



**DEVON &  
SOMERSET**  
FIRE & RESCUE SERVICE

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**Environmental Health Manager  
(Commercial)  
Torbay Council  
Community Safety  
C/O Torquay Town Hall  
Castle Circus  
Torquay  
TQ1 3DR**

**Protection Delivery  
Torquay Headquarters  
Newton Road  
Torquay  
TQ2 7AD**

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Your Ref:  
Our Ref: BL969366/645429  
Website: [www.dsfire.gov.uk](http://www.dsfire.gov.uk)

Date: 04 February 2022  
Please ask for: Gary Steer  
Email: [gsteer@dsfire.gov.uk](mailto:gsteer@dsfire.gov.uk)

Telephone: 01803 653707

Dear Sir or Madam

**Licensing Act 2003  
Fire and Rescue Authority Response to Police Representation  
Premises: Jackz Bar, Parkham Road, Brixham, TQ5 9BU**

I refer to the application received on 02 February 2022 for the above premises, in this regard the Fire Authority would offer the following observations: -

At the request of the Police, who raised concerns in relation to fire safety matters at the above premises, I telephoned Stephanie Trust to arrange a fire safety audit. No contact was made so I telephoned Mr Ross Hennessey and made an appointment to conduct a short notice audit.

On Friday 28<sup>th</sup> January 2022 at 1100hrs, I attended the property with my colleague Watch Manager (WM) Roger Williams. We met with Ross Hennessey, the owner, and a gentleman called Andy.

We explained our reason for the visit and were informed by Mr Hennessey that the building was closed and would not be trading for about 8 weeks.

As the building was closed and the ground floor area was under refurbishment myself and WM Williams decided that an audit was not appropriate at this time as the Regulatory Reform (Fire Safety) Order 2005, enforced by the Fire Authority, was not applicable.

Instead, to assist Mr Hennessey and work with him to achieve compliance, we chose to conduct a brief inspection of the premises and provide suitable advice and guidance as to the steps necessary to meet the requirements of the legislation.

Tel. 01392 872567

**Chief Fire Officer** Lee Howell QFSM FIFireE

Our inspection highlighted the following issues: -

- A suitable and sufficient fire risk assessment should be undertaken to include a capacity for the premises. The existing assessment not being appropriate due to the change of ownership and interim measures would have needed to be taken into consideration with regards to the refurbishment taking place at the property. This assessment should evaluate the travel distances to a final exit, the external exit route (as the gate opens inward). This assessment should take into account both the width and the direction of opening of the final exit doors and the available floor space for safe occupancy on each level. The first-floor exit routes merge together externally and this needs to be addressed within the assessment. The access stair would also need to be assessed due to the low head clearance.
- The escape route to the rear of the first floor should be maintained and kept clear of all storage and the damage to the steps repaired.
- With no door being present to the ground floor bar that was under refurbishment at the time of our visit, steps needed to be taken to prevent unauthorised access. Building materials were present and parts of the ceiling in the ground floor bar area were missing as the floorboards were clearly visible. A fire in the ground floor bar area would spread quickly into the stair and through the ceiling.
- An appropriate fire detection and warning system should be provided for the premises. Such system to provide a suitable sounder to alert persons present in the first-floor garden area of the property.
- A management procedure to be introduced for the removal of all draw bolts from the first-floor exit doors whilst the public are on the premises.
- Consideration within the fire risk assessment should be taken regarding reducing the risk from extension leads and cables.
- All staff to be trained in procedures to be taken in the event of a fire.

The above list of works was not exhaustive and was provided verbally to Mr Hennessey at the time of the inspection. Discussions were had regarding the remedial works needed but, as the premises was not trading, no consideration was given to issuing a formal Notice regarding immediate closure of the building. For your information neither myself or WM Williams are authorised to make that decision and it would require the attendance of a Group Manager. It was agreed that a full inspection of the premises would take place during the week prior to re-opening at which time a formal letter or Notice would be provided detailing any requirements.

On Tuesday 01 February I received an e mail from Andy, who was present at our inspection, advising me that it was not possible to alter the doorways for the premises as it had listed status and it would be deemed to be altering the look of the building, which is protected, I was also asked if I could visit the property and conduct another inspection as it was intended that the premises would be re-opening this weekend (04 February 2022).

I telephoned Andy and advised him that due to the current workload I would not be in a position to attend as I had been told that the premises is closed and would not be re-opening for 8 weeks. During the call to him I confirmed the matters raised from our previous visit which are listed above and he wrote them down for his reference.

The timeframes Andy has now introduced are not ones that can be fulfilled by us. We are unable to check on any works carried out before the premises may reopen. The licensee will be able to confirm with you what works, if any, have been undertaken.

Yours faithfully



**Gary Steer**  
**Business Safety Officer**

c.c. Julie.SMART@devonandcornwall.pnn.police.uk