

Freedom of Information request reference number: 7166.1

Date of response: 08 February 2022

Request:

I write with reference to visits carried out by the London Fire Brigade addresses below:

*Highbury Gardens
67-69 Highbury Gardens, Seven Kings, London, IG3 8AF*

*Phoenix House
21-25 Third Avenue, Manor Park, London, E12 6DX*

Provide information/feedback on LFB's last visit and notes documented.

Response:

The table below shows the dates and outcomes of the most recent fire safety audits conducted by our Prevention and Protection team at these premises.

Premises	Fire Safety Audit Date	Overall safety standard	Enforcement action
Highbury Gardens	28 March 2017	Well above average	None
Phoenix House	20 October 2017	Well above average	None
Phoenix House	2 May 2019	Low Risk	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

			<p>Order). As a result, an informal notification of (fire safety) deficiencies (NOD) was issued for the premises.</p> <p>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).</p>
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I have attached a copy of the fire safety audit reports for the two audits that had a 'well above average' safety standard. I have also attached a copy of the letter sent to the CQC to confirm the inspection in 2017 for Highbury Gardens was satisfactory. Please note, there is not a similar letter on record for the 2017 audit at Phoenix House.

For the 'low risk' audit that took place at Phoenix House in 2019, I have attached a copy of the informal notification of (fire safety) deficiencies (NOD) letter issued for the premises.

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

Where a Fire Safety audit results in a notice (in this case, a NOD letter) being issued by the LFB, the fire safety reports themselves are 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)). This information should be protected from publication to preserve the safe space for good regulation principles where any withheld information could be used later as part of formal enforcement action or prosecution where the materials go to demonstrate the behaviour, actions or omissions of the responsible person.

When the LFB identifies any safety concerns, we make this information available to the public by supplying copies of any informal notification of fire safety deficiencies (NOD) issued, and through access to [the public register](#) of any formal enforcement action. We clearly understand that there is public interest and concern about knowing about the fire safety of the buildings in which people live, work or visit however we need to maintain a balance between the public interest in safety and the Brigade's ability to work with responsible persons in a safe space where honest, frank and meaningful discussions can take place.

It is important that enforcing authorities are assisted in their investigations if witnesses and those responsible for compliance with regulations are willing to cooperate with the investigation on a voluntary basis and investigators are able to take full contemporaneous notes (that are recorded on the audit forms) and enter in discussions (either verbally, or by correspondence) with those involved to enable them to explore all aspects of the case and then arrive at a decision as to the appropriate action to take.

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](#).

LONDON FIRE BRIGADE - FIRE SAFETY REGULATION PREMISES INSPECTION AND DATA COLLECTION FORM

1. Location Detail Tab

File No:	14/014945		
UPRN:	10023191832		
Building Name:	67-69 Highbury Gardens		
Address:	SEVEN KINGS		
	ILFORD		
	IG3 8AF		
Use:	Care Homes		
Borough:	Redbridge		
Borough Fire Safety Team:	FSR Redbridge Havering Barking & Dagenham		
Station Ground:	F42 - Ilford		
Risk Score:	9		
SIC Code:			
Number of Floors:	Total: 3	Basement:	1
Floor Area (m2):	Total: 230	Average:	110
No. of Protected Staircases:	1		
No. of Beds:	6		
% Open Plan:	0		
Special Features:			
Additional Detail:	Small terraced property used as assisted living [REDACTED] plus 24/7 manager. Single stair, AFA & AFD etc. [REDACTED]. A020a2a sent to local station.		
Environmental Risks:			
Reinspection Date:	1991-04-04		
Heritage Building:	<input type="checkbox"/>		
Petroleum Redevelopment:	<input type="checkbox"/>		
Fire Fighter Risk:	Low		
Unwanted Fire Signals Count:	0		

2. Protection Tab

Fire Alarm

Alarm Type: Auto Fire Alarm (AFA)

Management Standard:

BS Compliance

Material Deviations from Brigade preferred standard

Call Point Type:Break Glass

Sounder Type:Bell/Sounder

Power Supply Type:Mains

Automatic Fire Detection

Type:Smoke (Point, Aspirating)

Management Standard:Standard

Remotely Monitored

BS Compliance

Smoke Ventilation

Type:None

Management Standard:

BS Compliance

Sprinklers

Type:None

Management Standard:

% Covered 0

Domestic Installation

BS Compliance

General

Fire Instructions Displayed

Fire Drills And Training

Brigade Appliance Access

Special Features:

Number of Firefighting Shafts: 0

BS Applies

Engineering Solution Applies

Trade Off Measures

Other Legislation:

3. Alias Tab

Alias Address

4. Property Detail Tab

Occupier Contact:

Address: 67-69 Highbury Gardens
SEVEN KINGS
ILFORD
IG3 8AF

Responsible Team: FSR Redbridge Havering Barking & Dagenham

Occupancy Type: Occupier - multi or single occupancy

Use: Care Homes

Valuation Office: CQC Registered Care Home

Risk Score: 4.5
 Re-inspection Date:
 Total Capacity: 0
 Floor Capacity: 0
 Property Size for Use: Very Small
 In M²: 200 to 350
 Is Non Ambulant:
 Occupancy Times: 24 Hours
 Exceptional Value:
 Environmental Risks:
Flammable Materials
 Stored:
 Type:

5. People at Risk Tab

Time Period	Weekday Occupants	Weekend Occupants
00:00 - 04:00	0 < 20	0 < 20
04:00 - 08:00	0 < 20	0 < 20
08:00 - 12:00	0 < 20	0 < 20
12:00 - 16:00	0 < 20	0 < 20
16:00 - 20:00	0 < 20	0 < 20
20:00 - 24:00	0 < 20	0 < 20

6. Contacts Tab

Contact Type Occupier
Sole Supplier Risk Name Precious Homes Ltd
Responsible Person [REDACTED]
Position Manager
Address 67-69 Highbury Garden Seven Kings Ilford Essex IG3 8AF
Telephone [REDACTED]
Fax
Email
URL
Contact Type Owner
Sole Supplier Risk Name Precious Homes Ltd
Responsible Person
Position
Address Precious Homes Ltd 5-11 Green Lanes Palmers Green London N13 4TN
Telephone 0208 826 4343
Fax
Email
URL

Abstracts

Part B - Fire Safety Audit

Article 9 - Risk Assessment

SAFETY CRITICAL

Has a suitable and sufficient Fire Safety Risk Assessment been carried out for the premises?

"The responsible person shall make a suitable and sufficient assessment of the risks to which relevant persons are exposed to identify the preventive & protective measures"

Compliance Level: Broadly Compliant

Observations: FRA and action plans in place. RA carried out 22.9.2016.

Article 10 - Principles of prevention to be applied

SAFETY CRITICAL

Have any preventative and protecting measures been implemented?

"Where the responsible person implements any preventative and protective measures he must do so on the basis of the principles specified in Part 3 of schedule 1"

Compliance Level: Broadly Compliant

Observations: Principles generally being implemented-See audit conclusion.

Article 11 - Fire Safety Arrangements

SAFETY CRITICAL

Is there effective Fire Safety Management?

"The responsible person shall make . appropriate arrangements.for the effective planning, organisation control, monitoring & review of preventive and protective measures"

Compliance Level: Broadly Compliant

Observations: Manager & staff responsible for arrangements

Article 17 - Maintenance

SAFETY CRITICAL

Are fire safety provisions being adequately maintained?

"Where necessary in order to safeguard the safety of relevant persons.the responsible person must ensure that the premises and facilities, equipment & devices provided. are subject to a suitable system of maintenance.in an efficient state.in efficient working order and in good repair"

Compliance Level: Broadly Compliant

Observations: Adequate maintenance and testing of FA and EL and FFE. FA and EL contacts in place, last maintenance 14.12.16. FFE 11.1.17.

Article 38 - Maintenance of Measures Provided for Protection of Fire-Fighters Safety Critical

SAFETY CRITICAL

Are suitable arrangements in place to ensure that facilities, equipment and devices for use by or the protection of fire fighters are maintained in an efficient state, in efficient working order and in good repair?

"Where necessary.to safeguard the safety of fire-fighters in the event of fire, the responsible person must ensure.facilities, equipment and devices provided.use by or protection of fire-fighters.suitable system of maintenance.maintained.working order and in good repair"

Compliance Level: Not Applicable

Observations:

Article 19 - Provision of information to employees

Is adequate provision made to provide information to employees?

"The responsible person must provide his employees with comprehensible and relevant information"

Compliance Level: Broadly Compliant

Observations: Info provided on risks caused by smoking. See audit conclusion.

Article 20 - Provision of information to employers and the self-employed from outside undertakings

Is adequate information provided to employers and employees from outside undertakings?

"The responsible person must ensure that comprehensible and relevant information is provided to employees from outside undertakings and to ensure such employees from outside undertakings are provided with appropriate instructions and comprehensible and relevant information regarding any risks to that person"

Compliance Level: Broadly Compliant

Observations: Visitors accompanied.

Article 22 - Co-operation and co-ordination

Is there adequate co-operation and co-ordination between responsible persons where there are two or more sharing responsibilities or have duties in respect of premises?

"Where two or more responsible persons share, or have duties in respect of, premises (Whether on a temporary or a permanent basis) each such person must, co-operate, Take all reasonable steps to co-ordinate necessary measures, and provide information"

Compliance Level: Not Applicable

Observations:

Article 21 - Training

SAFETY CRITICAL
Are employees being effectively trained?

"The responsible person must ensure that his employees are provided with adequate safety training"

Compliance Level: Broadly Compliant

Observations: Training provided

Article 12 - Elimination or reduction of risks from dangerous substances

SAFETY CRITICAL
Are suitable arrangements in place to manage the elimination or reduction of risks from dangerous substance?

"Where a dangerous substance is present . the responsible person shall ensure that risk related to the . substance is either eliminated or reduced as far as is reasonably practicable"

Compliance Level: Not Applicable

Observations:

Article 16 - Additional emergency measures in respect of dangerous substances

Are there suitable additional emergency measures provided to safeguard all relevant persons from an accident, incident or emergency related to dangerous substances in or on the premises?

"The responsible person subject to the risk assessment, must ensure that information on emergency arrangements is available, suitable warning and other communication systems are established, escape facilities are provided and maintained, provide information to relevant accident and emergency services and display information at the premises. In the event to an incident occurring take immediate steps and permit only essential persons to the affected area and provide PPE, specialised equipment and plant"

Compliance Level:Not Applicable Observations:

Article 18 - Safety assistance

Are there adequate number of competent persons and arrangements in place to assist the responsible person in undertaking the preventative and protective measures?

"The responsible person must appoint competent persons to assist him in undertaking preventative and protective measures"

Compliance Level:Broadly Compliant

Observations: Manager and staff appointed

Article 14 - Emergency routes and exits

SAFETY CRITICAL
Is effective means of escape provided and maintained?

"Where necessary to safeguard the safety of relevant persons in case of fire the responsible person must ensure that routes to emergency exits . and exits are kept clear at all times and where required, to be adequately illuminated by emergency lighting"

Compliance Level:Broadly Compliant

Observations: Single stair. Adequate fire protection in place FD30S doors provided. Doorguards on some of the doors. EL provided. Signage satisfactory.

Article 8 - General Fire Precautions

SAFETY CRITICAL
Are employers carrying out their general fire precaution responsibilities?

"The responsible person must - Take such general precautions as will ensure, so far as is reasonably practicable, the safety of any of his employees or relevant persons"
(see Article 4, meaning of general fire precautions)

Compliance Level:Broadly Compliant

Observations: See other articles.

Article 13 - Fire Warning Arrangements

SAFETY CRITICAL
Are effective fire warning arrangements provided?

"Where necessary.the responsible person must ensure that the premises are equipped with appropriate fire detection equipment, alarms, and fire-fighting equipment"

Compliance Level:Broadly Compliant

Observations: Adequate provision and maintenance. FA and EL contacts in place, last maintenance 14.12.16.

Article 13 - Fire Fighting Equipment

Are effective fire fighting equipment arrangements provided?

"Where necessary.the responsible person must ensure that the premises are equipped with appropriate..fire-fighting equipment"

Compliance Level:Broadly Compliant

Observations: FFE provided. Adequate testing. 10/2014

Article 15 - Procedures for serious and imminent danger and for danger areas

SAFETY CRITICAL
Are there adequate procedures for serious and imminent danger and for danger areas?

"The responsible person must establish & where necessary give effect to .procedures.to be followed in the event of serious & imminent danger to relevant persons, nominate competent persons to implement procedures, inform & instruct relevant persons concerned"

Compliance Level: Broadly Compliant Observations: Adequate EP provided. PEEPS in place for residents.

Article 37 - Fire-Fighters Switches for Luminous Discharge Tubes

Has suitable notice been given to the fire authority regarding the installation of fire-fighters switches? "Prescribed voltage"

means:

1000v AC or 1500v DC between two conductors. 600 v AC or 900 v Dc between conductor and earth

"This article applies to apparatus" "designed to work at a voltage exceeding the prescribed voltage" "The cut off switch must be" "placed, coloured or marked as to satisfy" "the fire authority" The responsible person must give suitable notice to the fire authority showing where the cut off switch is to be sited, coloured or marked"

Note This article does not apply to licensed premises authorised to for the exhibition of a film

Compliance Level: Not Applicable

Observations:

Article 23 - General duties of employees at work

Are employees carrying out their general duties while at work?

"Every employee must, while at work take reasonable care for the safety of himself and others, co-operate with their employer, inform their employer or any other employee with specific responsibility for the safety of his fellow employees of any hazard"

Compliance Level: Broadly Compliant

Observations: Not scored.

The following articles do not attract a score and are for information only (primarily to inform Government IRMP returns); however these issues should be considered when applying the EMM.

Article 27 - Powers of inspectors

Has the Responsible Person prevented an inspector from exercising their powers under this Article where a prosecution has **not** been taken
No (Compliant)

Article 29 - Current alterations notices

Has the Responsible Person failed to comply with any alterations notice served on the premises where a prosecution has **not** been taken
Not Applicable

Article 30 - Current enforcement notices

Has the Responsible Person failed to comply with any enforcement notice served on the premises where a prosecution has **not** been taken
Not Applicable

Article 31 - Current prohibition notices

Has the Responsible Person failed to comply with any prohibition notice served on the premises where a prosecution has **not** been taken
Not Applicable

Article 32 - Offences

Has the Responsible Person failed to comply with any other Article, not mentioned elsewhere on this form, where a prosecution has **not** been taken
Not Applicable

Article 24 - Power to make Regulations

Article 24 Secretary of State's Power to make additional regulations about fire precautions
Not Applicable

Management Compliance Level

Management Compliance Level: 1 - Well above average

Initial Expectation: Verbal action

Considered EMM

Confirmed Action: Verbal action

Audit Conclusion: All of common parts inspected along with the manager [REDACTED]

[REDACTED] The premises is a CQC registered care home which is used for Assisted Living.

The residents [REDACTED] are [REDACTED] smokers. [REDACTED]

[REDACTED] PEEPs are however in place to try and address the issues [REDACTED]

[REDACTED] I had previously sent a letter detailing some fire safety measures that could be taken and these have been acted upon in that fire retardant bedding is in use and large sand buckets are provided as ash trays. [REDACTED]

[REDACTED]. Full SSD however is provided which results in some accidental alarms. The whole building is due to be closed for refurbishment in four weeks time [REDACTED]

[REDACTED] Good standard of fire safety in the common parts. Level 1 compliance.

Other authorities to notify (if required)

Amount of weeks to be allowed for completion of any necessary works

Peak Activity Inspections required:

General Notes

(eg Instructions to Admin)

Ä

Level 1 compliance. DH 28.3.17.Admin. Please note the change of owner from Consensa Care to Precious Homes. Please update farynor.

Non-Farynor required detail:

<input type="checkbox"/> History Of Fires	<input type="checkbox"/> Fire Setting In Area
Appliance Access: Average	Water Supplies: Average
Occupants Predominant Type: Untypically Vulnerable	Fire Warning System: Adequate
Fire Loading: Higher than average	Features Assisting Fire Spread:
	<input type="checkbox"/> Atrium
	<input type="checkbox"/> Unprotected Voids
	<input type="checkbox"/> Unprotected Ducts
	<input type="checkbox"/> Other

Audit Calculation & Signature

Management Compliance Level:	1 - Well above average
Property Risk Group:	A - Sleeping Unfamiliar
Life Risk:	-2.9
Relative Risk:	4.64
Signature of Occupier:	
Date Completed	28 March 2017

LONDON FIRE BRIGADE - FIRE SAFETY REGULATION

Fire Safety Audit Summary

Audit Information

Audited By 61419R
Audit Completed 20 October 2017

Location Summary

File No: 17/001744
UPRN: 10008992053
Building Name: 21-25 THIRD AVENUE
Address: MANOR PARK
LONDON
E12 6DX
Use: B - Care Homes
Borough: Newham
Responsible Team: FSR Newham & Waltham Forest
Station Ground: F44 - East Ham
Risk Score: 4.75
Number of Floors: Total: 3 Basement: 1
No. of Beds: 20
Special Features:
Additional Detail: 21-23 is one house 25 separate house next door connected on
1st floor.
Environmental Risks:
Site Reinspection Date:
Heritage Building:
Petroleum
Redevelopment:
Fire Fighter Risk: Medium

Inspected property summary

Occupier Contact:
Address: 21-25 THIRD AVENUE
MANOR PARK
LONDON
E12 6DX
Responsible Team: FSR Newham & Waltham
Forest
Occupancy Type: Sole Occupier
Use: B - Care Homes
Valuation Office: MR1 - CQC Registered Care
Home
Risk Score: 4.75
Total Capacity: 0

Maximum Number of people: 50 - 99
 Property Size for Use: Medium
 In M²: 641 to 1500
 Environmental Risks:
 Building features that may assist fire spread:
Flammable Materials
 Stored:
 Type:

Contacts

Contact Type	Occupier
Sole Supplier Risk Name	Default Property
Responsible Person Position	
Address	21-25 Third Avenue Manor Park London E12 6DX
Telephone	
Fax	
Email	
URL	
Contact Type	Owner/Co-Owner
Sole Supplier Risk Name	Precious Homes Ltd
Responsible Person Position	
Address	Magic House 5-11 Green Lanes London N13 4TS
Telephone	
Fax	
Email	
URL	
Contact Type	On Site Representative
Sole Supplier Risk Name	Precious Homes Ltd
Responsible Person Position	██████████
Address	21-25 Third Ave London E12 6DX
Telephone	
Fax	
Email	
URL	

Enforcement History

Articles

Article 9 - Risk Assessment

SAFETY CRITICAL
Has a suitable and sufficient Fire Safety Risk Assessment been

"The responsible person shall make a suitable and sufficient assessment of the risks to which relevant persons are exposed to identify the preventive & protective measures"

carried out for the premises?

Compliance Level: Minor deficiency; Non-Compliant

Observations: 20/10/2017 11:45:FRA 2016 produced but showed premises unoccupied, although reviewed. Insufficient information on FRA.Advice and GN66 issued. Advice also given re people centred FRA although PEEPs in place. Premises well managed and risks assessed just recording not sufficient. Failure to review the fire risk assessment

At the time of the audit the fire risk assessment for your premises has not been subject to a suitable system of review. It was found that the risk assessment had not been updated since premises were opened and in full use.

Remedy:

The fire risk assessment should be reviewed and updated to ensure all relevant risks and actions taken are recorded.

Measures still required should be recorded, actioned and record updated when completed.

Article 11 - Fire Safety Arrangements

SAFETY CRITICAL *"The responsible person shall make appropriate arrangements for the effective planning, organisation control, monitoring & review of preventive and protective measures"*
Is there effective Fire Safety Management?

Compliance Level:Broadly Compliant Observations: 20/10/2017 11:51:Good management and organisation of safety measures.

Article 17 - Maintenance

SAFETY CRITICAL *"Where necessary in order to safeguard the safety of relevant persons, the responsible person must ensure that the premises and facilities, equipment & devices provided. are subject to a suitable system of maintenance, in an efficient state, in efficient working order and in good repair"*
Are fire safety provisions being adequately maintained?

Compliance Level:Broadly Compliant Observations: 20/10/2017 11:56: Maintenance recorded, including weekly alarm tests.

Article 21 - Training

SAFETY CRITICAL *"The responsible person must ensure that his employees are provided with adequate safety training"*
Are employees being effectively trained?

Compliance Level:Broadly Compliant Observations: 20/10/2017 11:57:Training provided, including on-line refreshers. Rep demonstrated very good knowledge of fire safety.Extra training to be provided very shortly including review of recent incident.

Article 14 - Emergency routes and exits

SAFETY CRITICAL *"Where necessary to safeguard the safety of relevant persons in case of fire the responsible person must ensure that routes to emergency*

Is effective means of escape provided and maintained?

exits, and exits, are kept clear at all times and where required, to be adequately illuminated by emergency lighting"

Compliance Level: Broadly Compliant

Observations: 20/10/2017 11:53: MoE sufficient and maintained. Initial assembly point inside locked gate but all staff wear fobs if gates not unlocked on activation of alarm. Further controlled evacuation then carried out if required.

Article 13 - Fire Warning Arrangements

SAFETY CRITICAL
Are effective fire warning arrangements provided?

"Where necessary. the responsible person must ensure that the premises are equipped with appropriate fire detection equipment, alarms, and fire-fighting equipment"

Compliance Level: Broadly Compliant

Observations: 20/10/2017 11:52: Full addressable AFD

Article 13 - Fire Fighting Equipment

Are effective fire fighting equipment arrangements provided?

"Where necessary. the responsible person must ensure that the premises are equipped with appropriate.. fire-fighting equipment"

Compliance Level: Broadly Compliant

Observations:

Article 15 - Procedures for serious and imminent danger and for danger areas

SAFETY CRITICAL
Are there adequate procedures for serious and imminent danger and for danger areas?

"The responsible person must establish & where necessary give effect to, procedures, to be followed in the event of serious & imminent danger to relevant persons, nominate competent persons to implement procedures, inform & instruct relevant persons concerned"

Compliance Level: Broadly Compliant

Observations: 20/10/2017 11:54: Satisfactory procedures in place. Drills carried out regularly.

Overall Safety Standard

Low Risk

Observations:

Management Compliance Level

Management Compliance Level: 1 - Well above average

Initial Expectation: Verbal Action

Considered EMM

Confirmed Action: Verbal Action

Audit Conclusion: 20/10/2017 12:02

Very well run premises and facilities. Very good maintenance, training and procedures.

Fire caused by [REDACTED] and was dealt with expediently.

[REDACTED], several staff always on hand with giving close supervision and care.

[REDACTED] residents with [REDACTED] day staff and [REDACTED] night staff.

Common parts and several rooms audited. Premises refurbished in 2016 to high standard of

fire safety.

No UWFS issues as not linked.

20/10/2017 11:57

Initial Expectation: Verbal action

Specific instructions for Admin to action

Audit Calculation & Signature

Management Compliance Level:

1 - Well above average

Property Risk Group:

A - Sleeping Unfamiliar

Life Risk:

-3.8

Relative Risk:

4.53

Signature of Occupier:

Date Completed



CQC National Customer Service Centre
Citygate
Gallowgate
Newcastle upon Tyne
NE1 4PA

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 7 April 2017
Our Ref 14/014945/NH

Dear Sir/Madam

**REGULATORY REFORM (FIRE SAFETY) ORDER 2005
CARE STANDARDS ACT 2000**

Care Home: Precious Homes Ltd, 67-69 Highbury Gardens Seven Kings Ilford Essex IG3
8AF

Post-registration Inspection

The Fire Authority has recently carried out an inspection of the above-mentioned premises under the Regulatory Reform (Fire Safety) Order 2005, at which time they were found to be satisfactory.

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 [REDACTED]
Direct T 0208 555 1200 [REDACTED] / [REDACTED]

The Company Secretary
Precious Homes Limited
Magic House
5-11 Green Lanes
Palmers Green
London
N13 4TN

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

Date 17 May 2019
Our Ref 17/001744/PDB

Dear Sir/Madam

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

Premises: Phoenix House 21-25 Third Avenue Manor Park London E12 6DX

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 **9 August 2019**.

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,

for Assistant Commissioner (Fire Safety)

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

Reply to [REDACTED]

Direct T 0208 555 1200 Ext [REDACTED]

Enc: Form FS03_01b Legislation Extracts
Form FS03_06 Definitions of standard terms
TR/19

Cc: [REDACTED], Precious Homes, Phoenix House 21-25 Third Avenue Manor Park
London E12 6DX

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 British or European Standards, or recognised industry guidance.

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Your rights when Fire Safety Inspecting Officers take action.

The 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: Phoenix House 21-25 Third Avenue Manor Park London E12 6DX

FILE NUMBER: 17/001744

This schedule should be read in conjunction with the Commissioner's letter dated **17 May 2019**.

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	<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 fire safety signage positioned throughout the premises was misleading and had not been controlled and monitored.</p> <p>2) The testing of the premises Automatic Opening Vents have not been planned, organised and monitored.</p>	<p>Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.</p>
Article 14	<p>At the time of the audit the emergency routes or exits were inadequate. It was found that:</p> <p>1) The protected corridor on the first floor of the main building had inadequate FIRE RESISTANCE. This was due to an air vent placed within the wall from the loft area serving the single means of escape.</p> <p>2) No fire exit signage was in place, allowing to identify the available exits within the premises.</p> <p>3) No self closing devices were fitted to some fire doors throughout the premises.</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) Ensuring the passive FIRE RESISTING construction is reinstated protecting the corridor and single means of escape.</p> <p>2) Provide pictogram fire exit signage making sure that it is installed in a way that is clearly visible, provide clear and unambiguous information to enable relevant persons to safely leave the premises in an emergency.</p> <p>3) A survey should be carried out making sure that all fire doors have self closing devices and installed if required. All works must be completed by a competent person.</p>

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 kitchen door on the first floor of the main building was not closing fully into its frame.	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 making sure that all fire doors self close fully into their frames. All works must be carried out by a competent person.
Article 8	At the time of the audit the FIRE RESISTING separation in your premises was inadequate. It was found that the structure forming separation between the basement boiler room and to the above sleeping accommodation did not provide suitable fire separation. It was also found that the FIRE RESISTING separation within the COSHH store in the main building was inadequate due to breaches, gaps and holes around services.	Provide suitable FIRE RESISTING separation.
Article 8	At the time of the audit the general fire precautions required to prevent fire and smoke spread via shafts, risers or ducting were inadequate. It was found that there was no evidence to show that the commercial drying machines extract system was being sufficiently cleaned.	Take the general fire precautions required to prevent fire and smoke spread by undertaking a deep clean of the ducting as outlined in the TR/19 document produced by the heating and ventilation contractor's association (ISBN number 0903783355). This should be repeated on a periodic basis.
Article 9	At the time of the audit the fire risk assessment for your premises has not been subject to a suitable system of review. It was found that a review of the FIRE RESISTING compartmentation and separation throughout the building to justify the use of a 'stay put' strategy has not taken place.	The fire risk assessment should be reviewed, ensuring the fire resistance of all walls, floors, ceilings and doors is sufficient and has not been compromised and is subject to suitable maintenance.

****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.