



Essex County
Fire & Rescue Service

Rick Hylton
Chief Fire Officer / Chief Executive

South East Group Service Delivery Point
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[REDACTED]
Westward Ho
Westcliff Parade
Westcliff-on-Sea
SS0 7QE

Our Ref: 124312
Your Ref:

Date: 01 December 2022

Dear Sirs,

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005
Premises: Westward Ho, Westcliff Parade, Westcliff-on-Sea, SS0 7QE.

LETTER OF NON-COMPLIANCE

Further to the recent visit carried out on 29th November 2022 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.

No further audit will be carried out at this stage.

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,

A large black rectangular redaction box covering the signature area.A black rectangular redaction box covering the name of the officer.

Protection

REPORT

Premises **Westward Ho, Westcliff Parade, Westcliff-on-Sea, SS0 7QE.**
Premises UPRN. **100091656930**

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 employees and relevant persons who are not employees.

Legislation Applicable

Article 8 (1) (a) & (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 relevant persons who are not his employees and 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;
- (d) Measures in relation to the means for fighting fires on the premises;
- (e) Measures in relation to the means for detecting fire on the premises and giving warning in case of fire on the premises; and
- (f) Measures in relation to the arrangements for action to be taken in the event of fire on the premises, including—
 - (i) Measures relating to the instruction and training of employees; and
 - (ii) Measures to mitigate the effects of the fire.

The inspection revealed that no evidence was available that the installed lightning protection for the premises is being maintained.

Suggested action to remedy failure

It is advised that the responsible person should engage a competent person to ensure that the buildings lightning protection is functioning correctly. This is considered a measure of reducing the risk of fire.

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

- 1. the doors to the electrical riser cupboards on each level of the stairway did not appear to be fire doors.**

2. the dry riser cupboards are being used for resident's storage. The riser outlet access doors are not fire resisting.

Suggested action to remedy failure

The responsible person should ensure that

1. the riser cupboards are provided with fire doors. These should be a minimum of 30 minutes fire resistance and fitted with smoke seals and intumescent strips. They should also be provided with a FIRE DOOR KEEP LOCKED sign on the outer face.

Any gaps or holes between fire resisting floors and walls should be filled with suitable firestopping material.

2. the dry riser outlet access doors on each level should be replaced with doors providing a minimum of 30 minutes fire resistance and fitted with smoke seals and intumescent strips.

Any gaps or holes between fire resisting floors and walls should be filled with suitable firestopping material.

These storage areas should be kept free of combustible material.

Maintenance

Failure

The structural fire precautions are inadequately maintained.

Legislation Applicable

Article 17 (1) of the Regulatory Reform (Fire Safety) Order 2005.

To ensure effective protection against fire which may spread, affecting the escape routes that people will use, structural fire precautions such as walls, doors and floors providing fire separation must form a complete barrier. The responsible person must ensure that structural items are maintained in an effective condition.

The inspection revealed that the fire door from the lift lobby leading to the escape stairs on the 4th floor was catching on the carpet. This was not allowing the self-closing device to close the door onto the frame.

Suggested action to remedy failure

The responsible person should ensure that all fire doors are able to close fully onto the frame by the use of the self-closing device alone.

Maintenance

Failure

The emergency lighting is inadequately maintained.

Legislation Applicable

Article 17 (1) of the Regulatory Reform (Fire Safety) Order 2005.

The emergency lighting system must be maintained. All emergency escape lighting systems should be regularly tested and properly maintained to an appropriate standard.

It is recommended that consideration is given to the provision of a servicing contract with a competent contractor who should maintain and test the emergency lighting system in accordance with the recommendations of BS 5266-1:2016 & BS EN 50172:2004, BS 5266-8:2004 (or equivalent approved standard). The outcome of the service should be recorded.

The inspection revealed that no evidence was available that the Emergency Lighting system has been recently serviced in accordance with BS5266.

Suggested action to remedy failure

The responsible person should ensure that the emergency lighting system is regularly maintained to an appropriate standard. A full duration test by a competent person should be carried out annually.

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)
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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
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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
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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