



LONDON FIRE BRIGADE

London Fire Brigade Headquarters
169 Union Street London SE1 0LL
T 020 8555 1200 F 020 7960 3602
Textphone 020 7960 3629
london-fire.gov.uk

Freedom of Information request reference number: 6929.1

Date of response: 26/10/2022

Request:

I'm searching for an enforcement notice I know was issued in 2018 to a converted office block in Croydon. The address is Sycamore House, 799 London Rd, Thornton Heath CR7 6FD.

Response:

Please find the attached documents below. Personal data has been removed from the documents 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: <https://www.london-fire.gov.uk/about-us/transparency/request-information-from-us/>



LONDON FIRE BRIGADE

london-fire.gov.uk

Fire Safety Regulation, South East 1 Team
169 Union Street London SE1 0LL
T 020 8555 1200
Minicom 020 7960 3629

The Chief Executive The London Fire Commissioner is the **London Borough of Croydon** fire and rescue authority for London

Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

Date 6 September 2018
Our Ref 20/014009/PDB

ENFORCEMENT NOTICE

Notice requiring steps to be taken under Article 30 of the Regulatory Reform (Fire Safety) Order 2005

TO :

Name: **London Borough of Croydon**

Address: **Bernard Weatherill House, 8 Mint Walk, Croydon CR0 1EA**

Concerning Premises at: **Sycamore House, 799 London Road, Thornton Heath CR7 6AW**

The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (The Order) in London.

I Dan Daly, Assistant Commissioner (Fire Safety Regulation) on behalf of the Commissioner hereby give you notice that the Commissioner is of the opinion that you, as a person being under an obligation to do so, have failed to comply with the duties placed upon you by the Regulatory Reform (Fire Safety) Order 2005 (the Order) in respect of the above named premises, the relevant persons who may be on the premises or who may be affected by a fire on the premises.

The matters which, in the opinion of the Commissioner, constitute the failure(s) to comply with the Order are specified in the Schedule of Fire Safety Observations attached to this notice. The Commissioner is further of the opinion that the steps identified in the schedule to this notice must be taken to remedy the specified failure(s) and comply with the Order.

The relevant extracts of the legislation are attached.

There may be suitable alternative safety measures, to those detailed in this notice that would meet the requirements of the order. If you wish to propose or discuss any alternative measures you should contact the person named below, before you take any action, to ensure that your proposed measures will be deemed satisfactory by the Commissioner.

The steps must be taken by **21 March 2019** (or such extension if granted by the Commissioner).

Unless the steps identified in the schedule attached to this notice have been complied with, or such other steps are taken to remedy the failures in consultation with the Commissioner, you will be deemed not to have complied with this notice.

If you fail to comply with the requirements of this notice, you may have committed an offence. The Commissioner may consider a prosecution against you. If you are found guilty, you will be liable to a fine or imprisonment (or both).

You have the right to appeal against this notice, by way of complaint for an order, to the Clerk to the Court of the Magistrates' Court acting for the petty sessions area in which your premises is located. If you wish to bring an appeal, you must do so within 21 days of the date this notice is served on you. The Magistrates' Court Act 1980 will apply to the proceedings. The bringing of an appeal will suspend the operation of this enforcement notice. An appeal against an enforcement notice served under Article 30 of the Regulatory Reform (Fire Safety) Order 2005, may be brought on any grounds. These may include that you are aggrieved:

- a) by anything mentioned in the notice with respect to the premises concerned, or the relevant persons as defined by the Order, being a step which must be taken in order to comply with the Order; or
- b) by the period allowed by such a notice for the taking of any steps mentioned in it.

If at any time you wish to discuss the requirements of this notice, or are experiencing difficulty in carrying out the work, please contact [REDACTED]

Signed:  _____ **Dated:** 6 September 2018

Assistant Commissioner
(The Officer appointed for the purpose)

The contents of this notice are without prejudice to any requirements or recommendations that may be made by the Commissioner under the Petroleum (Consolidation) Regulations 2014, 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.

Reply to [REDACTED]
Direct T 0208 555 1200 [REDACTED]
FSR-AdminSupport@london-fire.gov.uk

Encl: FS03_01a, FS03_01b, FS03_06

Cc: [REDACTED] Croydon Council, Place District Centres and Regeneration
3rd Floor, Zone F Bernard Weatherill House, 8 Mint Walk, Croydon CR0 1EA

[REDACTED] Rooms and Studios London Ltd, 73 Maygrove Road, London NW6 2EG

ENVIRONMENT AND SAFETY INFORMATION ACT 1988 SECTION 4 - PROTECTION OF TRADE SECRETS

The above Act requires the London Fire Commissioner 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 Commissioner within a period of 14 days following the service of the notice, requesting exclusion of these details (see Section 4 of the 1988 Act).

Notes relating to Schedule of Fire Safety Audit Observations attached to this notice.

Important information to consider before taking remedial steps:

1. Words 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 Commissioner may visit your premises during the course of the notice, to ensure the dates within this plan are being followed.
3. Notwithstanding any consultation undertaken by the Commissioner, **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 the attached 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 Commissioner.
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.

SCHEDULE

PREMISES:
Sycamore House, 799 London Road, Thornton Heath CR7 6AW

FILE NUMBER:
20/014009

This schedule should be read in conjunction with the Commissioner’s Notice dated **6 September 2018**.

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.
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<p>Article 11</p>	<p>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:</p> <p>1) The emergency plan in relation to residents (new and existing) ability to implement the emergency plan is not subject to effective monitoring or review. No evidence was provided of review as and when residents or their personal circumstances change. It was observed that 2 residents may not be capable of self evacuation however no further provisions have been put in place to mitigate the effects of fire.</p> <p>2) The ability of the fire doors to self close fully into their frames had not been controlled or monitored.</p>	<p>Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored and reviewed.</p>
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<p>Article 14</p>	<p>At the time of the audit the emergency routes or exits were inadequate. It was found that:</p> <ol style="list-style-type: none"> 1) Services penetrating the common parts from riser shafts were not adequately fire stopped with appropriately FIRE RESISTING materials. Excessive amounts of pink foam have been used which will not provide the required levels of FIRE RESISTANCE to the protected escape route. 2) Many of the fire doors throughout the common parts are damaged and/or not fitting correctly into their frames. It appears that this is due to the lack of door linings fitted as some door hinges are falling away from the frame. The door stops appear too narrow to create a seal to resist the flow of heat and/or smoke. 3) A significant number of fire doors including riser cupboard doors are showing excessive gaps which will prevent the intumescent strips and cold smoke seals from operating effectively. 	<p>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. This can be achieved by:</p> <ol style="list-style-type: none"> 1) Upgrading the fire stopping with appropriately FIRE RESISTING materials which have been tested in accordance with BS:476-20 or EN 1634-1-3 testing standards for their practical application. 2) Upgrading or replacing the fire doors as necessary. It should be confirmed that all fire doors are certified to achieve either 30 minutes or 60 minutes dependant on their use in accordance with BS:476-22 or EN 1634-1-3 testing procedures. 3) Modifying or replacing the fire doors as necessary to ensure that the gaps are not excessive and the doors are capable of resisting the flow of smoke and heat.
<p>Article 17</p>	<p>The corridors, lobbies and stairs used for access to and from flats in the premises (the access routes) are intended for use by relevant persons as a PROTECTED ROUTE.</p> <p>This route should provide a safe means of escape in event of fire and must be maintained in an efficient state, in efficient working order and good repair.</p>	<p>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.</p> <p>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. 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.</p>

<p>Article 17 Cont'd</p>	<p>During audit it was found that the responsible person for management of the access route has not prevented or addressed deficiencies in the fire resistance of the PROTECTED ROUTE and/or required rectification of defects that have arisen in, and/or alterations made to, the protection to the access route.</p> <p>The PROTECTED ROUTE has been compromised by the following:</p> <ol style="list-style-type: none"> 1) No evidence was provided at the time of audit to show that the flat entrance doors will provide 30 minutes fire protection to the protected escape routes. 2) A significant portion of the services running into flats from the protected escape routes, as identified in the recent fire risk assessment have not been fire stopped with adequately FIRE RESISTING materials. 	<p>You are advised that walls in PROTECTED ROUTES should have a minimum of 60 minutes FIRE RESISTANCE.</p> <p>Openings in the walls leading to accommodation off a PROTECTED ROUTE (including doors in entrance ways, service openings, borrowed light glazing, holes around cables trunking and pipework) should be of a minimum 30 minutes FIRE RESISTANCE. 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.</p>

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

The Commissioner 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 Commissioner would urge you to consider application of the disapplication provisions under Section 20ZA of that Act.



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(The Officer appointed for the purpose)

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Reply to [REDACTED]
Direct T 0208 555 1200 [REDACTED]
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Where remedial measures are to be undertaken to which consultation requirements under Section 20 of the Landlord and Tenant Act 1985 will apply, the Commissioner would urge you to consider application of the disapplication provisions under Section 20ZA of that Act.