

Freedom of Information request reference number: 7823.1

Date of response: 14 September 2023

Request:

..Century House, a block of 33 flats at 245 Streatham High Road, London SW16 6ER.

Our freeholder - Century House (Freehold) Ltd - has a poor record both on fire safety and on keeping leaseholders informed on fire safety matters since purchasing the freehold in 2014.

The LFB kindly sent me copies of two previous Safety Deficiency Notices issued to the freeholder in February and November 2020 which the freeholder didn't tell leaseholders about.

I wrote the to the LFB again in October 2022 asking if there had been any further correspondence between the LFB and Century House (Freehold) Ltd and was told on 10 November 2022 that there had been no such correspondence (FOI ref: FOIA6947.1.).

I believe there has been subsequent correspondence between the LFB and Century House (Freehold) Ltd since 10 November 2022, the date when my last FOI request to the LFB was answered. Could you please sent copies of the correspondence since that date to me?

Response:

Our Fire Safety Regulatory Team have provided the correspondence they hold in relation to Century House since 10 November 2022.

A fire safety audit was completed January 2023 that resulted in an Informal Notification of Deficiencies (NOD) being issued.

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)).

A copy of the NOD issued can be found on pages 3 to 9 of this document. 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
Houston Lawrence Management Limited
29a Osiers Road
London
SW18 1NL

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

Date 23 February 2023
Our Ref 09/014096/

Dear Sir/Madam

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

Premises: Century House, Streatham High Road, London, SW16 6ER

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 October 2023**.

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

[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]

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

Cc: [REDACTED] Houston Lawrence Management, 29a Osiers Road, London, SW18 1NL

Head Freeholder, Century House, Streatham High Road, London, SW16 6ER

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: Century House, Streatham High Road, London, SW16 6ER

FILE NUMBER: 09/014096

This schedule should be read in conjunction with the Commissioner's letter dated **23 February 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 11	<p>At the time of the audit your preventative and protective measures had not been planned, organised, controlled, monitored or reviewed where required. It was found that:</p> <ol style="list-style-type: none">1) The fire risk assessment has not been effectively reviewed (refer to Article 9).2) The maintenance of fire safety systems including emergency escape lighting has not been effectively planned or organised (refer to Article 17).3) The fire action notices displayed on the walls conflicted with the stay put policy and has not been planned or organised.	Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.
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 some of the lobby fire doors between the staircase and corridor did not close suitably and sufficiently against their frames/door stop, e.g. fire door on the 2nd and 4th floor of main staircase. All fire doors must be regularly checked, and checks are recommended to be carried out at least every 3 months.</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 ensuring all the fire doors are suitable and sufficient, close sufficiently and flush to their frame/door stop.

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 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 due to the manual openable vent at high level on the main staircase not opening and cannot be easily reached from the staircase landing.</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. 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 the lease and Landlord and Tenant/Property legislation as lessor/owner.</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 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.</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 RESISTANCE. Available means the responsible person could use to comply with Article 17 (1) may include enforcing terms of the lease and Landlord and Tenant/Property legislation as lessor/owner.</p>

Article 17 (Cont'd)	For example, flat 5 and 31 were missing the self closer device. Flat 26 is a panel door. It is strongly recommended a door survey to be carried out on all the flat front doors to determine if they are adequate to protect the escape route corridors and staircases.	
Article 9	<p>At the time of the audit the fire risk assessment for your premises was not suitable and sufficient. It was found that:</p> <p>1) The fire risk assessment has not identified the appropriate evacuation strategy.</p> <p>2) The fire risk assessment has not identified the level of compartmentation.</p>	<p>The fire risk assessment should be reviewed, with specific consideration given to:</p> <p>1) Identifying an appropriate evacuation strategy. The plan must also include any residents that have a disability.</p> <p>2) Identifying the current level of compartmentation.</p>

*****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.