



LONDON FIRE BRIGADE

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

Freedom of Information request reference number: 7914.1

Date of response: 6 October 2023

Request:

Information on prohibition notice in relations to premises 8-10 Park Road London N8 8TD.

Response:

Please see below a copy of the Prohibition Notice, issued under Article 31 of the Regulatory Reform (Fire Safety) Order 2005 that was served on the premises.

Prohibition notices issued by the LFB, are also published on the LFB website. This information can be found using the following link: <https://www.london-fire.gov.uk/community/public-notices/>

Personal data has been removed from the 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, North West 4 Team
169 Union Street London SE1 0LL
T 020 8555 1200

london-fire.gov.uk

c/o Dragon Chinese Restaurant
8-10 Park Road
Hornsey
London N8 8TD

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

Date 11th September 2023
Our Ref 31/011142/

Dear Sir/Madam

REGULATORY REFORM (FIRE SAFETY) ORDER 2005 (as amended)

Premises: Dragon Chinese Restaurant, 8-10 Park Road, Hornsey, London N8 8TD

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) (The Order) in London.

Following an inspection of the above-mentioned premises carried out on **7th September 2023** by **Senior Fire Safety Officer**, the Commissioner is of the opinion that the use of these premises involves or will involve a risk to persons on the premises in case of fire so serious that the use of the premises ought to be prohibited or restricted.

I therefore enclose a Prohibition Notice, issued under Article 31 of the Regulatory Reform (Fire Safety) Order 2005 (as amended), prohibiting or restricting the use of the premises as detailed in the Notice.

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 sincerely,

for Assistant Commissioner (Fire Safety)

Directorate of Operations
FSR-AdminSupport@london-fire.gov.uk

Reply to Inspecting Officer
Direct T 020 8555 1200

Encl. – Prohibition Notice



LONDON FIRE BRIGADE

Fire Safety Regulation, North West 4 Team
169 Union Street London SE1 0LL
T 020 8555 1200

london-fire.gov.uk

The Borough Commander MPS
Tottenham Police Station
398 High Road
Tottenham
London N17 9JA

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

Date 11th September 2023
Our Ref 31/011142/

Dear Sir/Madam

Premises: Dragon Chinese Restaurant, 8-10 Park Road, Hornsey, London N8 8TD

SERVICE OF PROHIBITION NOTICE

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) (The Order) in London.

On **7th September 2023** the Commissioner served a prohibition notice under Article 31 of the Regulatory Reform (Fire Safety) Order 2005 (as amended) (the Order) in respect of use of the above premises. I enclose a copy of that notice for information of your officers.

The prohibition notice was served as in the opinion of the Commissioner the risk to members of the public in case of fire was so serious that prohibition or restriction of use was necessary to protect those persons from imminent serious personal injury.

The Commissioner would be grateful for any assistance you are able to provide locally in monitoring and reporting on use of these premises and ensuring that persons are not placed at risk by using the premises for the prohibited uses. Contravention of a prohibition notice is an indictable offence under Article 32(2)(h) of the Order. In the event that your officers witness use of the premises in contravention of the notice, we would be grateful if you could provide evidence of that as we will consider taking a prosecution against those responsible.

Should it be found that the notice is being contravened we may seek your assistance in removing persons from the premises. In appropriate circumstances this may include requesting use of police powers under sections 17 and 24 of the Police and Criminal Evidence Act 1984 (as amended).

We will notify you if the prohibition imposed is lifted due to action taken by the responsible person or is withdrawn by the Commissioner.

I have written in similar terms to the Chief Executive of the local authority.

Any queries regarding this letter should be addressed to Fire Safety Team [REDACTED]

Yours faithfully,

[REDACTED] [REDACTED]

for Assistant Commissioner (Fire Safety)

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

Reply to Inspecting Officer [REDACTED]

Direct T 020 8555 1200 [REDACTED]

PROHIBITION NOTICE

NOTICE ISSUED UNDER ARTICLE 31 OF THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005 (as amended)

Premises to which this notice relates: Dragon Chinese Restaurant, 8-10 Park Road, London, N8 8TD

Use of the premises to which this notice relates: Commercial and residential, including sleeping accommodation

Name of responsible person: [REDACTED]

Address of responsible person: Unknown. C/O Dragon Chinese Restaurant

Name of authorising officer: [REDACTED]

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 referenced as 'The Order', in London.

A duly authorised representative of the Commissioner is of the opinion that the use of the premises to which this notice relates involves, or will involve, a risk to relevant persons so serious that the use of the premises ought to be prohibited.

The duly authorised representative of the Commissioner is of this opinion because:

- Fire separation between floors is insufficient
- The means of escape is inadequate
- Fire protection for the means of escape is insufficient
- The means of giving warning in case of fire is insufficient.
- Escape routes are blocked or obstructed by combustible materials.

The Commissioner hereby directs that the use of the premises to which this notice relates is prohibited or restricted as follows:

Flat 4 on 1st floor must not be used for residential purposes, including sleeping accommodation until the matters identified above as giving rise to serious risk have been remedied.

In the opinion of the Commissioner the risk of serious personal injury to relevant persons is imminent. The prohibition or restriction specified in this notice has immediate effect.

This notice continues in force until the matters identified above as giving rise to serious risk have been remedied or the Commissioner withdraws it. Further works or measures may be required to achieve compliance with The Order. Where necessary, these will be detailed in a separate enforcement notice.

Signature: _____



Date: 07/09/23.

“Deputy Assistant Commissioner”
(The Officer appointed for the purpose)

NOTES

1. Contravention of any prohibition or restriction imposed by a prohibition notice is an offence under Article 32 (2) (h) of The Order and renders the offender liable, on a summary conviction, to a fine not exceeding the statutory maximum or, on conviction on indictment, to a fine or imprisonment for a term not exceeding two years, or both.
2. In any proceedings for an offence referred to in note 1, where the person charged is a person other than the person on whom the prohibition notice was served, it shall be a defence for that person to prove that he/she did not know and had no reason to believe the notice had been served.
3. The person on whom the notice is served has a responsibility to take all reasonable steps to ensure compliance with the notice and is advised to make the effect of the notice known to those who might work on or resort to the premises. Failure to take such steps may constitute a contravention of the terms of the notice and render the person on whom the notice is served liable to the penalties described in note 1.
4. Your attention is drawn to the provision for appeal to a magistrates' court against this notice in Article 35 of The Order.

A person on whom a prohibition notice is served may appeal to the court within 21 days from the date on which the prohibition notice is served.

The bringing of an appeal does not have the effect of suspending this notice, unless on the application of the appellant, the court so directs (and then only from the giving of the direction).

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

The above Act requires the Commissioner to maintain public registers of notices issued under Article 31 of The Order, (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 Assistant Commissioner, Fire Safety, within a period of 14 days following the service of the notice, requesting exclusion of these details(see Section 4 of the 1988 Act).