



Ms J Wray
Health and Safety Manager
Kensington and Chelsea TMO
292a Kensal Road
London
W10 5BE

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 17 November 2016
Our Ref 12/020696/NM

Dear Ms J Wray

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

Premises: Grenfell Tower , Lancaster West Estate, London W11 1TG

The Authority'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 Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order). The matters that need to be addressed, together with the Authority's recommendations about the actions you should take are explained in the attached schedule. We recommend that action should be taken by **18 May 2017**.

If you are in any doubt about what you need to do to comply with the Fire Safety Order; 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 Authority's web-site 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 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 Authority may subsequently take regarding failures to comply with the Fire Safety Order.

Yours faithfully,

PP N. Mearns

for Assistant Commissioner (Fire Safety)

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

Enc: Form FS03_01b Legislation Extracts
Form FS03_01c Schedule
Form FS03_06 Definitions of standard terms

Reply to Inspecting Officer Michele McHugh
Direct T [REDACTED] Ex [REDACTED]

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 Authority may visit your premises again to check on the action you have taken.
3. **Notwithstanding any consultation undertaken by the fire authority, 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 Authority.
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 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.

ENVIRONMENT AND SAFETY INFORMATION ACT 1988 SECTION 4 - PROTECTION OF TRADE SECRETS

The above Act requires the London Fire and Emergency Planning Authority 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 Fire Authority 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 OF FIRE SAFETY AUDIT OBSERVATIONS

FILE 12/020696/NM
REFERENCE:

OCCUPIER/AGENT: DEFAULT PROPERTY

ADDRESS: GRENFELL TOWER,
LANCASTER WEST
ESTATE
LONDON
W11 ITG

Article	Issue	Action(s) to be taken
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 there were multiple items in the common parts, several fire doors did not fit fully into their frames and there was a breach in your services duct.	Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.
Article 17(1)	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 several of the fire doors protecting your escape staircase did not close fully into their frame.	Arrange initial and on-going maintenance to ensure fire safety measures are kept in an efficient state, working order and good repair. This can be achieved by regularly checking the fire doors and the their self closers on your escape stairs to ensure they close fully into their frame and if they do not taking appropriate action.
Article 17(1)	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	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 following 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

	doors that do not self close. Flats 44 and 153 were checked at audit and did not self close.	entrance ways should be of a minimum 30 minutes FIRE RESISTANCE and should self close. 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 14	At the time of the audit the emergency routes or exits were inadequate. It was found that various items were stored in the common parts, including a mobility scooter which was being charged through the letter box.	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 removing the items from the common parts and providing an alternative means for the mobility scooter to be charged.
Article 14	At the time of the audit the emergency routes or exits were inadequate. It was found that doors to flats 44 & 153 did not self close.	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 ensuring that all fire doors on the means of escape route self close.
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 the top corner of one of the panels protecting your services duct on the 8th floor was damaged and broken creating a breach in the service duct void.	Take the general fire precautions required to prevent fire and smoke spread by repairing or replacing the broken panel.
Article 15(1)	At the time of the audit your procedures to be followed in the event of serious and imminent danger were inadequate. It was found that Fire Action Notices were not displayed in your common parts.	Adequate procedures for serious and imminent danger and for danger areas should be established and followed. This can be achieved by displaying Fire Action Notices in the common parts of your building.