

Freedom of Information request reference number: FOI 6336.1

Date of response: 25.02.2022

Request:

Please accept this e-mail as a freedom of information request relating to the fire safety inspections at 186 Bridport Road, Edmonton, London N18 1SJ, more particularly the following:

- any alteration/enforcement notices/ prohibition notices; and/or
- any informal notices or letters

Issued to the building owner (Dena Papakyriacou) between October 2021 – January 2022.

Response:

Where the audits resulted in a notice being issued by the LFB, the audit form itself remains exempt from release under the FOIA provisions (again, under Section 31 of the FOIA ("law enforcement"- Section 31(1)(g) combined with 31(2) (a) and 31(2) (c).

The Brigade does not hold any other documents relating to this premises.

When the LFB identifies any safety concerns, we make this information available within informal notification of fire safety deficiencies (NOD), and through the public register any formal action. You can find the public register of enforcement notices, here: [Notices on our website](#).

Where there is no fire safety concern that merits either formal or informal action, then this information should be protected from publication to preserve the safe space for good regulation principles and that any withheld information could be used at a later date as part of formal enforcement action or prosecution where the materials go to demonstrate the behaviour, actions or omissions of the responsible person.

It is important that enforcing authorities are assisted in their investigations if witnesses and those responsible for compliance with regulations are willing to cooperate with the investigation on a voluntary basis and investigators are able to take full contemporaneous notes and enter in discussions (either verbally, or by correspondence) with those involved, to enable them to explore all aspects of the case and then arrive at a decision as to the appropriate action to take.

With regard to the property Fred Perry House, 186 Bridport Road, Edmonton, London, N18 1SJ, I can confirm that the most recent Fire Safety Audit for this property was completed on 16.12.2021. The outcome of the audit was 'Non-Compliant' and I have attached the Notification of Fire Safety Deficiencies letter (NOD), for your information.

I hope you find the information we have been able to provide of use. If you have any further questions, please contact: InformationAccess@london-fire.gov.uk

We have dealt with your request under the Freedom of Information Act (FOIA) 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/>

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

Date 7 December 2021
Our Ref 32/010978/LB

Dear Sir/Madam

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

Premises: Fred Perry House, 186 Bridport Road, Edmonton, N18 1SJ

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 (The Order) 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 Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order).

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 **29 March 2022**.

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 Commissioner'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 Commissioner may subsequently take regarding failures to comply with the Fire Safety Order.

Yours faithfully,

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for Assistant Commissioner (Fire Safety)

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

Reply to Fire Safety Advisor ██████████

Direct T 020 8555 1200 ██████████

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

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

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: Fred Perry House, 186 Bridport Road, Edmonton, N18 1SJ

FILE NUMBER: 32/010978

This schedule should be read in conjunction with the Commissioner's letter dated **7 December 2021**.

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.</p> <p>It was found that:</p> <ol style="list-style-type: none">1) There is evidence of smoking in both stairwells of the premises.2) Fire doors are being wedged/held open in the common escape route and wedged/held open by business units whose doors open into the escape route.	<p>Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.</p>
Article 13	<p>At the time of the audit the provision of manual firefighting equipment was not appropriate.</p> <p>It was found that:</p> <ol style="list-style-type: none">1) Fire extinguishers were being used to hold open fire doors, and are not positioned correctly in stands or wall mounted.2) There is no signage displayed for the use of fire extinguishers.	<p>Ensure that firefighting equipment is appropriate to risk, easily identifiable and available at all material times. This can be achieved by providing adequate positioning for fire extinguishers.</p>
Article 14	<p>At the time of the audit the emergency routes or exits were inadequate.</p>	<p>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.</p>

<p>Article 14 continued.</p>	<p>It was found that:</p> <ol style="list-style-type: none"> 1) A large refuse bin was on the first floor landing area in the means of escape at the north staircase, and 2 further large refuse bins were on the first floor at the south staircase. 2) The fire door leading to lift access at rear of premises was inadequate and not closing in its frame. 3) There is no provision of emergency escape lighting at the rear of the premises. 4) In the lower ground lobby there were chairs and 9 expired fire extinguishers awaiting disposal. 5) Electric cable trunking throughout the first floor corridor is held with non fire rated clips. 	<p>This can be achieved by:</p> <ol style="list-style-type: none"> 1) Ensure the escape route is kept clear at all times. 2) Ensure fire doors are suitable and sufficient in protecting the escape route. 3) Install emergency escape lighting at the rear exits. 4) Ensure escape routes are kept clear at all times. 5) Ensure electrical wiring clips used are of appropriate FIRE RESISTING standard
<p>Article 22</p>	<p>At the time of the audit you had not cooperated and coordinated with other responsible persons. It was found that fire risk assessments have not been shared between the responsible person and the individual business units.</p>	<p>You must take all reasonable steps to cooperate and coordinate with other responsible persons. In particular cooperate and coordinate with other responsible persons by sharing fire risk assessments and evacuation plans.</p>
<p>Article 9</p>	<p>At the time of the audit the fire risk assessment for your premises has not been subject to a suitable system of review. It was found that the fire risk assessment has not been reviewed since 17 June 2019.</p>	<p>The fire risk assessment should be reviewed.</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.