



Essex County
Fire & Rescue Service

[REDACTED]
Chief Fire Officer / Chief Executive

[REDACTED]
Holland Road Management Company Ltd
C/O Crowstone Court
50 Holland Road
Westcliff-on-sea
SS0 7SQ

North East Group Service Delivery Point
Colchester Fire Station
Cowdray Avenue
Colchester
CO1 1XT

[REDACTED]
northeastgroupsdp@essex-fire.gov.uk

Our Ref: 70788
Your Ref:

Date: 15 December 2021

Dear Sir

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005
Premises: Crowstone Court 50 Holland Road, Westcliff-On-Sea SS0 7SQ

LETTER OF NON-COMPLIANCE

Further to the recent visit carried out on 13th December 2021 the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority is of the opinion that you are not fully complying with the above legislation. The Order requires fire safety issues at the above premises to be effectively managed. You are required to continuously monitor and review where necessary the effectiveness of your Fire Risk Assessment.

The visit was not a comprehensive audit of all fire safety matters but looked into a variety of aspects from which our findings are drawn. Failure to address the items specified in the report could result in enforcement action being taken. This letter and attached schedule are issued without prejudice to any legal action which may subsequently be taken regarding failures to comply with the legislation.

The part(s) of the legislation with which you are not complying are set out in the attached report; these matters are such that they require urgent attention.

A further visit may be carried out to ensure that the requirements of the schedule have been complied with.

For technical detail and guidance you are strongly advised to purchase the guidance document from the list attached to this letter. Alternatively, these can be viewed online at <https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents>. When purchasing or installing equipment, compliance with the relevant British Standard is normally taken as being adequate. Should the issues set out in this report require major changes or costs then you are advised to take professional advice before proceeding.

If you have any further queries, then please contact the above Officer quoting our reference number.

Yours faithfully,

[Redacted signature]

[Redacted name]

Protection

cc:

REPORT

Premises **50 Holland Road, Westcliff-On-Sea SS0 7SQ**
Premises UPRN. **100091656059**

The following issues were noted as requiring attention during the audit/visit.

Duty to take General Fire Precautions

Failure

To take such general fire precautions as will ensure the safety of relevant persons who are not employees.

Legislation Applicable

Article 8 (1) (b) of the Regulatory Reform (Fire Safety) Order 2005 supported by Article 4, which determines what is meant by general fire precautions.

The responsible person must take such general fire precautions in relation to all relevant persons.

General fire precautions in relation to premises means:-

- (a) Measures to reduce the risk of fire on the premises and the risk of the spread of fire on the premises;
- (b) Measures in relation to the means of escape from the premises;
- (c) Measures for securing that, at all material times, the means of escape can be safely and effectively used;

The inspection revealed that the finding of the fire risk assessment has not been fully implemented. There is no information to verify the type of cladding or insulation located on the uppermost floor of the premises and if this poses a risk to leaseholders located on the top floor.

Suggested action to remedy failure

The responsible person should act upon the finding of the fire risk assessment. Specifically: I am in agreement with the fire risk assessor who has identified that the fire alarm in the premises is configured to sound a warning which is to alert residents to evacuate. Unless there is information to the contrary, it must be assumed that the building affords adequate compartmentation to allow for a stay-put strategy. The fire alarm contradicts this strategy and could lead to people placing themselves at risk whilst evacuating. If the leaseholders decide to keep the alarm sounders active, they must be informed of the risks associated with this policy.

During the site visit I observed cladding located on the top floor of the premises. The fire risk assessment has stated that it does not offer advice on the external wall system (EWS) and the responsible person should seek professional advice to establish the make-up of the EWS.

To fully ensure the safety of the residents located on the top floor it is recommended that an assessment is carried out to establish if the wall system, including insulation and cavity barriers, does not pose a risk of fire spread.

Emergency Routes and Exits

Failure

The escape routes and exits could not be used as quickly and as safely as possible.

Legislation Applicable

Article 14 (2) (b) of the Regulatory Reform (Fire Safety) Order 2005

In the event of a fire, it is important that persons can evacuate safely and as quickly as possible.

The inspection revealed that during the inspection it was observed that the mains electrical intake located within the staircase opposite apartments 2 & 3, did not appear to be made up from fire resisting construction.

Breach in the wall opposite apartments 2 & 3

Suggested action to remedy failure

The responsible person should seek professional advice to establish if the electrical intake cabinet is made of fire resisting materials. If not, the cabinet should be changed to provide a minimum of 30 minutes fire resistance. Further, if it is established that the cabinet is currently fire resisting then smoke seals should be added and a lock placed on the door.

The breach noted Opposite apartment 2 & 3 should be remediated at the earliest opportunity

Please be advised that matters detailed under the "Suggested actions to remedy failure" heading(s) are only one method of achieving compliance. You may wish to seek further specialist advice for another means of achieving this compliance.

**Guides in the Series available from the CLG
(Communities and Local Government)**

<https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents>

1	Offices & Shops ISBN-13:978 1 851 12 851 0	Offices and retail premises (including individual units within larger premises, e.g. shopping centres)
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4	Residential Care Premises ISBN-13:978 1 851 12 818 1	Residential Care and nursing homes, common areas of sheltered housing (where care is provided) and similar premises, which are permanently staffed and where the primary use is the provision of care rather than healthcare (see Health Care Premises)
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12	Animal Premises and Stables ISBN-13: 978 1 85112 844 6	Animal premises, stables, livery yards and stables within zoos, large animal sanctuaries or farm parks
13	<i>Supplementary Guide</i> Means of Escape for Disabled People ISBN – 13: 978 1 85112 873 7	This guide is a supplement to be read alongside other guides in this series. It provides additional information on accessibility and means of escape