

Freedom of Information request reference number: 8387.2

Date of response: 24/05/2024

Request:

Thank you for this Freedom of information 8387.1

I have attached the details you provided.

Can I make a further Freedom of Information Act (FOIA) request please for the following information. The information provided on pages 2-9 (See attached) shows the Enforcement Notice issued to Rendall & Rittner on 3rd April 2023 regarding Bailey house and the "Extension of Time given" regarding non compliance of the Enforcement Notice dated 12th October 2023. This extension states that the extension was given to 2nd Jan 2024 and there will be no further extension. LFB state that if the notice is not complied with by 2nd January 2024 then Legal Action will begin.

Rendall & Rittner did not comply with the notice by 2nd January 2024. Please forward the communications from LFB to Rendall & Rittner regarding the commencement of Legal Action and confirm that LFB Legal Action is underway.

The Enforcement Notice issued to Rendall & Rittner on 10th November 2022 for Bush House (see pages 10-17) was not complied with. Compartmentation failings remain in the risers of Bush House. The AOV system has been open and broken for 18 months and remains open and broken and has caused serious internal damage from rainfall over this period. Rendall & Rittner have been asked many times to provide the historic maintenance, testing and service records for the AOV and fire alarms since 2018 but they will not supply the records or fire logs.

Please forward the follow up action LFB have taken with Rendall & Rittner following non compliance with the Bush house Enforcement notice.

Also Can you please forward the LFB FIRE SAFETY AUDIT REPORTS for Bush House, Bailey House and Butterfield House, Master Gunner Zpkace SE18 from 2021 to 2024.

Can London fire brigade please confirm what the law is now regarding Flats in a building with 26 Flats. The building is below 18 meters and has 6 storeys with an underground car park.

Q1. We live In a leasehold building.

Bailey House,
Master Gunner Place
London
SE18 4GD

The management company is Rendall & Rittner
The building owners are Samnas Ltd who do not communicate with leaseholders.
E&M (Estates & Management) speak for Samnas Ltd.

There are three buildings at our development, Bailey House, Bush House, and Butterfield House. Flat owners at Bailey House are being told by the management company "Rendall & Rittner (R&R) that the

Buildings are now being considered as 7 storeys because the underground car park ceiling is slightly above ground level In some areas so is considered "High Rise" which means the building now has to comply with the Building Safety Act regulations for high rise buildings. Our service charges have been doubled by the management company as a result. Leaseholders have paid hundreds of thousands of pounds In Waking Watch and other fire safety costs over the past 3 years. Leaseholders are absolutely fuming and so stressed, we are being ripped off by the management company. The management company do not act In the best interests of leaseholders and the Buildings have a history of known fire Safety issues over many years that the building owners are aware of. The building owners do not communicate, the management company does not comply with Fire Risk Assessments and has not complied with Enforcement Notices Or a series of Deficiency Notices issued by London Fire Brigade. The Buildings owners are aware of fire Safety failures at their Buildings dating back to 2007 when they were built and the Buildings were subject to a very serious fire In Feb 2007. Serious Safety defects were identified. Fire Safety defects were again reported by fire professionals In 2016, 2018, 2019, 2020, 2021, 2022, and 2023.

The Management company say if we dont pay we will face legal action and loose our Homes.. Is this correct that our building now is considered as "High Rise" despite being below 18m ?

Q2. We are being told by the building management that there are a number of new additional costs that Leaseholders have to pay for as part of the building safety act. We have been told that the entrance doors to our Flats have to be inspected EVERY year? And we will be charged, Is this correct.? What other costs will we have to pay for as a result of the Building Safety Act? This is so unfair and costs being charged are getting out of control

Response:

Further to your request, I have received all the information we hold in relation to this property. LFB holds the following information.

1. Rendall & Rittner did not comply with the notice by 2nd January 2024. Please forward the communications from LFB to Rendall & Rittner regarding the commencement of Legal Action and confirm that LFB Legal Action is underway.

2. Please forward the follow up action LFB have taken with Rendall & Rittner following non compliance with the Bush house Enforcement notice.

With regards to questions 1 and 2, an enforcement reminder was sent to Rendall and Rittner on the 11 April 2023 and a following reminder on the 20 April 2023. There is no further information held by LFB.

However, the Enforcement Notice has now been cancelled and an Audit has been opened for the Inspecting Officer to visit the premises again. The outcome of this audit has not yet been confirmed. For information, the Enforcement Notice was cancelled to allow LFB to issue new Notices with the requirements to complete the fire safety works assigned to the appropriate responsible person. The previous Notice had been issued solely to Rendall and Rittner, however the property developer for the building had pledged after the issue of this Notice to take on responsibility for a significant part of the outstanding works. The new Notices will reflect this division of responsibility.

3. Also Can you please forward the LFB FIRE SAFETY AUDIT REPORTS for Bush House, Bailey House and Butterfield House, Master Gunner Place SE18 from 2021 to 2024.

A Fire Audit was carried out on Bush House, Master Gunner Place on the 1 September 2022. The outcome of the report was *Low Risk*. As a result, an Enforcement Notice was issued. Please see below for a copy of the Enforcement Notice.

A Fire Audit report was carried out on Bailey House, Master Gunner Place, SE18 on the 25 January 2023. The outcome of the report was also *Low Risk*. As a result, an Enforcement Notice was issued, which can be found below.

A Fire Audit report was also completed for Butterfield House, Master Gunner Place, SE18 on the 4 July 2023. The outcome of the Audit was *Low Risk* and a Notification of Deficiencies (NOD) was issued as below. Personal Data has been redacted on all documents below in accordance with [section 40 of the FOIA – Personal Information](#).

Where an Enforcement Notice or a NOD is issued, the Fire Audit report cannot be released.

Where a Fire Safety audit results in a notice being issued by the LFB, the 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)).

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.

Other materials (including email correspondence and detailed notes), documents (such as documents provided to us by the responsible person for the building) and other fire safety information held by the Brigade are also exempt from access via the FOIA provisions. Again, we consider these to be exempt under Section 31 of the FOIA ("law enforcement" – Section 31(1)(g) combined with 31(2) (a) and 31(2) (c)).

We are of the view that the correct balance between the public interest in building safety and our ongoing regulatory involvement lies in making information about enforcement action available (formal or informal) to those that request it, but in withholding the supporting information and evidence gathered during regulation activities.

4. Can London fire brigade please confirm what the law is now regarding Flats in a building with 26 Flats. The building is below 18 meters and has 6 storeys with an underground car park.

For purposes of Fire Safety, LFB now work to the definition set out in the Building Safety Act 2022 for a High Rise which is "at least 18 metres in height or have at least 7 storeys". It should be noted that the 18m height is to the floor height of the highest storey, not to the ceiling/roof.

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: <https://www.london-fire.gov.uk/about-us/transparency/request-information-from-us/>

The Company Secretary
Rendall & Rittner Limited
13b St. George Wharf
London
SW8 2LE

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

Date: 10 November 2022
Our Ref: 94/169260/PG

ENFORCEMENT NOTICE

Notice requiring steps to be taken under Article 30 of the
Regulatory Reform (Fire Safety) Order 2005 (as amended)

TO:

Name: **Rendall & Rittner Limited**

Address: **13b St. George Wharf, London, SW8 2LE**

Concerning Premises at: **Bush House, Berber Parade, Woolwich, SE18 4GB**

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.

I [REDACTED], Assistant Commissioner (Fire Safety) on behalf of the Commissioner hereby give you notice that the Commissioner is of the opinion that you, as a person being under an obligation to do so, have failed to comply with the duties placed upon you by the Regulatory Reform (Fire Safety) Order 2005 (as amended) (The Order) in respect of the above named premises, the relevant persons who may be on the premises or who may be affected by a fire on the premises.

The matters which, in the opinion of the Commissioner, constitute the failure(s) to comply with The Order are specified in the Schedule of Fire Safety Observations attached to this notice. The Commissioner is further of the opinion that the steps identified in the schedule to this notice must be taken to remedy the specified failure(s) and comply with The Order.

The relevant extracts of the legislation are attached.

There may be suitable alternative safety measures, to those detailed in this notice that would meet the requirements of The Order. If you wish to propose or discuss any alternative measures you should contact the person named below, before you take any action, to ensure that your proposed measures will be deemed satisfactory by the Commissioner.

The steps must be taken by **27 April 2023** (or such extension if granted by the Commissioner).

Unless the steps identified in the schedule attached to this notice have been complied with, or such other steps are taken to remedy the failures in consultation with the Commissioner, you will be deemed not to have complied with this notice.

If you fail to comply with the requirements of this notice, you may have committed an offence. The Commissioner may consider a prosecution against you. If you are found guilty, you will be liable to a fine or imprisonment (or both).

You have the right to appeal against this notice, by way of complaint for an order, to the Clerk to the Court of the Magistrates' Court acting for the petty sessions area in which your premises is located. If you wish to bring an appeal, you must do so within 21 days of the date this notice is served on you. The Magistrates' Court Act 1980 will apply to the proceedings. The bringing of an appeal will suspend the operation of this enforcement notice. An appeal against an enforcement notice served under Article 30 of the Regulatory Reform (Fire Safety) Order 2005 (as amended), may be brought on any grounds. These may include that you are aggrieved:

- a) by anything mentioned in the notice with respect to the premises concerned, or the relevant persons as defined by The Order, being a step which must be taken in order to comply with The Order; or
- b) by the period allowed by such a notice for the taking of any steps mentioned in it.

If at any time you wish to discuss the requirements of this notice, or are experiencing difficulty in carrying out the work, please contact **Inspecting Officer** [REDACTED].

Signed:

[REDACTED]

Dated: 10 November 2022

(The Officer appointed for the purpose)

The contents of this notice are without prejudice to any requirements or recommendations that may be made by the Commissioner under the Petroleum (Consolidation) Regulations 2014, or either the local authority or the Health and Safety Executive under any other Act of Parliament or Regulation for which they are the enforcing authority. Approval will normally be required under the Building Regulations for any building works for which you are obliged to notify the local Building Control Officer under the Building Regulations 2010 or an Approved Inspector under the Building (Approved Inspectors etc) Regulations, 2010.

Reply to Inspecting Officer [REDACTED]
Direct T 020 8555 1200 ext [REDACTED]
[REDACTED]@london-fire.gov.uk

Encl: FS03_01a
FS03_01b
FS03_06

Cc: The Company Secretary, Samnas Limited, Berkeley House, 304 Regents Park Road, London,
N3 2JX

 [@rendallandrittner.co.uk](mailto:rendallandrittner.co.uk)

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 (as amended), (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).

Notes relating to Schedule of Fire Safety Audit Observations attached to this notice.

Important information to consider before taking remedial steps:

1. Words 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 during the course of the notice, to ensure the dates within this plan are being followed.
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 the attached 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.

SCHEDULE

PREMISES: Bush House, Berber Parade, Woolwich, SE18 4GB

FILE NUMBER: 94/169260

This schedule should be read in conjunction with the Commissioner's Notice dated **10 November 2022**.

The condition(s) specified in the Regulatory Reform (Fire Safety) Order 2005 (as amended), 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 storage of obstructions within emergency escape routes had not been controlled or monitored as a push bike was being stored at the top of the single stair.</p> <p>2) Means to prevent birds accessing the ventilation shaft and depositing nesting material and droppings within the shaft had not been planned or organised.</p> <p>3) Works to remediate the deficiencies identified within the electrical safety report dated 21 June 2022 have not been planned or organised.</p> <p>4) Works to remediate deficient fire doors as identified in the fire door survey dated 29 November 2021 have not been planned or organised.</p>	<p>Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored and 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) Pink foam had been incorrectly used to fill gaps inside the door frame to the ground floor water riser cupboard.</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) Employing competent persons to carry out a compartmentation survey within the premises and to enter into a program of works to address identified deficiencies.</p>

Article 14 (Cont'd)	<p>2) Expanding foam had been incorrectly used to fill holes around pipes and cables running into flats above the false ceiling of escape routes as identified within the fire risk assessment.</p> <p>3) Automatic opening vent (AOV) doors to the ventilation shaft did not fully close into their frames on the 2nd and 5th floors.</p>	<p>2) Employing competent persons to carry out a compartmentation survey within the premises and to enter into a program of works to address identified deficiencies.</p> <p>3) Ensuring automatic opening vent doors to the ventilation shaft fully close into their frames.</p>
Article 17	<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) Automatic opening vent doors to the ventilation shaft on floors 2 and 5 did not fully close into their frames.</p> <p>2) Fire doors separating the car park from the stair into Bush House had loose hinges, loose vision panel glass and proud screw heads in hinges which prevented the doors from fully closing into their frames.</p> <p>3) The fire door on the 1st floor between the stair and corridor to flats did not fully close into its frame.</p> <p>4) The break glass in the ground floor manual AOV box was missing.</p>	<p>Arrange initial and ongoing maintenance ensuring fire safety measures are kept in an efficient state, working order and good repair. This can be achieved by:</p> <p>1) Ensuring that automatic opening vent doors to the ventilation shaft close fully into their frames to prevent smoke transferring between floors during an incident.</p> <p>2) Carrying out a survey of all fire doors within the premises and to enter into a program of works to address identified deficiencies.</p> <p>3) Carrying out a survey of all fire doors within the premises and to enter into a program of works to address identified deficiencies.</p> <p>4) Replacing the break glass in the ground floor manual AOV box.</p>
Article 17	<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. During the 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</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 the application of the relevant standards for means of escape. 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. 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</p>

Article 17 (Cont'd)	arisen in, and/or alterations made to, the protection to the access route. The PROTECTED ROUTE has been compromised by the fitting of doors that do not provide 30 minutes fire protection to the access route. The front door to sampled flat 17 did not close full into its frame.	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 17	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. During the audit it was found that the responsible person for management of the access route has not prevented or addressed deficiencies in the ventilation of the PROTECTED ROUTE and/or required rectification of defects that have arisen in, and/or alterations made to the ventilation of the access route. The PROTECTED ROUTE has been compromised by the automatic opening vent at the head of the single stair not being operational, thereby preventing effective ventilation of smoke and fumes in the event of fire.	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. The following is provided as advice and does not form any part of the notice: 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. 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 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 were holes in the fire stopping around pipes and cables running vertically within a riser cupboard from ground to the fifth floor.	Take the general fire precautions required to prevent fire and smoke spread by ensuring holes around pipes and cables are filled with suitable fire stopping material.
Article 9	At the time of the audit the fire risk assessment for your premises was not suitable and sufficient. It was found that it did not consider that the podium level and access ramp were not suitable for a fire appliance as the maximum load bearing weight could not be identified; there is insufficient	The fire risk assessment should be reviewed, with specific consideration given to identifying the correct fire service access level and facilities that should be in place.

Article 9 (Cont'd)	space to turn an appliance around and there are pedestrian type drains present which would not withstand the weight of an appliance.	
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*****RECOMMENDATIONS NOT FORMING REQUIREMENTS OF THE SCHEDULE*****

The Commissioner would strongly urge that you consider the presence of combustible facade 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 20/A of that Act.

The Company Secretary
Rendall & Rittner Limited
13b St. George Wharf
London
SW8 2LE

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

Date: 3 April 2023
Our Ref: 94/169088/PG

ENFORCEMENT NOTICE

Notice requiring steps to be taken under Article 30 of the
Regulatory Reform (Fire Safety) Order 2005 (as amended)

TO:

Name: **Rendall & Rittner Limited**

Address: **13b St. George Wharf, London, SW8 2LE**

Concerning Premises at: **Bailey House, Berber Parade, Woolwich, SE18 4GD**

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.

I [REDACTED], Assistant Commissioner (Fire Safety) on behalf of the Commissioner hereby give you notice that the Commissioner is of the opinion that you, as a person being under an obligation to do so, have failed to comply with the duties placed upon you by the Regulatory Reform (Fire Safety) Order 2005 (as amended) (The Order) in respect of the above named premises, the relevant persons who may be on the premises or who may be affected by a fire on the premises.

The matters which, in the opinion of the Commissioner, constitute the failure(s) to comply with The Order are specified in the Schedule of Fire Safety Observations attached to this notice. The Commissioner is further of the opinion that the steps identified in the schedule to this notice must be taken to remedy the specified failure(s) and comply with The Order.

The relevant extracts of the legislation are attached.

There may be suitable alternative safety measures, to those detailed in this notice that would meet the requirements of The Order. If you wish to propose or discuss any alternative measures you should contact the person named below, before you take any action, to ensure that your proposed measures will be deemed satisfactory by the Commissioner.

The steps must be taken by **2 October 2023** (or such extension if granted by the Commissioner).

Unless the steps identified in the schedule attached to this notice have been complied with, or such other steps are taken to remedy the failures in consultation with the Commissioner, you will be deemed not to have complied with this notice.

If you fail to comply with the requirements of this notice, you may have committed an offence. The Commissioner may consider a prosecution against you. If you are found guilty, you will be liable to a fine or imprisonment (or both).

You have the right to appeal against this notice, by way of complaint for an order, to the Clerk to the Court of the Magistrates' Court acting for the petty sessions area in which your premises is located. If you wish to bring an appeal, you must do so within 21 days of the date this notice is served on you. The Magistrates' Court Act 1980 will apply to the proceedings. The bringing of an appeal will suspend the operation of this enforcement notice. An appeal against an enforcement notice served under Article 30 of the Regulatory Reform (Fire Safety) Order 2005 (as amended), may be brought on any grounds. These may include that you are aggrieved:

- a) by anything mentioned in the notice with respect to the premises concerned, or the relevant persons as defined by The Order, being a step which must be taken in order to comply with The Order; or
- b) by the period allowed by such a notice for the taking of any steps mentioned in it.

If at any time you wish to discuss the requirements of this notice, or are experiencing difficulty in carrying out the work, please contact **Inspecting Officer** [REDACTED].

Signed:

[REDACTED]

Dated: 3 April 2023

(The Officer appointed for the purpose)

The contents of this notice are without prejudice to any requirements or recommendations that may be made by the Commissioner under the Petroleum (Consolidation) Regulations 2014, or either the local authority or the Health and Safety Executive under any other Act of Parliament or Regulation for which they are the enforcing authority. Approval will normally be required under the Building Regulations for any building works for which you are obliged to notify the local Building Control Officer under the Building Regulations 2010 or an Approved Inspector under the Building (Approved Inspectors etc) Regulations, 2010.

Reply to Inspecting Officer [REDACTED]
Direct T 020 8555 1200 ext [REDACTED]
[REDACTED]@london-fire.gov.uk

Encl: FS03_01a
FS03_01b
FS03_06

Cc: The Company Secretary, Samnas Limited, Berkeley House, 304 Regents Park Road,
London, N3 2JX

 [@rendallandrittner.co.uk](mailto:rendallandrittner.co.uk)

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 (as amended), (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).

Notes relating to Schedule of Fire Safety Audit Observations attached to this notice.

Important information to consider before taking remedial steps:

1. Words 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 during the course of the notice, to ensure the dates within this plan are being followed.
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 the attached 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.

SCHEDULE

PREMISES: Bailey House, Berber Parade, Woolwich, SE18 4GD

FILE NUMBER: 94/169088

This schedule should be read in conjunction with the Commissioner's Notice dated 3 April 2023.

The condition(s) specified in the Regulatory Reform (Fire Safety) Order 2005 (as amended), 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	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 management have not planned, organised or reviewed the provision of signage on the smoke ventilation boxes explaining which vent the box activates.	Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.
Article 14	At the time of the audit the emergency routes or exits were inadequate. It was found that pink and yellow foam had been incorrectly used to fill gaps inside the door frame in multiple riser cupboards on multiple floors, and to fill holes around pipes and cables running into flats above the false ceiling of escape routes.	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 employing a competent person to carry out all necessary remedial works.
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: 1) Multiple common fire doors were showing signs of damage and not closing fully into their frames. 2) Multiple common fire doors had damaged or missing cold smoke seals.	Arrange initial and ongoing maintenance ensuring fire safety measures are kept in an efficient state, working order and good repair. This can be achieved by: 1-2) Employing a competent person to conduct necessary remedial works to ensure that the doors are maintained in good working order.
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 use of pink or yellow foam to fire stop vertical breaches within the riser cupboards.	Take the general fire precautions required to prevent fire and smoke spread by employing a competent person to conduct all necessary remedial works.

Article 8	At the time of the audit the general fire precautions as identified in the significant findings of your fire risk assessment had not been implemented. It was found that identified issues with fire doors not closing to frame, compartmentation breaches within the basement above the false ceiling, and the use of pink and yellow foam as fire stopping had not been addressed at the time of the audit.	Implement the significant findings of your fire risk assessment, in particular the issues with the fire doors not closing to frame, compartmentation breaches within the basement above the false ceiling, and the use of pink and yellow foam as fire stopping.
Article 9	At the time of the audit the fire risk assessment for your premises was not suitable and sufficient. It was found that it did not consider that the podium level and access ramp were not suitable for a fire appliance as the maximum load bearing weight was not identified, there is insufficient space to turn an appliance around and there are pedestrian type drains present which would not withstand the weight of an appliance.	The fire risk assessment should be reviewed, with specific consideration given to identifying the correct fire service access level and facilities that should be in place.

*****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 20/A of that Act.

The Company Secretary
Rendall & Rittner Limited
13b St. George Wharf
London
SW8 2JF

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

Date: 12 October 2023
Our Ref: 94/169088/511

**EXTENSION OF TIME IN RESPECT
OF ENFORCEMENT NOTICE**
requiring steps to be taken under Article 30 of the
Regulatory Reform (Fire Safety) Order 2005 (as amended)

Premises: Bailey House, Berber Parade, Woolwich SE18 4GD

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 Order') in London.

I refer to the Commissioner's enforcement notice dated **3 April 2023** when you were given notice of steps to be taken by **2 October 2023**.

You have since contacted the Commissioner to advise that you will be unable to complete the work within time allowed.

The time limit in which to deal with these outstanding matters has been extended to **2 January 2024**.

If at the end of the time limit the matters have not been rectified, further extensions of time will not be granted, except in exceptional circumstances, and consideration may be given to the initiation of legal proceedings.

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,

PP [REDACTED]

for Assistant Commissioner (Fire Safety)

Directorate of Operations

[REDACTED]@london-fire.gov.uk

Reply to Inspecting Officer [REDACTED]

Direct T 0208 555 1200 ext [REDACTED]

Cc: The Company Secretary, Samnas Limited, Berkeley House, 304 Regents Park Road,
London, N3 2JX

[REDACTED]@rendallandrittner.co.uk



Fire Safety Regulation, South East 3 Team
169 Union Street London SE1 0LL
T 020 8555 1200

Minicom 020 7960 3629
london-fire.gov.uk

The Company Secretary
Rendall and Rittner Limited
13B St George Wharf
London
SW8 2LE

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

Date 18 July 2023
Our Ref 94/241045/SH

Dear Sir/Madam

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

Premises: Butterfield House, Berber Parade, Woolwich SE18 4GA

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 **16 January 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 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 (as amended) 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 (as amended).

Yours faithfully,

PP [REDACTED]

for Assistant Commissioner (Fire Safety)

Directorate of Operations

[REDACTED]@london-fire.gov.uk

Reply to Inspecting Officer [REDACTED]

Direct T 0208 555 1200 ext [REDACTED]

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

Cc: The Company Secretary, Samnas Limited, Berkeley House, 304 Regents Park Road, London N3 2JX

[REDACTED]@rendallandrittner.co.uk

[REDACTED]@rendallandrittner.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: Butterfield House, Berber Parade, Woolwich SE18 4GA

FILE NUMBER: 94/241045

This schedule should be read in conjunction with the Commissioner's letter dated **18 July 2023**.

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 14	At the time of the audit the emergency routes or exits were inadequate. It was found that expanding foam had been incorrectly used to fill holes around pipes and cables running into flats above the false ceiling of escape routes.	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 employing competent persons to enter into a program of works to address the deficiencies identified within the compartmentation survey.
Article 17	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. During the 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. The PROTECTED ROUTE has been compromised by the fitting of doors that do not provide 30 minutes fire protection to the access route. The front door to flat 5 did not fully self close into its frame.	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. 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. 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.

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

The Commissioner would strongly urge that you consider the presence of combustible facade 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 20/A of that Act.