



Recorded Delivery

For the attention of the Company Secretary
Solent Cliffs Nursing Home Ltd
Solent Cliffs Nursing Home
2 Cliff Road
Fareham
Hampshire
PO14 3JS

Date: 26 June 2023

Enquiries To: [REDACTED] My Reference: F6/[REDACTED]/9992/00275651

Mobile Tel: [REDACTED]

URGENT – ACTION REQUIRED

To whom it may concern

Enforcement Notice

The Regulatory Reform (Fire Safety) Order 2005: Article 30
Premises: Solent Cliffs Care Home, 2 Cliff Road, Fareham PO14 3JS

An authorised inspector visited your premises on **01 June 2023** and evaluated the fire safety provided. The Hampshire & IOW Fire and Rescue Authority is of the opinion that you have failed to comply with a provision / provisions of the Regulatory Reform (Fire Safety) Order 2005 because people were unsafe in case of fire. The schedule to this Notice further explains the provision(s), with which you have not complied.

The serving of this Notice dated **14 June 2023** and numbered **9992** is necessary to ensure that you adequately protect people in case of fire. This authority has to make sure that you provide safety. The attached schedule sets out what you must do.

Timescale for Completion

You are required to take steps to remedy the matters in the schedule by the **01 August 2023**. My officer will contact you approximately one week before that date to arrange a further visit. You may apply for an extension to the period of time within which you need to remedy the failure(s). The authority will grant / deny additional time according to the efforts you have made. If you require additional time, please contact my officer at your earliest opportunity.

Penalty for Non-compliance

If you do not comply with this Notice, you will have committed an offence and this authority will consider a prosecution against you. A prosecution could lead to you being liable to a fine, imprisonment or both, subject to the Courts.

Route to Appeal

You can legally appeal this Notice. To do so, you must appeal 'by way of complaint for an order to the Clerk to the Magistrates' Court in the area in which the premises are situated', within 21 days from the day on which this notice was served.

The bringing of an appeal has 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of suspending the operation of this Enforcement Notice until the appeal is finally disposed of or (if the appeal is withdrawn), until the withdrawal of the appeal.

You can comment or make a complaint about how this authority regulated you. Our Complaints procedure which can be found at www.hantsfire.gov.uk/complaints tells you how.

Have Your Say

We would also appreciate feedback on our visit, please feel free to complete our post engagement form, it should take a couple of minutes and all responses are anonymous (unless you provide us with your details). [HIWFRS Fire Safety Post Engagement Feedback Form](#).

Alternative Solutions

If you prefer to use a different solution to bring about safety from fire please contact my officer. If your solution is agreed, this Notice will be withdrawn and another Notice served in its stead. An alternative approach might enable you to apply an equally appropriate safety solution to better meet your needs. Any alternative you propose must meet the 'outcome(s)' stated in the schedule.

Yours faithfully

[Redacted signature]

[Redacted name]

On behalf of, and duly appointed by the Hampshire & IOW Fire & Rescue Authority

cc: Business Fire Safety (Enforcement Support Team)

[Redacted contact information]

Enc:

Schedule to Enforcement Notice

Notes and Standard Terms and Definitions

Important Information – schedule referred to in Enforcement Notice

Notes to this schedule:

The government guidance most suitable to your premises is **Residential Care** guidance which can be found at <http://www.cfoa.org.uk/19512>

Before you make certain changes to the premises, you may have to apply for approval from statutory bodies and/or others having interest in them. If you have doubt about the need for approval, you should ask the relevant body. For example, you may have to apply for approval from a Building Control Body to make 'material alterations' website <http://www.legislation.gov.uk/ukxi/2010/2214/regulation/3/made> tells you how. You might also need to apply for the property owners' permission or for 'listed building consent' website <https://www.historicengland.org.uk/advice/planning/consents/lbc/> among others tells you how.

| Item Number 1 | |
|----------------------|--|
| Outcome | This work is necessary to identify significant risks from fire within the premises and to assess the ability of all persons to vacate the premises in an emergency as quickly as possible. |
| Action | <p>You must review your fire risk assessment and ensure that it is suitable and sufficient in order to identify the fire safety measures that you already have in place and to identify any further fire safety measures that you need to implement.</p> <p>If you identify that additional fire safety measure(s) are required in consequence of the fire risk assessment, then you must provide them.</p> <p>You should record:</p> <ul style="list-style-type: none"> i. The significant findings of your fire risk assessment (i.e. what you have done and what you will do to ensure the safety of people in case of fire). ii. Any people identified as being especially at risk. iii. The arrangements that you have in place to plan, organise, control, monitor and review the fire safety measures identified within the risk assessment. |
| Reason | <p>No clear understanding of where the compartments are which is required to conduct Phased horizontal evacuation. The fire risk assessment doesn't confirm if the loft areas were viewed.</p> <p>This is contrary to Articles 9 and 19 (1).</p> |

| Item Number 2 | |
|----------------------|--|
| Outcome | This work is necessary to help people understand what to do if fire breaks out. |
| Action | Establish procedures to be followed in case of fire and nominate people to put those procedures into effect. |
| Reason | <p>There was evidence of an unclear fire procedure. There was evidence that fire drills conducted are not including the use of the evacuation sledges on the external escape route. Without these, people may behave in unpredictable ways and can be put at risk. Good procedures will allow everyone to leave safely in case of fire.</p> <p>This is contrary to Articles 8(1) and 15(1)(a).</p> |

| Item Number 3 | |
|----------------------|---|
| Outcome | This work is necessary to make sure that escape routes (corridors, stairs and doors) can be safely used whenever they are needed. |
| Action | Indicate the nearest way out (in case of fire) for the means of escape with fire exit signs that comply with BS 5499 including emergency Action notices. Exit Signs must be visible for people that might need to refer to them. |
| Reason | <p>The safe routes to evacuate the premises in case of fire were not clear in some routes and fire action notices were contradictory. People who do not know the building will take longer to find a safe way out in an emergency, if the nearest exit is not clear to them.</p> <p>This is contrary to Articles 8(1), 14(2)(g) and 15(1)(a).</p> |

| Item Number 4 | |
|----------------------|---|
| Outcome | This work is necessary to stop your fire safety falling below an acceptable standard. |
| Action | <p>You must put in place a system of planning, organising, controlling, monitoring and reviewing the performance of each of the fire safety measures you have in place. The fire safety arrangements should include:</p> <ul style="list-style-type: none"> • The requirements to carry out maintenance of the fire safety measures that are in place throughout the premises. • The requirements to carry out suitable training to staff. • The requirement to undertake a suitable fire risk assessment. |
| Reason | <p>Significant findings within the fire risk assessment conducted on 2nd November 2022 have been signed as completed although evidence during the fire safety audit confirms these findings as still outstanding e.g. no detection within the new staff area on the first floor.</p> <p>Insufficient consideration was given to the management of fire safety throughout the premises.</p> <p>This is contrary to Article 11(1).</p> |

| Item Number 5 | |
|----------------------|---|
| Outcome | This work is necessary to stop your fire safety falling below an acceptable standard. |
| Action | Ensure that a sufficient number of competent people are available to help you with the phased horizontal evacuation within the premises. |
| Reason | <p>Insufficient numbers of competent people are available at night within the identified largest compartment to conduct phased horizontal evacuation sufficiently at the premises. This means that you cannot rely on your fire safety evacuation and that people would be at risk in case of fire.</p> <p>This is contrary to Articles 15(1)(b).</p> |

End of Enforcement Notice