

Freedom of Information request reference number: 6066.1

Date of response: 25 October 2021

Request:

1. *Any correspondence between the LFB and Clarion Housing Association relating to Clare House, Bow from June 2017 to the date of this request.*
2. *Any enforcement or deficiency notices served on Clarion Housing Association in relation to Clare House Bow from June 2017 to the date of this request.*

Response:

Please see our response to your queries in turn below:

1. *Any correspondence between the LFB and Clarion Housing Association relating to Clare House, Bow from June 2017 to the date of this request.*

There are three email chains held between the LFB and Clarion Housing Group on the Fire Safety team record for Clare House. These are dated between June 2017 to 30 September 2021 (the date of your request).

The LFB freely provide the outcome of Fire Safety Audits and notices issued under freedom of information act (please see my response to question two below for the outcome of the audits on Clare House). Other materials (including email correspondence and detailed notes), documents (such as the reports themselves or documents provided to us by the responsible person for the building) and other fire safety information held by the Brigade are exempt from access via the FOIA provisions. We consider these to be exempt under [Section 31 of the FOIA](#) ("law enforcement" – Section 31(1)(g) combined with 31(2) (a) and 31(2) (c)).

We are of the view that the correct balance between the public interest in building safety and our ongoing regulatory involvement lies in making information about enforcement action available (formal or informal) to those that request it, but in withholding the supporting information and evidence gathered during regulation activities.

When the LFB identifies any safety concerns, we make this information available within informal notification of fire safety deficiencies (NOD), and through the [public register any formal enforcement action](#). Where there is no fire safety concern that merits either formal or informal action, then this information should be protected from publication to preserve the safe space for good regulation principles and that any withheld information could be used at a later date as part of formal enforcement action or prosecution where the materials go to demonstrate the behaviour, actions or omissions of the responsible person.

We clearly understand that there is public interest and concern about knowing about the fire safety of the buildings in which people live, work or visit however we need to maintain a balance between the public interest in safety and the Brigade's ability to work with responsible persons in a safe space where honest, frank and meaningful discussions can take place. It is important that enforcing authorities are assisted in their investigations if witnesses and those responsible for compliance with regulations are willing to cooperate with the investigation on a voluntary basis and investigators are able to take full

contemporaneous notes and enter in discussions (either verbally, or by correspondence) with those involved to enable them to explore all aspects of the case and then arrive at a decision as to the appropriate action to take.

2. *Any enforcement or deficiency notices served on Clarion Housing Association in relation to Clare House Bow from June 2017 to the date of this request.*

The LFB have conducted three fire safety audits at Clare House since June 2017:

File No: 05/013326 (UPRN:6130438) CLARE HOUSE 10 HAWTHORN AVENUE LONDON E3 5PY

Occupier	Address	
Default Property	CLARE HOUSE, 10 HAWTHORN AVENUE, LONDON, E3 5PY	View Jobs
FRANCIS LEE COMMUNITY	CLARE HOUSE, 10 HAWTHORN AVENUE, LONDON, E3 5PY	View Jobs
1 (2 records found)		

Job No.	Type	Status	Post	Last Step	Date Completed
2035987	Fire Safety Audit	Completed	1869	90.00	22/09/2020
1902505	Fire Safety Audit	Completed	1613	90.00	25/01/2019
1720904	Fire Safety Audit	Completed	1208	90.00	07/06/2017

The result of these audits confirmed no significant failure to comply with the Regulatory Reform (Fire Safety) Order 2005 (RRO) were found and as a result the premises was deemed broadly compliant. This means that no enforcement action (informal or formal) was required as a result and no notices were issued.

We have dealt with your request under the Freedom of Information Act 2000. For more information about this process please see the guidance we publish about making a request [on our website](#).