

Article 30 Withdrawal or Compliance Procedure.

Standard Operating Procedure No. TFS - 039

Document Overview: -

Article 30 of the Regulatory Reform (Fire Safety) Order 2005 provides for a notice to be withdrawn or extended at any time before the end of the period specified in the notice. It is also necessary to identify when notices have been complied with, and how publicly available records will be administered.

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1.0 Introduction

- 1.1 An Article 30 Enforcement Notice (A30 Notice) is a Formal Notice served on the Responsible Person as defined in the Regulatory Reform (Fire Safety) Order 2005 (The Order).
- 1.2 The notice may be extended (or further extended) at any time before the expiry of the period specified on the notice.
- 1.3 The notice conditions are suspended if an appeal against the notice is pending.
- 1.4 A process flow chart is attached. ([Appendix A](#)).

2.0 Compliance Inspection

- 2.1 Inspect the premises prior to the original completion date.
- 2.2 The notice status must be recorded as complied with if the required works have been satisfactorily completed.
- 2.3 A copy of the compliance letter to be sent to Service Delivery (Protection) Central.

3.0 First Extension

- 3.1 An extension may be granted prior to the original completion date.
- 3.2 A copy of the of the extension confirmation to be forwarded to Service Delivery (Protection) Central.
- 3.3 Continue as detailed in section 2.0.

4.0 Final Extension

- 4.1 A final extension may be granted prior to the first extension completion date.
- 4.2 A copy of the of the final extension confirmation to be forwarded to Service Delivery (Protection) Central.
- 4.3 Continue as detailed in section 2.0.

5.0 Failure to Comply

- 5.1 Prosecution can be considered at any point of failure to comply after the expiry of either the original or extension notice completion dates.
- 5.2 A case file should be prepared, liaise with Service Delivery (Protection) Central.

6.0 Public Register

- 6.1 The Environmental and Safety Information Act 1988 requires that a public register of relevant notices be maintained by the enforcing authority.
- 6.2 For the purposes of this Act, relevant notices are those served under article 29, article 30 or article 31 of the Order, other than notices which impose requirements or prohibitions solely for the protection of persons at work.
- 6.3 A notice that has been withdrawn (see section 7.1 below) must be removed from the public register within 7 days.
- 6.4 A notice that has been complied with will be annotated on the public register accordingly and remain on the register for a further minimum period of three years following the date of compliance.

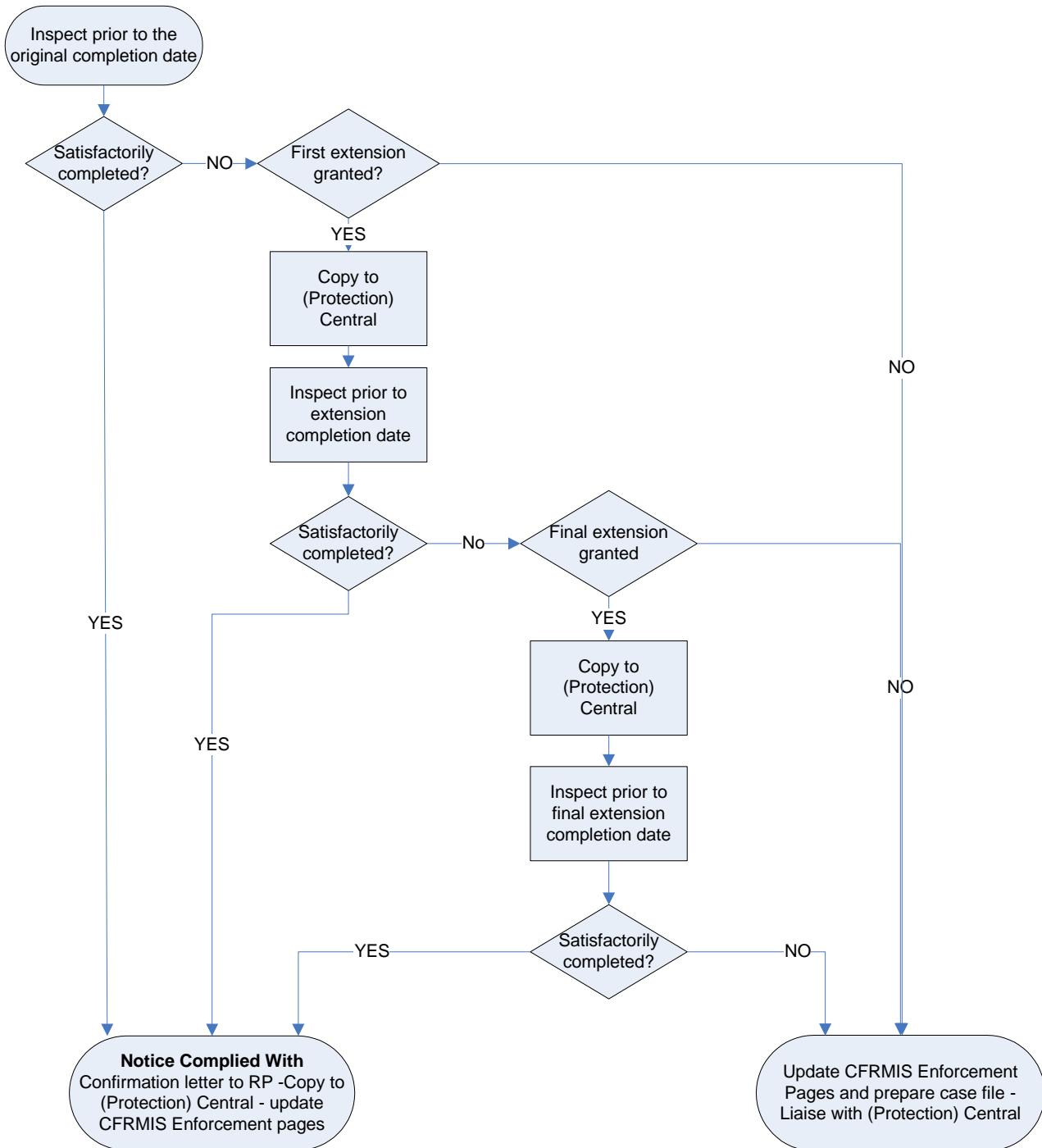
7.0 Notices Complied With or Withdrawn

- 7.1 A notice can be withdrawn or amended at any time before the expiry date if it is found to have been incorrectly served or for technical reasons.
- 7.2 A notice which has been complied with to the satisfaction of the Community Safety Inspector must be amended to indicate such compliance (See section 6).
- 7.3 A copy of the letter confirming compliance (or withdrawing the notice) must be sent to Service Delivery (Protection) Central.

8.0 CFRMIS Update

- 8.1 The CFRMIS (Community Fire Risk Management Information System) enforcement pages must be updated accordingly.

Article 30 – Withdrawal Notice



NOTES

Prosecution can be considered at any point of failure to comply with a notice **after** the expiry date of either the original or extension notices.

Public Register:

- 1) Relevant notices are entered onto the Public Register (notices issued solely for the protection of people at work are NOT relevant for the purposes of the Public Register)
- 2) **Withdrawn** notices are to be removed from the Public Register within 7 days.
- 3) Complied with notices remain on the register for a minimum 3 years but must be annotated as “**complied with**” and the compliance date within 7 days.