal advice, which confirms that the offences have been made out and the public interest test met to commence proceedings.

The proceedings will be commenced in the name of the Cumbria Commissioner Fire and Rescue Service.

The Chief Executive of the Office of the Police Fire and Crime Commissioner has the delegation (under the corporate governance framework) to take decisions to commence those proceedings on behalf of the Commissioner and in consultation with the Commissioner and the Chief Fire Officer.

Risk

It is considered that the evidence of breaches in this case is strong and the risks (which are fully articulated in Part 2 – not for publication) are considered low.

HR / Equality

No implications.

ICT

No implications.

Procurement

No implications.


Victims

2 occupants were hospitalised, and one occupant has suffered severe injury. There is a strong public interest in pursuing this prosecution.

6. Backgrounds / supporting papers

None.

CHIEF OFFICER APPROVAL

<p>Chief Fire Officer</p> <p>I have been consulted about the proposal and confirm that I am satisfied that this is an appropriate request to be submitted to the Police, Fire and Crime Commissioner.</p>  <p>Signature: Date: 20 January 2026</p>
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Media Strategy	
The decision taken may require a press announcement or media strategy.	
Will a press release be required following the decision being considered?	Not at present
If yes, has a media strategy been formulated?	
Is the media strategy attached?	
What is the proposed date of the press release:	

Public Access to Information	
Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the PFCC website within 5 working days of approval. Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead in the Part 2 section of the form. Deferment is only applicable where release before that date would not compromise the implementation of the decision being approved.	
Is the publication of this form to be deferred?	NO
Until what date (if known):	
If yes, for what reason:	
If this is a Part 2 Decision , has the Part 2 element of this form been completed	YES