



The Company Secretary
Housing For Women
Sixth Floor
Blue Star House
234-244 Stockwell Road
London
SW9 9SP

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 1 November 2017
Our Ref 90/001053/CM

Dear Sir/Madam

REGULATORY REFORM (FIRE SAFETY) ORDER 2005: NOTIFICATION OF FIRE SAFETY DEFICIENCIES

Premises: Clarson Court, 130 Gosterwood Street, London, SE8 5NY

The Authority's Inspectors have recently carried out an inspection of the above-mentioned premises. During the inspection, it was noted that some fire safety matters require attention to reduce the risk of fire and/or reasonably ensure the safety of people using the premises. These matters need to be addressed in order to comply with Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order). The matters that need to be addressed, together with the Authority's recommendations about the actions you should take are explained in the attached schedule. We recommend that action should be taken by **10 January 2018**.

If you are in any doubt about what you need to do to comply with the Fire Safety Order; or if there is anything in the schedule that you do not understand or need further explanation of then please contact the Inspector named at the end of this letter. If you are dissatisfied in any way with the response given please ask to speak to the Team Leader quoting the above reference.

You may also wish to know that fire safety guidance for businesses can be found on the Authority's web-site at www.london-fire.gov.uk under the heading 'Fire safety at work'. Additionally, guidance on general fire precautions and how to comply with the Fire Safety Order can be found at www.Gov.uk under the heading 'Fire safety law and guidance documents for business'.

When undertaking fire safety works at your premises you may need to seek approval for what you are going to do. Examples of this would include:

- any building works for which you are obliged to notify or seek the approval of Building Control;
- if your premises have a listed heritage status, approval from the local authority conservation officer; or
- if your premises are licenced then you may need to consult the relevant licensing or approvals authority.
- It is your responsibility to consult the relevant bodies and obtain any necessary approvals.

I would ask you to note that as well as placing people at risk, operating premises without having adequate general fire precaution in place to remove or reduce fire risk and to ensure people can safely escape if a fire does occur can result in a criminal offence being committed. This letter and its associated schedule are consequently issued without prejudice to any legal action the Authority may subsequently take regarding failures to comply with the Fire Safety Order.

Yours faithfully,

for Assistant Commissioner (Fire Safety)

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

Reply to Inspecting Officer [Redacted]

Direct T 020 8555 1200 x 89171

Enc: Form FS03_01b Legislation Extracts
Form FS03_06 Definitions of standard terms

Cc; [Redacted], Housing For Women, Sixth Floor, Blue Star House, 234-244 Stockwell Road, London, SW9 9SP

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Notes to accompany the Notification of Deficiencies schedule.

Important information to consider before taking remedial steps:

1. Certain terms written in BLOCK CAPITALS in the attached schedule are standard terms defined in "Definitions of standard terms used in means of escape requirements" which form part of this schedule.
2. Officers of the Authority may visit your premises again to check on the action you have taken.
3. **Notwithstanding any consultation undertaken by the fire authority, before you make any alterations to the premises, you must apply for local authority building control department approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.**
4. There may be suitable alternative safety measures to those detailed in this schedule, which would meet the requirements of the Order. If you wish to propose or discuss any alternative measures you should get in touch with the person named as the contact above, before you take any action, to ensure that your proposed measures are deemed satisfactory by the Authority.
5. Remedial steps must be undertaken by a competent person who has sufficient training, experience, knowledge or other qualities to enable him or her to properly undertake them.
6. We recommend that remedial steps are undertaken in accordance with the appropriate British or European Standards, or recognised industry guidance.

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Your rights when Fire Safety Inspecting Officers take action.

The fire authority has a duty to enforce the Regulatory Reform (Fire Safety) Order 2005.

If an Inspector:

tells you to do something - you have a right to a verbal and written explanation of what needs to be done and why.

Intends to take immediate action - for example by issuing an enforcement notice this will include a written explanation either forming part of the notice or by separate letter.

Issues a formal notice - you will be told in writing about your right to appeal to a magistrates' court. You will be told:

- ◆ how to appeal;
- ◆ where and within what period an appeal may be brought; and
- ◆ that action required by a prohibition/restriction notice is not suspended while an appeal is pending unless the court so directs.
- ◆ that action required by an enforcement notice is suspended while an appeal is pending.

Issues a Notification of Fire Safety Deficiencies - full discussion should have taken place and agreed improvements to bring the premises up to minimal standards should be formulated. A Notification of Fire Safety Deficiencies carries no statutory force but may result in formal action being considered if the agreed improvements do not take place.

The procedures and rights above provide ways for you to have your views heard. If you are not happy with the inspecting officer's action you should contact the Team Leader on the telephone number shown at the head of the covering letter in the first instance.

ENVIRONMENT AND SAFETY INFORMATION ACT 1988

SECTION 4 - PROTECTION OF TRADE SECRETS

The above Act requires the London Fire and Emergency Planning Authority to maintain public registers of notices issued under Article 30 of the Regulatory Reform (Fire Safety) Order 2005, (other than those which impose requirements or prohibitions solely for the protection of persons at work) and Sections 21 and 22 of the Health and Safety at Work etc, Act 1974.

Provisions are made within the Act for persons on whom the above notices are served to appeal against any proposed entry in the register which may disclose "trade secrets" or "secret manufacturing processes".

Entries in the register are required to be made after the period for appeal against the notice expires or after any appeal is disposed of.

If you feel that any such entry would disclose information about a trade secret or secret manufacturing process you may write to the Fire Authority within a period of 14 days following the service of the notice, requesting exclusion of these details (see Section 4 of the 1988 Act).

SCHEDULE

PREMISES: Clarson Court, 130 Gosterwood Street, London, SE8 5NY

File Number: 90/001053

This schedule should be read in conjunction with the Authority's letter dated **1 November 2017**.

The condition(s) specified in the Regulatory Reform (Fire Safety) Order 2005, were being contravened and the following step(s) need(s) to be taken in order to comply with the above legislation:

Article	Area of Concern	Steps Considered necessary to remedy the contravention.
Article 8	At the time of the audit the FIRE RESISTING separation in your premises was inadequate. It was found that there was excessive use of intumescent foam to fill gaps around service pipes passing through floors this was evident in the refuse store.	Provide suitable FIRE RESISTING separation by repairing any holes in the ceiling to provide 60 minute fire separation.
Article 8	At the time of the audit the general fire precautions as identified in the significant findings of your fire risk assessment had not been implemented. It was found that issues highlighted within your fire risk assessment dated 27 May 2014 were evident at the time of this audit. Management of the misuse of the automatic opening vents (AOV) controls had also not been suitably reviewed.	Implement the significant findings of your fire risk assessment, in particular storage of combustible materials by residents in the common parts of the premises. Review current fire safety arrangements for this premises.
Article 9	At the time of the audit the fire risk assessment for your premises has not been subject to a suitable system of review. It was found that the impact on the safety of the premises due to areas of higher fire risk such as the refuse store had not been adequately identified or considered.	The fire risk assessment should be reviewed with specific consideration given to the impact for relevant persons of fire in a higher risk area with fire loading, including the impact for any staff response and means by which the risks may be reduced at source through co-operation with the residents, and other interested parties.

Article 10	At the time of the audit the risk reduction and prevention principles of the order had not been applied in the correct sequence. It was found that although a risk assessment has been carried out it does not fully address the issues of risk reduction	Apply the principles of prevention contained in schedule 1 part 3 of the order in the priority set out in that schedule. In particular ensuring a robust system is in place monitoring issues highlighted within the sufficient findings of your fire risk assessment.
Article 11	At the time of the audit your preventative and protective measures had not been monitored or reviewed where required. It was found that maintenance of the automatic opening vents system had not been planned and organised. It was also found that lobby doors leading to the flats on some floors were wedged opened.	Arrangements identified as not suitably addressed must be effectively monitored or reviewed.
Article 14	At the time of the audit the emergency routes or exits were inadequate. It was found that there was combustible materials in the escape routes.	Ensure adequate emergency routes and exits, for use by relevant persons in the premises, are available and can be safely and effectively used at all relevant times.
Article 17	During audit it was found that the responsible person for management of the access route has not addressed deficiencies in the ventilation of the PROTECTED ROUTE. At the time of the audit it was found that the automatic opening vents system had been tampered with in both blocks as the vents were found to be fully open.	Ensure the access corridor is returned to its intended state as a PROTECTED ROUTE to afford protection from fire in a flat to relevant persons who may require use of that corridor for safe escape from the premises in case of fire. Remedial work that may be necessary for this purpose, must be assessed and completed by a competent person who is practised in application of the relevant standards for means of escape. The following is provided as advice and does not form any part of the notice: Your attention is drawn to the provisions of subsections (2) (3) and (4) of Article 17 of the Regulatory Reform (Fire Safety) Order 2005 in the attached extracts of legislation. Available means the responsible person could use to comply with Article 17 (1) may include enforcing terms of lease and Landlord and Tenant / Property legislation as lessor/owner.

*****RECOMMENDATIONS NOT FORMING REQUIREMENTS OF THE SCHEDULE*****

The Authority would strongly urge that you consider the presence of combustible façade cladding materials as part of the risk assessment process for these premises. All relevant information about any replacement window and facade schemes should be made fully available to fire risk assessors. Where no reliable information is available for a given property, a strategy to assess the risk and where necessary implement short, medium and long term actions to address the risk should be implemented.

Where remedial measures are to be undertaken to which consultation requirements under Section 20 of the Landlord and Tenant Act 1985 will apply, the Authority would urge you to consider application of the disapplication provisions under Section 20ZA of that Act.