

**CROWN PREMISES INSPECTION GROUP**

CROWN ENFORCEMENT NOTICE

Premises Reference: 2401/021/01 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) [REDACTED]
<b>Premises to which the notification relates</b>	[REDACTED]	
<b>Crown Department responsible for the premises</b>	National Probation Service	
<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: [REDACTED]	

I, [REDACTED], a Fire Inspector for the purposes of the Order, 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(1) 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 29<sup>th</sup> July 2010**

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.

Direct Dial: 0303 444 3163  
Mobile: [REDACTED]  
E-Mail: [REDACTED]

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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. I, [REDACTED], as an Enforcing Authority, 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

Dated: 29<sup>th</sup> April 2010

[REDACTED]

[REDACTED]  
Chief Fire & Rescue Advisory Unit  
Communities & Local Government  
Eland House  
4th floor - zone G9  
Bressenden Place  
London  
SW1E 5DU

Direct Dial: 0303 444 3163  
Mobile: [REDACTED]  
E-Mail: [REDACTED]

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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 a review procedure.

The review 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]

File Number: 2401/021/01

Sheet: 1 of 3 .

This schedule should be read in conjunction with the Inspector's notice dated 29<sup>th</sup> April 2010  
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".
8(1)(a) & 8(1)(b)	<p><b>Duty to take general fire precautions</b></p> <p>The responsible person must—</p> <p>(a) take such general fire precautions as will ensure, so far as is reasonably practicable, the safety of any of his employees; and (b) in relation to relevant persons who are not his employees, take such general fire precautions as may reasonably be required in the circumstances of the case to ensure that the premises are safe.</p> <p>There was evidence that recommendations had been made to address the significant findings, and action plans where produced. However, no action had been taken to implement a number of the recommendations made.</p>	<p>Review your Fire Risk Assessments and their accompanying action plans and ensure that the recommendations identified to reduce the risk from the significant findings are addressed.</p>

10	<p><b>Principles of Prevention</b></p> <p>Where the responsible person implements preventative and protective measures they should do so on the basis of the principles of prevention as specified in part 3 of schedule 1.</p> <p>There was no evidence that Portable Appliance Testing (PAT) or 5 yearly electrical test had been carried out at the premise.</p>	<p>Provide evidence of or, implement the appropriate testing regimes.</p>
14(2)(b)	<p><b>Emergency Routes and exits</b></p> <p>The following requirements must be complied with in respect of premises where necessary in order to safeguard the safety of relevant persons,</p> <p><i>In the event of danger, it must be possible for persons to evacuate the premises as quickly and as safely as possible;</i></p> <p>The double glazed door and window leading from reception to the rear court yard underneath the external escape stair has been built in a non-fire resistant construction.</p>	<p>Ensure adequate provisions are provided for the external escape stair.</p> <p>I suggest you upgrade the door and glazing below the external escape stair to a ½ hour fire resistant construction.</p>
14(2)(b)	<p><b>Emergency Routes and exits</b></p> <p>The following requirement must be complied with in respect of premises where necessary in order to safeguard the safety of relevant persons,</p> <p><i>In the event of danger, it must be possible for persons to evacuate the premises as quickly and as safely as possible;</i></p> <p>Breaching of the compartment walls where found in all parts of the building, mostly above the line of the false ceiling. The remedial work</p>	<p>The compartment walls and floors should form a complete barrier to fire between the compartments they separate. I suggest a thorough survey is undertaken to identify all locations that are required to be fire resistant construction, and to install appropriate fire-stopping.</p> <p>Note: An Enforcement Notice has been served on Amey for the works they carried out, as these works were incomplete and no evidence could be provided that the product used had sufficient</p>

	<p>carried out since my audit on 16<sup>th</sup> April 2009 is unsatisfactory for the following reason:</p> <p>Only the approved premises floors were within the scope of works, but your Risk Assessment identifies remedial works were required throughout the building.</p>	<p>fire-stopping qualities as detailed in BS476 part 20. A copy of this Notice has been provided.</p>
14(2)(g)	<p><b>Emergency Routes and exits</b></p> <p><i>The following requirements must be complied with in respect of premises where necessary in order to safeguard the safety of relevant persons, in the event of danger,</i></p> <p><i>Emergency routes and exits must be indicated by signs.</i></p> <p>Certain areas within the premise lacked appropriate signage.</p>	<p>Review the signage within the premise ensuring appropriate signage is provided in accordance with BS:5499. or equivalent standard</p>
15 (1)b	<p><b>Procedures for serious and imminent danger and for danger areas</b></p> <p><i>nominate a sufficient number of competent persons to implement those procedures in so far as they relate to the evacuation of relevant persons from the premises;</i></p> <p>No nominated competent persons where appointed to implement procedures in the event of an emergency.</p> <p>No fire marshals where appointed.</p>	<p>Nominate sufficient competent persons to implement procedures, and provide those persons with sufficient training to undertake those duties.</p>
21(1)(a)	<p><b>Training</b></p> <p><i>The responsible person must ensure that his employees are provided</i></p>	<p>Conduct safety training for your staff within the premises, ensuring the training is appropriate to the risks as identified by your risk assessment.</p>

<p>21(2)(b) 21(2)(d)</p>	<p><i>with adequate safety training</i> <i>(a) at the time when they are first employed,</i> <i>(b) be repeated periodically, and where appropriate,</i> <i>(d) be provided in a manner appropriate to the risk identified by the risk assessment</i></p> <p>There was no evidence of staff training.</p>	
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## 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 Review procedure detailed above.

A Review 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 'Review' 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.