



# EAST SUSSEX FIRE & RESCUE SERVICE ENFORCEMENT NOTICE

Notice No: ESFRS/RO/PMC/0225/E1/25

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

**Name of Premises:** De La Warr Court  
**Address of Premises:** De La Warr Parade Bexhill-on-sea TN40 1JX  
**Responsible Person:** [REDACTED]

I, [REDACTED] 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of suspending the operation of this Enforcement Notice until the appeal is finally disposed of or, if the appeal is withdrawn, until the withdrawal of the appeal.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 [REDACTED]

Date: 25 February 2025

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

### 1.2 **Failure:**

The Responsible Person has failed to enclose the electrical intake situated within the corridor with adequate fire resisting construction.

### **Remedy:**

The electrical meter located on each floor should be enclosed in non-combustible materials, to provide 30 minutes standard of fire resistance.

- Fire resisting doors to store/meter cupboards need not be fitted with a self-closing device providing that they are kept locked shut when not in use but will require.
- Intumescent strips and smoke seals.
- Three brass/steel fire rated hinges.
- A "Keep Locked Shut "when not in use sign.

**DATE REQUIRED - 25 August 2025**

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

*(The responsible person must record the 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 and record the appropriate fire safety arrangements relating to the fire precautions within the premises.

### **Remedy:**

The Responsible Person must make and give effect and record the appropriate fire safety arrangements relating to the fire precautions within the premises.

The arrangements must be recorded

The Responsible Person must display fire safety instructions in a conspicuous part of the building.

The said instructions must:

- be in a comprehensible form that the residents can be reasonably expected to understand and (b) Include:
- instructions relating to the evacuation strategy for the building (e.g., stay put or simultaneous evacuation);
- (ii) instructions as regards how to report a fire to the fire and rescue authority e.g. Use of 999 or 112, the correct address to give to the fire and rescue service
- (iii) any other instruction that tells residents what they must do when a fire has occurred, such as ensuring that fire resisting doors have closed shut behind them when making their escape in the event of fire.
- Are appropriate records maintenance being maintained and update
- Are all of the above matters written-in to a fire safety policy document

**DATE REQUIRED - 25 March 2025**

**NOTES TO ACCOMPANY ENFORCEMENT NOTICE  
SERVED UNDER ARTICLE 30 OF THE  
REGULATORY REFORM (FIRE SAFETY) ORDER 2005**

1. Contravention of any requirement imposed by an Enforcement Notice is an offence under Article 32 of the Regulatory Reform (Fire Safety) Order 2005 and renders the offender liable, on summary conviction, to a fine not exceeding the statutory maximum or, on conviction on indictment, to an unlimited fine, or imprisonment for a term not exceeding two years, or both.
2. In any proceedings for an offence referred to in Note 1, where the commission by any person of an offence under the Order is due to the act or default of some other person, that person is guilty of the offence, and a person may be charged with and convicted of the offence whether or not proceedings are taken against the first mentioned person.
3. Nothing in the Order operates so as to afford an employer a defence in any criminal proceedings for a contravention of those provisions by reason of any act or default of an employee or person nominated to implement measures for fire-fighting and procedures for serious and imminent danger and for danger areas, and appointed to assist him/her in undertaking such preventive and protective measures as necessary.
4. Subject to Note 3, in any proceedings for an offence under the Order, except for a failure to comply with articles 8(a) (Duty to take general fire precautions) or 12 (Elimination or reduction of risks from dangerous substances), it is a defence for the person charged to prove that he/she took all reasonable precautions and exercised due diligence to avoid the commission of such an offence.
5. In any proceedings for an offence under the Order consisting of a failure to comply with a duty or requirement so far as is reasonably practicable, it is for the accused to prove that it was not reasonably practicable to do more than was in fact done to satisfy the duty or requirement.
6. A person on whom an Enforcement Notice is served may under Article 35 of the Order appeal to the Magistrates' Court within 21 days from the date on which the Enforcement Notice was served. The bringing of an appeal has the effect of suspending the operation of the Notice until the appeal is finally disposed of or, if the appeal is withdrawn, until the withdrawal of the appeal.
7. The Fire Authority may grant, at their discretion, an extension (or further extension) of time specified for the steps to be taken if an appeal against the Notice is not pending. Application for an extension of time should be addressed to the above named Officer.
8. If you are the responsible person you are under an obligation to comply with the provisions of the Order or of any regulations made under it. If you have failed to comply and you and the Fire Authority cannot agree on the measures that are necessary to remedy the failure(s), the question may be referred to the Secretary of State for his determination under Article 36 of the Order.
9. To satisfy the 'Environment and Safety Information Act 1988' the Fire Authority is obliged to enter details of this Enforcement Notice into a register to which the public have access. If you feel that any such entry would disclose secret or confidential trade or manufacturing information, then you should appeal in writing to the Authority within a period of fourteen days following; a) the day on which the appeal period in Note 6 above expires, or b) the day on which the appeal is finally disposed of, where an appeal is brought. The following summary of the contents of the Notice will be entered on the public register: -