

**CROWN PREMISES INSPECTION GROUP**

**CROWN ENFORCEMENT NOTICE**

Premises Reference: 1203/011/01 Serial number of notice: [REDACTED]

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

<b>Name(s) of person(s) on whom the notification is served.</b>	(1) [REDACTED]	(2)
<b>Premises to which the notification relates</b>	[REDACTED]	
<b>Crown Department responsible for the premises</b>	Ministry of Justice	
<b>Fire Inspector</b>	[REDACTED]	Direct dial: 0303 444 3163
		Mobile: [REDACTED]
		E-Mail: [REDACTED]
<b>Crown Premises Inspection Group Address</b>	Office of the Chief Fire & Rescue Adviser Communities and Local Government Zone G9 – 4 <sup>th</sup> Floor Eland House Bressenden Place London, SW1E 5DU  Telephone: 0303 444 3163 E-Mail: <a href="mailto:cpig@communities.gsi.gov.uk">cpig@communities.gsi.gov.uk</a>	

I, [REDACTED], a person authorised by the Secretary of State under article 25(e) of the Regulatory Reform (Fire Safety) Order 2005, hereby give you notice that I am of the opinion that, as a person being under an obligation to do so, you have failed to comply with the requirements placed upon you by virtue of Article 5 of "the Order" in respect of the above named premises.

2. The matters which I consider constitute the failure(s) to comply with "the Order" and the provisions of "the Order" with which you have failed to comply are specified in the Schedule to this notice.

You are required to take steps to remedy the failure(s) by 1<sup>st</sup> June 2010.

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3. I am further of the opinion that the measure(s) identified in the Schedule to this notice (or any alternative steps that might be agreed with me) need to be taken to remedy the specified failure(s) to comply with the Regulatory Reform (Fire Safety) Order 2005.

4. Unless the measures identified in the Schedule to this notice (or alternative measures-see note below) have been taken within the time limit stated you will be deemed not to have complied with this notice and further action may be taken. You may however apply for an extension to this time limit in writing to me.

5. [REDACTED] as an enforcing officer, have a duty to enforce the requirements of the Regulatory Reform (Fire Safety) Order 2005, on all, Crown owned or Crown occupied premises

**Note:** The specified measures may not be the only way to meet the functional requirement of the relevant article. You may propose an alternative solution, in which case you should do so in writing to me before commencing any work.

Signed

[REDACTED]

Dated 19<sup>th</sup> November 2009

Fire Inspector  
Crown Premises Inspection Group  
Office of the Chief Fire and Rescue Advisor

[REDACTED]

I .....  
Acknowledge receipt of Crown premises Inspection Group Enforcement  
Notice - Number [REDACTED]

Signed

[REDACTED]

Dated for receipt 19-11-09

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Where appropriate, a plan may form part of this Schedule to illustrate the measures which, in the opinion of the fire inspector, need to be taken in order to comply with the Regulatory Reform (Fire Safety) Order 2005.

**Note:** Notwithstanding any consultation with other enforcing authorities undertaken by the fire inspector, before you make any alterations to "the premises" which constitute building works you must apply to your local building control body (the local planning authority or an approved inspector) for any necessary approvals, and to any other body which has a statutory interest in "the premises", if their permission is required for those alterations to be made, (the Crown is exempt building regulations, but follow the same course as if it were not exempt).

There may be occasions when Government departments, individuals or organisations feel unhappy with the inspection process or with some other aspect of enforcement activity, the Crown Premises Inspection Group recognises this and offers an appeals procedure.

The appeals procedure is as follows:

1. If you disagree with anything in the notice you should ask for a review of the notice within 21 days from the day the enforcement notice is served. The first action you should take is to refer the matter to the fire inspector who carried out the inspection by contacting him direct or through Crown Premises Inspection Group.

[The name, and contact details can be found above in the notice. Most matters can be dealt with by this procedure, which can also help clear up any misunderstandings, explain methodologies and agree alternative methods of achieving the objective].

2. In the event of failure of the first action you should refer the matter to the Crown Premises Inspection Fire Advisor through one of the methods of contact listed above.

# CROWN PREMISES INSPECTION GROUP

## CROWN ENFORCEMENT NOTICE

### SCHEDULE

Premises; [REDACTED]

Sheet; 1 of 3

File Number; 1203/011/01

This schedule should be read in conjunction with the Inspector's notice dated 19<sup>th</sup> November 2009

The article(s) specified in the Regulatory Reform (Fire Safety) Order 2005, were not being complied with and the following measure(s) need(s) to be taken in order to comply with the above legislation:

Relevant Article	The location and details of matters which are considered to be failures to comply with "the Order".	Measure(s) considered necessary to remedy the provisions to comply with "the Order".
14	There is an excessive distance of travel from the first floor (Coroners offices) to a place of safety. This requires people having to travel across the head of an accommodation staircase to reach a protected route ( which is unacceptable).	<p>The existing staircase at this end should be upgraded to form a protected route from this level down the staircase and out via the doors at ground floor level.</p> <p>In order to upgrade this route additional fire exit signage ( conforming to BS 5499) should be fitted.</p> <p>Emergency latching devices should be fitted to the final exit doors ( conforming to BS EN 1125 Panic exit devices operated by a horizontal bar and/or BS EN 179 Emergency exit devices operated by a lever handle or push pad are methods of satisfying this requirement).</p> <p>The existing doors forming the protected route should also be examined and upgraded/replaced as necessary to conform to the FD30s standard.</p>
14	During the audit it was noted that a number of the final exit doors were fitted with multiple locking devices , In particular the fire exit door at ground floor level from the main staircase ( Coroners end of building) to the external route which leads from the car park .	<p>It should be ensured that final exit doors are available without recourse to keys and are only fitted with emergency fastenings which consist of a simple device, which is easily operable in the event of an emergency in one movement.</p> <p>The device provided should comply with BS EN 1125 Panic exit devices operated by a horizontal bar and/or BS EN 179 Emergency exit devices operated by a lever handle or push pad are methods of satisfying this requirement.</p>

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14	During the audit it was noted that several fire doors were held open (by various devices).	<p>It should be noted that as part of management procedures that no fire resisting door should be held open by any other means than an automatic door release (connected either directly or indirectly to the fire alarm – which allows the doors to close upon activation of the fire alarm).</p> <p>It is also recommended that weekly site checks are undertaken and recorded as to the condition of fire doors, location of extinguishers, elimination of combustible materials in protected routes etc.</p>
14	During the audit of the custody suit it was noted that the office and rest-room were not enclosed in materials affording 30 minutes fire resistance and the doors were not to the FD30s standard.	<p>There must be fire separation between all rooms containing any fire risks (e.g. Control Room and Custody Officer rest rooms, kitchens etc.) and those which are immediately adjacent to the cells and cell corridors, assembly areas and escape routes from the cells, to a minimum standard of 30 minutes, together with doors to the FD30s standard (and self closing).</p> <p>This will create protected routes to the secure prisoner holding areas, eventually leading to separate final exits or evacuation from the building in custody vehicles.</p> <p>This fire separation of the higher fire risk areas away from the escape routes is needed for 'escorted evacuation' to work without the need for excessive numbers of custody officers to carry out almost simultaneous evacuation of prisoners.</p>
14	Custody suit	<p>During the audit it was noted that there is a lack of fire compartmentation. The door between the custody area at the foot of the stairs to the Police corridor should be examined and upgraded as necessary to the FD30s standard. In addition the door at the far end of the same corridor should also be examined and upgraded.</p> <p>Within the cell area there is a lack of compartmentation to stop the spread of smoke from the dead end corridors, through the office area onto the corridors leading to the courts and the female cells. This should be examined with the aim of providing a set of doors. ( FD20s standard as a minimum) to stop the spread of smoke.</p>

13	Custody suit	The existing fire warning system for the premises should be extended to provide additional detection within the custody suit and cells (the system should conform to BS 5839 pt 1).
13	Currently the provision of fire fighting equipment within the custody suit appears to be deficient and needs to be examined and up graded as appropriate to conform to the standard below.	<p>The following types of portable fire extinguishers are to be provided in each of the following areas of the Custody Suit as a minimum; Custody Control room and Officers Canteen/rest room -One, 9- litre water; and one 2kg Carbon Dioxide fire extinguishers. Additional fire extinguishers may be required in Custody Suites containing more than 6 holding cells and in accordance with any significant findings, resulting from any subsequent fire risk assessment.</p> <p>Fire fighting equipment should be accessible at all times; it is not to be obstructed or stored in cupboards or store rooms.</p>
14	Custody suit	<p>During the audit it was noted that there appeared to be no emergency lighting within the corridors of the custody suit. The provision of emergency lighting in the custody suit should be examined and a system provided or the existing system upgraded</p> <p>The installation should conform to BS 5266-</p>

## NOTES

1. The Regulatory Reform (Fire Safety) Order 2005; binds the Crown, except for the enforcement and prosecution provisions. Even though the Crown has immunity from enforcement and prosecution under health and safety legislation (including fire) it is not the intention of the Crown to put relevant persons (within the meaning of 'the Order') at any greater risk in its premises than relevant persons in non- Crown premises. To safeguard relevant persons in Crown premises from a Crown failure to comply with health and safety legislation, the Cabinet Office has therefore issued clear guidelines to all Crown departments and agencies through the Civil Service Management Code. The code requires full compliance with the provisions of any legislation which binds the Crown, or any other legislation which Ministers consider should apply, as if it were binding on the Crown.

Enforcing authorities for Crown premises treat any health and safety legislation as if the Crown was fully subject to the legislation but apply 'modified' enforcement procedures. The method of enforcement employed by Crown fire inspectors follows a similar procedure to the legal procedure used by enforcing authorities for non-Crown premises. This means that, where appropriate, an enforcement notice will be served on the responsible person and any other person who may be deemed to be responsible, in the same way as if the legal enforcement provisions applied, although the enforcement notice will not have the same legal effect as a notice served under article 30 of 'the Order'.

If you wish to discuss the notice further you should, in the first instance, contact the fire inspector detailed in the notice

2. You may ask for a review of an enforcement notice served by using the appeals procedure detailed above.

An appeal may be brought on the grounds that you think that:

- (a) the service of an enforcement notice was based on an error of fact;
- (b) the service of the enforcement notice was wrong for any reason;
- (c) the inspector erred in the exercise of his discretion in serving the enforcement notice.

Without prejudice to the grounds of 'appeal' set out in paragraphs (a) to (c) above, examples of other situations which may be the subject of an 'appeal' are where:

- (d) you dispute any of the facts in the notice which detail the measures which have to be taken in order to comply with the Regulatory Reform (Fire Safety) Order 2005;
- (e) you think that an unreasonable time period has been set for the taking of the measures set out in the notice.

3. The fire inspector may grant, at his discretion, an extension (or further extension) of the time specified for the steps to be taken. Application for an extension of time should be addressed to the inspector at the address detailed in the notice.

4. To assist with administrative procedures, it would be helpful if you could quote the reference number (at the top of this notice) when dealing with the Crown Premises Inspection Group.