



NORTH YORKSHIRE FIRE & RESCUE SERVICE

NEWS RELEASE

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Prosecution of York takeaway shop

On the 25th May 2017 North Yorkshire Fire and Rescue Service fire safety inspectors visited a takeaway shop Mr Happy Oriental Restaurant and takeaway, 53 Blossom Street, York, YO24 1AZ

During the visit the fire safety inspectors found that there were people living and sleeping on the first and second floors. There was no working fire alarm in the building, nor was there a fire protected escape route. The business owner had also failed to carry out a fire risk assessment.

In the event of a fire, the people living there would not have received an early warning that a fire had started and they would not have had a fire protected route to make an escape, meaning they could very easily have become trapped inside a burning building.

Due to the poor fire safety conditions found a Prohibition Notice was served, informing the responsible person that they must not allow anyone to sleep in the building.

North Yorkshire Fire and Rescue Service were of the opinion there was a risk to life of death or serious injury in the event of fire and prosecution was considered the appropriate action to take.

At York Magistrates Court on Tuesday 31st July 2018, Mr Kheng Chooi Koay the owner of Mr Happy Oriental Restaurant and takeaway, pleaded guilty to three contraventions of the Regulatory Reform (Fire Safety) Order 2005 which included breaching the Prohibition Notice served on the premises.

Mr Kheng Chooi Koay was fined £5000 and ordered to pay £1989 in costs with a surcharge of £170. A total cost of £7159

The magistrates stated these were very serious offences.

Watch Manager, Kevin Caulfield of North Yorkshire Fire and Rescue Service said; *“North Yorkshire Fire and Rescue Service will always make a visit to a property when reports of poor fire safety standards are made to us. Depending on what is found appropriate advice will be given to the business, informal action may be taken or in some cases, such as this, the necessary enforcement action will be implemented.”*

“In this case following the inspection, Prohibition and Enforcement Notices were served. An investigation was conducted because the fire safety problems were so serious. The responsible person had not given any real thought to what might happen to the people sleeping in the building if a fire had occurred. Conducting or commissioning a fire risk assessment is the starting point for beginning to ensure that a building is or can be made safe for people in the event of a fire.”

“North Yorkshire Fire and Rescue Service will in most cases give responsible persons chance to comply with the legislation before taking legal proceedings. However, where cases are found where there is risk to life or death or serious injury in the event of fire, prosecution will be considered and where appropriate taken.”

He continued: *“North Yorkshire Fire and Rescue Service find that many businesses and sole traders are proactive in managing their fire safety well. Sadly there are still too many occasions, like this case, where businesses are unaware or ignoring what they should be doing.*

“As a service we provide free fire safety advice to businesses and the public. We engage with various trade organisation and individual businesses to raise awareness of best practice around fire safety. I would welcome ideas from anyone and especially businesses and sole traders as to how we as a Service could best reach out and deliver our important fire safety messages. Improving the standards of fire safety and fire safety management will reduce the risk of fire and help to keep individuals and businesses safer.”

North Yorkshire Fire and Rescue Service would like to remind business owners and landlords that it is important that they are aware of the legislative requirements they need to comply with including having an up to date fire risk assessment.

For other fire safety information call the Fire Safety Advice Line (01609) 788545 or visit our website www.northyorksfire.gov.uk where links to business guidance documents can be found.