

Crown Premises Fire Inspection Group

Date: 20th October 2016

<REDACTED>
HMP Rochester,
1 Fort Road,
Rochester,
ME1 3QS

By e-mail to: <REDACTED>

Dear Governor <REDACTED>

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

Premises: HMP Rochester, Fort Road, Rochester, ME1 3QS

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 12th & 13th October 2016, I am of the opinion that you have failed to comply with the Regulatory Reform (Fire Safety) Order 2005 (the Order), and consider that formal action is required to achieve compliance. The un-met requirements of the Order were outlined to you 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.

Successful approaches to assessing and managing risk can be provided by accepted guidance, BS9999: 2008 or fire engineering calculations. Each of these requires the involvement of a person with comprehensive training or experience.

A copy of this letter has been sent to those identified at the foot of this letter who may also be responsible for the safety of persons in case of fire.



**Crown Premises Fire Inspection Group
Fire and Resilience Directorate
2nd Floor NW Fry Building
2 Marsham Street
London
SW1P 4DF**

**Our Ref:
3724/023/01**

**Please reply to: <REDACTED>
@homeoffice.gsi.gov.uk**

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 Fire and Rescue Adviser 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

**Crown Premises Fire Inspection Group
Office of the Chief Fire & Rescue Adviser**

CC - <REDACTED>
CC – <REDACTED>
CC – <REDACTED>
CC - <REDACTED>
CC – <REDACTED>
CC – <REDACTED>

CROWN ENFORCEMENT NOTICE NO. CPF1G/008/2016

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

Premises: HMP Rochester, Fort Road, Rochester, ME1 3QS

Date of Issue: 20th October 2016

This schedule should be read in conjunction with the CFRA letter dated 20th October 2016

Schedule

Means to secure that cells can be evacuated safely			
<i>Relevant article of the Order</i>	<i>Specific Failure to Comply with the Order</i>	<i>Steps considered necessary to remedy the failure to comply, including an illustrative example of a compliant measure</i>	<i>Steps to be completed by Date</i>
Articles 4(1)(c), 7(6), 8 & 14	1. The smoke control arrangements do not ensure that the conditions outside the cell door would remain tenable for prison staff to undertake the cell fire response plan: Fire resisting sub-compartment doors provided to ensure the effectiveness of the zonal mechanical smoke control systems and to protect escape routes, were not fitted with the appropriate self-closing devices, placing prison staff and prisoners at risk.	1. The hold-open fire-resistant sub-compartment doors must be fitted with self-closing devices such that the doors are released and close fully on operation of the fire alarm to ensure the effective performance of zonal mechanical smoke control systems and protect means of escape routes.	1 month from the date of this notice

Cell fire response instructions			
<i>Relevant article of the Order</i>	<i>Specific Failure to Comply with the Order</i>	<i>Steps considered necessary to remedy the failure to comply, including an illustrative example of a compliant measure</i>	<i>Steps to be completed by Date</i>
Articles 4(1)(f), 7(6), 8 & 15	1. The cell fire response plan did not sufficiently safeguard prison staff or prisoners because it does not take into account the increasing potential for injury from fire and toxic smoke as time elapses, i.e. The cell fire SSoW was not time-based.	1. The cell fire SSoW must be time-based. Allowing for the predicted time for fire detection, the fire-fighting plan must ensure that water-mist inundation has been commenced by six minutes from ignition, allowing for the predicted delay before the fire is detected.	1 month from the date of this notice

Fire training			
Relevant article of the Order	Specific Failure to Comply with the Order	Steps considered necessary to remedy the failure to comply, including an illustrative example of a compliant measure	Steps to be completed by Date
Articles 4(1)(f), 7(6), 8, 13 & 15	<p>1. An insufficient number of prison staff members working in residential wings during night state are currently in-date with their training in RPE wearing, using inundation equipment and carrying out the cell fire response plan.</p> <p>2. Prison staff have not undertaken suitable practical training drills to demonstrate their ability to maintain predicted tenability within the cell in the event of a fire.</p>	<p>1. All prison staff members working in residential wings during night state should be up to date with their training.</p> <p>2. In line with the establishment's fire safety policy, practical fire training drills should be undertaken to confirm that prison staff can undertake the cell fire SSoW in the time required to maintain predicted tenability within the cell in the event of a fire. Both day-time and simulated night-time scenarios should be tested.</p>	1 month from the date of this notice

Maintenance of fire safety measures			
Relevant article of the Order	Specific Failure to Comply with the Order	Steps considered necessary to remedy the failure to comply, including an illustrative example of a compliant measure	Steps to be completed by Date
Articles 4(1)(d), 7(6), 8 & 17	1. The responsible person has not ensured that the fire detectors provided to safeguard prison staff and prisoners from fire are subject to a suitable system of maintenance so that prison staff can receive and act upon adequate early warning of fire in every cell in order to safeguard themselves and the prisoners whose safety lies within their responsibility.	1. Arrangements must be implemented to ensure that all fire detectors are subject to a suitable system of testing and maintenance, and maintained in an efficient state, in efficient working order and in good repair.	1 month from the date of this notice

Fire Safety Management			
Relevant article of the Order	Specific Failure to Comply with the Order	Steps considered necessary to remedy the failure to comply, including an illustrative example of a compliant measure	Date Required
22	1. The responsible person has not established suitable co-operation and co-ordination with other responsible persons.	1. Effective arrangements should be implemented to ensure that, where PPM checks establish that fire safety facilities, equipment and devices are not in effective working order, this information is communicated effectively to other responsible persons.	1 month from the date of this notice

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