



Essex County
Fire & Rescue Service

Jo Turton
Chief Fire Officer / Chief Executive

South East Group Service Delivery Point
Rayleigh Weir Fire Station
500 Rayleigh Road
Benfleet
Essex
SS7 3TR

southeastgroupsdp@essex-fire.gov.uk

[REDACTED]
Transparent FM
[REDACTED]

Our Ref: 77999
Your Ref:

Date: 03 November 2021

Dear Madam

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005
Premises: Pollards Close, Rochford SS4 1GB

LETTER OF NON-COMPLIANCE

Further to the recent visit carried out on 1st Nov 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,




Protection

cc:

REPORT

Premises **Pollards Close, Rochford SS4 1GB**

Premises UPRN. **10010561245**

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 the following:

- 1) It could not be confirmed that fire stopping issues identified within the Risk Assessment dated March 2021 had not been addressed.
- 2) Combustible items stored at front doors in the common areas identified within the Risk Assessment dated March 2021 had not been addressed.

Suggested action to remedy failure

The responsible person should address the failings within the risk assessment within an acceptable timescale. The current RA was compiled 7 months before the time of this report, so evidence should have been available that serious fire safety issues are being addressed.

Fire-Fighting and Fire Detection

Legislation Applicable

Article 13 (1) (a) & 13 (2) of the Regulatory Reform (Fire Safety) Order 2005

A suitable fire warning system should be provided...

The inspection revealed that although the evacuation policy for the building is 'stay put', the fire alarm within the building is set up for a full evacuation policy, this could cause residents uncertainty in what to do in the event of a fire. The alarm within the common areas should only be for the activation of AOV's

Suggested action to remedy failure

The responsible person should consider the isolation of sounders within the common areas so that the current alarm system is only for the activation of the various AOV's throughout the building.

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 the following:

- 1) The flats within the main body of the building were constructed with lobbies on the common areas to protect the flats to the relevant fire safety level. It was found at time of audit that these lobbies appear to have been given to the lease holders who have secured them and are storing combustible items within the areas. This restricts the fire protection to the flats and places residents at risk due to the risk of obstructed or burning escape routes.
- 2) At the time of audit, it was not known if the external lighting around the site was on a different circuit to the main building. If this is the case, then there is no effective emergency lighting to the outside of the building.

Suggested action to remedy failure

The responsible person should ensure that:

- 1) Lobbies must be maintained in a sterile condition, if residents are to be permitted to maintain the security to the lobby (which should not be part of their demise) it must be sterile and vision panels must be clear to allow a safe egress through the area should the need arise in an emergency situation.
- 2) If the external lighting can not be utilised for effective emergency lighting, additional emergency lighting should be supplied as there is no other effective borrowed lighting.

Goodwill Advice

Although the main construction of the building is solid brick construction, it is identified that the third-floor penthouse areas appear to be cladded construction. You are advised that an effective EWS report for the penthouse areas should be commissioned to identify the main materials to the external surface and any insulation products in use. Once identified remedial actions should be taken to address any failings.

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)
2	Factories & Warehouses ISBN-13:978 1 851 12 816 7	Factories and warehouse storage premises
3	Sleeping Accommodation ISBN-13: 978 1 851 12 817 4	All premises where the main use is to provide sleeping accommodation, e.g. hotels, guest houses, B&Bs, hostels, residential training centres, holiday accommodation and the common areas of flats, maisonettes, HMOs and sheltered housing (other than those providing care - see Residential Care Premises), but excluding hospitals, residential care premises, places of custody and single private dwellings.
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)
5	Educational Premises ISBN-13: 978 1 851 12 819 8	Teaching establishments ranging from pre-school through to universities, except the residential parts (See Sleeping Accommodation).
6	Small & Medium Places of Assembly ISBN -13: 978 1 851 12 820 4	Smaller public houses, clubs, restaurants and cafes, village halls, community centres, libraries, marquees, churches and other places of worship or study accommodating up to 300 people
7	Large Places of Assembly ISBN-13: 978 1 851 12 821 1	Larger premises where more than 300 people could gather, e.g. shopping centres (not the individual shops), large nightclubs and pubs, exhibition and conference centres, sports stadia, marquees, museums, libraries, churches, cathedrals and other places of worship or study
8	Theatres, Cinemas, and Similar Premises ISBN-13: 978 1 851 12 822 8	Theatres, cinemas, concert halls and similar premises used primarily for this purpose
9	Open Air Events and Venues ISBN-13: 978 1 851 12 823 5	Open air events e.g. theme parks, zoos, music concerts, sporting events (not stadia - see Large Places of Assembly), fairgrounds and county fairs.
10	Healthcare Premises ISBN-13:978 1 851 12 824 2	Premises where the primary use is the provision of healthcare (including private) e.g. hospitals, doctors' surgeries, dentists and other similar healthcare premises
11	Transport Premises and Facilities ISBN-13:978 1 851 12 825 9	Transportation terminals and interchanges e.g. airports, railway stations (including sub-surface), transport tunnels, ports, bus and coach stations and similar premises but excluding the means of transport (e.g. trains, buses, planes and ships)
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