

Freedom of Information request reference number: 7893.1

Date of response: 06/10/2023

Request:

8 Artillery Row, London SW1P 1RZ.

Following the implementation of the 2022 Fire Safety Act earlier this year, we know that the managing agents of this building Y&Y, acting for the freeholder, Avon Ground Rents Limited, have had to supply you with the following information:

- External wall systems: provide to their local Fire and Rescue Service information about the design and materials of a high-rise building's external wall system and to inform the Fire and Rescue Service of any material changes to these walls. Also, they will be required to provide information in relation to the level of risk that the design and materials of the external wall structure gives rise to and any mitigating steps taken.

Our request to you is therefore for you to provide us with exactly the same information so that we can fully understand the situation in the building in which we live and which we know requires cladding and remedial work.

Response:

Further to your request, please see a redacted copy of the Fire Audit report below that holds details regarding the external wall system on page 3. The Audit took place on the 11th May 2021. The outcome of the report was Low Risk. Personal data has been redacted in accordance with [section 40 of the FOIA – Personal Information](#).



Fire Safety Audit Report

Audit Information

Audited By [REDACTED]
Audit Completed 11 May 2021

Location summary

File No 01/013629
UPRN 10033554892
Building Name
Address 4-16 ARTILLERY ROW
 LONDON
 SW1P 1RZ
Borough Westminster
Use D - Purpose Built Flats >=4 floors
Responsible Team FSR Westminster
Station Ground A25 - Westminster
Site Risk Score 4.50
Total Floors 9 **Basement floors** 0
Estimated number of sleeping 24
Special Features
Additional detail 8 floors are flats - one cafe on the ground

Premises Description

Former office block of brick/concrete above shops that has been recently converted and extended into a block of flats. The property is 8 stories plus a basement. There are 22 flats at the property. The basement is comprised of a car park, bin storage area, electrical intake cupboard, water tank room, plant rooms, and a concierge kitchen and staff room. The ground floor is comprised the shops and the entrance lobby which is at the side of the building. The upper floors are comprised of flats only. A communal boiler room and other plant is located on the roof. The property has 1 staircase and 1 lift. There is a porter on site from 8:30 am to 5:30 pm with a desk in the lobby. There is a staff toilet in the basement. A fire alarm is installed in the boiler room, car park and lobby. A smoke ventilation system, emergency lights, and a dry riser are installed in the communal areas. Internal doors appear to be fire doors. The building operates a stay put policy.

Environmental Risks NONE

Features assisting fire spread NONE

Site Reinspection date 9 February 2013

Heritage Building No

Petroleum redevelopment? No

Known firesetting in area? No

Site lone worker risk

Property Detail (DEFAULT PROPERTY)

Occupier Contact	Default Property
Address	4-16 ARTILLERY ROW LONDON SW1P 1RZ
Responsible team	FSR Westminster
Occupancy Type	Occupier - multi occupancy
Property Use	D - Purpose Built Flats >=4 floors
Valuation Office	R3 - Flats/Mais 4 Flrs and over PB
Original Risk Score	4.25
Reinspection Date	9 February 2013
Last Inspection	22 December 2020
Total Capacity	24
Maximum number of people	20-100
Property Size for use	Medium 5001m ² to 8300m ²
Environmental Risks	NONE
Occupant Mobility	Average
Fire Loading	Average

Additional detail

Specific lone worker risk

Primary Authority Partnership N/A

Protection Data (SHARED)

Fire Protection & Warning	Adequate
Unwanted fire signals count	0
AFD remote monitoring	No
Smoke ventilation	Natural
Covers MOE/Common areas?	Yes
Sprinklers Installed?	No
Access for fire-fighting	Average
Water supplies	Average
Special Features	CROWN PREMISES
# Fire fighting shafts	0
Engineered solution?	No
Trade off measures?	No
Evacuation type	Simultaneous Evacuation
History of fires?	No

Contacts**Occupier**

Name	Default Property
Address	4-16 ARTILLERY ROW LONDON SW1P 1RZ

Managing Agent

Name	Santer Solicitors
Responsible Person	[REDACTED]
Position	Partner
Address	44 Longbridge Road Barking Essex IG11 8RJ
Telephone	[REDACTED]
Email	[REDACTED]
URL	www.santerlegal.co.uk

Enforcement history**Articles****Article 9 - Risk assessment**

SAFETY CRITICAL
Safety Evaluation
Low Risk

Observations

FRA carried out June 2020 by Safety Reports - appears to be suitable and sufficient

EWS carried out by Ark Sustainability:

The determination of B2 has been established based on investigative works which have confirmed:

- The primary materials of the external walls are considered not to be of limited combustibility as defined within BS 9991:2015 as the:
 - o Phenol formaldehyde (Phenolic) was found to be combustible and the Polystyrene was found to be both combustible and flammable.
 - o The intrusive investigation and survey established inconsistencies with fire cavity barriers behind the facing brickwork (wall type 3). It is therefore clear that the potential risk for unseen fire spread through an extensive void, breaching compartment lines is possible.
 - o The Massaranduba timber decking installed over a treated pine subframe to the inset balconies and upper roof terraces is considered to be both combustible and flammable.
 - o It has not been possible to establish the construction arrangement of the inner wall structure (wall type 3).

Remedial works required, whilst this is being carried out a waking watch has been implemented.

FAILURE**Article 9(1) FRA not suitable or sufficient**

At the time of the audit the fire risk assessment for your premises was not suitable and sufficient. It was found that your fire risk failed to recommend a

Article 9
(continued)

temporary common fire alarm system to support the simultaneous evacuation strategy.

REMEDY

The fire risk assessment should be reviewed, with specific consideration given to the NFCC guidance for Simultaneous Evacuation (Simultaneous Evacuation Guidance – Edition Three, October 2020)

Article 11 - Fire Safety Arrangements

SAFETY CRITICAL
Safety Evaluation
Low Risk**Observations**

Management have not actioned significant findings in FRA - fire stopping breaches in riser cupboard - sections of double skin plasterboard missing

Management have not considered installation of a common fire alarm system to support sim evac - a waking watch is still in place following change to sim evac 4 months ago.

FAILURE**Article 11 FS arrangements not maintained**

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 you had not organised adequate fire stopping in service riser cupboards.

REMEDY

Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.

Article 13 - Detection and warning

SAFETY CRITICAL
Safety Evaluation
Low Risk

Verbal Advice Given

Observations

Management have not considered installing a common fire alarm system - a waking watch is still in place

An appropriate common fire alarm and detection system will generally provide more certainty that a fire will be detected and provide warning to occupants of the building at the earliest opportunity rather than rely on using a waking watch.

The purpose of the provision of a common fire alarm to support the change of the evacuation strategy from stay put to simultaneous evacuation is to ensure early detection and warning of a fire throughout the building

FAILURE**Article 13(1) Fire detection residential**

Article 13
(continued)

At the time of the audit you had not provided an appropriate method of fire detection and warning within your premises. It was found that you have not considered installing a temporary common alarm system to support simultaneous evacuation whilst remedial works are being carried out.

REMEDY

Provide an appropriate means of fire detection and giving warning in the common parts of the premises. The purpose of the provision of a common fire alarm to support the change of the evacuation strategy from stay put to simultaneous evacuation is to ensure early detection and warning of a fire throughout the building. An appropriate common fire alarm and detection system will generally provide more certainty that a fire will be detected and provide warning to occupants of the building at the earliest opportunity rather than rely on using a waking watch.

Article 14 - Emergency routes and exits

SAFETY CRITICAL
Safety Evaluation
Low Risk

Observations

Main car park fire exit does not have a failsafe unlocking mechanism (key fob only)

Fire doors in basement area are not fitted with strips/seals

Main stair clear and free of obstructions - signage in flat lobby showing direction of travel

FAILURE**Article 14 Issues with emergency routes or exits**

At the time of the audit the emergency routes or exits were inadequate. It was found that :

- 1) various fire doors in the basement car park area and corridors serving the basement area were not fitted with intumescent strips or smoke seals.
- 2) main fire exit from basement car park requires a key fob to operate

REMEDY

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:

- 1) Arrange for a competent person to install intumescent strips and smoke seals to the refuse fire door with no gaps around the doors conforming to BS 476 or BS EN 1634.
- 2) install an emergency release failsafe mechanism for the fire exit door leading from the car park to the main staircase

Article 15 - Procedures for serious and imminent danger and for danger areas

SAFETY CRITICAL
Safety Evaluation
Broadly Compliant

Observations

Change to sim evac following failure of EWS - waking watch in place and residents aware of new strategy

2 members of a waking watch patrol the stair core from basement car park level (which has AFD) to 7th floor.

AOV throughout

Article 17 - Maintenance

SAFETY CRITICAL
Safety Evaluation
Broadly Compliant

Observations

Facilities appear in working order - management confirmed there is a system in place to ensure facilities are serviced and tested

Good house keeping and premises well maintained and in good condition.

Article 21 - Training

SAFETY CRITICAL
Safety Evaluation
Broadly Compliant

Observations

Waking watch aware of their responsibilities - regular patrols are carried out and they are armed with a klaxon. A grab bag is kept at the concierge which includes items to support residents in the event of an evac. A designated RVP on Howick Place has been established.

Article 8 - General fire precautions**Safety Evaluation**

Low Risk

Verbal Advice Given

Observations

Fire stopping survey required and recommended in FRA - sections of double skin plasterboard missing in riser cupboard - services in kitchenette penetrating comp. wall have not been fire stopped - FRA identifies other areas that were inaccessible at time of inspection.

FAILURES**Article 8 Potential fire spread via shafts, riser**

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 sections of double skin plasterboard in the riser cupboards have been removed. Other areas had breaches in compartmentation, for example, services in the kitchenette penetrating the wall had not been firestopped.

REMEDY

Take the general fire precautions required to prevent fire and smoke spread by carrying out a Type 4 compartmentation survey. Employ a competent person to carry out firestopping works.

Article 8 FRA findings not implemented

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 your fire risk assessment recommended a compartmentation survey.

REMEDY

Implement the significant findings of your fire risk assessment, in particular carry out a Type 4 compartmentation survey.

Article 10 - Principles of prevention to be applied**Safety Evaluation**

Not Applicable

Observations

None

Article 12 - Elimination or reduction of risks from dangerous substances

Safety Evaluation	Observations
Not Applicable	None

Article 13 - Fire Fighting Equipment

Safety Evaluation	Observations
Not Applicable	None

Article 16 - Measures for dealing with dangerous substances affecting general fire precautions

Safety Evaluation	Observations
Not Applicable	None

Article 18 - Safety assistance

Safety Evaluation	Observations
Not Applicable	None

Article 19 - Provision of information to employees

Safety Evaluation	Observations
Not Applicable	None

Article 20 - Provision of information to employers and the self employed from outside undertakings

Safety Evaluation	Observations
Not Applicable	None

Article 22 - Co-operation and co-ordination

Safety Evaluation	Observations
Not Applicable	None

Article 23 - General duties of employees at work

Safety Evaluation	Observations
Not Applicable	None

Article 37 - Fire fighters switches for luminous tube signs

Safety Evaluation	Observations
Not Applicable	None

Article 38 - Maintenance of measures provided for protection of fire fighters

Safety Evaluation	Observations
Not Applicable	None

Article 24 - Power to make regulations

Safety Evaluation	Observations
Not Applicable	None

Article 27 - Powers of inspectors

Safety Evaluation	Observations
Not Applicable	None

Article 29 - Current alterations notices

Safety Evaluation	Observations
Not Applicable	None

Article 30 - Current enforcement notices

Safety Evaluation	Observations
Not Applicable	None

Article 31 - Current prohibition notices

Safety Evaluation	Observations
Not Applicable	None

Article 32 - Offences

Safety Evaluation	Observations
Not Applicable	None

Overall safety standard

Low Risk

Management compliance level

Management Compliance Level	2 - Above average
Initial Expectation	Notification of Minor Deficiencies
Considered EMM?	Yes
Confirmed Action	Notification of Deficiencies

Reason for deviation

NoD to be issued

Audit Conclusion

11/05/2021 17:04

BRR referral as changed to sim evac and waking watch in place

Waking watch on site and discussed EP with them

Inspected 100% common areas including car park and basement area, single stair and sampled 50 % of riser cupboards

Premises well managed and good housekeeping in place

█ is in the process of completing BRR form and will return ASAP

Issues discussed with █ and advised a NoD would be issued

11/05/2021 17:01

Justification: NoD to be issued

10/05/2021 19:49

Initial Expectation: Notification of Minor Deficiencies

10/05/2021 19:40

Initial Expectation: Notification of Minor Deficiencies

10/05/2021 19:39

Initial Expectation: Verbal action

10/05/2021 18:33

Initial Expectation: Notification of Minor Deficiencies

Verbal Advice Given

None recorded

Other Authorities to notify

None

Weeks to Complete Work

12

Specific instructions for Admin to Action

please issue NoD to:
Company Secretary
Y & Y Management Limited
Avon House
2 Timberwharf Road
London
N16 6DB

Compliance calculation & signature

Compliance Level	2 - Above average
Property Risk Group	B - Sleeping familiar or Licensed Premises
Life Risk	1
Actual Risk Score	5.03
Risk Score	5.00

Audit Timings

Audit Duration
80

Travel Time
60

Post Audit Processing Duration
240

From: [REDACTED]
To: [REDACTED]
Subject: OPEN Housing Act, 2004, Section 10 Consultation Premises: 8 ARTILLERY ROW, LONDON. SW1P 1RZ. 01/013679 IN: 23062011
Date: 21 February 2023 16:25:14
Attachments: [image001.png](#)
[UAD0,529,SECTION10,19.02.23,NKII.pdf](#)
[UAD0,529,NOTICE,19.02.23,NKII.pdf](#)
Importance: High

Admin

Please raise a E3 job – Housing Act Consultation so that I may respond to WCC re this application.

Upload e mail and documents to FS Portal.

Kind Regards

[REDACTED]

Fire Safety Inspecting Officer
Fire Safety Regulation
Westminster, Lambeth & Wandsworth Team

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 21 February 2023 07:23
To: [REDACTED]
Cc: [REDACTED]
Subject: Housing Act, 2004, Section 10 Consultation Premises: 8 ARTILLERY ROW, LONDON. SW1P 1RZ.
Importance: High

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

[EXTERNAL EMAIL] Do not click links or open attachments unless you are expecting them, even if you know the sender

Dear Sir or Madam;

Housing Act, 2004, Section 29, Hazard Awareness Notice

Premises: 8 Artillery Row, London. SW1P 1RZ.

As per Section 10 of the Housing Act, 2004, Westminster City Council wish to consult with F&B prior to the service of a Hazard Awareness Notice for the above named premises.

With the above in mind please find attached a copy of the proposed Housing Act, 2004, Section 29 Schedule and Notice.

For your awareness, the building currently has an ongoing Building Safety Fund application for which they have been deemed eligible, although concerns have been raised about delays by DIUHC, reportedly due to the primary contractor having financial difficulties resulting in re-tendering of FWS works.

The key points are;

- HRRB being over 18m in height
- Phenolic and polystyrene types of insulation found in the FWS
- Inconsistencies with fire cavity barriers behind the facing brickworks
- Timber decking installed over a treated pine subframe to the inset balconies and upper roof terrace

- They are yet to establish the construction arrangement of the inner wall structure
- ARK Sustainability Fire Engineer gave B2 rating for EWS1 form

I understand that LFB have inspected the building, so are aware of the above considerations.
Should you wish to discuss any aspect further, please do contact me.
I look forward to receiving your response.

Kind regards,

[Redacted]
Building Safety Programme
Public Protection and Licensing
Westminster City Council
15th Floor
City Hall
64 Victoria Street
London
SW1E 6QP

Tel: [Redacted]
www.westminster.gov.uk

Please note, I work Monday to Thursday



COVID-19 VACCINATIONS

The COVID-19 vaccine is our first line of defence against coronavirus. The vaccine has been proven to be safe and effective at protecting people against serious illness from coronavirus. For information about vaccine centres and how to book your appointment, visit: www.westminster.gov.uk/vaccinations

FREE EARLY EDUCATION AND CHILDCARE

15 hours of free early education and childcare is available for all 3 and 4 year olds for up to 38 weeks per year, with an extended entitlement of 30 hours where eligible.

Funded early education and childcare places are also available for 2 year olds, with up to 15 hours of free education for those eligible.

Find out more at: <https://ddec1-0-en-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fbit.ly%2fwccfis&umid=9e734f41-f55e-405d-bea8-0a96c3f4f151&auth=a3b2bea13e72878efb3497dd4084f1dd641209fd-d030f8457d84c50402225cbe2760cf727583467a>

Westminster City Council switchboard: +44 20 7641 6000.
www.westminster.gov.uk

**CITY OF WESTMINSTER
HOUSING ACT 2004 : SECTION 29
SCHEDULE referred to in the Hazard Awareness Notice dated: /02/2023**

Premises: 8 ARTILLERY ROW, LONDON. SW1V 1RZ.

SCHEDULE 1

The nature of the hazard(s) and the deficiencies giving rise to the hazard(s)

Hazard(s) under Section 29

Fire Safety:

1. Property has been identified as having non-fire resisting combustible elements to the external wall system, which may accelerate fire spread in the event of fire to the envelope of the building.
2. Intrusive survey has identified issues that would not meet current Building Regulations including combustible insulation.
3. Combustible elements to the balconies have been identified.

SCHEDULE 2

Schedule of recommended remedial action

Fire Safety:

1. Undertake all necessary works to adequately mitigate or remove hazard arising from the presence of non-fire resisting external wall system cladding and insulation material. Replace in accordance with current Building Regulations with material complying with Euro Class A1 or Euro Class A2-s1, d0. Ensure associated cavity barriers and fire stopping has been provided as required by Building Regulations. Provide documentary evidence that replacements to the external wall systems (cladding and insulation) fully comply with building regulation requirements at all stages of the construction and upon completion of the works.
2. To the balconies replace any combustible material used in balcony construction, so that they do not assist fire spread on the external wall and to meet the intention of building regulations requirements. Replace any combustible material with one that is non-combustible (Euro Class A1 or A2-s1, d0). Provide documentary evidence that replacements to/within the balconies fully comply with building regulation requirements at all stages of the construction and upon completion of the works.
3. Works to the external wall system must have building control supervision from either Local Authority Building Control or a suitably qualified Approved Inspector.

General

- All works to be carried out in accordance with the Building Regulations 2000 (as amended) and the Council's Building Control Department shall be notified of works accordingly.
- It is in your interest to confirm, with the Council, the manner in which you propose to satisfy notice requirements **BEFORE** you begin to carry out works.
- Your attention is drawn to the problems of working within occupied property. Adequate written notice should be given to the occupiers of your intentions to carry out work. Allowance must be made to maintain services and security.
- This schedule should be read in conjunction with any other served and pertaining to the property and made under this or any other Act etc.
- If the building is included on the statutory list of buildings of architectural or historic interest, Listed Building Consent may be necessary for the work. To find out whether or not the building is listed, you should contact the Council's Development Division (020) 7641 2506/2523. Unauthorised works to listed buildings may be subject to enforcement action which can include criminal prosecution punishable upon conviction by a fine or a term of imprisonment.
- You are reminded of the Council's powers of enforcement against unauthorised works to listed buildings and that such works may constitute a criminal offence, punishable upon indictment by a fine or imprisonment.

Executive Director for City Management and Communities
Public Protection & Licensing
Westminster City Council
City Hall, 15th Floor,
64 Victoria Street
London SW1E 6QP

CITY OF WESTMINSTER
HOUSING ACT 2004 SECTION 29
HAZARD AWARENESS NOTICE

To: AVON GROUND RENT LIMITED (Per The Secretary)

Of: 88 Edgware Way, Edgware, HA8 8JS

1. You are an owner of the common parts of a building containing one or more flats known as 8 ARTILLERY ROW LONDON. SW1P 1RZ. "the premises", and in the opinion of the Council ought to undertake the action specified in the Notice.
2. The City of Westminster ("the Council") is satisfied that a Category 2 hazard exists on the premises and is further satisfied that no Management Order is in force in relation to the premises under Chapter 1 or 2 of Part 4 of the Housing Act 2004.
3. This notice is served as the deficiencies specified in **SCHEDULE 1** give rise to the hazards at the premises as specified in **SCHEDULE 1**.
4. Under Section 29(2) of the Housing Act 2004 the Council advises you of the existence of this Category 2 hazard and **whilst not requiring you to carry out any works**, advises you that it considers the works specified in **SCHEDULE 2** to this Notice to be practical and appropriate remedial action to be taken in relation to the hazard.
5. The Council considers the service of this Hazard Awareness Notice as the most appropriate course of action under Section 7(2) of the Housing Act 2004 for the reasons stated in the attached statement of reasons.

Dated this day of February 2023

Signed:
Authorised Officer

This matter is being dealt with by:
[REDACTED]
Direct Line: [REDACTED]
Email: [REDACTED]
Our Ref: EH/23/00095/HA29/MKH

Public Protection & Licensing Department
City Hall, 15TH Floor,
64 Victoria Street, London, SW1E 6QP

See notes overleaf

Notes

Meaning of "category 1 hazard" and "category 2 hazard"

1. "category 1 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score of or above a prescribed amount;
2. "category 2 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score below the minimum amount prescribed for a category 1 hazard of that description; and
3. "hazard" means any risk of harm to the health or safety of an actual or potential occupier of a dwelling or HMO which arises from a deficiency in the dwelling or HMO or in any building or land in the vicinity (whether the deficiency arises as a result of the construction of any building, an absence of maintenance or repair, or otherwise).

Advice

4. If you do not understand this notice or wish to know more about it, you should contact the Council. If you want independent advice about your rights and obligations, you should go to a Citizens' Advice Bureau, Housing Aid Centre, Law Centre or a solicitor. If you want to know more about the works the Council require you to do, you may wish to consult a surveyor.

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/>