



**East Sussex**  
Fire & Rescue Service

# EAST SUSSEX FIRE & RESCUE SERVICE

## ENFORCEMENT NOTICE

Notice No: ESFRS/EA/RE/1102/E1/22

**Notice requiring steps to be taken under Article 30 of the Regulatory Reform (Fire Safety) Order 2005**

**Name of Premises:** Paperlane

**Address of Premises:** Paperlane, 15-21 Brassey Avenue, Hampden Park, Eastbourne, BN22 9NH

**Responsible Person:** Emmanuel Alban Ltd. Sipher Accounting & Tax, Regus House Victory Way, Crossways Business Park, Dartford DA2 6QD

I, Roger Easey, on behalf of East Sussex Fire Authority, hereby give you notice that the Fire Authority are 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 the Regulatory Reform (Fire Safety) Order 2005 in respect of the above named premises and the persons who may be on the premises or who may be affected by a fire on the premises.

The matters which, in the opinion of the Fire Authority, constitute the failures to comply with the Regulatory Reform (Fire Safety) Order 2005 are specified in the Schedule to this Notice.

The Fire Authority is further of the opinion that the steps identified in the Schedule to this Notice must be taken to remedy the specified failures to comply with the Regulatory Reform (Fire Safety) Order 2005.

The steps identified in the Schedule are to be completed by the dates indicated.

Unless the steps identified in the Schedule to this Notice have been completed within the given time limit, you will be deemed not to have complied with this Notice and the Fire Authority may consider a prosecution against you. You may however apply for an extension to this time limit (see notes).

You have the right to appeal against the Notice (see notes), by way of complaint for an order, to the Clerk to the Court of the Magistrates' Court acting for the petty sessions area in which your premises is located. If you wish to bring an appeal, you must do so within 21 days of the date this Notice is served on you. The Magistrates' Courts Act 1980 will apply to the proceedings. The bringing of an appeal shall have the effect of suspending the operation of this Enforcement Notice until the appeal is finally disposed of or, if the appeal is withdrawn, until the withdrawal of the appeal.

Signature

Date: 2<sup>nd</sup> November 2022

(on behalf of, and duly authorised by, East Sussex Fire Authority)

**SCHEDULE REFERRED TO IN ENFORCEMENT NOTICE NO ESFRS/EA/RE/1102/E1/22  
REQUIRING STEPS TO BE TAKEN UNDER ARTICLE 30 OF THE REGULATORY REFORM  
(FIRE SAFETY) ORDER 2005 ISSUED BY EAST SUSSEX FIRE AUTHORITY ON  
2 NOVEMBER 2022**

**Name of Premises:** Paperlane

**Address of Premises:** 15-21 Brassey Avenue, Hampden Park, Eastbourne BN22 9NH

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the Fire Authority, need to be taken in order to comply with the Regulatory Reform (Fire Safety) Order 2005.

**Note:** Notwithstanding any consultation undertaken by the Fire Authority, **before** you make any alterations to the premises, **you** may need to apply for approval from either the Local Authority Building Control or an Approved Inspector and/or the approval of any other local bodies having a statutory interest in the premises.

## SCHEDULE

**The location and details of matters which are considered to be failures to comply with the Regulatory Reform (Fire Safety) Order 2005 are detailed, along with the steps considered necessary to remedy the failures.**

**1 Failure under Article 8(1)(a) & 8(1)(b) of the Regulatory Reform (Fire Safety) Order 2005.**

*(The responsible person must take such general fire precautions as will ensure the safety of all persons present).*

**1.1 Failure**

The responsible person has failed to provide adequate fire protection to the single staircase serving the 1<sup>st</sup> floor and domestic flat.

**Remedy**

The staircase enclosure should be separated from the commercial premises with construction providing a minimum of half hour fire resistance with self closing fire resisting doors provided in the following locations. The door between the shop area on the ground floor and the stairway, the door to office on the 1<sup>st</sup> floor and the flat entrance door at the 1<sup>st</sup> floor in accordance with the standards detailed in the appropriate Government Fire Safety Guide.

**DATE REQUIRED – 2 February 2023**

**Supporting Information**

There are two Government Fire Safety Guides that may be considered appropriate for these premises, 'Fire Safety Risk Assessment – Offices and Shops' and 'Fire Safety Risk Assessment – 'Sleeping Accommodation'.

**2 Failure under Article 11(1) and 11(2) of the Regulatory Reform (Fire Safety) Order 2005.**

*(The responsible person must make and give effect to appropriate arrangements for the effective planning, organisation, control, monitoring and review of the preventative and protective measures).*

**2.1 Failure**

The responsible person has failed to make and give effect to appropriate fire safety arrangements relating to the fire precautions within the premises.

**Remedy**

The responsible person should make and give effect to appropriate fire safety arrangements relating to the fire precautions within the premises.

**DATE REQUIRED – 2 December 2022**

### **Supporting Information**

Such arrangements should show what is to be done, who is responsible for ensuring that it is done and when it is scheduled to take place. In making and giving effect to such arrangements, the following matters should be considered: -

- Who within the organisation been appointed to take responsibility for all matters relating to fire safety?
- Has a fire risk assessment been planned, completed, reviewed, etc.?
- Has staff training (including induction and refresher training) been scheduled?
- Have fire drills been planned and scheduled?
- Has appropriate equipment maintenance been scheduled and booked?
- Are records (of training, maintenance etc.) being maintained and updated?
- Are all of the above matters written into a fire safety policy document?

### **3 Failure under Article 13(1)(a) of the Regulatory Reform (Fire Safety) Order 2005.**

*(The responsible person must ensure that the premises are equipped with appropriate fire fighting equipment and with fire detectors and alarms).*

#### **3.1 Failure**

The responsible person has failed to ensure a suitable fire detection and warning system is fitted within the premises that provides adequate coverage and meets current standards.

#### **Remedy**

Provide a suitable fire detection and warning system within the premises that provides adequate coverage and meets current standards

**DATE REQUIRED – 2 February 2023**

### **Supporting Information**

The fire detection system should be linked to the domestic flat on the first floor to give early warning to occupants of the flat of a fire within the commercial premises that includes the 1<sup>st</sup> floor storeroom and office. Your fire risk assessment suggests the shop must be fitted with a fire alarm system in accordance with BS 5839Pt 1 to L2.

### **4 Failure under Article 14(1), 14(2)(g) and 14(2)(h) of the Regulatory Reform (Fire Safety) Order 2005.**

*(The responsible person must ensure that routes to emergency exits from premises and the exits themselves are kept clear at all times)*

#### **4.1 Failure**

The responsible person has failed to maintain emergency exit routes clear and free of combustible materials at all times.

#### **Remedy**

All routes to emergency exits from the premises and the emergency exits themselves are to be kept clear at all times.

**DATE REQUIRED – 2 December 2022**

### **Supporting Information**

Until such time as a separate, external stair and escape route from the flat is provided, the existing escape route through the 1<sup>st</sup> floor storage area and stairway is to be cleared of combustible materials.

#### **4.2** *(The responsible person must ensure that emergency routes and exits are indicated by signs).*

#### **Failure**

The responsible person has failed to ensure that the escape routes from the premises are provided with adequate signage.

**Remedy**

Provide suitable and sufficient fire escape signage throughout the premises in accordance with BS 5499 Part 4, to indicate all fire exits and routes of exit.

**DATE REQUIRED – 2 December 2022**

**Supporting Information**

There should be sufficient escape signage indicating the existing escape route through the rear of the commercial premises and not into the stair enclosure.

- 4.3** *(The responsible person must ensure that emergency routes and exits requiring artificial illumination are provided with suitable emergency lighting and that the emergency lighting will operate if the normal lighting fails).*

**Failure**

The responsible person has failed to ensure that adequate emergency lighting is provided within the emergency exit routes of the premises.

**Remedy**

Provide emergency lighting throughout the common parts of the premises in accordance with the current BS 5266: Part 1 and the findings of your Fire Risk Assessment.

**DATE REQUIRED – 2 February 2023**

The Fire Authority considers that the above detailed steps will reduce the excessive risk to an acceptable level in the premises. Alternative ways of achieving an equivalent standard may be available and any request for the Fire Authority to consider alternative proposals should be submitted as a matter of urgency.

<b>Served On</b>	<b>Notice Type</b>	<b>Premises Name</b>	<b>Location</b>	<b>Notice Number</b>
<b>02/11/2022</b>	<b>Enforcement</b>	<b>Paperlane</b>	<b>Eastbourne</b>	<b>ESFRS/EA/RE/1102/E1/22</b>

The Public Register can be accessed via the internet at [www.esfrs.org](http://www.esfrs.org) and this actual notice may be viewed by clicking on the link shown in the table above.

10. The works or actions specified in the Notice are only intended to ensure a satisfactory standard of fire precautions that will comply with the Order. The Notice is issued without prejudice to any other enforcement action that may be taken by this, or any other, enforcing authority.
11. The Fire Authority would be willing to consider and reasonably assist with any proposals you may have to remedy the matters specified in the Notice.
12. To assist with administration procedures, it would be helpful if you could quote the reference number (at the top of this Notice) when dealing with the Fire Authority.