



Lee Wallett  
124 Balmoral Road  
Morecambe  
LA3 1ST

*Please ask for:* Mick Birks  
*Telephone:* 01524 230104  
*Email:* firesafetynorthern@lancsfireandrescue.org.uk  
*Your Ref:*  
*Our Ref:* FSM3/N1200294/985  
*Date:* 25 August 2022

Dear Lee Wallett

## **LETTER OF FIRE SAFETY MATTERS**

**Premises: The Boardwalk, 100 Marine Road West, Morecambe, LA4 4DQ**

I visited your premises on 25 August 2022 and evaluated the fire safety provided. I am of the opinion that some people are at risk in case of fire. You have an ongoing duty to ensure the safety of people. The attached schedule sets out what you need to do.

### **Timescale for Completion**

You should complete the work outlined in the schedule as soon as possible, balancing the need for safety against the demands on your business or undertaking. I will visit again and will contact you in approximately 2 months (from the date of this letter) to arrange my next visit. You should complete the actions and outcomes before that visit.

### **Consequence for Non-compliance**

If you do not do the work in the schedule before my next visit (or I find that safety provisions have worsened), the authority may serve an enforcement notice on you. An enforcement notice would legally bind you to do the work.

### **Route to Appeal**

You can clarify or challenge what you need to do. You can also comment on your experience of my regulation of you. Our 'Lancashire Fire and Rescue Service: Appeals, Challenges and Complaints Procedure' available at [www.lancsfireandrescue.org.uk/safety/business-safety](http://www.lancsfireandrescue.org.uk/safety/business-safety) tells you how.

### **Fire Safety Management**

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

Protection Department  
Morecambe Fire Station  
Westgate, Morecambe, LA4 4TA

- 1) You should review the risks to people in case of fire regularly especially if:
  - there is reason to suspect that people are not safe in case of fire, or
  - there has been a significant change to the preventive and protective measures you have taken in case of fire.

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

- 2) Fire safety law requires you to take steps to keep people safe in case of fire. The general ways in which the law (and we) expect you to do this include (among others):
  - reduce the risk of fire
  - reduce the risk of the spread of fire
  - provide sufficient escape routes (corridors, stairs and doors) for people
  - make sure that escape routes (corridors, stairs and doors) can be safely used whenever they are needed
  - detect fire and raise an alarm
  - help people understand what to do if fire breaks out
  - enable nominated employees to safely fight outbreaks of fire, and/or
  - ensure that the effects of a fire are as small as possible by:
    - instructing and training members of staff, and
    - lessening the effects of fire.

- 3) In order for premises to remain safe from fire; the risks and measures to mitigate them must be continually managed. Without this management the fire safety arrangements are likely to fall below an acceptable standard again.

You should ensure you have a suitable risk assessment and that is regularly reviewed. Where changes to your safety measures are required as a consequence of any such review; you should make those changes.

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.

- 4) Where more than one person shares responsibility for fire safety measures either on a permanent or temporary basis; those responsible people must co-operate and coordinate with each other.

Where the premises or any part of it is hired out, the fire safety responsibilities should be clearly established between those hiring the premises and the responsible person of the premises. Information such as the fire safety measures installed, and established procedures should be exchanged to ensure all people can be kept safe.

- 5) The fixed electrical system was not properly tested and maintained. This means that it could fail without warning and people would be at risk of fire. Ensure that the fixed electrical system is properly tested and maintained.
- 6) The portable electrical appliances were not properly tested and maintained. This means that it could fail without warning and people would be at risk of fire. Ensure that portable electrical appliances are properly tested and maintained.
- 7) All your employees should be given information on the fire safety measures you have in place to protect them. You should record the fire safety information and training you give to employees and managers.

### **Further Recommendations**

I want you to be successful. The information, provided below, should assist you to improve safety or to enhance business continuity matters within your premises.

- 1) I advise you to obtain the HM Government Fire Safety Risk Assessment Guide appropriate to your premises. These guides can be downloaded free of charge at [www.lancsfirerescue.org.uk/safety/business-safety](http://www.lancsfirerescue.org.uk/safety/business-safety) or can be purchased from bookshops.
- 2) It would be a wise investment of your time to consider how a fire may affect your business continuity and plans for growth. There is a wealth of useful information and advice available free of charge from [www.gov.uk/government](http://www.gov.uk/government) (search 'Business Continuity Management' and 'Expecting the Unexpected').
- 3) If you plan to employ someone to help you with the requirements we have made, you should appoint competent people to give you confidence in the work they will do. Information to help you select competent help is available from <http://www.cfoa.org.uk/19532>.

### **Have your Say**

You can clarify or challenge what you need to do. You can also comment on your experience of my regulation of you. Our 'Lancashire Fire and Rescue Service: Appeals, Challenges and Complaints Procedure' available at [www.lancsfirerescue.org.uk/safety/business-safety](http://www.lancsfirerescue.org.uk/safety/business-safety) tells you how.

If you would like to discuss this or any other matter of fire safety, please call me on 01524 230104.

Yours sincerely



Mick Birks  
Authorised Fire Safety Inspector  
on behalf of, and duly appointed by Lancashire Fire and Rescue Service

Enc: Schedule to Letter of Fire Safety Matters

## **IMPORTANT INFORMATION – SCHEDULE REFERRED TO IN LETTER**

**Premises: THE BOARDWALK, 100 MARINE ROAD WEST, MORECAMBE, LA4 4DQ**

Notes to this schedule:

The government guidance most suitable to your premises is for HM Government Small and Medium Places of Assembly, which can be found at: [www.lancsfirerescue.org.uk/safety/business-safety](http://www.lancsfirerescue.org.uk/safety/business-safety).

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: [www.legislation.gov.uk](http://www.legislation.gov.uk). You might also need to apply for the property owners' permission or for listed building consent: [www.historicengland.org.uk](http://www.historicengland.org.uk), among others.

### **Item number 1: Fire Risk Assessment**

#### Reason

There was no evidence of a fire risk assessment for your premises. Without this, the standard of fire safety arrangements could fall to an unacceptable level.

#### Suggested Action

A suitable and sufficient fire risk assessment should be undertaken to identify the safety measures you have in place and any further measures you may need to take. This should be carried out by a competent person. If additional measures are required as a consequence of the assessment details must be provided. The assessment should take into consideration any people identified as being especially at risk, and the arrangements you have made to plan, organise, control, monitor and review the fire safety measures you have in place. Any significant findings must be recorded if you employ 5 or more persons *or* if a license under enactment is in force in relation to the premises.

#### Outcome

This work is necessary to identify the risks which relevant persons are exposed to and to implement general fire precautions required to reduce the chance of a fire occurring and to keep people safe.

## **Item number 2: Compartment**

### Reason

The fire resistance in the beer cellar is not providing sufficient protection in case of fire and would affect people before they could escape.

### Suggested Action

Reinstate the fire resistance in the beer cellar so that fire and smoke cannot pass.

### Outcome

This work is necessary to reduce the risk of the spread of fire.

### **Item number 3: Mute Music**

#### Reason

The fire detection and alarm system may not be suitable because people within the premises may not be able to hear the fire alarm sounding delaying their escape from fire.

#### Suggested Action

Confirm that the music is muted when the fire alarm sounds.

The changes should be carried out and commissioned by a competent person.

#### Outcome

This work is necessary to detect fire and raise an alarm.

#### **Item number 4: Add Device To Alarm (Additional Detection)**

##### Reason

There may be a delay in the detection of a fire. This means that people may not be warned in time to escape safely.

##### Suggested Action

Provide a smoke detector complying with BS 5839 part 1 or equivalent and linked to the existing fire alarm system in the beer cellar.

The changes should be carried out and commissioned by a competent person.

##### Outcome

This work is necessary to detect fire and raise an alarm.

## **Item number 5: Escape Routes Obstructed**

### Reason

Items that may cause any obstruction, pose an ignition risk, or are combustible and likely to increase the fire loading or spread of fire, should not be located on any corridor or staircase that is designated or likely to be used as an escape route. This would delay or prevent people escaping quickly and safely from fire.

### Suggested Action

Ensure that everyone can evacuate quickly and safely by removing the items from the rear external fire escape.

### Outcome

This work is necessary to make sure that escape routes (corridors, stairs and doors) can be quickly and safely used whenever they are needed.



## **Item number 6: Provide Exit Signs**

### Reason

The safe routes to evacuate the premises in case of fire were not obvious on the first floor. 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.

### Suggested Action

Indicate the nearest way out (in case of fire) with fire exit signs that comply with BS 5499 or equivalent. Exit signs must be visible for people that might need to refer to them.

### Outcome

This work is necessary to make sure that escape routes (corridors, stairs and doors) can be quickly and safely used whenever they are needed.

## **Item number 7: Escape Lighting**

### Reason

People in the rear external patio area and the rear external fire escape may not be able to find the way out in an emergency because there is insufficient emergency lighting.

### Suggested Action

Ensure that escape routes in the rear external patio area and the rear external fire escape are illuminated by emergency lighting that will operate if the local lighting circuit fails.

The system should conform to BS 5266 or equivalent.

### Outcome

This work is necessary to make sure that escape routes (corridors, stairs and doors) can be safely used whenever they are needed.

## **Item number 8: Escape Doors**

### Reason

The escape door in the first floor corridor adjacent the toilets was difficult to open because it had been screwed shut and the rear exit from the basement was difficult to open because it was padlocked. This means that people trying to use the escape doors, during an evacuation, might be trapped in the building.

### Suggested Action

Ensure that all doors on exit routes are available and can be easily and immediately opened, without the use of a key, by anyone who might need to use them in an emergency.

### Outcome

This work is necessary to make sure that escape routes (corridors, stairs and doors) can be safely used whenever they are needed.

## **Item number 9: Establish Emergency Procedures**

### Reason

There was no evidence of a fire procedure or fire drills. 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.

### Suggested Action

Establish procedures to be followed in case of fire and nominate people to put those procedures into effect.

### Outcome

This work is necessary to help people understand what to do if fire breaks out.

## **Item number 10: Carry Out Drills**

### Reason

People do not understand what to do in case of fire and may behave inappropriately if fire breaks out. When people are familiar with what to do, their safety is more assured.

### Suggested Action

Carry out fire drills; to practice the procedures you have in place for people to follow in case of fire.

### Outcome

This work is necessary to help people understand what to do if fire breaks out.

## **Item number 11: Maintenance of Fire Alarm**

### Reason

There was no evidence that the fire alarm had been properly tested and maintained i.e., weekly testing or annual certification. This means that it could fail without warning or at the moment it is needed most, and that people would be at risk in case of fire.

### Suggested Action

Ensure that the fire alarm is properly tested and maintained.

The term 'Fire Alarm' refers to the complete system including any devices triggered by the alarm such as:

- automatic door closures
- automatic ventilation systems
- electronic door lock releases.

It is best practice to keep a record of these tests.

### Outcome

This work is necessary to detect fire and raise the alarm.

## **Item number 12: Maintenance of Emergency Lighting**

### Reason

There was no evidence that the emergency lighting had been properly tested and maintained i.e., monthly testing or annual certification. This means that it could fail without warning or at the moment it is needed most, and that people would be at risk in case of fire.

### Suggested Action

Ensure that the emergency lighting is properly tested and maintained.

It is best practice to keep a record of these tests.

### Outcome

This work is necessary to make sure that escape routes (corridors, stairs and doors) can be safely used whenever they are needed.

## **Item number 13: Maintenance of Fire Doors**

### Reason

Some doors were not capable of preventing the spread of fire for long enough to enable people to escape because they were not self-closing effectively into the door rebate or were missing intumescent strips and cold smoke seals.

### Suggested Action

Ensure that the Fire Door Sets are properly tested and maintained.

The term 'door-set' refers to the complete element as used in practice:

- the door leaf or leaves
- the frame in which the door is hung
- hardware essential to the functioning of the door-set
- intumescent seals and smoke sealing devices. In the case of double doors you should ensure that they close without affecting the operation of the seals.

It is best practice to keep a record of these tests.

### Outcome

This work is necessary to make sure that escape routes (corridors, stairs and doors) can be safely used whenever they are needed.



## **Item number 14: Competent Persons**

### Reason

Not enough competent people have been appointed to help you manage the fire alarm system. This means that you cannot rely on your fire safety systems and that people would be at risk in case of fire.

### Suggested Action

Ensure that enough competent people are appointed to help you fire alarm system.

### Outcome

This work is necessary to help people understand what to do if fire breaks out.

## **Item number 15: Training for Own Staff**

### Reason

Employees were unaware of their responsibilities and of the fire safety measures in the premises, which you have taken to keep them and others safe. In particular the fire procedure

### Suggested Action

Provide your employees with instruction and training, so that they know the fire precautions you have put in place. They must also be familiar with what they need to do in case of fire to ensure that they are safe and can keep other people safe.

### Outcome

This work is necessary to help people understand what to do if fire breaks out.

<b>Action Timescale for Completion</b>	
<b>Item Number</b>	<b>Timescale</b>
1	2 months
2	1 month
3	1 week
4	1 month
5	Immediately
6	1 month
7	1 month
8	immediately
9	1 week
10	1 week
11	1 week
12	1 week
13	1 month
14	1 month
15	1 week