

# Crown Premises' Fire Inspection Group

Date: 6<sup>th</sup> August 2018

[REDACTED] - Governing Governor  
HMP High down  
Highdown Lane  
Sutton  
Greater London  
SM2 5PJ



Crown Premises' Fire Inspection Group  
Policing and Fire Directorate  
6<sup>th</sup> Floor SE Fry Building  
2 Marsham Street  
London  
SW1P 4DF

Our Ref: 2846/029/01

Please reply to:  
[REDACTED] @homeoffice.gsi.gov.uk

Dear [REDACTED]

## **The Regulatory Reform (Fire Safety) Order 2005 (the Order)**

**Premises: HMP High Down, Highdown Lane, Sutton, Greater London, SM2 5PJ.**

The Crown Premises' Fire Inspection Group is the enforcing authority under Article 25 of the above legislation.

I am writing to you as a person responsible under the above Order for ensuring that persons are adequately safeguarded in case of fire at the above premises.

The Order binds the Crown, except for the enforcement and prosecution provisions. The absence of formal enforcement powers does not, therefore, allow those managing Crown premises to adopt a lower standard of safety than applies to other buildings.

Following an inspection at the above premises on **12<sup>th</sup> & 13<sup>th</sup> July 2018**, the Inspector is of the opinion that you have failed to comply with the Regulatory Reform (Fire Safety) Order 2005 (the Order), and considers that formal action is required to achieve compliance. These were outlined to [REDACTED] at the time, and are set out in the attached schedule.

If the enforcement provisions in the Order applied to you, such is the seriousness of the deficiencies at the premises that you would be served with an Enforcement Notice under Article 30 of the Order. This would require you to take timely steps to comply with the Order, and you would face prosecution if you failed to do so.

In the event that a long-term solution cannot be implemented immediately, you will need to introduce interim measures to reduce the level of risk whilst longer-term measures are being prepared.

Fire safety measures are largely interactive, and fire risks can be controlled in many ways. In the Inspector's opinion, completion of the proposed remedial steps detailed in the schedule will achieve a satisfactory minimum standard of fire safety in the premises. Alternative ways of achieving an equivalent standard may be available and any request for the Inspector to consider alternative proposals should be submitted as a matter of urgency.

Guidance on an appropriate standard of safety has been provided by the Secretary of State at <https://www.gov.uk/search?q=fire+safety+risk+assessment&tab=government-results>

to assist responsible persons with undertaking a fire risk assessment and identifying the general fire precautions which need to be in place. The guide relevant to your premises provides useful examples of fire safety arrangements for simple building configurations together with a general guide to fire safety management but other guidance is available for assessing and managing complex fire safety risks such as are present in your premises. I strongly recommend that you use the assistance of a person with comprehensive training or experience to review your fire safety measures and management arrangements.

A copy of this letter has been sent to Executive director **[REDACTED]** and Prison Group director **[REDACTED]** who may also be responsible for the safety of persons in case of fire. A reference to the letter will also be made in a public register of notices, in line with the requirement placed on enforcing authorities under the Environment and Safety Information Act 1988 to act transparently.

If you do not understand the steps you must take, you can contact me using the address or telephone number above. This will not have the effect of suspending the Notice or extending the time for you to comply.

If you do not feel that you are responsible under the Order or if you believe that the contents of the schedule are incorrect, and that you do not need to take action in respect of any matter, then you should send your written reasons to the Chief Inspector Crown Premises' Fire Safety at the above address within 28 days of the date of this letter.

It is our policy to place this letter on a public register of notices, in line with the requirement placed on enforcing authorities under the Environment and Safety Information Act 1988 to act transparently.

Yours faithfully

**[REDACTED]**

Crown Premises' Fire Inspection Group **[REDACTED]**  
Crown Premises' Fire Inspection Group  
Office of the Chief Inspector Crown Premises' Fire Safety

CC - **[REDACTED]**

## REGISTERED NOTICE NO. CPFIG/035/EN/2018

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

Premises: HMP High Down, Highdown Lane, Sutton, Greater London, SM2 5PJ.

Date of Issue: 6<sup>th</sup> August 2018

This schedule should be read in conjunction with the Home Office letter dated 6<sup>th</sup> August 2018

### Schedule

<b>1. FIRE RISK ASSESSMENT</b>			
<b><i>Relevant article of the Order</i></b>	<b><i>Specific Failure to Comply with the Order</i></b>	<b><i>Steps considered necessary to remedy the failure to comply, including an illustrative example of a compliant measure</i></b>	<b><i>Steps to be completed by</i></b>
Article 9 (1)	a. The responsible person has failed to ensure that the fire risk assessment suitably and sufficiently identifies all the hazards and risks which resulted in a consequent failure to identify the fire precautions needed to protect relevant persons appropriately from serious risks.	a. The responsible person must make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions he needs to take to comply with the requirements and prohibitions imposed on him by or under this Order.	3 months from the date of this notice

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the Crown Premises' Fire Inspection Group, need to be taken in order to meet the requirements of the Order.

**Note:** Notwithstanding any consultation with other enforcing authorities undertaken by the Crown Premises' Fire Inspection Group, before you make any alterations to the workplace which constitutes building works you must apply to your local building control body (the local authority or an approved inspector) for any necessary approvals and to any other body which has a statutory interest in the workplace if their permission is required for those alterations to be made.