
From: Correa, Alexis: HHASC-PerfPol <"/o=exchange/ou=town hall/cn=recipients/cn=socalco">
Sent: 18 June 2009 12:28
To: Wise, Claire: HS-Housing: RBKC; [REDACTED]
Cc: Wray, Janice: RBKCTMO Ltd
Subject: FW: Enforcement Notice from Fire Brigade

Good afternoon,

Please read emails below. Martin Waddington (my manager) has asked me to put you in contact with Janice Wray (TMO H&S Advisor) to act as advisory bodies to try to tame the situation in the first place, and to reach solutions to avoid further improvement notices.

Could you please liaise with Janice ASAP?

Thank you very much

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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING A HARD COPY OF THIS EMAIL - THANK YOU

Our Values:
Public Service; Positive; Collaborative; Appreciative; Innovative

From: Janice Wray [mailto:jwray@kctmo.org.uk]
Sent: 17 June 2009 16:56
To: Daintith, Jean: HHASC-Director; Johnson, Laura: HHASC-Housing
Cc: Robert Black; Bowman, Adrian: RBKCTMO Ltd
Subject: FW: Enforcement Notice from Fire Brigade

Jean / Laura

Robert has asked me to advise you that the Fire Brigade informed us this morning that they intend to serve an Enforcement Notice jointly on the Council & the TMO Chief Executives. The e-mail below advises of the background to this. We have made repeated efforts to clarify the fire brigade requirements and resolve this issue but today the Fire Safety Officers advised that they were anxious that this issue was dragging on and so they feel it is now appropriate to escalate this with the Enforcement Notice on both CEs.

Please let me know if I can be of further assistance.

From: Janice Wray
Sent: 17 June 2009 15:26
To: Robert Black; Liam Good
Cc: Lornette Pemberton; Adrian Bowman
Subject: Enforcement Notice from Fire Brigade

Robert / Liam

This is to advise you that the Fire Brigade informed us this morning that they intend to serve an Enforcement Notice jointly on us & the Council. I'm not sure exactly how this will be worded but it will relate to our lack of progress with fire risk assessments in the communal areas of our blocks as required by the Regulatory Reform (Fire Safety) Order 2005. The background to this is as follow -

1. These Regns came into force on 1st Oct 06 and, amongst other things, they require fire risk assessments to be carried in the communal parts of domestic premises. Adrian and I attended some brief training and produced a proforma which we planned to use across the stock. We began to undertake these assessments and periodically the Fire Brigade would contact us and request that we provide a copy of our assessment for a specific block. The Brigade were generally happy with what we submitted and so we continued to use this approach and have made significant progress with these.
2. Last year we were contacted by the local fire safety team who requested a copy of our fire risk assessment for Gillray House. We submitted this and then received a letter advising us that "conditions specified in and required by the Regulatory Reform (Fire Safety) Order 2005 were being contravened". The specific area of concern was noted as "fire risk assessment not suitable and sufficient - procedures to be put in place in relation to occupants of the building with reduced mobility". This opened up a protracted discussion with Brigade on a whole range of fire safety issues and I met with the Fire Safety Officers in order to try to clarify their requirements.
3. At this stage I pointed out that some of their expectations were contrary to the position taken by the Council's Building Control Dept who enforce the Building Regulations. Specifically, the FB consider that all means of escape should lead to a place of safety at ground level. However, for many of the older buildings in our stock (particularly mansion blocks such as EPG) the secondary escape route is onto the roof from where they would need to be rescued. In the past, when we have approached Building Control requesting that we be permitted to take a secondary exit out of use because it leaves people on a roof (and they are unable to get down to ground level) their advice has always been that if the escape route was originally designated it must be retained and that if the residents can get along the roof even slightly so that they have effectively crossed the boundary wall and are assembled above an adjoining block that this could be considered safe evacuation. This is, therefore, an important issue for us and so in an effort to try and resolve this I arranged for Building Control Officers and the Fire Safety Officers to meet me on site to look at one or two of the buildings which present just such an issue for us. Whilst this was useful it did not resolve the matter and the FB and BC agreed to meet. Today the FB advised that they are going to ask the Home Office to adjudicate on the disparity between the standards they require and those enforced by BC.
4. This was just one of the issues which is not yet satisfactorily resolved - however, the FB's view is that their legislation takes precedence over the Building Regns. We did point out that, as the Council owns the housing stock, it may well be the case that their view is that the Building Control requirements take precedence. However, irrespective of the outcome of this the bigger issue for us is that we remain unclear about what the FB will consider adequate in terms of a risk assessment. Their view is that we have not put sufficient resources in place to progress these assessments to their satisfaction and they are not prepared to let this situation continue...hence the enforcement notice.
5. Adrian & I have endeavoured to keep this work in-house so that we could ensure that our sparse resources could be used to improve any fire safety issues identified in the blocks and not to pay a consultant to survey and to produce perhaps unnecessarily detailed reports. However, it seems that we now need to re-think this approach.

Janice

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