

Freedom of Information request reference number: 7714.1

Date of response: 21 August 2023

Request:

I am writing under the FOIA to request the following:

Any (anonymised) complaints or reports/logs regarding incidents or issues relating to the London-based developer and landlord Lexadon, over the last five years.

Please include complaints/incident reports relating to or mentioning any of its various company names: Lexadon Property Group, Lexadon Properties Limited, Lexadon Ltd, and so on,.....

I'm looking for complaints about fire safety issues at their properties/sites, and any enforcement action or recommendations issued to the company/companies by LFB

Response:

Our Fire Safety Regulatory Team have provided the information they hold in relation to Lexadon Property Group, Lexadon Properties Limited Lexadon Ltd for the last 5 years.

As per your request we identified 2 properties managed by Lexadon Limited which had informal notification of deficiencies (NOD) issued on them.

One was in 2017 and the other in 2019. A copy of the NOD issued can be found on pages 3 to 15 of this document.

Where a Fire Safety Audit (FSA) results in a notice being issued by the LFB, the reports themselves are exempt from release under The Freedom of Information Act (FOIA) provisions under [Section 31 of the FOIA - law enforcement](#) (Section 31(1)(g) combined with 31(2) (a) and 31(2) (c)).

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 on the appropriate action to take.

A copy of The Notification of Fire Safety Deficiencies (NOD) letter is attached below
Personal data has been removed from the NOD document 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
Lexadon Limited
2 Cumberland Works
Wighton Place
London
SE11 4AN

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 21 July 2017
Our Ref 09/011867/[REDACTED]

Dear Sir/Madam

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

Premises: 3 Stewart's Place, London SW2 2RS

The Authority'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 Authority's recommendations about the actions you should take are explained in the attached schedule. We recommend that action should be taken by **13th October 2017**.

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 Authority's website 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 Authority 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

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

Reply To Inspecting Officer [REDACTED]

Direct T 02085551200 [REDACTED]

Cc [REDACTED], Fifield Glyn Limited, 1 Royal Mews Gadbrook Park, Cheshire CW9 7UD

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 Authority may visit your premises again to check on the action you have taken.
3. **Notwithstanding any consultation undertaken by the fire authority, 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 Authority.
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 fire authority 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 and Emergency Planning Authority 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 Fire Authority 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: **3 Stewart's Place, London SW2 2RS**

File Number: **09/011867/GM**

This schedule should be read in conjunction with the Authority's letter dated **21st July 2017**.

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 10 | At the time of the audit the risk reduction and prevention principles of the order had not been applied in the correct sequence. It was found that the ground floor escape corridor and the fire exits themselves was missing a 'Fire Escape Keep Clear' sign' & a 'No Parking' sign. | Apply the principles of prevention contained in Schedule 1 Part 3 of the Order in the priority set out in that schedule. In particular provide a 'Fire Escape Keep Clear' sign to instruct the occupiers not to park their industrial wheelie bins or store any items within the fire escape corridor. Also, provide a 'No Parking' sign to warn anyone with a vehicle to park outside and not inside the building. |
| Article 11 | At the time of the audit your preventative and protective measures had not been planned, organised, controlled monitored or reviewed where required. It was found that the fire alarm, emergency escape lighting and fire fighting equipment was not being maintained or tested on a regular basis. | Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed. |

| | | |
|---------------|--|---|
| Article 17(1) | <p>At the time of the audit you had not ensured that a suitable system of maintenance was in place in your premises. It was found that:</p> <p>1) Fire fighting equipment was not being suitably maintained. The tags and labels were found to be missing from the fire extinguishers.</p> <p>2) The emergency escape lighting (including illuminated fire exit signs) was not being suitably maintained or tested on a regular basis.</p> <p>3) The fire alarm system was not being suitably maintained or tested on a regular basis.</p> | <p>Arrange initial and on-going maintenance to ensure fire safety measures are kept in an efficient state, working order and good repair. This can be achieved by:</p> <p>1) Maintaining the fire extinguishers.</p> <p>2) Maintaining and testing the emergency escape lighting. It is recommended that a test on the emergency escape lighting to be completed on a monthly basis.</p> <p>3) Ensuring the fire alarm system is maintained in efficient working order. It is recommended that a fire alarm test to be completed on a weekly basis.</p> |
| Article 8 | <p>At the time of the audit the FIRE RESISTING separation in your premises was inadequate. It was found that there were visible gas pipe holes between the ceiling of the ground commercial units and the sleeping accommodation above.</p> | <p>Provide suitable FIRE RESISTING separation by repairing any holes in the ceiling around the gas pipes between the ceiling at ground floor level the first floor sleeping accommodation. There is to be 60 minutes fire separation between the ground floor commercial units and the residential flats at first floor level.</p> |
| Article 9(1) | <p>At the time of the audit you did not provide evidence that a fire risk assessment had been undertaken.</p> | <p>Carry out a fire risk assessment. (See guidance note No.66) In particular take into account compartmentation & maintenance/testing of the fire alarm, emergency escape lighting, fire fighting equipment and maintenance on the mains electrical supply.</p> |

*****RECOMMENDATIONS NOT FORMING REQUIREMENTS OF THE SCHEDULE*****

The Authority 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 Authority would urge you to consider application of the disapplication provisions under Section 20ZA of that Act.

The Company Secretary
Lexadon Limited
The Viaduct Business Centre Unit 3
364a Coldharbour Lane
Brixton
London SW9 8PL

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

Date 7 March 2019
Our Ref 09/013603/

Dear Sir/Madam

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

Premises: 445 Norwood Road, London SE27 9DN

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 **16 May 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 [REDACTED]

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

Cc: [REDACTED] Lexadon Limited, The Viaduct Business Centre Unit 3
364a Coldharbour Lane, Brixton, London SW9 8PL

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.

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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: 445 Norwood Road, London SE27 9DN

FILE NUMBER: 09/013603

This schedule should be read in conjunction with the Commissioner's letter dated **7 March 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 risk assessment had not been suitably reviewed. No significant findings had been actioned.</p> <p>2) The management of the means of escape has not been suitably planned or organised. It was found that the door to the yard leading from the original fire station building does not have a free opening door to exit and the doors leading to the final exit in the ground floor do not have override facilities.</p> <p>3) The management of the maintenance of the premises was not suitably monitored. It was found that there was a large amount of combustible materials found in the common parts of the original fire station building and it was unclear if the external staircase of the original fire station had been suitably maintained to a suitable standard if being considered an evacuation route.</p> | Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed. |

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| <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 door to the yard leading from the original fire station building does not have a free opening door to exit (it has a lock with a code key). This could restrict access in an evacuation.</p> <p>2) The doors leading to the final exit in the ground floor do not override facilities. This could restrict an evacuation.</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) Removing the lock from the door leading from the yard to the original fire station and ensuring that the means of escape from the yard to the final exit are kept free of obstruction at all times.</p> <p>2) Installing override facilities to doors on the ground floor of the original building and ensuring that they are regularly maintained.</p> |
| <p>Article 15</p> | <p>At the time of the audit your procedures to be followed in the event of serious and imminent danger were inadequate. It was found that there were no fire action notices displayed throughout either building within the premises.</p> | <p>Adequate procedures for serious and imminent danger and for danger areas should be established and followed. This can be achieved by ensuring that an agreed emergency evacuation plan is displayed in common areas of both premises.</p> |
| <p>Article 17</p> | <p>At the time of the audit you had not ensured that a suitable system of maintenance was in place in your premises. It was found that:</p> <p>1) There were a large amount of combustible materials found in the common parts of the original fire station building. This could aid the spread of fire if ignited or restrict access in an evacuation.</p> <p>2) It was unclear if the external staircase of the original fire station had been suitably maintained to a suitable standard if being considered an evacuation route.</p> | <p>Arrange initial and on-going maintenance to ensure fire safety measures are kept in an efficient state, working order and good repair. This can be achieved by:</p> <p>1) Removing any combustible materials from the means of escape and ensuring that the management program is reviewed to ensure no future build up.</p> <p>2) Ensure that the external staircase is maintained by a competent person regularly.</p> |

| | | |
|------------|--|---|
| Article 38 | <p>At the time of the audit a suitable system of maintenance of the fire fighting measures was not in place. It was found that:</p> <ol style="list-style-type: none"> 1) The doors leading to the final exit in the ground floor do not override facilities. 2) The drop key access to the main building (outside and vestibule) did not work. 3) The dry riser for the original building was incorrectly signed. 4) There was no information on site providing the layout of both premises and layout of the dry risers. | <p>Arrange initial and ongoing maintenance to ensure fire fighting measures are kept in an efficient state, working order and good repair. This can be achieved by:</p> <ol style="list-style-type: none"> 1) Installing override facilities to doors on the ground floor of the original building and ensuring that they are regularly maintained. 2) Repairing the drop key access to all doors and ensuring they are tested regularly. 3) Ensuring that dry risers are all labelled correctly. 4) Installing a premises information box to site with zone plans of the premises and layout of the riser inlet outlets. |
|------------|--|---|

*****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.