



Janice Wray
TMO
Network Hub
300 Kensal Road
London
W10 5BE

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 12th October 2015
Our Ref 12/083909/ere

Dear Sirs,

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

Premises: Adair Tower, Appleford Road, London W10 5EA

A recent inspection of the above premises by a fire authority officer revealed that certain conditions specified in and required by the Regulatory Reform (Fire Safety) Order 2005, were being contravened. The Authority considers that the step(s) detailed in the attached schedule need(s) to be taken in order to comply with the above legislation.

The steps should be completed by **28th March 2016** when a further inspection may be carried out.

You should note that failure to comply with any requirement of the legislation is an offence and the person responsible is liable to prosecution. This letter and attached schedule are issued without prejudice to any legal action which may subsequently be taken regarding the failures to comply with the Legislation.

Your attention is drawn to the notes attached.

The contents of this notice are without prejudice to any requirements or recommendations that may be made by the Authority under the Petroleum (Consolidation) Act 1928, 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.

If you are in any doubt as to the obligations placed upon you by the legislation, or if there is any relevant matter upon which you require clarification you may contact the person named below. If you are dissatisfied in any way with the response given please ask to speak to the Team Leader quoting the above reference.

Yours faithfully,

for Assistant Commissioner (Fire Safety)

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

Reply to Inspecting Officer Julie Steppings

Direct T [REDACTED] Ext. [REDACTED]

Enc: Form FS03_01b Legislation Extracts

SCHEDULE

PREMISES: Adair Tower, Appleford Road, London W10 5EA

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This schedule should be read in conjunction with the Authority's letter dated **12th October 2015**.

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	At the time of the audit your preventative and protective measures had not been planned, organised, controlled monitored or reviewed where required. It was found that the significant findings had not been monitored and reviewed to ensure works had been completed.	Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.

Article 17(1)	<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 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. Fire risk assessment stated that flat entrance doors are not fitted with self closing devices and it was confirmed that flat 41 had no self closing device fitted to the fire door.</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 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.</p>
Article 8	<p>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 you were unable to confirm if the significant findings in your fire risk assessment had been addressed.</p>	<p>Implement the significant findings of your fire risk assessment, in particular ensure that all works are carried out within the time scales identified in your fire risk assessment and completion dates provided.</p>

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Your rights when Fire Safety Inspecting Officers take action.

The fire authority has a duty to enforce the Regulatory Reform (Fire Safety) Order 2005.

If an Inspector:

tells you to do something - you have a right to a verbal and written explanation of what needs to be done and why.

Intends to take immediate action - for example by issuing an enforcement notice this will include a written explanation either forming part of the notice or by separate letter.

Issues a formal notice - you will be told in writing about your right to appeal to a magistrates' court. You will be told:

- ◆ how to appeal;
- ◆ where and within what period an appeal may be brought; and
- ◆ that action required by a prohibition/restriction notice is not suspended while an appeal is pending unless the court so directs.
- ◆ that action required by an enforcement notice is suspended while an appeal is pending.

Issues a Notification of Fire Safety Deficiencies - full discussion should have taken place and agreed improvements to bring the premises up to minimal standards should be formulated. A Notification of Fire Safety Deficiencies carries no statutory force but may result in formal action being considered if the agreed improvements do not take place.

The procedures and rights above provide ways for you to have your views heard. If you are not happy with the inspecting officer's action you should contact the Team Leader on the telephone number shown at the head of the covering letter in the first instance.