



LONDON FIRE BRIGADE

London Fire Brigade Headquarters  
169 Union Street London SE1 0LL  
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**Freedom of Information request reference number:** 7372.1

**Date of response:** 18 April 2023

**Request:**

*Please would you be kind enough to provide me with soft copies of the reports issued on 13th January 2020 and 20th January 2020 for the two blocks of flats being:*

*Lesley Court  
C/o Lesley Court (Management) Company Limited  
Flat 10  
Lesley Court  
Harcourt Road  
Wallington SM6 8AZ*

*Your refs: 21/237159/MH and 21/242875/SP.*

**Response:**

Please find attached copies of the Notification of Fire Safety Deficiencies letters issued to:

Flats 1-12, Lesley Court, Harcourt Road on 13 January 2020, and;  
13-24 Lesley Court, Harcourt Road on 20 January 2020.

Personal data has also been removed from the attached document under section 40 of the FOIA – Personal Information.

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



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 Company Secretary  
Lesley Court (Management) Company Limited  
Flat 10  
Lesley Court  
Harcourt Road  
Wallington  
SM6 8AZ

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

Date 20 January 2020  
Our Ref 21/242875/SP

Dear Sir/Madam

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

**Premises: 13-24 Lesley Court, Harcourt Road, Wallington SM6 8AZ**

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 **11 May 2020**.

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](http://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](http://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 Inspecting Officer [REDACTED]

Direct T 0205551200 ex [REDACTED]

Enc: Form FS03\_01b Legislation Extracts  
Form FS03\_06 Definitions of standard terms  
GN\_66 Regulatory Reform (Fire Safety) Order 2005

Cc: [REDACTED], Lesley Court, Harcourt Road, Wallington SM6 8AZ

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: 13-24 Lesley Court, Harcourt Road, Wallington SM6 8AZ**

**FILE NUMBER: 21/242875**

This schedule should be read in conjunction with the Commissioner's letter dated **20 January 2020**.

The condition(s) specified in the Regulatory Reform (Fire Safety) Order 2005, were being contravened and the following step(s) need(s) to be taken in order to comply with the above legislation:

<b>Article</b>	<b>Area of Concern</b>	<b>Steps Considered necessary to remedy the contravention.</b>
Article 11	<p>At the time of the audit your preventative and protective measures had not been planned, organised, controlled, monitored or reviewed where required.</p> <p>It was found that:</p> <ol style="list-style-type: none"><li>1) The refuse chute room doors on all floors were not 30 minutes FIRE RESISTANT doors, and FD30s had not been planned or reviewed.</li><li>2) Combustible materials stored in the communal areas had not been monitored or controlled i.e. vases with artificial plastic flowers, wooden table.</li><li>3) The breaches caused by water damage that had not been fire stopped in the communal parts had not been monitored, controlled or reviewed.</li><li>4) The front entrance door covered with flammable net curtains had not been monitored or controlled.</li><li>5) The lobby doors on the ground, second and third floor were not closing effectively into the door frames had not been monitored or controlled.</li><li>6) The lobby doors on the ground, second and third floors were not provided with</li></ol>	<p>Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.</p>

Article 11 continued	<p>intumescent strips and cold smoke seals had not been monitored or controlled or reviewed.</p> <p>7) The fire alarm system (BS 5839 part 6) is in conflict with a stay put strategy had not been monitored or reviewed.</p>	
Article 14	<p>At the time of the audit the emergency routes or exits were inadequate.</p> <p>It was found that :</p> <p>1) The refuse chute room door on all floors were not provided with FD30s, this would promote rapid fire spread in the event of a fire.</p> <p>2) Combustible materials stored in communal areas and in the lobby area next to Flat no.17 (e.g. vases with artificial plastic flowers, plants, wooden table) would prevent egress in the event of a fire emergency.</p> <p>3) The main front exit door was covered with flammable net curtains, this would promote rapid fire spread in the event of a fire.</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.</p> <p>This can be achieved by:</p> <p>1) Upgrading existing door of chute rooms on all floors by FD30s.</p> <p>2) Removing all combustible material (vases with artificial plastic flowers, plants, wooden table) stored in communal areas and in lobby area next to Flat no.17.</p> <p>3) Removing flammable net curtains from the front exit doors.</p>
Article 18	<p>At the time of the audit you had not appointed any competent person(s) to assist you in undertaking your identified preventive and protective measures.</p> <p>It was found that competent person such as a fire risk assessor was not appointed to carry out fire risk assessment for communal parts.</p>	<p>Appoint one or more competent persons to provide you with safety assistance. This can be achieved by employing a competent fire risk assessor to carry out fire risk assessment for communal parts.</p>
Article 8	<p>At the time of the audit the FIRE RESISTING separation in your premises was inadequate.</p> <p>It was found that on ceiling of communal part next to Flat 17, gaps were created due to water pipe work with exposed wood, and were not fire stopped.</p>	<p>Provide suitable FIRE RESISTING separation by filling the gaps and exposed wood by 60 minute FIRE RESISTING material.</p>

Article 9	<p>At the time of the audit you did not provide evidence that a fire risk assessment had been undertaken.</p> <p>1) The refuse chute room door on all floors were not provided with FD30s and had not been identified.</p> <p>2) Combustible materials stored in communal areas and in the lobby area adjacent to Flat no.17 (e.g. vases with artificial plastic flowers, plants, wooden table) had not been identified.</p> <p>3) The main exit doors were covered with flammable net curtains, and had not been identified.</p>	<p>Carry out a fire risk assessment. (See guidance note No.66). In particular take into account communal parts:</p> <p>1) Upgrading the existing doors of chute rooms on all floors by FD30s.</p> <p>2) Removing all combustible material (vases with artificial plastic flowers, plants, wooden table) stored in communal areas and in lobby area next to no.17.</p> <p>3) Removing flammable net curtains from main exit doors.</p>
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**\*\*\*RECOMMENDATIONS NOT FORMING REQUIREMENTS OF THE SCHEDULE\*\*\***

The Commissioner would strongly urge that you consider the presence of combustible façade cladding materials as part of the risk assessment process for these premises. All relevant information about any replacement window and facade schemes should be made fully available to fire risk assessors. Where no reliable information is available for a given property, a strategy to assess the risk and where necessary implement short, medium and long term actions to address the risk should be implemented.

Where remedial measures are to be undertaken to which consultation requirements under Section 20 of the Landlord and Tenant Act 1985 will apply, the Commissioner would urge you to consider application of the disapplication provisions under Section 20ZA of that Act.





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Flat 10  
Lesley Court  
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Wallington  
SM6 8AZ

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

Date 13<sup>th</sup> January 2020  
Our Ref 21/237159/MH

Dear Sir/Madam

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

### **Premises: Flats 1-12, Lesley Court, Harcourt Road, Wallington**

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 **1<sup>st</sup> June 2020**.

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 website at [www.london-fire.gov.uk](http://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](http://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](mailto:FSR-AdminSupport@london-fire.gov.uk)

Reply to Inspecting Officer [REDACTED]

Direct T 020 8555 1200 x [REDACTED]

Enc: Form FS03\_01b Legislation Extracts  
Form FS03\_06 Definitions of standard terms  
GN66

Notes to accompany the Notification of Deficiencies schedule.

**Important information to consider before taking remedial steps:**

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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.

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## **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: Flats 1-12, Lesley Court, Harcourt Road, Wallington**

**FILE NUMBER: 21/237159**

This schedule should be read in conjunction with the Commissioner's letter dated **13<sup>th</sup> January 2020**

The condition(s) specified in the Regulatory Reform (Fire Safety) Order 2005, were being contravened and the following step(s) need(s) to be taken in order to comply with the above legislation:

<b>Article</b>	<b>Area of Concern</b>	<b>Steps Considered necessary to remedy the contravention.</b>
Article 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> <ol style="list-style-type: none"><li>1) The chute room on all floors was not provided with an FD30s door. Planning had not been made to upgrade the doors to FD30s.</li><li>2) Combustible material (wooden wardrobe, vases with artificial plastic flowers, wooden table) were stored in communal areas and in lobby area of flat No.2. Arrangements had not been made to control and monitor to keep the communal areas sterile.</li><li>3) On the 3rd floor, lots of combustible material was stored inside the chute room.</li><li>4) On ceiling of communal parts, gaps were found created due to water pipe work and were not fire stopped.</li><li>5) The front exit door was covered with flammable net curtains.</li><li>6) Sampled flat front doors did not have self closing devices, intumescent strips and cold smoke seals.</li><li>7) There was Part 6 Grade D alarm system installed within the common parts. This conflicts with the stay put policy.</li></ol>	Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored and reviewed.

<p>Article 13</p>	<p>At the time of the audit you had not provided an appropriate method of fire detection and warning within your premises. It was found that:</p> <p>1) There was a fire detection and warning system installed within common parts. This conflicts with the stay put policy.</p> <p>2) Recommendation: Although not a requirement of this notice it is strongly recommended that hard wired smoke detectors are installed in all flats.</p>	<p>Provide an appropriate means of fire detection and giving warning in the common parts of the premises. This can be achieved by:</p> <p>1) Review the fire alarm system in common parts.</p> <p>2) Installing a Grade D Category LD3 system in accordance with BS5839 part 6.</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) The chute room on each floor was not provided with an FD30s door.</p> <p>2) Combustible material (wooden wardrobe, vases with artificial plastic flowers, wooden table) were stored in the communal areas and in the lobby area of flat 2.</p> <p>3) Combustible material was being stored inside the chute room on the 3rd floor.</p> <p>4) The front exit door was covered with flammable net curtains.</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) Providing FD30s doors to all chute rooms.</p> <p>2) Removing all combustible material (wooden wardrobe, vases with artificial plastic flowers, wooden table) stored in communal areas and in lobby area of flat 2.</p> <p>3) Removing all combustible material from the chute room on the 3rd floor.</p> <p>4) Ensuring the net curtains provided to the front exit are removed.</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.</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>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.</p> <p>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.</p>

Article 17 (continued)	The PROTECTED ROUTE has been compromised by the fitting of doors that do not provide 30 minutes fire protection to the access route. Flat front doors are to be upgraded by providing positive action, self closing devices; intumescent strips and cold smoke seals.	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.
Article 18	At the time of the audit you had not appointed any competent person(s) to assist you in undertaking your identified preventive and protective measures. It was found that a competent fire risk assessor was not appointed.	Appoint one or more competent persons to provide you with safety assistance. This can be achieved by appointing a competent fire risk assessor.
Article 8	At the time of the audit the FIRE RESISTING separation in your premises was inadequate. It was found that gaps had been in the ceiling of the communal parts, created due to water pipe work, and were not fire stopped.	Provide suitable FIRE RESISTING separation by providing 30 minute FIRE RESISTING fire stopping.
Article 9	At the time of the audit you did not provide evidence that a fire risk assessment had been undertaken.	Carry out a fire risk assessment. (See guidance note No.66). In particular take into account communal parts and flat front doors.

**\*\*\*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.