

Rt. Hon Elizabeth Truss MP  
Member of Parliament for South West Norfolk  
House of Commons  
London  
SW1A 0AA

Date: 23 April 2018  
(by post and e-mail)

Reference: CETO-94-18 2 Agriculture

Dear Ms Truss,

**2 Agriculture Mill, Stoke Ferry, Norfolk**

I refer to your recent e mail correspondence to Dr Beardall, Environment Agency, Area Manager East Anglia dated the 9th April 2018 which was copied to the Health and Safety Executive (HSE). This followed an earlier e mail dated the 23 March 2018 to your office from Judith Lawson, Canterbury House, Stoke Ferry which was forwarded to the HSE. It appears that the correspondence is linked and concerns various matters raised by local residents with Stoke Ferry parish council regarding the operations at the 2 Agriculture Mill.

The HSE's Chief Executive, Dr Richard Judge has asked me to respond in my capacity as the Principal Inspector with the geographical responsibility for Norfolk and these premises at Stoke Ferry. HSE role is concerned with regulating dutyholders under the Health and Safety at Work etc. Act 1974 and the associated provisions. As a regulator, it is the HSE's role to ensure that the employer meets their statutory obligations with respect to the health, safety and welfare of their employees and others who may be affected by the manner in which they conduct their undertaking.

I note your comments with respect to a range of concerns raised by the parish council which you have brought to the attention of Dr Beardall and the suggestion that the various agencies should work together to provide a collective response to the parish council. No doubt Dr Beardall will wish to respond on this issue, but I can confirm that there has been recent correspondence between myself and the parish clerk regarding various matters for which the HSE is the regulator.

As an example of agencies working together, Norfolk Fire and Rescue Service (NFRS) were advised of the concerns that had been raised by Judith Lawson in her e- mail of the 23 March 2018. The Stoke Ferry mill was contacted and a site visit was made by an HSE inspector, to meet both the local managers and the Managing Director, Gavin Berry.

General fire safety, which would include matters such as the provision of sprinkler systems, fire alarm systems, fire protection and the provision of safe means of escape are regulated at this site by the Norfolk Fire and Rescue Service. However, such matters do overlap with the process fire safety issues arising at such a site as the Stoke Ferry animal feed mill which are regulated by HSE.

Norfolk Fire and Rescue Service confirmed with HSE, that they had inspected the premises on the 22 September 2017 and were of the opinion from their observations that:

- a reasonable standard of fire safety was evident in those area inspected; and
- the premises were not considered high risk.

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As a consequence of the latest fire safety concerns, they have subsequently revisited the premises and are due to report on their latest findings.

From the recent enquiries made by HSE, it appears that the matter that may have caused this concern arose due to a drop in water pressure in the mill sprinkler system due to a small leak and, not as a consequence of the cold weather causing the pipework to freeze. This drop in water pressure was identified by the fire protection monitoring system and was repaired the same day by the firm's specialist contractor.

The firm's arrangements for managing the operation of their sprinkler system are designed to minimise the risk from cold weather. From our enquiries, we have not identified any evidence to confirm the allegations that the sprinkler system is failing regularly. However, we await the outcomes from NFRS inspection.

With respect to your comments concerning the roles of the various regulators at this site and the need to share information, I would agree that there is always scope to improve such co-regulatory arrangements, such as the current example of HSE working with NFRS on matters relating to fire safety. As the Principal Inspector for Norfolk, I can confirm that my team will continue to work with other regulators, to enable sound judgements to be made regarding risk arising from the operations at the 2 Agriculture Mill and to meet our statutory obligations to share information.

Yours sincerely



**Paul Carter**  
HM Principal Inspector of Health and Safety