

(C)



CHESTERFIELD
BOROUGH COUNCIL

Mr M Anglesea
Red Lion
261 Chatsworth Road
Brampton
Chesterfield
S40 2BL

Please ask for Mrs Vanessa Carty
Direct Line 01246 345756
Fax 01246 345760
E-Mail vanessa.carty@chesterfield.gov.uk

COPY

Our Ref VC
Your Ref
Date 27/07/15

SENT 1ST CLASS

Dear Mr Anglesea

Re: Red Lion, 261, Chatsworth Road, Brampton, Chesterfield S40 2BL

Following my meeting with you on 23rd July 2015 I requested that you provide me with copies of your health and safety documentation which you agreed to bring into Chesterfield Borough Council Town Hall on Friday 24th July 2015. You failed to provide me with your health and safety documentation.

At the same meeting I made an appointment to meet with yourself and your daughter Sian at 2.00pm today at the Red Lion as this was a time and date which you informed me was convenient for both of you. The purpose of the meeting was to give you feedback on the review of your health and safety documentation, to have access to parts of the venue which you did not have the keys for during my visit and to put together a time-scaled action plan for the contraventions of health and safety matters found during the visit on 23rd July 2015. Both you and your daughter Sian failed to meet me at the premise as arranged today. You informed me this was due to a burst boiler at your home which happened on Saturday.

I contacted you by telephone and you agreed to bring your health and safety paperwork to me at the Town Hall on 28th July 2015.

Please contact me to arrange a mutually convenient appointment to complete my inspection of the premise and your health and safety documentation within the next seven days.

Yours sincerely

Mrs Vanessa Carty
Environmental Health Technical Officer

Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

Telephone: 01246 345 345, Text: 07960 910 264, Email: info@chesterfield.gov.uk

www.chesterfield.gov.uk

(D)



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BOROUGH COUNCIL

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Red Lion
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Chesterfield
S40 2BL

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Our Ref VC
Your Ref
Date 28/07/15

COPY

Dear Mr Anglesea

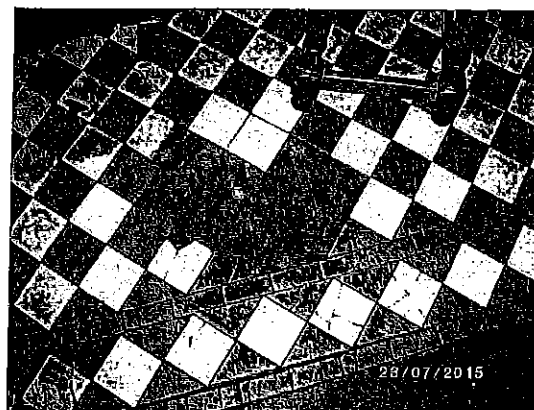
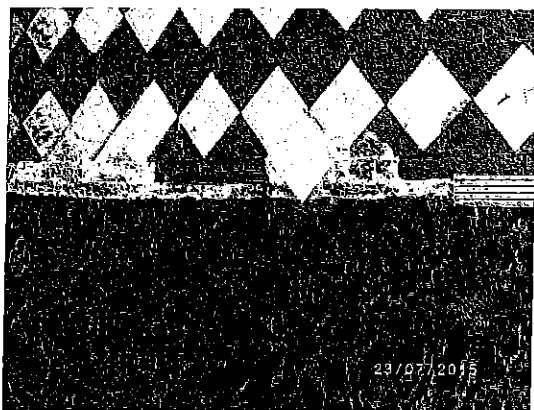
Re: Red Lion, 261, Chatsworth Road, Brampton, Chesterfield S40 2BL

As you are aware you failed to attend a meeting arranged at a time which was best suited to you and your daughter Sian at 2.00pm on 27th July 2015 when I intended to complete the inspection of the above premise. I have written to you separately requesting you contact me within the next seven days to re-arrange this appointment.

Following my visit to your premise on 23rd July 2015 there are a number of health and safety contraventions which require your urgent attention and these are detailed below.

1 Flooring

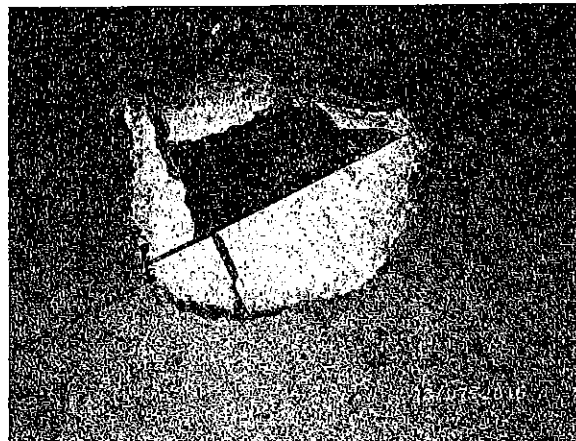
There are a significant number of missing or damaged floor tiles in the main bar areas creating trip hazards and areas of damaged floor covering behind the bar – please refer to the examples shown in the photographs below.



Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

Telephone: 01246 345 345, Text: 07960 910 264, Email: info@chesterfield.gov.uk

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I have served Improvement Notice serial number 3940 by separately recorded delivery and a copy is enclosed requiring you to carry out suitable and sufficient repairs to the tiles and flooring by Thursday 27th August 2015.

In addition I have served Improvement Notice serial number 3941 on you by recorded delivery at 64, Station Road, Brimington, Chesterfield S43 1JT – a copy of this notice is also enclosed.

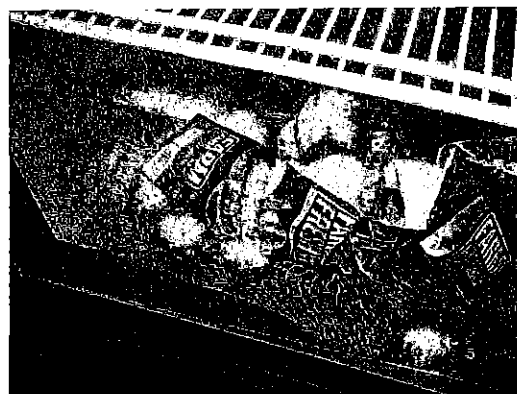
Please be advised failure to comply with the requirements of an Improvement Notice is an offence.

Regulation 12 – Workplace (Health, Safety & Welfare) Regulations 1992

2 Housekeeping & Cleanliness

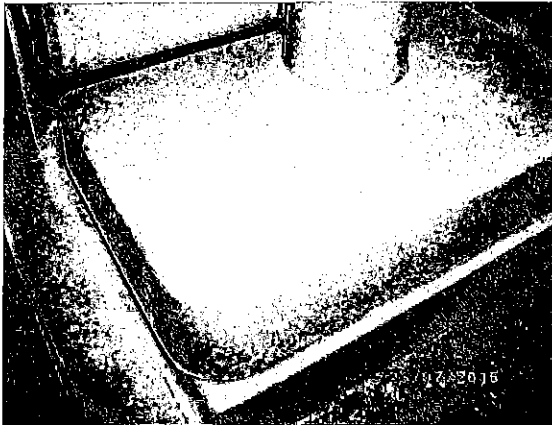
The following matters must be actioned within the next seven days;

- a) The container on the bar holding the mouldy sliced lemons and flies must be thoroughly cleaned and the mouldy lemons in the chiller cabinet must be disposed of. Please refer to the photographs below.

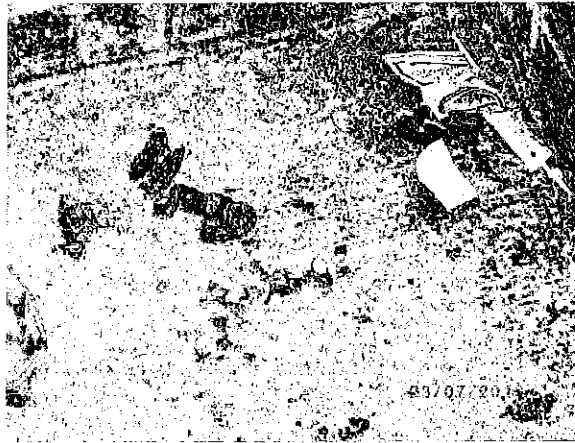
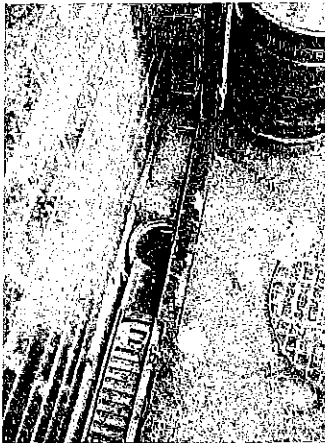


- b) Suitable hand washing and drying facilities must be in place in the ladies and gentleman's toilets as well as toilet tissue.

- c) The premise must be thoroughly cleaned paying particular attention to the bar and bar wash hand basins – please refer to the photographs. Suitable hand washing and drying facilities should be put in place.



- d) The external yard and smoking area must be cleared of animal faeces, discarded cigarette butts, damaged sections of wood and broken glass from the overflowing waste bins. Please refer to the photographs below.



Regulations 9 & 21 Workplace (Health, Safety & Welfare) Regulations 1992

You confirmed that you have been open and trading for approximately twelve months and our records show you have failed to register your business as a Food Business – please find enclosed a registration form which must be completed returned to our office in the pre-paid envelope provided.

There are additional matters identified at my last visit which will be discussed with you further at our next meeting.

If you require any further information please do not hesitate to contact me.

Yours sincerely

Mrs Vanessa Carty
Environmental Health Technical Officer

(E)



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Our Ref VC /
Your Ref

28/07/15

RECORDED DELIVERY

Dear Mr Anglesea

Health and Safety at Work etc Act 1974

Re: Red Lion, 261, Chatsworth Road, Brampton, Chesterfield S40 2BL

Further to my visit at the premises on 23rd July 2015 I have served a Health and Safety at Work Improvement Notice serial number 3940. I enclose this for your attention.

The Improvement Notice requires matters contained in the schedule to be dealt with by the date specified on the front of the notice. I have enclosed a copy of the booklet – T420 – Making a claim to an employment tribunal.

Should you require an extension of time to comply with the notice, please ensure that you apply in writing to me before the expiry of the time period given. If you wish to discuss the Improvement Notice or any proposed remedial works prior to undertaking them, please do not hesitate to contact me.

Failure to comply with an Improvement Notice by the stated date is an offence.

Yours sincerely

Mrs Vanessa Carty
Environmental Health Technical Officer

Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

Telephone: 01246 345 345, Text: 07960 910 264, Email: info@chesterfield.gov.uk

www.chesterfield.gov.uk



HEALTH AND SAFETY AT WORK ETC ACT 1974
Sections 21, 23 and 24

Serial No: 3940

IMPROVEMENT NOTICE

Name: Mark Anglesea

Address: Red Lion, 261, Chatsworth Road, Brampton, Chesterfield S40 2BL

Trading as*: Red Lion

Inspector's
full name

I, Vanessa Carty

Inspector's
Official
designation

Environmental Health Technical Officer

COPY

Official
address

being an Inspector appointed by an instrument in writing made pursuant to section 19 of the said Act and entitled to issue the notice

of Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

Telephone number 01246 345345

hereby give you notice that I am of the opinion that

Location of
premises
or place
of activity

at Red Lion, 261, Chatsworth Road, Brampton, Chesterfield S40 2BL

you, as an employer/self-employed person/a person wholly or partly in control of premises/other*

are contravening/have contravened in circumstances that make it likely that the contravention will continue or be repeated* the following statutory provisions:

Section 2(1) & 3(1) Health & Safety at Work etc. Act 1974

Regulation 12 – Workplace (Health, Safety & Welfare) Regulations 1992

The reasons for my said opinion are: You have failed to ensure that the floor tiles in the bar areas and the floor covering behind the bar, are of a construction such that they are suitable for the purpose for which it is used. There are missing and damaged tiles in multiple places and damaged floor covering behind the bar.

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by 27th August 2015 (and I direct that the measures specified in the Schedule which forms part of this notice shall be taken to remedy the said contravention or matters)*

Signature: V Carty

Date: 28th July 2015

*An Improvement Notice is also being served on Mark Anglesea of 64, Station Road, Brimington, Chesterfield S43 1JT related to the matters contained in this notice.

Environment
and Safety
Information
Act 1988

This is a relevant notice for the purposes of the Environment and Safety Information Act 1988 YES/NO
This page only will form the register entry*

Signature: V Carty

Date: 28th July 2015

*Delete as appropriate

YOUR ATTENTION IS DRAWN TO THE NOTES ON THE REVERSE OF THIS NOTICE

- 1 Failure to comply with this Improvement Notice is an offence as provided by section 33(1)(g) of the Health and Safety at Work etc Act 1974 and section 33(2) and Schedule 3A of this Act renders the offender liable on summary conviction to imprisonment for a term not exceeding 6 months, or to a fine, or both, or, on conviction on indictment, to imprisonment for a term not exceeding 2 years, or a fine, or both.
- 2 An Inspector has power to withdraw an Improvement Notice or to extend the period specified in the notice, before the end of the period specified in it. If you wish this to be considered you should apply to the Inspector who issued this notice, but you must do so before the end of the period given in it. Such an application is not an appeal against this notice.
- 3 The issue of this notice does not relieve you of any legal liability for failing to comply with any statutory provision referred to in the notice or to perform any other statutory or common law duty resting on you.
- 4 You can appeal against this notice to an Employment Tribunal. Details of the method of making an appeal, a form to use (ETS19) and information about where to send it are contained in booklet URN 09/891 which is enclosed with this notice. Copies are also available from the Employment Tribunal Enquiry Line (Telephone: 0845 795 9775).

TIME LIMIT FOR APPEAL

A notice of appeal must be sent to the Employment Tribunal within 21 days from the date of service on the appellant of the notice, or notices, appealed against, or within such further period as the tribunal considers reasonable in a case where it is satisfied that it was not reasonably practicable for the notice of appeal to be presented within the period of 21 days. If posted, the appeal should be sent by recorded delivery.

The entering of an appeal suspends the Improvement Notice until the appeal has been determined, but does not automatically alter the date given in this notice by which the matters contained in it must be remedied.

The rules for the hearing of an appeal are given in The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004 (SI 2004 No 1861), and The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2001 (SI 2001 No 1170).

PUBLIC REGISTERS OF ENFORCEMENT NOTICES UNDER THE ENVIRONMENT AND SAFETY INFORMATION ACT 1988

- 1 Under the requirements of the Environment and Safety Information Act 1988, the Local Authority maintains at its Offices public registers of information on notices which do not impose requirements or conditions solely for the protection of persons at work. These are called "relevant notices" under this Act and will be identified by the inspector serving the notice (see overleaf). Entries will be kept in the public register for a period of at least 3 years.
- 2 The entry in the register will be made within 14 days either of the expiry of the right of appeal or of the disposal of an appeal. Where a notice is cancelled on appeal no entry will be made. Where an inspector is satisfied that a notice has been complied with, a further entry will be made in the register within 7 days to show this. If a notice is withdrawn or amended the entry on the register will be withdrawn or amended within 7 days.
- 3 The entry on the register will normally be the front page of the notice form. If you think that the entry for this notice would disclose information about a trade secret or secret manufacturing process, you should give written notice to the Local Authority within 14 days. The Local Authority will then draft an entry which it believes will not reveal the secret and serve this on you. In the meantime the entry in the register will specify only your name and address, any place involved and the relevant legal provisions.
- 4 If you are not satisfied with the redrafted entry you have a further right of appeal to the Secretary of State within 14 days. The Local Authority will give you further information about appeals to the Secretary of State at this time.

PUBLIC AVAILABILITY OF INFORMATION ON OTHER NOTICES

- 1 Under the Code of Practice on Access to Government Information the Local Authority is committed to make available on request information about its actions and decisions, which includes information about the notices it has issued. In general the information that the Local Authority will make available about a notice is the information on the front page.
- 2 Information on a notice will not be made available until the right of appeal against the notice has expired or the appeal has been disposed of. Where an inspector is satisfied that a notice has been complied with, this information will be made available at the same time as the information on the front page of the notice.
- 3 If you think that the information in the notice would disclose commercially confidential information you should give written notification to the Local Authority within 14 days. The Local Authority will then redraft the information in such a way that it believes will not reveal the commercially confidential information. In the meantime the only information that the Local Authority would make available would be your name and address, any place involved and the relevant legal provisions.
- 4 If you are not satisfied with the redrafted information there is no further appeal. However, the Local Authority will make every effort to agree with you a form of words which would not reveal any commercially confidential information.

HEALTH AND SAFETY AT WORK ETC ACT 1974

Serial No: 3940

Sections 21, 23 and 24

To: Mark Anglesea

Address: 261, Chatsworth Road, Brampton, Chesterfield S40 2BL

Re: Red Lion, 261, Chatsworth Road, Brampton, Chesterfield S40 2BL

Schedule to Improvement Notice Number 3940

In order to comply with this notice you must;

Replace or carry out suitable and sufficient repairs to the damaged and/or missing floor tiles in the bar areas; and

Replace any missing edge strips to the flooring in the bar areas; and

Repair or replace the damaged floor covering behind the bar with a suitable floor covering.

Or;

Take any other equally effective means for securing compliance with this notice.

Signature 

Date: 28th July 2015

All works must be undertaken in accordance with The Health and Safety at Work etc Act 1974 and its relevant statutory provisions

Advice not forming part of this notice

L24 - Workplace (Health, Safety and Welfare) Regulations 1992
ISBN 978 0 7176 6583 9

(F)



CHESTERFIELD
BOROUGH COUNCIL

COPY

Mr M Anglesea
64 Station Road
Brimington
Chesterfield
S43 1JT

Please ask for Mrs Vanessa Carty
Direct Line 01246 345756
Fax 01246 345760
E-Mail vanessa.carty@chesterfield.gov.uk

Our Ref VC /
Your Ref

28/07/15
RECORDED DELIVERY

Dear Mr Anglesea

Health and Safety at Work etc Act 1974

Re: Red Lion, 261, Chatsworth Road, Brampton, Chesterfield S40 2BL

Further to my visit at the premises on 23rd July 2015 I have served a Health and Safety at Work Improvement Notice serial number 3941. I enclose this for your attention.

The Improvement Notice requires matters contained in the schedule to be dealt with by the date specified on the front of the notice. I have enclosed a copy of the booklet – T420 – Making a claim to an employment tribunal.

Should you require an extension of time to comply with the notice, please ensure that you apply in writing to me before the expiry of the time period given. If you wish to discuss the Improvement Notice or any proposed remedial works prior to undertaking them, please do not hesitate to contact me.

Failure to comply with an Improvement Notice by the stated date is an offence.

Yours sincerely

Mrs Vanessa Carty
Environmental Health Technical Officer

Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

Telephone: 01246 345 345, **Text:** 07960 910 264, **Email:** info@chesterfield.gov.uk

www.chesterfield.gov.uk



IMPROVEMENT NOTICE

COPY

Name: Mark Anglesea

Address: 64, Station Road, Brimington, Chesterfield S43 1JT

Trading as*: Red Lion, 261, Chatsworth Road, Brampton, Chesterfield S40 2BL

Inspector's
full name

I, Vanessa Carty

Inspector's
Official
designation

Environmental Health Technical Officer

being an Inspector appointed by an instrument in writing made pursuant to section 19
of the said Act and entitled to issue the notice

Official
address

of Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

Telephone number 01246 345345

hereby give you notice that I am of the opinion that

Location of
premises
or place
of activity

at Red Lion, 261, Chatsworth Road, Brampton, Chesterfield S40 2BL

you, as an employer/self-employed person/a person wholly or partly in control of
premises/other*

are contravening/have contravened in circumstances that make it likely that the
contravention will continue or be repeated* the following statutory provisions:

Section 2(1) & 3(1) Health & Safety at Work etc. Act 1974

Regulation 12 – Workplace (Health, Safety & Welfare) Regulations 1992

The reasons for my said opinion are: You have failed to ensure that the floor tiles in the bar
areas and the floor covering behind the bar, are of a construction such that they are suitable for
the purpose for which it is used. There are missing and damaged tiles in multiple places and
damaged floor covering behind the bar.

and I hereby require you to remedy the said contraventions or, as the case may be, the
matters occasioning them by 27th August 2015 (and I direct that the measures specified in
the Schedule which forms part of this notice shall be taken to remedy the said
contravention or matters)*

Signature: VCarty

Date: 28th July 2015

*An Improvement Notice is also being served on Mark Anglesea of 261, Chatsworth Road,
Brampton, Chesterfield S40 2BL related to the matters contained in this notice.

Environment
and Safety
Information
Act 1988

This is a relevant notice for the purposes of the Environment and Safety Information Act 1988 YES/NO
This page only will form the register entry*

Signature: VCarty

Date: 28th July 2015

* Delete as appropriate

YOUR ATTENTION IS DRAWN TO THE NOTES ON THE REVERSE OF THIS NOTICE

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- 2 An Inspector has power to withdraw an Improvement Notice or to extend the period specified in the notice, before the end of the period specified in it. If you wish this to be considered you should apply to the Inspector who issued this notice, but you must do so before the end of the period given in it. Such an application is not an appeal against this notice.
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TIME LIMIT FOR APPEAL

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HEALTH AND SAFETY AT WORK ETC ACT 1974

Serial No: 3941

Sections 21, 23 and 24

To: Mark Anglesea

Address: 64, Station Road, Brimington, Chesterfield S43 1JT

Re: Red Lion, 261, Chatsworth Road, Brampton, Chesterfield S40 2BL

Schedule to Improvement Notice Number 3941

In order to comply with this notice you must;

Replace or carry out suitable and sufficient repairs to the damaged and/or missing floor tiles in the bar areas; and

Replace any missing edge strips to the flooring in the bar areas; and

Repair or replace the damaged floor covering behind the bar with a suitable floor covering.

Or;

Take any other equally effective means for securing compliance with this notice.

Signature *O. Carty*

Date: 28th July 2015

All works must be undertaken in accordance with The Health and Safety at Work etc Act 1974 and its relevant statutory provisions
.....

Advice not forming part of this notice

L24 - Workplace (Health, Safety and Welfare) Regulations 1992
ISBN 978 0 7176 6583 9



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E-Mail vanessa.carty@chesterfield.gov.uk

Our Ref
Your Ref
Date

VC
04/08/15

COPY

Dear Mr Anglesea

Re: Health and Safety Inspection – Red Lion, 261, Chatsworth Road

I understand from our telephone conversation that due to circumstances beyond your control you were unable to attend our last meeting at the Red Lion.

Our records show that you informed me for a second time you would provide me with your health and safety documentation and this has not yet been received. In addition you were requested to contact me within seven days to rearrange the site visit to the Red Lion and I have not received any communication from you.

Please could you contact me on the above telephone number or e-mail no later than Friday 14th August 2015 to arrange a mutually convenient appointment for me to complete my inspection of the premise.

Yours sincerely

Mrs Vanessa Carty
Environmental Health Technical Officer



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BOROUGH COUNCIL

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The Red Lion
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Chesterfield
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E-Mail vanessa.carty@chesterfield.gov.uk

Our Ref VC
Your Ref

18/08/15

Dear Mr Anglesea

Health and Safety at Work etc Act 1974

Re: The Red Lion, 261, Chatsworth Road, Brampton, Chesterfield

I note from my records that Improvement Notice number 3940 is due to expire at midnight on 27th August 2015. Should you be unable to comply with the requirements of this Improvement Notice prior to its expiry you should apply in writing to me for a notice of extension stating the following;

- The reason for the request;
- The measures taken to comply;
- Temporary measures you intend to take to comply.

An extension of time for compliance with an Improvement Notice will only be granted if there are valid reasons.

I would remind you that failure to comply with an Improvement Notice is an offence as provided by section 33(1)(g) of the Health and Safety at Work etc. Act 1974.

It is my intention to re-visit after 27th August 2015 to check compliance with this Improvement Notice.

Yours sincerely

Mrs Vanessa Carty
Environmental Health Technical Officer



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BOROUGH COUNCIL

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18/08/15

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Health and Safety at Work etc Act 1974

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- The reason for the request;
- The measures taken to comply;
- Temporary measures you intend to take to comply.

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