



**DEVON &
SOMERSET**
FIRE & RESCUE SERVICE

**Licensing Department
Mendip District Council
Cannards Grave Road
Shepton Mallet
Somerset
BA4 5BT
licensing@mendip.gov.uk**

**Protection Delivery
The Fire Station
Reckleford
Yeovil
BA20 1JF**

Your Ref:
Our Ref: BL106859/631025
Website: www.dsfire.gov.uk

Date: 18 June 2020
Please ask for: Kevin Hardwill
Email: admintauntonyeovil@dsfire.gov.uk

Telephone: 01392 872567

Dear Sir or Madam

**The Regulatory Reform (Fire Safety) Order 2005
Re: The Bell Hotel, 3 High Street, Shepton Mallet, BA4 5AA**

I write with regard the request made to Mendip District Council (MDC) from Avon and Somerset Constabulary (ASC) for a review of the premises licence for the above premises.

I note that the statement made in support of the review makes reference to visits made by Devon and Somerset Fire and Rescue Service (DSFRS). I can confirm that the detail within the report regarding DSFRS involvement is correct. Following a visit made by ASP 10 June 2019 I visited the premises with Nicola King Police Licensing Officer ASP 11 June 2019 following concerns being raised over the fire safety arrangements within the building.

It was evident at the time of the visit the standards fell below what would be expected for a large premises of this type especially when providing sleeping accommodation on the upper floors. I believed the danger to be so high that I was of the opinion if a fire were to start within the premises, any person using the upper floors would be at high risk of losing their life. Due to this risk I had no alternative and served a Prohibition Notice prohibiting the use of first and second floors of the building effectively meaning they could not be used. This action is not taken frequently and cannot be taken without involving other members of DSFRS attending from our Yeovil and Taunton offices to review my observations and concerns. It was at this point agreement was made and a Prohibition Notice was served taking immediate effect.

Tel. 01392 872200

Chief Fire Officer Lee Howell QFSM FIFireE

Following this action a process was undertaken to establish the level of work required to make the building safe resulting in Enforcement Notice (ENF1384) being served detailing exactly what would be required to remove the Prohibition Notice and make the building safe. This Notice was dated 3 July 2019. Upon serving an Enforcement Notice, Mr Taft the Responsible Person (RP) was provided with a period of time to complete all necessary work which in this case 9 January 2020 was set. In all cases of Enforcement Notices being served, the RP has 21 days to appeal to a Magistrates Court, if no appeal is made it is accepted that the RP has accepted the Notice.

During the time leading up to and just after the Enforcement Notice expired attempts were made to contact Mr Taft to make an appointment to visit and ascertain if the work had been completed. Unfortunately these attempts to speak with Mr Taft were unsuccessful as at the times contact was made to the premises landline Mr Taft was not available and neither did he answer his mobile phone.

Following many failed attempts of trying to contact Mr Taft, I wrote to him at the premises informing him of my intentions to visit Friday 13th March 2020. Watch Manager Daren Bridges and myself attended the property at approximately 11:30 Friday 13th March. During this visit Mr Taft was not available however there were engineers at the premises who were in the process of installing the Fire Warning and Detection system and Emergency Lighting system. The engineers informed us that were hoping to be finished by the following Wednesday 18 March 2020. I informed them that I would return the following Friday.

Unfortunately, this follow up inspection didn't take place due to the Covid-19 situation escalating and subsequently DSFRS entering lockdown and advised that all Business Safety Officers would work from home and no inspections were to be undertaken.

During the period of lockdown I contacted the premises on 31 March 2020 and a gentleman answered the phone and informed me that Mr Taft was upstairs and to unwell to answer the phone. I was advised he would call me the following day and this did not happen.

I wrote to Mr Taft at the premises 9 April 2020 asking him to contact me which I can confirm again did not happen. I successfully contacted Mr Taft on his mobile 7 May 2020 when he informed me that some of the works had been completed and there were some smaller items that still remain outstanding.

I have further contacted Mr Taft by letter 2 June detailing from the information I had gained what I believed to be the outstanding work and again asked that I was contacted for an update. As of this today no further communications have been received.

This information is provided in support of ASP requesting a review of the Premises Licence and confirms the actions taken by DSFRS following the concerns initially raised by the Police Licensing Officer during the initial visit 10 June 2019.

In summary, the public house was initially found to be seriously non-compliant with The Regulatory Reform (Fire Safety) Order 2005. These failings were so serious it led to the serving of a Prohibition Notice being served on the upper floors. Mr Taft has proved difficult to liaise with and failed to contact me or DSFRS on a number of occasions despite a number of requests. Upon serving the Enforcement Notice, Mr Taft failed to make the necessary arrangements to comply with the notice and whilst it may appear that some of the works have been completed, it cannot be confirmed at this time if the notice has been fully complied with.

If you have any questions or require any clarity regarding this please do not hesitate to contact me.

Yours faithfully



Kevin Hardwill
Business Safety Officer

CC. Sergeant Rachel Clark RachelR.Clark@avonandsomerset.police.uk and
Nicola King nicola.king@avonandsomerset.pnn.police.uk