



LEICESTERSHIRE FIRE and RESCUE SERVICE



Our Ref: FP454850
Your Ref:
Please ask for: Sophie Walker
Date: 06/01/2025

Tazim Arkate
Harveys
43 Belvoir Street
Leicester
Leicestershire
LE1 6SL

Dear Sir,

The Regulatory Reform (Fire Safety) Order 2005 (as amended)
Premises: Harveys, 43 Belvoir Street, Leicester, Leicestershire, LE1 6SL
Notice of Deficiencies

Further to the recent visit carried out on 03/01/2025 the fire authority are of the opinion that you are not fully complying with the above legislation. The regulations require fire safety issues at the above workplace to be effectively managed. You are required to continuously monitor and review where necessary the effectiveness of your fire risk assessment.

The visit was not a comprehensive audit of all fire safety matters but looked into a variety of aspects from which our findings are drawn. Failure to address the items specified in the report could result in enforcement action being taken. This letter and attached schedule are issued without prejudice to any legal action which may subsequently be taken regarding failures to comply with the legislation.

The part(s) of the legislation with which you are not complying are set out in the attached report, these matters are such that they require urgent attention.

No further audit will be carried out at this stage.

For technical detail and guidance you are strongly advised to purchase the guidance document for **Fire Safety Risk Assessment Small and Medium Places of Assembly ISBN-13: 978 1 85112 820 4**. When purchasing or installing equipment, compliance with the relevant British Standard is normally taken as being adequate. Should the issues set out in this report require major changes or costs then you are advised to take professional advice before proceeding.





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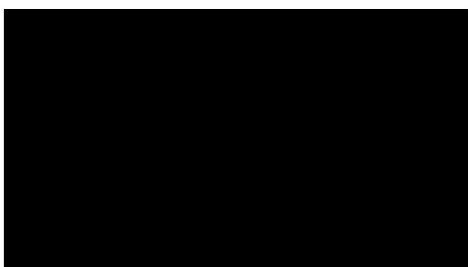
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Privacy Notice

Leicestershire Fire and Rescue Service regard your privacy as important and comply with the Data Protection Act 2018. The personal information we hold about you will be used in order for us to ensure compliance with the Regulatory Reform (Fire Safety) Order 2005 (as amended). We may also use the information to contact you to ask you about the service we provided, this is for our monitoring purposes. Your personal data is held securely on our system and will not be shared with any other third party unless we have lawful basis to do so. The information will be held for a period of time defined in our retention and disposal schedule. Further information can be obtained from our Data Protection Officer by emailing: dpo@leics-fire.gov.uk or telephone: 0116 210 5555.

Yours faithfully



Sophie Walker
Fire Protection Officer
For and on behalf of the Chief Fire & Rescue Officer

REPORT

Inspection of Harveys 43 Belvoir Street Leicester Leicestershire LE1 6SL File No.FP454850

The following issues were noted as requiring attention during the audit.

Please be advised that matters detailed under the “**Suggested actions to remedy failure**” heading(s) are only one method of achieving compliance. You may wish to seek further specialist advice for another means of achieving this compliance.

GENERAL FIRE PRECAUTIONS

Deficiency from Article 8(1)

Failure to take general fire precautions.

The responsible person has not:

- a) Taken such general fire precautions as will ensure, so far as is reasonably practicable, the safety of any of his employees; and
- b) In relation to relevant persons who are not his employees, taken such general fire precautions as may reasonably be required in the circumstances of the case to ensure that the premises are safe.

The Responsible person must introduce:

- Measures to reduce the risk of fire on the premises and the risk of the spread of fire on the premises;
- Measures in relation to the means of escape from the premises;
- Measures for securing that, at all material times, the means of escape can be safely and effectively used;
- Measures in relation to fighting fires on the premises;
- Measures in relation to detecting fire on the premises and giving warning in case of fire;
- Measures in relation for the action to be taken in the event of fire on the premises. Including the instruction and training of employees and measures to mitigate the effects of fire.

At the time of inspection

- You were unable to provide me with an Electrical Installation Condition Report (EICR) which identifies any damage, deterioration, defects and/or conditions which may give rise to risk.

This is a legal requirement and the purpose of it is to determine, so far as is reasonably practicable, whether the installation is in a satisfactory condition for continued service.

- You were unable to provide me with evidence of your annual gas safety check.
- Potentially flammable wall coverings were identified on the ground floor.

Suggested actions to remedy failure

- Employ the services of a competent electrician to carry out the Electrical Installation Condition Report (EICR). The engineer will provide you with a report declaring a satisfactory or unsatisfactory outcome.

The Electrical Installation Condition Report (EICR) should be renewed every 5 years and a record available for inspection.

- Employ the services of a competent person to conduct a gas safety check. This should be renewed annually and a record available for inspection.
- The fire resistance of wall coverings should be confirmed and treated if required. The surface linings of walls and ceilings should meet the following classifications: Small rooms not exceeding 30m² D-s3, d2 / Other rooms Cs3 d2 / Circulation spaces B-s3, d2.

RISK ASSESSMENT

Deficiency from Article 9(1)

The responsible person must make an adequate assessment of the risks to which relevant persons are exposed, for the purpose of identifying the general fire precautions necessary to control, reduce or remove the highlighted risks.

At the time of inspection

- The Fire Risk Assessment conducted by the Responsible Person, Tazim Arkate, dated 10/05/2024 was not considered suitable and sufficient for the following reasons:
 - It states that the occupancy is 300 people but it does not comment that only the ground floor is in use.
 - It does not comment that occupancy is limited to 60 people for the ground floor unless rear exit is reinstated and does not pass through the kitchen.
 - It states the incorrect level of detection and that there are no manual call points installed.
 - Incorrect guidance is recorded regarding fire extinguisher training and tackling a fire.
 - Significant findings are recorded however, does not include some of the deficiencies identified at the time of inspection.
 - Actions of significant findings not signed as completed.

Suggested actions to remedy the failure

- A suitable and sufficient fire safety risk assessment must be undertaken and should be made available on the premises. The assessment should be reviewed at regular intervals and when any significant change occurs.

- For further guidance on how to carry out a fire risk assessment go to <https://www.gov.uk/government/collections/fire-safety-law-and-guidance-documents-for-business>
- Should you feel that you are not sufficiently competent to carry out the fire risk assessment, it is recommended that you engage the services of a suitable competent Fire Safety Consultant.

The following link will assist you in finding a fire risk assessor.
<https://www.ife.org.uk/Fire-Risk-Assessor-Search>

FIRE SAFETY ARRANGEMENTS

Deficiency from Article 11(1) & (2)

The fire safety policy document was not suitable and sufficient.

At the time of inspection

The management of the fire safety arrangements for the premises were not effectively managed or monitored.

This was noted during the inspection for the following reasons:

- Fire safety arrangements were not adequately tested.
- The management plan detailing roles and responsibilities to review and maintain the fire safety measures within the premises were unsuitable.
- There was no recorded company policies and procedures in place.
- The Fire Risk Assessment was not conducted by a competent person.
- Issues identified within this report – see individual Articles.

Suggested actions to remedy the failure

Appointed persons responsible for the management of the fire safety arrangements for your premises should be recorded detailing their responsibilities. This includes the fire safety measures that are to be checked and/or maintained and the frequency of such checks and/or maintenance.

Members of staff should be appointed as deputies to ensure that the management of fire safety measures does not fail because of Responsible Person absences. This should be reflected in the company management plan and policies and procedures.

FIRE-FIGHTING

Deficiency from Article 13(3)(b)

Inadequate training provided to nominated persons to successfully implement fire-fighting measures.

Suitable and sufficient training is to be provided to the nominated persons to enable them to become competent in the performance of their duties and successfully implement fire-fighting measures.

At the time of the inspection

- You were unable to provide me with any evidence to show that suitable training is being provided on the use of fire extinguishers to those that maybe expected to use them in the event of a fire.

Suggested actions to remedy the failure

- Suitable and sufficient training must be provided for staff members that would be expected to use fire-fighting equipment. This could be in the form of an online video tutorial.
- Training should be recorded.
- Training should be refreshed annually.

PROCEDURES FOR SERIOUS AND IMMINENT DANGER AND FOR DANGER AREAS

Deficiency from Article 15(1)(a)

Appropriate procedures and safety drills, which are to be followed in the event of serious and imminent danger to persons, are not established.

At the time of inspection

- There was no evidence of fire drills conducted within the last 12 months.
- The emergency action plan stated that trained staff should operate fire extinguishers however, no staff on-site are currently trained to do so.

Suggested actions to remedy the failure

An Emergency Action Plan detailing what to do in the event of fire should be documented specific to your premises and communicated to all staff.

Fire drills should be implemented to test the effectiveness of the Emergency Action Plan or identify any potential failings.

It is essential that fire drills are carried out on a regular basis to enable staff to become familiar with escape routes and evacuation procedures.

A record of fire drills should be kept and this should include sufficient detail including outcomes.

MAINTENANCE

Deficiency from Article 17(1)

At the time of inspection

- You were unable to provide me with sufficient evidence to show that an adequate testing and maintenance regime is in place for your premises.

Suggested actions to remedy the failure

- Conduct weekly testing of the automatic fire detection operating a different manual call point in rotation. This should be recorded in a logbook.
- Employ the services of a competent person to conduct annual servicing of the automatic fire detection and emergency lighting and obtain a record of works for inspection purposes.

SAFETY ASSISTANCE

Deficiency from Article 18(1)

There were insufficient numbers of competent persons appointed to assist in undertaking preventive and protective measures.

At the time of inspection

- There were insufficient competent persons employed to maintain the fire safety arrangements for the premises.
- There were insufficient competent persons appointed in-house to assist you in maintaining the fire safety arrangements for the premises.

Suggested actions to remedy the failure

The responsible person must appoint adequate competent persons to assist in undertaking preventive and protective measures.

- Employ the services of a competent Fire Risk Assessor to carry out a fire risk assessment if you do not feel competent to conduct this yourself.
- Employ the services of a competent Electrician to conduct an Electrical Installation Condition Report (EICR).
- Employ the services of a competent gas engineer to conduct a gas safety check.
- Employ the services of a competent person to conduct annual servicing of the automatic fire detection and emergency lighting and obtain a record of works for inspection purposes.
- Appoint a member of staff to assist with fire safety measures within the premises. There should be at least two persons responsible as a contingency for absence and this should be reflected in the management plan, policies and procedures and staff training.

PROVISION OF INFORMATION TO EMPLOYEES

Deficiency from Article 19(1)(a)

To provide clear and relevant information to employees on risks identified by the risk assessment.

Deficiency from Article 19(1)(c)

To provide clear and relevant information to employees on appropriate procedures to be followed in the event of serious and imminent danger.

At the time of inspection

- Members of staff are not currently kept informed on issues and/or deficiencies that may affect their roles. This is evident through the lack of a suitable Fire Risk Assessment, no clear roles and responsibilities, insufficient staff training and a lack of regular fire drills.

Suggested actions to remedy the failure

- Once you have received a copy of your Fire Risk Assessment, you must provide your employees with clear and relevant information on the risks to them identified by the fire risk assessor. You should also inform staff the measures you have taken to prevent fires and how these measures will protect them if a fire breaks out.
- You are required to ensure that all employees are provided with clear and relevant information relating to preventative and protective measures, roles and responsibilities and emergency action procedures.

TRAINING

Deficiency from Article 21(2)(a), (b), (c), (d) & (e)

Inadequate safety training is provided to employees.

At the time of inspection

- You were unable to provide me with any evidence to show that staff members receive adequate refresher training on fire safety.

Suggested actions to remedy the failure

The responsible person must ensure that the safety training provided:

- includes suitable and sufficient instruction and training on the appropriate precautions and actions to be taken by the employee to safeguard themselves and other relevant persons on the premises,
- be repeated periodically (annually refreshed)
- be adapted to take account of any new or changed risks to the safety of employees concerned,

- be provided in a manner appropriate to the risk identified by the risk assessment and
- take place during working hours
- Training should be recorded and available for inspection.