

Freedom of Information request reference number: 6978.1

Date of response: 29 November 2022

Request:

- 1. Copies of any enforcement or deficiency notices served in relation to Sycamore House, London Road, Croydon in the last five years.*
- 2. Copies of any enforcement or deficiency notices served in relation to Windsor House, London Road, Croydon and Concorde House, London Road, Croydon in the last five years.*
- 3. Any correspondence between LFB and Croydon Council relating to any of the above properties in the last 12 months*

Response:

For your questions 1 and 2, LFB fire safety regulatory team have provided me with copies of the enforcement notices and notices of deficiency (NODS) issued to Sycamore House, Windsor House and Concord House (Croydon) in the last five years. I have attached copies of these notice letters to this response. Personal data has been removed from the attached documents under [section 40 of the FOIA – Personal Information](#).

For question 3, I can confirm we do hold some correspondence between the LFB fire safety regulatory team and Croydon Council.

This correspondence is exempt from release under the FOIA provisions under [Section 31 of the FOIA - law enforcement](#) (Section 31(1)(g) combined with 31(2) (a) and 31(2) (c)).

The LFB freely provide the outcome of Fire Safety Audits and notices issued under freedom of information act. Other materials (including email correspondence and detailed notes), documents (such as documents provided to us by the responsible person for the building) and other fire safety information held by the Brigade will usually be exempt from access via the FOIA provisions.

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.

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.

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

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

Minicom 020 7960 3629
london-fire.gov.uk

The Chief Executive
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

The London Fire Commissioner is the
fire and rescue authority for London

Date 4th October 2019
Our Ref 20/010593/RP

**EXTENSION OF TIME IN RESPECT
OF ENFORCEMENT NOTICE**
requiring steps to be taken under Article 30 of the
Regulatory Reform (Fire Safety) Order 2005

Premises: Concord House, 454 London Road, Croydon, Surrey CR0 9BH

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 refer to the Commissioner's enforcement notice dated **6th September 2018** when you were given notice of steps to be taken by **21st March 2019** which was extended to **30th September 2019**.

You have since contacted the Commissioner to advise that you will be unable to complete the work within time allowed.

The time limit in which to deal with these outstanding matters has been extended to **13th December 2019**.

If at the end of the time limit the matters have not been rectified, further extensions of time will not be granted, except in exceptional circumstances, and consideration may be given to the initiation of legal proceedings.

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

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 ext [REDACTED]

cc.: [REDACTED], Council Homes Districts and Regeneration, Repairs and Maintenance, Floor 3,
Zone D, Bernard Weatherill House, 8 Mint Walk, Croydon CRO 1EA



LONDON FIRE BRIGADE

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

Minicom 020 7960 3629
london-fire.gov.uk

The Chief Executive
Croydon Council
Place Department
Homes and Social Investment Division
Floor 3, Zone D
Bernard Weatherill House
8 Mint Walk
Croydon, CR0 1EA

The London Fire Commissioner is the
fire and rescue authority for London

Date 12 March 2021
Our Ref 20/014009/PDB

Dear Sir/Madam

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

Premises: 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.

The Commissioner'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 Commissioner's recommendations about the actions you should take are explained in the attached schedule. We recommend that action should be taken by **3 September 2021**.

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 Commissioner'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 Commissioner may subsequently take regarding failures to comply with the Fire Safety Order.

Yours faithfully,

PP [REDACTED]

for Assistant Commissioner (Fire Safety)

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

Reply to Inspecting Officer [REDACTED]

Direct T 0208 555 1200 Ext [REDACTED]

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

Cc: [REDACTED], Croydon Council, Senior Building Services Compliance Surveyor, Repairs and Maintenance, Floor 3, Zone D, Bernard Weatherill House, 8 Mint Walk, Croydon CR0 1EA

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 Commissioner may visit your premises again to check on the action you have taken.
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 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 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

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Your rights when Fire Safety Inspecting Officers take action.

The Commissioner 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 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).

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 letter dated **12 March 2021**.

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 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 excessive storage in the plant room (ground floor stairway) had not been monitored and controlled (i.e. clothing, paper, cardboard).	Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.
Article 14	At the time of the audit the emergency routes or exits were inadequate. It was found that the enclosure around the electrical intake cupboard on the ground floor stairway (i.e. oppose the plant room) does not provide 30 minutes FIRE RESISTANCE this would promote rapid fire spread placing relevant person at risk.	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 providing a 30 minute FIRE RESISTING enclosure around the electrical intake cupboard.
Article 17	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 fire alarm control panel showed a fault state.	Arrange initial and ongoing maintenance to ensure fire safety measures are kept in an efficient state, working order and good repair. This can be achieved by ensuring that the fire alarm system is maintained in good working order.
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:	Implement the significant findings of your fire risk assessment, in particular to:

<p>Article 8 Cont'd</p>	<p>1) The potential risks to the premises from the cladding systems on the façade by appointing a fire engineer had not been implemented.</p> <p>2) The self closing device for the front entrance door was not in a good state of repair this had failed safe.</p>	<p>1) Appointing a competent person (e.g. fire engineer) to make an assessment of any potential risk that arises from the façade survey (Including consideration of the Ministry of Housing, Communities and Local Government's Guidance).</p> <p>2) Repairing or replacing the self closing device on the front entrance door.</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 disaplication provisions under Section 20ZA of that Act.



LONDON FIRE BRIGADE

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

Minicom 020 7960 3629
london-fire.gov.uk

The Chief Executive
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk
Croydon
CRO 1EA

The London Fire Commissioner is the
fire and rescue authority for London

Date 4th October 2019
Our Ref 20/010643/RP

**EXTENSION OF TIME IN RESPECT
OF ENFORCEMENT NOTICE**
requiring steps to be taken under Article 30 of the
Regulatory Reform (Fire Safety) Order 2005

Premises: Windsor House, 1270 London Road, Norbury, London SW16 4DH

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 refer to the Commissioner's enforcement notice dated 5th **September 2018** when you were given notice of steps to be taken by 20th **March 2019** which was extended to 30th **September 2019**.

You have since contacted the Commissioner to advise that you will be unable to complete the work within time allowed.

The time limit in which to deal with these outstanding matters has been extended to **13th December 2019**.

If at the end of the time limit the matters have not been rectified, further extensions of time will not be granted, except in exceptional circumstances, and consideration may be given to the initiation of legal proceedings.

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

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 ext [REDACTED]

cc.: [REDACTED], Council Homes Districts and Regeneration, Repairs and Maintenance, Floor 3,
Zone D, Bernard Weatherill House, 8 Mint Walk, Croydon CRO 1EA



LONDON FIRE BRIGADE

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

Minicom 020 7960 3629
london-fire.gov.uk

The Chief Executive
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

The London Fire Commissioner is the
fire and rescue authority for London

Date 29 March 2019
Our Ref 20/014009/ere

**EXTENSION OF TIME IN RESPECT
OF ENFORCEMENT NOTICE**
requiring steps to be taken under Article 30 of the
Regulatory Reform (Fire Safety) Order 2005

Premises: Sycamore House, 799 London Road, Thornton Heath, Surrey 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 refer to the Commissioner's enforcement notice dated **6 September 2018** when you were given notice of steps to be taken by **21 March 2019**.

You have since contacted the Commissioner to advise that you will be unable to complete the work within time allowed.

The time limit in which to deal with these outstanding matters has been extended to **30 September 2019**.

If at the end of the time limit the matters have not been rectified, further extensions of time will not be granted, except in exceptional circumstances, and consideration may be given to the initiation of legal proceedings.

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

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 Ext. [REDACTED]

cc.: [REDACTED], Council Homes Districts and Regeneration, Repairs and Maintenance, Floor 3,
Zone D, Bernard Weatherill House, 8 Mint Walk, Croydon CR0 1EA



LONDON FIRE BRIGADE

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

Minicom 020 7960 3629
london-fire.gov.uk

The Chief Executive
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk
Croydon
CRO 1EA

The London Fire Commissioner is the
fire and rescue authority for London

Date 29 March 2019
Our Ref 20/010593/ere

**EXTENSION OF TIME IN RESPECT
OF ENFORCEMENT NOTICE**
requiring steps to be taken under Article 30 of the
Regulatory Reform (Fire Safety) Order 2005

Premises: Concord House, 454 London Road, Croydon, Surrey CRO 9BH

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 refer to the Commissioner's enforcement notice dated **6 September 2018** when you were given notice of steps to be taken by **21 March 2019**.

You have since contacted the Commissioner to advise that you will be unable to complete the work within time allowed.

The time limit in which to deal with these outstanding matters has been extended to **30 September 2019**.

If at the end of the time limit the matters have not been rectified, further extensions of time will not be granted, except in exceptional circumstances, and consideration may be given to the initiation of legal proceedings.

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

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 Ext. [REDACTED]

cc.: [REDACTED], Council Homes Districts and Regeneration, Repairs and Maintenance, Floor 3,
Zone D, Bernard Weatherill House, 8 Mint Walk, Croydon CR0 1EA



LONDON FIRE BRIGADE

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

Minicom 020 7960 3629
london-fire.gov.uk

The Chief Executive
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk
Croydon
CRO 1EA

The London Fire Commissioner is the
fire and rescue authority for London

Date 29 March 2019
Our Ref 20/010643/ere

**EXTENSION OF TIME IN RESPECT
OF ENFORCEMENT NOTICE**
requiring steps to be taken under Article 30 of the
Regulatory Reform (Fire Safety) Order 2005

Premises: Windsor House, 1270 London Road, Norbury, London SW16 4DH

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 refer to the Commissioner's enforcement notice dated **5 September 2018** when you were given notice of steps to be taken by **20 March 2019**.

You have since contacted the Commissioner to advise that you will be unable to complete the work within time allowed.

The time limit in which to deal with these outstanding matters has been extended to **30 September 2019**.

If at the end of the time limit the matters have not been rectified, further extensions of time will not be granted, except in exceptional circumstances, and consideration may be given to the initiation of legal proceedings.

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

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 Ext. [REDACTED]

cc.: [REDACTED], Council Homes Districts and Regeneration, Repairs and Maintenance, Floor 3,
Zone D, Bernard Weatherill House, 8 Mint Walk, Croydon CR0 1EA



LONDON FIRE BRIGADE

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

Minicom 020 7960 3629
london-fire.gov.uk

The Chief Executive
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

The London Fire Commissioner is the
fire and rescue authority for London

Date 15 January 2020
Our Ref 20/014009/RP

Dear Sir/Madam

REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Premises: Sycamore House, 799 London Road, Thornton Heath, Croydon, 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 refer to the Commissioner's enforcement notice dated **6 September 2018** in respect of the above mentioned premises.

An inspection took place on **18 December 2019** and the following steps within the Notice were found to have been completed to a satisfactory standard:

Article 11 Article 17 Article 14 (mostly actioned)

The following items were still outstanding:

Article	Area of Concern	Steps Considered necessary to remedy the contravention.
Article 14	Outstanding service riser cupboard doors awaiting adjustment.	Adjustment required to service risers cupboards doors to reduce the door leaf gap between door and the frame.

It is important that action is taken in respect of these matters to ensure compliance with the Regulatory Reform (Fire Safety) Order 2005. The Commissioner does not propose to carry out a further visit specifically to check on these items, however the Commissioner may consider further enforcement action if these matters are still outstanding at the time of the next routine inspection.

Note Any change you may introduce to your premises could lead to new hazards or increased risk. If there is any significant change, you will need to review your risk assessment in the light of the new hazard or risk and act upon the findings as necessary

FS03_02 (Rev 3, 01/04/2018)

Page 1 of 2

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

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 ext [REDACTED]



LONDON FIRE BRIGADE

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

Minicom 020 7960 3629
london-fire.gov.uk

The Chief Executive
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

The London Fire Commissioner is the
fire and rescue authority for
London

Date 15 January 2020
Our Ref 20/010593/RP

Dear Sir/Madam

REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Premises: Concord House, 454 London Road, Croydon, CR0 9BH

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 refer to the Commissioner's enforcement notice dated **6 September 2018** in respect of the above mentioned premises.

An inspection took place on **18 December 2019** and the following steps within the Notice were found to have been completed to a satisfactory standard:

Article 17 Article 14 (mostly actioned)

The following items were still outstanding:

Article	Area of Concern	Steps Considered necessary to remedy the contravention.
Article 14	Outstanding service riser cupboard doors awaiting adjustment.	Adjustment required to service risers cupboards doors to reduce the door leaf gap between door and the frame.

It is important that action is taken in respect of these matters to ensure compliance with the Regulatory Reform (Fire Safety) Order 2005. The Commissioner does not propose to carry out a further visit specifically to check on these items, however the Commissioner may consider further enforcement action if these matters are still outstanding at the time of the next routine inspection.

Note Any change you may introduce to your premises could lead to new hazards or increased risk. If there is any significant change, you will need to review your risk assessment in the light of the new hazard or risk and act upon the findings as necessary

FS03_02 (Rev 3, 01/04/2018)

Page 1 of 2

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

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 ext [REDACTED]



LONDON FIRE BRIGADE

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

Minicom 020 7960 3629
london-fire.gov.uk

The Chief Executive
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

The London Fire Commissioner is the
fire and rescue authority for
London

Date 15 January 2020
Our Ref 20/010643/RP

Dear Sir/Madam

REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Premises: Windsor House, 1270 London Road, Norbury, Croydon, CR0 1EA

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 refer to the Commissioner's enforcement notice dated **5 September 2018** in respect of the above mentioned premises.

An inspection took place on **18 December 2019** and the following steps within the Notice were found to have been completed to a satisfactory standard:

Article 11 Article 17 Article 15 Article 14 (mostly actioned)

The following items were still outstanding:

Article	Area of Concern	Steps Considered necessary to remedy the contravention.
Article 14	Outstanding service riser cupboard doors awaiting adjustment.	Adjustment required to service risers cupboards doors to reduce the door leaf gap between door and the frame.

It is important that action is taken in respect of these matters to ensure compliance with the Regulatory Reform (Fire Safety) Order 2005. The Commissioner does not propose to carry out a further visit specifically to check on these items, however the Commissioner may consider further enforcement action if these matters are still outstanding at the time of the next routine inspection.

Note Any change you may introduce to your premises could lead to new hazards or increased risk. If there is any significant change, you will need to review your risk assessment in the light of the new hazard or risk and act upon the findings as necessary

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

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 ext [REDACTED]



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
Department of Housing
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

The London Fire Commissioner is the
fire and rescue authority for London

Date 6th September 2018

Our Ref 20/010593/HE

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

Concerning Premises at: **Concord House, 454 London Road, Croydon, CR0 9BH**

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 **21st 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 **Inspecting Officer** [REDACTED].

Signed: [REDACTED] **Dated:** 6th 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 Inspecting Officer [REDACTED]
Direct T 02085001200 Ext. [REDACTED]

Encl: FS03_01a
 FS03_01b
 FS03_06

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:

SCHEDULE

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.

PREMISES: Concord House, 454 London Road, Croydon, CR0 9BH

FILE NUMBER: 20/010593

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

<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 riser shafts, common parts and flats were not adequately fire stopped with appropriately FIRE RESISTING materials. 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 to door frames as many door hinges have fallen away from the frames. The door stops appear too narrow to create an adequate seal to resist the passage of heat and/or smoke. 3) Fire doors throughout the common parts including riser cupboard doors are showing excessive gaps. 4) Grilles without an intumescent backing are fitted between the ceiling void above the server room and the internal staircase where services are not fire stopped. 	<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 as specified in the appendices of the recent type 4 fire risk assessment. 2) Upgrading or replacing the fire doors as necessary. It should be confirmed that all fire doors are certified to achieve either 30 or 60 minutes FIRE RESISTANCE depending on their use in accordance with BS:476 or EN 1634 testing procedures. 3) Modifying or replacing the fire doors to ensure that the gaps around the doors are not excessive. 4) Replacing the grilles with a material capable of providing the required level of FIRE RESISTANCE to the protected escape route.
-------------------	--	---

<p>Article 17</p>	<p>The corridors, lobbies and stairs used for access to and from flats in the premises the access route(s) are intended for use by relevant persons as a PROTECTED ROUTE. 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. 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. The PROTECTED ROUTE has been compromised by the following:</p> <ol style="list-style-type: none"> 1) No evidence provided that the flat entrance doors will provide 30 minutes FIRE RESISTANCE to the protected escape route. 2) Services running into flats from the protected escape route have not been fire stopped with FIRE RESISTING materials. 	<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. 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. You are advised that walls in PROTECTED ROUTES should have a minimum of 60 minutes FIRE RESISTANCE. 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.



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 Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

The London Fire Commissioner is the
fire and rescue authority for London

Date 5 September 2018
Our Ref 20/010643/PO

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: **Windsor House, 1270 London Road, Norbury, London SW16 4DH**

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 **20 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 **Inspecting Officer** [REDACTED].

Signed:

[REDACTED]

Dated: 5 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

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:

Windsor House, 1270 London Road, Norbury, London SW16 4DH

FILE

NUMBER: 20/010643

This schedule should be read in conjunction with the Commissioner’s Notice dated **5 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.
----------------	------------------------	--

<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 smoke ventilation panel had not been monitored to ensure all faults are planned and organised. The head of the stair automatic opening vent (AOV) was showing a fault. This had not been reported by the onsite staff therefore a repair had not been planned or organised.</p> <p>2) The fire alarm panel had not been adequately monitored to ensure that flat activations are known and investigated in an appropriate time frame. The concierge reported a faulty buzzer system.</p>	<p>Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored and reviewed.</p>
-------------------	--	--

<p>Article 14</p>	<p>At the time of the audit the emergency routes or exits were inadequate. It was found that:</p> <p>1) Services penetrating the common parts from riser shafts, laundry and server rooms were not adequately fire stopped with appropriately FIRE RESISTING materials.</p> <p>2) Many of the fire doors throughout the common parts are damaged and/or not fitting correctly into their frames. It appears this is due to the lack of door linings fitted to door frames as many door hinges have fallen away from the frames. The door stops appear too narrow to create an adequate seal to resist the passage of heat and/or smoke.</p> <p>3) Fire doors throughout the common parts including any of the riser cupboard doors are showing excessive gaps.</p> <p>4) Grills are positioned above the riser cupboard fire doors in the stair</p>	<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> <p>1) Upgrading the fire stopping with appropriately FIRE RESISTING materials as specified in the appendices of the recent type 4 FRA.</p> <p>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 FIRE RESISTANCE dependant in accordance with BS:476-22 or EN 1634 testing procedures.</p> <p>3) Modifying or replacing fire doors as necessary to ensure the gaps around the doors are not excessive.</p> <p>4) Replacing the grills with intumescent type grills capable of resisting the passage of smoke and/or heat in the event of a fire in the riser shaft.</p>
-------------------	---	--

	<p>core which do not appear to be intumescent.</p>	
<p>Article 15</p>	<p>At the time of the audit your procedures to be followed in the event of serious and imminent danger were inadequate. It was found that the fire panel is designed to alert the concierge to a fire in a flat by a buzzer sounding. As the fire panel is located in the central foyer away from the concierge office it is likely that the staff member will not be alerted to the incident for some time.</p>	<p>Adequate procedures for serious and imminent danger and for danger areas should be established and followed. This can be achieved by putting a system in place whereby the concierge will be notified of fire signals at all times to support your emergency plan.</p>

<p>Article 17</p>	<p>The corridors, lobbies and stairs used for access to and from flats in the premises (the access route(s)) are intended for use by relevant persons as a PROTECTED ROUTE. 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. 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. The PROTECTED ROUTE has been compromised by the following: 1) No evidence provided that the flat entrance doors will provide 30 minutes fire protection to the access route. 2) Some of the services, as identified in the recent FRA, running into flats from the common parts have not been fire stopped with adequately fire resisting materials</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. 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. You are advised that walls in PROTECTED ROUTES should have a minimum of 60 minutes FIRE RESISTANCE. 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>
<p>Article 17</p>	<p>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:</p> <p>1) The AOV at the head of the stair was showing a fault and therefore may not be able to operate effectively in a fire emergency to clear smoke from the internal stair core.</p> <p>2) The fire alarm panel buzzer was not operating to alert the concierge to a fire in a flat.</p>	<p>Arrange initial and ongoing maintenance to ensure fire safety measures are kept in an efficient state, working order and good repair. This can be achieved by:</p> <p>1) Carrying out maintenance of the ventilation system and ensuring a robust system is put in place for the future to ensure that faults are known and rectified in a timely manner.</p> <p>2) Carrying out maintenance of the fire alarm system and modifying the cause and effect where necessary (see article 15) to ensure fire signals are received by the onsite staff at all times.</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.



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 **Inspecting Officer** [REDACTED].

Signed:

[REDACTED]

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 Inspecting Officer [REDACTED]
Direct T 0208 555 1200 Ext [REDACTED]
FSR-AdminSupport@london-fire.gov.uk

Encl: FS03_01a, FS03_01b, FS03_06

Cc: [REDACTED], Senior Surveyor, 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.
----------------	------------------------	--

<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>
-------------------	---	--

<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.