

CROWN PREMISES INSPECTION GROUP

COMPLIANCE ENFORCEMENT NOTICE

Premises Reference: 6216/6889 **Serial number of notice:** [REDACTED]

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

Name(s) of person(s) on whom the notification is served.	(1) [REDACTED]	(2) [REDACTED]
Premises to which the notification relates	[REDACTED] Leeds, [REDACTED].	
Crown Department responsible for the premises	HM Court Service	
Fire Inspector	[REDACTED]	Direct dial: 020 7944 5598
	[REDACTED]	Mobile: [REDACTED]
	[REDACTED]	E-Mail: [REDACTED]
Crown Premises Inspection Group Address	Office of the Chief Fire & Rescue Adviser Communities and Local Government First Floor Ashdown House 123 Victoria Street London, SW1E 6DE Telephone: 020 7944 5789 E-Mail: cpig@communities.gsi.gov.uk	

1. 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 1st September 2009.

Direct Dial: 020 7944 5598
Mobile: [REDACTED]
E-Mail: [REDACTED]

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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. I [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

Dated 29th July 2009

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

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 RECEIPT NOTICE

SCHEDULE

Premises: [REDACTED], Leeds, [REDACTED]

File Number: 6216/6889

Sheet: 1 of 3

This schedule should be read in conjunction with the Inspector's notice dated 29th July 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".
9 (1)	A suitable and sufficient fire risk assessment does not appear to have been carried out.	<p>Complete a suitable and sufficient fire risk assessment of your premises and record the significant findings. There are several methods available for completing risk assessments. You should refer to the Fire Safety Risk Assessment guide for your particular occupancy published by the Department for Communities and Local Government and can be found on the CLG website.</p> <p>Alternatively you can appoint a competent person to assist you complete a fire risk assessment, however you will remain responsible for the fire risk assessment being suitable and sufficient.</p> <p>Where you employ five or more employees, there is a licence under an enactment in force in relation to the premises and/or there is an alteration notice requiring this in force, you must record both the significant findings of the risk assessment and any group of persons identified by the assessment as being especially at risk.</p> <p>Significant findings may include: -</p> <ul style="list-style-type: none">• Identified fire hazards.• The preventative measures that are to be taken or have been taken to remove or reduce the chance of a fire occurring.• Anyone at risk due to their location, disability or those unfamiliar with the premises such as guests, members of the public or visitors.• The protective measures you have taken or are to be taken to reduce the risk to people from the spread of fire and smoke. This may include protecting

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Mobile: [REDACTED]

E-Mail: [REDACTED]

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escape routes with fire resisting materials, fitting fire doors, providing early warning of a fire occurring by installing a fire warning system, and providing fire-fighting equipment to reduce the possibility of a small fire spreading before persons can make their escape.

- The completion of an emergency plan that gives actions, including anyone nominated to affect a particular role in evacuating the premises and calling the emergency services.
- The training, instruction and provision of information to staff and other persons, and how you will deliver this. Such matters, including those nominated for specific tasks such as using fire-fighting equipment or evacuating members of the public or other staff members, including disabled persons from the premises can be completed during staff training. Where information is to be available to visitors, guests or members of the public, suitable notices, or instructions given by voice alarms may be required.

Note: Keeping up-to-date records can help you effectively manage the fire strategy for your premises and demonstrate how you are complying with fire safety law.

Your records should include:-

- Testing and checking escape routes
- Testing of fire warning systems
- Recording false alarms
- Testing and maintenance of emergency lighting systems
- Testing and maintenance of fire extinguishers, hose reels and fire blankets etc.
- Recording training of relevant people and fire evacuation drills
- Maintenance and audit of any systems that are provided to assist the fire and rescue service
- Recording tests, repairs, and maintenance of fire safety systems, including self closing fire doors

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.