

**Freedom of Information request reference number:** 6870.1

**Date of response:** 7 October 2022

**Request:**

*Kindly advise how we can apply for the audit report and NOD referenced in section 10.1 of the fire report:*

**10 Fire safety regulation considerations:**

10.1 Fire safety regulation considerations before the fire:

There had been one previous audit of the premises, which took place on the 20<sup>th</sup> January 2016 which resulted in a Notification of Deficiencies (NOD).

**Response:**

The LFB Fire Safety Regulatory team confirmed that they conducted an audit at this building on January 2016. .

The result of the audit confirmed that some fire safety matters require attention to reduce the risk of fire and/or reasonably ensure the safety of people using the premises and these matters need to be addressed in order to comply with Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order).

As a result, an informal notification of (fire safety) deficiencies (NOD) was issued for the premises.

A copy of the NOD issued can be found on pages 2 to 7 of this document.

When issuing a NOD the expectation is that the issues are minor enough that they can be rectified without needing any formal intervention from the LFB (which is different to an [Enforcement Notice](#)). As such, it would be for the Responsible Person(s) of the premises to be satisfied the deficiencies noted are addressed appropriately and within the recommend time frame. The LFB will then check these issues when the property is visited at the next routine inspection (according to the level of risk).

Personal data has been removed from the NOD document under [section 40 of the FOIA – Personal Information](#).

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](#)



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London Fire and Emergency Planning  
Authority runs the London Fire Brigade

Date 26 February 2016  
Our Ref 94/002061 [REDACTED]

Dear [REDACTED]

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

**Premises: Meridian Point, Creek Road, Deptford, London SE8 3BU**

A recent inspection of the above premises by a fire authority officer revealed that certain conditions specified in and required by the Regulatory Reform (Fire Safety) Order 2005, were being contravened. The Authority considers that the step(s) detailed in the attached schedule need(s) to be taken in order to comply with the above legislation.

The steps should be completed by **27 July 2016** when a further inspection may be carried out.

You should note that failure to comply with any requirement of the legislation is an offence and the person responsible is liable to prosecution. This letter and attached schedule are issued without prejudice to any legal action which may subsequently be taken regarding the failures to comply with the Legislation.

Your attention is drawn to the notes attached.

The contents of this notice are without prejudice to any requirements or recommendations that may be made by the Authority under the Petroleum (Consolidation) Act 1928, or either the local authority or the Health and Safety Executive under any other Act of Parliament or Regulation for which they are the enforcing authority. Approval will normally be required under the Building Regulations for any building works for which you are obliged to notify the local Building Control Officer under the Building Regulations 2010 or an Approved Inspector under the Building (Approved Inspectors etc) Regulations, 2010.

If you are in any doubt as to the obligations placed upon you by the legislation, or if there is any relevant matter upon which you require clarification you may contact the person named below. If you are dissatisfied in any way with the response given please ask to speak to the Team Leader quoting the above reference.

Yours sincerely ,

**for Assistant Commissioner (Fire Safety)**

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

Enc: Form FS03\_01b Legislation Extracts

████████████████████  
Direct T 0208 555 1200 ██████████

## SCHEDULE

**PREMISES:** Meridian Point, Creek Road, Deptford, London SE8 3BU

**File Number:** 94/002061

**Sheet : 1 of : 2**

This schedule should be read in conjunction with the Authority's letter dated **6 April 2016**

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:

<b>Article</b>	<b>Area of Concern</b>	<b>Steps Considered necessary to remedy the contravention.</b>
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 there has been a lack of maintenance to fire safety systems and the recording of any such testing or maintenance is not recorded.	Apply the principles of prevention contained in Schedule 1 Part 3 of the Order in the priority set out in that schedule. In particular the implementation of a full maintenance and recording system for all active and passive fire safety systems.
Article 11	At the time of the audit your preventative and protective measures had not been planned, organised, controlled monitored or reviewed where required. It was found that the fire alarm was not working satisfactorily which in turn may affect the operation of the Automatic Opening Ventilation systems,	Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.
Article 17(1)	At the time of the audit you had not ensured that a suitable system of maintenance was in place in your premises. It was found that the risk assessment identified failings in the maintenance of the fire warning and detection system, smoke control systems and dry	Arrange initial and on-going maintenance to ensure fire safety measures are kept in an efficient state, working order and good repair. This also includes dry riser systems which appear to be non maintained. This can be achieved by initiating a robust maintenance regime to ensure all fire safety systems are periodically tested and maintained in alignment with their individual British Standards for maintenance.

	riser.	
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 maintenance issues had been identified by the risk assessment.	Implement the significant findings of your fire risk assessment, in particular create a full maintenance regime for all active and passive fire safety systems within the building.

## 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.