

**Freedom of Information request reference number:** 8386.1

**Date of response:** 26 February 2024

**Request:**

*A fire safety audit was undertaken in late 2023 for 186 Bishopsgate London EC2M 4NR (residential above 5 Guys Andrew Graham was the author/inspector Please may I have a copy.*

**Response:**

The LFB Fire Safety Regulatory team confirm that the last audit conducted on this building was in December 2023

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

As a result, an informal notification of (fire safety) deficiencies (NOD) was issued for the Premises on the 29 January 2024. A copy of the notice is attached below along with the extracts.

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

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

I hope you find this information of use. Should you have any further questions please do let me know.

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](#)

The Company Secretary  
186 Bishopsgate Management Ltd  
MIm, Premiere House  
Elstree Way,  
Borehamwood, Hertfordshire  
WD6 1JH

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

Date 29 January 2024  
Our Ref 00/010247

Dear Sir/Madam

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

**Premises: 186-190 Bishopsgate, London EC2M 4NR**

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 (as amended) hereafter the Fire Safety Order (as amended)) 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 the Fire Safety Order (as amended).

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 **26 February 2024**.

If you are in any doubt about what you need to do to comply with the Fire Safety Order (as amended); 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 (as amended) 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 (as amended).

Yours faithfully,

PP

**for Assistant Commissioner (Fire Safety)**

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

Reply to Inspecting Officer

Direct T 020 8555 1200 ext

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

Cc: @mlmproperty.co.uk

@tidewayproperty.co.uk

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: 186-190 Bishopsgate, London EC2M 4NR**

**FILE NUMBER: 00/010247**

This schedule should be read in conjunction with the Commissioner's letter dated **29 January 2024**.

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) Registering the building to the local fire and rescue service had not been planned or organised.</li><li>2) Combustibles stored on the means of escape had not been controlled or monitored.</li><li>3) The suitability of the ground floor means of escape had not been reviewed.</li><li>4) Compartmentation survey had not been planned or organised.</li><li>5) Fire strategy requested by the fire risk assessor has not been planned or organised.</li><li>6) Actions based on the findings of the fire risk assessment had not been planned, organised or monitored.</li></ol>	<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.</p> <p>It was found that:</p> <ol style="list-style-type: none"><li>1) The lift opens onto the ground floors single means of escape and has no protective measures in place.</li><li>2) The single final exit does not open in the direction of escape.</li></ol>	<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> <ol style="list-style-type: none"><li>1) Ensuring that all openings onto a protected corridor have 30 minutes FIRE RESISTANCE.</li><li>2) Review the arrangements to ensure that the exit does not delay an evacuation.</li></ol>

Article 21	At the time of the audit your employees had not been provided with adequate safety training. It was found that training has not been undertaken since Fire Safety Regulations 2022 has been in place.	Provide your staff with adequate safety training. In particular provide updated fire safety training to your staff including reporting faults which cannot be fixed within 24 hours to the local fire and rescue service.
Article 22	At the time of the audit you had not cooperated and coordinated with other responsible persons. It was found that neither party accepted responsibility for registering the premises to the high rise portal.	You must take all reasonable steps to cooperate and coordinate with other responsible persons. In particular appoint a responsible person to register the premises on the high rise portal with the London Fire Brigade and report building faults which will take more than 24 hours to remediate.
Article 38	At the time of the audit a suitable system of maintenance of the firefighting measures was not in place. It was found that the wayfinding signage at each floor level was found to be inadequate.	Arrange initial and ongoing maintenance to ensure firefighting measures are kept in an efficient state, working order and good repair. This can be achieved by wayfinding signage should conform to the specifications and location set out in Approved Document B Volume 1.
Article 9	At the time of the audit the fire risk assessment for your premises was not suitable and sufficient. It was found that passenger lift opening on to the ground floor means of escape had not been considered within the fire risk assessment. This is considered necessary given that the building is in simultaneous evacuation and has a single means of escape.	The fire risk assessment should be reviewed, with specific consideration given to the means of escape should be protected at all times. Consideration should be given to the risk of fire/smoke spreading into communal areas.

**\*\*\*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.