

Cumbria Fire & Rescue Service • Carleton Avenue • Penrith • Cumbria • CA10 2FA  
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Mr J Donnat  
Electric Soup  
41-45 Jane Street  
Workington  
CA14 3BW



Date: 17<sup>th</sup> November 2021  
Our reference: 006a/C0118952/JLG

Please ask for: Juliet Grievess

**URGENT – ACTION REQUIRED**

Dear Mr Donnat,

**Enforcement Notice 423**

**The Regulatory Reform (Fire Safety) Order 2005: Article 30**

**Premises: Electric Soup, 41-45 Jane Street, Workington, CA14 3BW**

An authorised inspector visited your premises on the 15<sup>th</sup> November and evaluated the fire safety provided. The Cumbria 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 the 17<sup>th</sup> November 2021 and numbered 423 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 15<sup>th</sup> December 2021. I will contact you prior to this 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.

## Fire Safety Management

The schedule sets out what you need to do to improve fire safety. Taking the additional advice under this heading will help you to sustain those improvements.

### a) Risk Assessment

Undertaking a fire risk assessment will identify the safety measures you have in place and any further measures you might need to take. If additional safety is required in consequence of the assessment, you must provide it.

### b) Review Risk Assessment

You should review your fire risk assessment regularly especially if:

- i. There is reason to suspect that people are not safe in case of fire, or
- ii. There has been a significant change to the preventive and protective measures you have taken in case of fire.

Where in consequence of any such review, changes to your safety measures are required; you should make those changes.

### c) Review Measures

To stop your fire safety falling below an acceptable standard again, you should 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.

### d) Competent People

You should appoint competent people to help you put in place appropriate safety measures in case of fire. Information to help you select competent help is available from:

<https://www.nationalfirechiefs.org.uk/Finding-fire-risk-assessor>

## 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.

## Further Recommendations

### a) Sprinklers

There is clear evidence that sprinklers can be effective in rapidly controlling and stopping fires and fire spread. The Fire and Rescue Service is campaigning to generally inform, educate and promote the installation of sprinkler systems.

Sprinklers play a positive role in protecting life and reducing the economic and environmental cost of fire in any building.

We believe that your premises would benefit from the installation of sprinklers.

Sprinklers Can:

- Reduce fire deaths and fire related injuries
- Protect property and heritage
- Reduce the effects of arson
- Reduce the environmental impact of fire
- Reduce the cost and disruption of fire to business and the community
- Reduce the risk to fire-fighters
- Provide flexibility in building design and
- Compensate for other safety measures

## 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 clarify or challenge what you need to do. You can also comment on the inspection. Our 'Appeals, Challenges and Complaints' procedures tell you how and are available at:

<http://www.cumbria.gov.uk/cumbriafire/services/enforcement.asp>.

Yours Faithfully



Juliet Grievés

Fire Protection Inspector

On behalf of the Cumbria Fire and Rescue Authority

Enc. Schedule of Enforcement Notice

## Important Information – schedule referred to in Enforcement Notice

Notes to this schedule:

The government guidance most suitable to your premises is Small and Medium Places of Assembly 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 <http://www.legislation.gov.uk/ukxi/2010/2214/regulation/3/made>.

You might also need to apply for the property owners' permission or for listed building consent <https://www.historicengland.org.uk/advice/planning/consents/lbc/>, among others.

### **Outcome**

This work is required to ensure fire safety hazards within the premises are identified and evaluated and adequate steps taken to mitigate for any risk.

### **Action**

A suitable and sufficient Fire Safety Risk Assessment should be carried out. The assessment should identify the risks to which relevant persons are exposed for the purpose of identifying any required general fire precautions. The assessment should be reviewed on a regular basis and should be available on the premises when required.

### **Reason**

No Fire Risk Assessment has been carried out at the premises as required by Article 9 of The Regulatory Reform (Fire Safety) Order 2005.

This is contrary to Articles 9 (1)