

Date: 12/07/2018

OMG LEISURE BLACKPOOL LIMITED
377-379 Promenade
Blackpool
Lancashire
FY1 6BM

Our Ref: MAM19062018
Direct Line: (01253) 478341
Email: Marcus.Maddock@blackpool.gov.uk

Dear Sir/Madam

Health and Safety at Work etc. Act 1974

Re: Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Please find enclosed Improvement Notices in respect of the above property.

In this instance there is a formal appeals procedure through the Employment Tribunal Service. The time limit for the lodging of such an appeal is 21 days.

It may be however that if you do have concerns we may be able to resolve them without the need for you to lodge an appeal. I would suggest therefore that you contact me initially to explore the feasibility of this.

I trust that this matter is self-explanatory, if however you require any further information or clarification, please do not hesitate to contact me.

Yours faithfully



Marcus Maddock
Public Protection Officer
Health & Safety

When a health and safety inspector calls

What to expect when we visit your business

About this leaflet

This leaflet tells you what can happen when one of our inspectors visits your workplace.

Before we start

Our job is to keep people safe and healthy at work. We visit thousands of locations every year as part of that job. Your visit is one of many that we do every day.

We may have arrived without warning. This isn't unusual. We don't always tell people we're coming and the law lets us visit at any reasonable time.

Although we have the powers to come into your workplace, our inspectors still have to follow the government's code of practice on entering homes or businesses.

You can complain if you think our inspector hasn't followed the code.

See the 'Complaints' section at the end of this leaflet, or the information at www.gov.uk/guidance/powers-of-entry.

During the visit

The inspector will look at how you keep your workers, and anyone who may be affected by your work, healthy and safe. They may also give you advice on health and safety or make sure you are providing suitable welfare facilities, such as running hot and cold water and toilets.

While the inspector is with you, they may:

- ask you about your workers and what they do;
- look at any possible health risks arising from the work you are doing;
- look at any machinery or other equipment that you have;
- ask to see records or other documents; and
- take photographs.

The inspector will want to know about:

- the main health and safety issues in your workplace; and
- your own knowledge or experience of health and safety.

The inspector may also talk to you about things like safety standards, guidance and everyday practices in your industry.

Your workers

The inspector will need to talk to your employees or their representatives during the visit.

What if there's something wrong?

The inspector may take action if they find you're breaking the law during the visit. They may also tell you to stop a dangerous activity in your workplace immediately. For example, a dangerous activity could be people working on a roof where scaffolding is unsafe.

After the visit

After the inspector has finished looking round your workplace, they might:

- offer advice (either verbal or in writing);
- give you a notification of contravention;
- give you an improvement notice;
- give you a prohibition notice; or
- prosecute you for breaching health and safety laws.

We publish all improvement and prohibition notices on our website: www.hse.gov.uk/notices.

Advice

The inspector may give you advice, verbally or in writing, about some improvements you could make to health and safety in your workplace. This advice is free.

Notification of contravention

A notification of contravention (NoC) is a document or letter that tells you about health and safety laws you've broken. It also explains how you've broken them. A NoC will tell you what you need to do to stop breaking the law.

The inspector will only give you a NoC if they think you are in 'material breach' of the law. This means the inspector thinks you have broken the law seriously enough for them to write to you about it.

If the inspector gives you a NoC, you'll have to pay for the cost of the visit. There's more about this in 'Recovering our costs' on pages 3 and 4.

Improvement notice

An improvement notice will tell you:

- what's wrong;
- any changes you need to make to put things right; and
- how long you have to make those changes.

We will give you at least 21 days to make any changes. You commit a criminal offence if you don't make the changes in the time we give you.

Prohibition notice

You may get a prohibition notice if there is a risk of serious personal injury now or in the future. This could be, for example, people working on a roof where scaffolding is unsafe.

A prohibition notice orders you to stop doing something until you have made it safe to continue. This could be, for example, keeping workers off a roof until you fix any unsafe scaffolding. You commit a criminal offence if you don't comply with a prohibition notice.

Prosecution

We can prosecute you for breaking health and safety laws or for failing to comply with an improvement notice or a prohibition notice. The courts can fine you or in some cases send you to prison.

Disagreeing with our decision

If you don't agree with what we've decided when we write to you, you may be able to challenge our decision.

We will always tell you how you can challenge one of our decisions. Please contact your inspector or their manager before you start any formal dispute against one of our decisions. They may be able to look at the decision again.

Recovering our costs – fee for intervention

If we give you a notification of contravention you will have to pay a fee. This is called a 'fee for intervention' (FFI).

How much could this cost me?

The fee will include the costs for the time of the entire original visit. It may also include the inspector's time:

- at your business or workplace;
- preparing reports;
- getting specialist advice;
- talking to you after the visit; and
- talking to your workers.

The fee can vary and will depend on:

- how long the original visit was;
- the time the inspector spent helping you put things right;
- the time it took the inspector to investigate your case; and
- any time we spend on taking action against you.

Paying your invoice

We send out invoices every two months. You must pay any invoice we send you within 30 days.

What if I don't agree with my invoice?

If you disagree with anything on your invoice, you can query it with the FFI invoice dispute team. It costs nothing to query an invoice.

If you don't agree with our response to your query, you can dispute it with the FFI invoice dispute team. This must be done in writing. A disputes panel, completely independent of HSE, will consider your dispute and write back to you informing you of the outcome.

You can find information on how to raise a query or dispute an FFI invoice at: www.hse.gov.uk/fee-for-intervention.

Contact the invoice disputes team

By email

feeforintervention@hse.gov.uk

By phone

0300 0033 190

By post

HSE FFI Team
HSE
Building 6
Redgrave Court
Bootle
L20 7HS

Complaints

If you have any complaints about your visit, you can contact your inspector's manager to tell them why you're not happy. Your inspector has to tell you their manager's name. If you're not satisfied with what your inspector's manager tells you or any investigation they carry out, you can complain in writing to our Chief Executive:

Dr Richard Judge
Chief Executive,
Health and Safety Executive
Redgrave Court
Merton Road
Bootle
L20 7HS

If you're not satisfied with the response, you can contact the Parliamentary and Health Service Ombudsman:
www.ombudsman.org.uk.

If you think our inspectors have given you wrong advice or bad advice, you can complain to the Independent Regulatory Challenge Panel:
www.hse.gov.uk/contact/challenge-panel.htm

Find out more

Health and safety made simple: The basics for your business Leaflet INDG449 HSE Books 2011 www.hse.gov.uk/pubns/indg449.htm

The health and safety toolbox: How to control risks at work
www.hse.gov.uk/toolbox/

Enforcement Policy Statement HSE41(rev1)
www.hse.gov.uk/enforce/enforcepolicy.htm

The way in which HSE recovers its costs under the fee for intervention scheme is set out at www.hse.gov.uk/fee-for-intervention

How to query or dispute an FFI invoice:
www.hse.gov.uk/fee-for-intervention

Further information

For information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit www.hse.gov.uk/. You can view HSE guidance online and order priced publications from the website. HSE priced publications are also available from bookshops.

This document is available online at www.hse.gov.uk/pubns/hsc14.htm.

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Blackpool Council Improvement Notice



Health and Safety at Work etc Act 1974, Sections 21, 23 and 24

Serial Number: MM/0050/2018

Name: OMG LEISURE BLACKPOOL LIMITED

Address: 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Trading as: Cornhill Hotel

I, Marcus Maddock

One of Blackpool Council's Public Protection Officers

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

of Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF. Telephone number (01253 478341)

hereby give you notice that I am of the opinion that at: Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

you, as an employer are contravening the following statutory provisions:

**The Health and Safety at Work etc. Act 1974 Section 2(1), 2(2) (a) (d), 3(1)
The Electricity at Work Regulations 1989 Regulation 4(1), (2)**

The reasons for my said opinion are:

There was no evidence of maintenance of the electrical installation

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by:

10/08/2018

(and I direct that the measures specified in the schedule which forms part of this notice shall be taken to remedy the said contraventions or matters).

Signature

A handwritten signature in black ink, appearing to read 'M. Maddock'.

Date 12/07/2018

An Improvement Notice is also being served on

of

related to the matters contained in this notice.

This is a relevant notice for the purposes of the Environment and Safety Information Act 1988 Yes

This page only will form the register entry.

NOTES

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 in England and Wales, 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 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 the 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 provisions 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 can be found on the GOV.UK website at <https://www.gov.uk/employment-tribunals/make-a-claim>. An appeal can either be submitted online at the above website address, or by downloading form ET1 and posting it to either the Employment Tribunal Central Office(England and Wales), PO Box 10218, Leicester, LE1 8EG

If you do not have access to the Internet, contact the person who issued the Notice and ask to be supplied with a hard copy of form ET1 and guidance T420: Making a claim to an Employment Tribunal.

Time limit for appeal

A notice of appeal must be presented 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. The entering of an appeal suspends the Improvement Notice until the appeal has been determined or withdrawn, 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 2013 (SI 2013 No 1237).

Public availability of information on all enforcement notices

1. Blackpool Council, for its own purposes and, records and monitors trends in the enforcement action it takes, and in the convictions and penalties imposed by the Courts. It is Blackpool Council's policy that this information should be brought to the public's attention. Blackpool Council also has a statutory obligation under the Environment and Safety Information Act 1988 to maintain a public register of certain notices. Details from this notice will therefore be stored on a database and made available at the following address:

Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF

2. Information on a notice will not be entered onto the database until after the right of appeal against the notice has expired. Where a notice is withdrawn or cancelled on appeal no entry will be made. Entries relating to notices served on individuals will be kept on the register for a period of 5 years from the date of issue. Notices served on individuals under the age of 18 will be removed sooner.

3. Information will be withheld where, in Blackpool Council's belief, its disclosure would:

- cause harm or prejudice; or
- be in breach of the law.

4. Personal information is dealt with in accordance with the Data Protection Act 1998. Where disclosure of personal information would be incompatible with the Act it will not be included on the database.

5. If you are not satisfied with the information contained in the entry you have a further right to appeal to Blackpool Council in the first instance.

Blackpool Council Schedule

Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Health and Safety at Work etc. Act 1974, Sections 21, 23 and 24

Serial Number: MM/0050/2018

An Electrical Installation Condition Report must be undertaken, in accordance with the IEE Regulations, by a suitably qualified electrician and an inspection report showing the installations to be satisfactory must be served to Public Protection Officer Marcus Maddock within the timescale of the notice.

Blackpool Council Improvement Notice



Health and Safety at Work etc Act 1974, Sections 21, 23 and 24

Serial Number: MM/0051/2018

Name: OMG LEISURE BLACKPOOL LIMITED

Address: 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Trading as: Cornhill Hotel

I, Marcus Maddock

One of Blackpool Council's Public Protection Officers

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

of Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF. Telephone number (01253 478341)

hereby give you notice that I am of the opinion that at: Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

you, as an employer are contravening the following statutory provisions:

The Health and Safety at Work etc. Act 1974 Section 2(1), 2(2) (a) (b), 3(1)
The Gas Safety (Installation and Use Regulations) 1998 Regulation 35

The reasons for my said opinion are:

There was no evidence of maintenance of the gas installation

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by:

10/08/2018

(and I direct that the measures specified in the schedule which forms part of this notice shall be taken to remedy the said contraventions or matters).

Signature

A handwritten signature in black ink, appearing to read 'M. Maddock'.

Date 12/07/2018

An Improvement Notice is also being served on

of

related to the matters contained in this notice.

This is a relevant notice for the purposes of the Environment and Safety Information Act 1988 Yes

This page only will form the register entry.

NOTES

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 in England and Wales, 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 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 the 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 provisions 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 can be found on the GOV.UK website at <https://www.gov.uk/employment-tribunals/make-a-claim>. An appeal can either be submitted online at the above website address, or by downloading form ET1 and posting it to either the Employment Tribunal Central Office(England and Wales), PO Box 10218, Leicester, LE1 8EG

If you do not have access to the Internet, contact the person who issued the Notice and ask to be supplied with a hard copy of form ET1 and guidance T420: Making a claim to an Employment Tribunal.

Time limit for appeal

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

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Public availability of information on all enforcement notices

1. Blackpool Council, for its own purposes and, records and monitors trends in the enforcement action it takes, and in the convictions and penalties imposed by the Courts. It is Blackpool Council's policy that this information should be brought to the public's attention. Blackpool Council also has a statutory obligation under the Environment and Safety Information Act 1988 to maintain a public register of certain notices. Details from this notice will therefore be stored on a database and made available at the following address:

Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF

2. Information on a notice will not be entered onto the database until after the right of appeal against the notice has expired. Where a notice is withdrawn or cancelled on appeal no entry will be made. Entries relating to notices served on individuals will be kept on the register for a period of 5 years from the date of issue. Notices served on individuals under the age of 18 will be removed sooner.

3. Information will be withheld where, in Blackpool Council's belief, its disclosure would:

- cause harm or prejudice; or
- be in breach of the law.

4. Personal information is dealt with in accordance with the Data Protection Act 1998. Where disclosure of personal information would be incompatible with the Act it will not be included on the database.

5. If you are not satisfied with the information contained in the entry you have a further right to appeal to Blackpool Council in the first instance.

Blackpool Council Schedule

Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Health and Safety at Work etc. Act 1974, Sections 21, 23 and 24

Serial Number: MM/0051/2018

All gas consumers must ensure that all mains or bottled gas appliances are maintained in good order and checked for safety. Furthermore such maintenance or safety work must be done by businesses registered with Gas Safe Register. Ensure you check the competency of the engineer by verifying his work categories on 0800 408 5500 or at www.gassaferegister.co.uk.

You are reminded that registration is dependent upon proving competency to carry out the required work and we would strongly advise that you check your contractor's Gas Safe ID which gives such information. If you have any doubts regarding the competency of your contractor then you can contact Gas Safe on 0800 408 5500 or on line on www.gassaferegister.co.uk. A leaflet "Get them checked – Keep them safe" INDG238 (rev3) is available from this office or www.hsebooks.co.uk [The Gas Safety (Installation and Use) Regulations 1998].

No evidence of recent inspection and testing of the gas installation was available at the time of the inspection. This must be addressed within the timescale of this notice.

Blackpool Council Improvement Notice



Health and Safety at Work etc Act 1974, Sections 21, 23 and 24

Serial Number: MM/0052/2018

Name: OMG LEISURE BLACKPOOL LIMITED

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hereby give you notice that I am of the opinion that at: Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

you, as an employer are contravening the following statutory provisions:

The Health and Safety at Work etc. Act 1974 Section 2(1), 2(2)(a), 3(1)
The Provision and Use of Work Equipment Regulations 1998 Regulation 5(1)
The Electricity at Work Regulation 1989 Regulation 4(2)

The reasons for my said opinion are:

There is no current evidence of maintenance for the portable or movable appliances.

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by:

10/08/2018

(and I direct that the measures specified in the schedule which forms part of this notice shall be taken to remedy the said contraventions or matters).

Signature

A handwritten signature in black ink, appearing to read 'M. Maddock'.

Date 12/07/2018

An Improvement Notice is also being served on

of

related to the matters contained in this notice.

This is a relevant notice for the purposes of the Environment and Safety Information Act 1988 Yes

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NOTES

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3. The issue of this notice does not relieve you of any legal liability for failing to comply with any statutory provisions 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 can be found on the GOV.UK website at <https://www.gov.uk/employment-tribunals/make-a-claim>. An appeal can either be submitted online at the above website address, or by downloading form ET1 and posting it to either the Employment Tribunal Central Office(England and Wales), PO Box 10218, Leicester, LE1 8EG

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Blackpool Council Schedule

Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Health and Safety at Work etc. Act 1974, Sections 21, 23 and 24

Serial Number: MM/0052/2018

Have a competent person subject all portable equipment to a portable appliance testing regime and serve to Officer Marcus Maddock a register of equipment and test results within the time scale of this notice.

Blackpool Council Improvement Notice



Health and Safety at Work etc Act 1974, Sections 21, 23 and 24

Serial Number: MM/0053/2018

Name: OMG LEISURE BLACKPOOL LIMITED

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hereby give you notice that I am of the opinion that at: Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

you, as an employer are contravening the following statutory provisions:

The Health and Safety at Work etc. Act 1974 Section 2(1), 2(2)(a), 3(1)
The Control of Substances Hazardous to Health Regulations 2002, Regulation 6

The reasons for my said opinion are:

No evidence of legionella risks being managed

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by:

10/08/2018

(and I direct that the measures specified in the schedule which forms part of this notice shall be taken to remedy the said contraventions or matters).

Signature

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Blackpool Council

Schedule

Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Health and Safety at Work etc. Act 1974, Sections 21, 23 and 24

Serial Number: MM/0053/2018

You are required to carry out a risk assessment for managing risks from Legionella, you need to understand your water systems, the equipment associated with the system such as pumps, heat exchangers, showers etc, and its constituent parts.

Identify whether they are likely to create a risk from exposure to legionella, and whether:

- the water temperature in all or some parts of the system is between 20–45 °C
- water is stored or re-circulated as part of your system
- there are sources of nutrients such as rust, sludge, scale, organic matter and biofilms
- the conditions are likely to encourage bacteria to multiply
- it is possible for water droplets to be produced and, if so, whether they can be dispersed over a wide area, e.g. showers and aerosols from cooling towers
- it is likely that any of your employees, residents, visitors etc are more susceptible to infection due to age, illness, a weakened immune system etc and whether they could be exposed to any contaminated water droplets

Your risk assessment should include:

- management responsibilities, including the name of the competent person and a description of your system
- competence and training of key personnel
- any identified potential risk sources
- any means of preventing the risk or controls in place to control risks
- monitoring, inspection and maintenance procedures
- records of the monitoring results and inspection and checks carried out
- arrangements to review the risk assessment regularly, particularly when there is reason to suspect it is no longer valid

Further information can be found at hse.gov.uk and I draw your attention to the document

[Legionnaires' disease: The control of Legionella bacteria in water systems \(L8\)](#) which can be downloaded free of charge from the website

Carry out a risk assessment in relation to Legionella bacteria, document this and serve a copy to Officer Marcus Maddock within the timescale of this notice.

Blackpool Council Improvement Notice



Health and Safety at Work etc Act 1974, Sections 21, 23 and 24

Serial Number: MM/0054/2018

Name: OMG LEISURE BLACKPOOL LIMITED

Address: 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Trading as: Cornhill Hotel

I, Marcus Maddock

One of Blackpool Council's Public Protection Officers

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

of Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF. Telephone number (01253 478341)

hereby give you notice that I am of the opinion that at: Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

you, as an employer are contravening the following statutory provisions:

The Health and Safety at Work etc. Act 1974 Section 3(2)
Control of Asbestos Regulations 2012, Regulation 4(3), (4) and (5)

The reasons for my said opinion are:

Not complying with the duty to manage in that no asbestos assessment has been carried out for the hotel

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by:

10/08/2018

(and I direct that the measures specified in the schedule which forms part of this notice shall be taken to remedy the said contraventions or matters).

Signature

A handwritten signature in black ink, appearing to read 'M. Maddock'.

Date 12/07/2018

An Improvement Notice is also being served on

of

related to the matters contained in this notice.

This is a relevant notice for the purposes of the Environment and Safety Information Act 1988 Yes

This page only will form the register entry.

NOTES

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 in England and Wales, 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 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 the 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 provisions 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 can be found on the GOV.UK website at <https://www.gov.uk/employment-tribunals/make-a-claim>. An appeal can either be submitted online at the above website address, or by downloading form ET1 and posting it to either the Employment Tribunal Central Office(England and Wales), PO Box 10218, Leicester, LE1 8EG

If you do not have access to the Internet, contact the person who issued the Notice and ask to be supplied with a hard copy of form ET1 and guidance T420: Making a claim to an Employment Tribunal.

Time limit for appeal

A notice of appeal must be presented 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. The entering of an appeal suspends the Improvement Notice until the appeal has been determined or withdrawn, 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 2013 (SI 2013 No 1237).

Public availability of information on all enforcement notices

1. Blackpool Council, for its own purposes and, records and monitors trends in the enforcement action it takes, and in the convictions and penalties imposed by the Courts. It is Blackpool Council's policy that this information should be brought to the public's attention. Blackpool Council also has a statutory obligation under the Environment and Safety Information Act 1988 to maintain a public register of certain notices. Details from this notice will therefore be stored on a database and made available at the following address:

Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF

2. Information on a notice will not be entered onto the database until after the right of appeal against the notice has expired. Where a notice is withdrawn or cancelled on appeal no entry will be made. Entries relating to notices served on individuals will be kept on the register for a period of 5 years from the date of issue. Notices served on individuals under the age of 18 will be removed sooner.

3. Information will be withheld where, in Blackpool Council's belief, its disclosure would:

- cause harm or prejudice; or
- be in breach of the law.

4. Personal information is dealt with in accordance with the Data Protection Act 1998. Where disclosure of personal information would be incompatible with the Act it will not be included on the database.

5. If you are not satisfied with the information contained in the entry you have a further right to appeal to Blackpool Council in the first instance.

Blackpool Council Schedule

Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Health and Safety at Work etc. Act 1974, Sections 21, 23 and 24

Serial Number: MM/0054/2018

You must manage the risk from asbestos on the premises. You are required to ensure that a written plan is prepared that shows where the ACM (asbestos containing materials) is located and how it will be managed to prevent exposure to asbestos, including to contractors and other workers who may carry out work on the fabric of the building that could disturb the ACM. This plan then needs to be put into action and communicated to those affected.

Further information on how to manage asbestos is available under 'Topics' on the HSE website. Alternatively, via this web address <http://www.hse.gov.uk/asbestos/index.htm>

No evidence was provided of an asbestos assessment/survey for the hotel. An asbestos assessment/survey must be served to Officer Marcus Maddock within the timescale of this notice.

Blackpool Council Improvement Notice



Health and Safety at Work etc Act 1974, Sections 21, 23 and 24

Serial Number: MM/0055/2018

Name: OMG LEISURE BLACKPOOL LIMITED

Address: 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Trading as: Cornhill Hotel

I, Marcus Maddock

One of Blackpool Council's Public Protection Officers

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

of Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF. Telephone number (01253 478341)

hereby give you notice that I am of the opinion that at: Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

you, as an employer are contravening the following statutory provisions:

The Health and Safety at Work etc. Act 1974 Section 2(1), 2(2)(a), 3(1)
Workplace (Health, Safety and Welfare) Regulations 1992 Regulation 5(1)

The reasons for my said opinion are:

Windows, throughout the hotel, are cracked or in disrepair

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by:

10/08/2018

(and I direct that the measures specified in the schedule which forms part of this notice shall be taken to remedy the said contraventions or matters).

Signature 

Date 12/07/2018

An Improvement Notice is also being served on

of

related to the matters contained in this notice.

This is a relevant notice for the purposes of the Environment and Safety Information Act 1988 Yes

This page only will form the register entry.

NOTES

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 in England and Wales, 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 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 the 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 provisions 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 can be found on the GOV.UK website at <https://www.gov.uk/employment-tribunals/make-a-claim>. An appeal can either be submitted online at the above website address, or by downloading form ET1 and posting it to either the Employment Tribunal Central Office(England and Wales), PO Box 10218, Leicester, LE1 8EG

If you do not have access to the Internet, contact the person who issued the Notice and ask to be supplied with a hard copy of form ET1 and guidance T420: Making a claim to an Employment Tribunal.

Time limit for appeal

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

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Public availability of information on all enforcement notices

1. Blackpool Council, for its own purposes and, records and monitors trends in the enforcement action it takes, and in the convictions and penalties imposed by the Courts. It is Blackpool Council's policy that this information should be brought to the public's attention. Blackpool Council also has a statutory obligation under the Environment and Safety Information Act 1988 to maintain a public register of certain notices. Details from this notice will therefore be stored on a database and made available at the following address:

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3. Information will be withheld where, in Blackpool Council's belief, its disclosure would:

- cause harm or prejudice; or
- be in breach of the law.

4. Personal information is dealt with in accordance with the Data Protection Act 1998. Where disclosure of personal information would be incompatible with the Act it will not be included on the database.

5. If you are not satisfied with the information contained in the entry you have a further right to appeal to Blackpool Council in the first instance.

Blackpool Council Schedule

Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Health and Safety at Work etc. Act 1974, Sections 21, 23 and 24

Serial Number: MM/0055/2018

On inspection, several rooms had broken windows, in particular cracked or smashed glass. Officer Jacqui Harrison was told that a report of the hotels damaged windows and subsequent remedial works plan would be made available to her over 1 month ago but has yet to be seen.

Ensure all damaged windows in the hotel are replaced or made good within the timescale of this notice.

Blackpool Council Improvement Notice



Health and Safety at Work etc Act 1974, Sections 21, 23 and 24

Serial Number: MM/0056/2018

Name: OMG LEISURE BLACKPOOL LIMITED

Address: 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Trading as: Cornhill Hotel

I, Marcus Maddock

One of Blackpool Council's Public Protection Officers

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

of Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF. Telephone number (01253 478341)

hereby give you notice that I am of the opinion that at: Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

you, as an employer are contravening the following statutory provisions:

The Health and Safety at Work etc. Act 1974 Section 2(1), 2(2) (a) (d), 3(1)
The Lifting Operations and Lifting Equipment Regulations 1998 Regulation 9(3)

The reasons for my said opinion are:

There is no current evidence of maintenance for the passenger lift in the hotel

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by:

10/08/2018

(and I direct that the measures specified in the schedule which forms part of this notice shall be taken to remedy the said contraventions or matters).

Signature

A handwritten signature in black ink, appearing to read 'M. Maddock'.

Date 12/07/2018

An Improvement Notice is also being served on

of

related to the matters contained in this notice.

This is a relevant notice for the purposes of the Environment and Safety Information Act 1988 Yes

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NOTES

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- be in breach of the law.

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5. If you are not satisfied with the information contained in the entry you have a further right to appeal to Blackpool Council in the first instance.

Blackpool Council Schedule

Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Health and Safety at Work etc. Act 1974, Sections 21, 23 and 24

Serial Number: MM/0056/2018

Have a competent person subject all passenger lifts in the hotel to a thorough examination and serve the written report to Officer Marcus Maddock within the time scale of this notice.

I have enclosed a copy of INDG339 rev1 - Thorough examination and testing of lifts simple guidance for lift owners. This provides additional information and explains what you need to do to comply with the law.

Thorough examination and testing of lifts

Simple guidance for lift owners



*This is a web-friendly version
of leaflet INDG339(rev1),
revised 01/08*

Introduction

The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) introduced new requirements for the safe provision and use of lifting equipment. Regulation 9 of LOLER requires that all lifts provided for use in work activities are thoroughly examined by a competent person at regular intervals. This applies to lifts and hoists used to lift people or loads.

If you are a lift owner or someone responsible for the safe operation of a lift used at work, such as a facilities manager or supervisor, you are a 'dutyholder' under LOLER. This means that you have a legal responsibility to ensure that the lift is thoroughly examined and that it is safe to use. (If you are the owner of a lift used primarily by members of the public, you may also find this guidance helps you to comply with more general health and safety legal duties under the Health and Safety at Work etc Act 1974.)

This leaflet explains what you need to do to comply with the law.

What is a thorough examination?

A thorough examination is a **systematic** and **detailed** examination of the lift and all its associated equipment by a competent person. Its aim is to detect any defects which are, or might become, dangerous, and for the competent person to report them to the dutyholder and, if appropriate, the enforcing authority (the Health and Safety Executive or local authority) so that appropriate remedial action can be taken.

To determine the extent of the thorough examination, the competent person will assess the risks, considering factors such as where the lift will be used, frequency of use, age and condition, the weight of loads to be lifted, etc.

A thorough examination may include some **testing**, if the competent person considers it to be necessary. The competent person will normally determine what tests are required, taking account of the relevant guidance and standards (see *Further information*), and dutyholders are recommended to insist on this approach.

Thorough examination may also be supplemented by **inspection**. Inspections should be carried out at suitable intervals between thorough examinations and may be done 'in-house' by a competent, trained employee. Inspections would normally include visual and functional checks, eg that the alarm interlocks operate correctly and lift doors cannot be opened from the landing side.

Thorough examination should **not** be confused with **preventive maintenance**, although they have some elements in common. Preventive maintenance usually involves replacing worn or damaged parts, topping up fluid levels and making routine adjustments to ensure risks are avoided. Thorough examination may act as a check that maintenance is being carried out properly, but is not intended to replace it.

Thorough examination should include the following:

- landing and car doors and their interlocks;
- worm and other gearing;
- main drive system components;
- governors;
- safety gear;
- suspension ropes;
- suspension chains;
- overload detection devices;
- electrical devices (including earthing, earth bonding, safety devices, selection of fuses, etc);
- braking systems (including buffers and overspeed devices); and
- hydraulics.

This list is not exhaustive. More detailed guidance can be found in the Safety Assessment Federation's (SAFed) Lift guidelines (see *Further information*).

Role of the dutyholder

As the dutyholder you are legally responsible for ensuring that the lift is safe to use and that it is thoroughly examined. These responsibilities include:

- maintaining the lift so that it is safe to use;
- selecting and instructing the competent person;
- ensuring that the lift is examined at **statutory intervals** (every 6 or 12 months) or in accordance with an **examination scheme** drawn up by a competent person;
- keeping the competent person informed of any changes in the lift operating conditions which may affect the risk assessment;
- making relevant documentation available to the competent person, eg manufacturer's instructions and maintenance records;
- acting promptly to remedy any defects;
- ensuring that all documentation complies with the Regulations; and
- record keeping.

Selecting a competent person

A competent person is someone who has sufficient **technical** and **practical** knowledge of the lift to be able to detect any defects and assess how significant they are. It is also important that the competent person is sufficiently **independent** and **impartial** to allow them to make an objective assessment of the lift. For this reason, it is not advisable for the same person who performs routine maintenance to carry out the thorough examination, as they are then responsible for assessing their own work.

You can use someone from an external company or someone from within Your own organisation to act as the competent person as long as they meet the above criteria. However, few owners or lift operators have the necessary competence in-house. If you intend to use an external person,

you should ensure that they understand what is meant by a 'thorough examination' and what the law requires. Accreditation by the United Kingdom Accreditation Service to the relevant standard (BS EN ISO/IEC 17020:2004) is an indication of the competence of an inspection body. Most insurance companies can recommend accredited inspecting organisations.

The thorough examination

The law requires that all lifts when in use should be thoroughly examined:

- after substantial and significant changes have been made;
- at least every six months if the lift is used **at any time** to carry people, every 12 months if it **only** carries loads, **or** in accordance with an examination scheme; and
- following 'exceptional circumstances' such as damage to, or failure of, the lift, long periods out of use or a major change in operating conditions which is likely to affect the integrity of the equipment.

Note: When first installed, new lifts do not require any initial thorough examination as long as they have been manufactured and installed in accordance with the Lifts Regulations 1997 and have a current declaration of conformity, ie made not more than 12 months before. A new lift is one where:

- no lift previously existed;
- an existing lift has been completely replaced; or
- only the existing guide rails and their fixings or the fixings alone have been retained.*

*Guide to application of the Lifts Directive – 95/16/EC; details available from the Europa website at: http://ec.europa.eu/enterprise/sectors/mechanical/documents/guidance/lifts/chapter1/index_en.htm

Examination schemes

As an alternative to thorough examinations at statutory intervals, the competent person may draw up an 'examination scheme'. The scheme may specify periods which are different from the statutory intervals, but this must be based on a rigorous assessment of the risks. An examination scheme may be particularly appropriate if you have a lift which is used infrequently for light loads.

Action following notification of defects

The competent person is legally required to notify you as soon as possible, following a thorough examination, of any defects which are, or could soon become, dangerous.

If you are notified of a serious and significant defect you should **immediately** take the lift out of service until the fault has been addressed. If you do not take the lift out of operation you will be in breach of the law.

The competent person may also notify you of defects which need to be made good within a certain timescale. In this case, you should take steps to have the defective equipment repaired or replaced within the specified time, and not use the lift after that time unless the defect has been satisfactorily remedied.

Documentation

The competent person is legally required to send you a written and signed report of the thorough examination as soon as practicable. This should normally be within 28 days, but if there is a serious defect which needs to be addressed you should expect to receive the report much sooner.

If the competent person identifies a defect which presents an 'existing or imminent risk of serious personal injury' they are also legally required to send a copy of the report to the enforcing authority. By law, the report must contain certain information, specified in Schedule 1 of LOLER. In summary, it should:

- identify the equipment examined (serial number, make, etc), the employer and the premises;
- give the date of the last thorough examination and specify when the next one should take place;
- specify the safe working load of the lift;
- give the reason for the thorough examination (ie following installation, according to an examination scheme, statutory interval, etc);
- identify any defect which is or may become a danger to people;
- give the details of any repair, renewal or alteration required to remedy the defect and the date by which it should be undertaken;
- give details of any tests carried out;
- give details of the person carrying out the report and the person validating the report on their behalf.

If the report does **not** contain all the information above, you should not accept it, as this may place you in breach of the law. Try to resolve the matter with the competent person, but if this is unsuccessful you should contact your local enforcing authority for advice.

Record keeping

You are legally required to ensure that reports of thorough examination are kept available for consideration by health and safety inspectors for at least two years or until the next report, whichever is longer. They may be kept electronically as long as you can provide a written report if necessary.

If you have chosen to have your lift examined according to an examination scheme, you must ensure that you can produce a written scheme for inspection if necessary. If you cannot, an inspector will assume that the lift is being examined at statutory intervals.

Further advice

If you need further advice on any of these issues, you should contact your local enforcing authority.

Further information

Health and Safety at Work etc Act 1974 (c.37) The Stationery Office 1974
ISBN 978 0 10 543774 1 www.legislation.gov.uk

Safe use of lifting equipment: Lifting Operations and Lifting Equipment Regulations 1998: Approved Code of Practice and guidance L113 HSE Books 1998
ISBN 978 0 7176 1628 2 www.hse.gov.uk/pubns/book/L113.htm

Safe use of work equipment: Provision and Use of Work Equipment Regulations 1998: Approved Code of Practice and guidance L22 (Third edition)
HSE Books 2008 ISBN 978 0 7176 6295 1 www.hse.gov.uk/pubns/books/L22.htm
This covers requirements for the selection and use of work equipment.

BS 5655 Part 10: 1995 *Specification for the testing and inspection of electric and hydraulic lifts* British Standards Institution

BS 8486-1:2007 *Examination and test of new lifts before putting into service. Specification for means of determining compliance with BS EN 81. Electric lifts*

BS 8486-2:2007 *Examination and test of new lifts before putting into service. Specification for means of determining compliance with BS EN 81. Hydraulic lifts*

British Standards can be obtained in PDF or hard copy formats from BSI: <http://shop.bsigroup.com> or by contacting BSI Customer Services for hard copies only
Tel: 020 8996 9001 email: cservices@bsigroup.com.

Guidelines on the Supplementary Tests of In-service Lifts Safety Assessment Federation 2006. Available from the Safety Assessment Federation Ltd, Unit 4, First Floor, 70 South Lambeth Road, Vauxhall, London, SW8 1RL
Tel: 020 7582 3208.

For information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit www.hse.gov.uk/. You can view HSE guidance online and order priced publications from the website. HSE priced publications are also available from bookshops.

The Stationery Office publications are available from The Stationery Office, PO Box 29, Norwich NR3 1GN Tel: 0870 600 5522 Fax: 0870 600 5533 email: customer.services@tso.co.uk Website: www.tsoshop.co.uk/ (They are also available from bookshops.) Statutory Instruments can be viewed free of charge at www.legislation.gov.uk/.

This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

This leaflet is available in priced packs from HSE Books, ISBN 978 0 7176 6255 5. A web version can be found at: www.hse.gov.uk/pubns/indg339.htm.

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Please acknowledge the source as HSE.

Blackpool Council Improvement Notice



Health and Safety at Work etc Act 1974, Sections 21, 23 and 24

Serial Number: MM/0057/2018

Name: OMG LEISURE BLACKPOOL LIMITED

Address: 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Trading as: Cornhill Hotel

I, Marcus Maddock

One of Blackpool Council's Public Protection Officers

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

of Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF. Telephone number (01253 478341)

hereby give you notice that I am of the opinion that at: Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

you, as an employer are contravening the following statutory provisions:

The Health and Safety at Work etc. Act 1974 Section 2(1), 2(2) (d) (e), 3(1)
Workplace (Health, Safety and Welfare) Regulations 1992 Regulation 15(1)

The reasons for my said opinion are:

Numerous windows throughout the hotel are without necessary restriction

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by:

10/08/2018

(and I direct that the measures specified in the schedule which forms part of this notice shall be taken to remedy the said contraventions or matters).

Signature

A handwritten signature in black ink, appearing to read 'M. Maddock'.

Date 12/07/2018

An Improvement Notice is also being served on

of

related to the matters contained in this notice.

This is a relevant notice for the purposes of the Environment and Safety Information Act 1988 Yes

This page only will form the register entry.

NOTES

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 in England and Wales, 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 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 the 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 provisions 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 can be found on the GOV.UK website at <https://www.gov.uk/employment-tribunals/make-a-claim>. An appeal can either be submitted online at the above website address, or by downloading form ET1 and posting it to either the Employment Tribunal Central Office(England and Wales), PO Box 10218, Leicester, LE1 8EG

If you do not have access to the Internet, contact the person who issued the Notice and ask to be supplied with a hard copy of form ET1 and guidance T420: Making a claim to an Employment Tribunal.

Time limit for appeal

A notice of appeal must be presented 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. The entering of an appeal suspends the Improvement Notice until the appeal has been determined or withdrawn, 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 2013 (SI 2013 No 1237).

Public availability of information on all enforcement notices

1. Blackpool Council, for its own purposes and, records and monitors trends in the enforcement action it takes, and in the convictions and penalties imposed by the Courts. It is Blackpool Council's policy that this information should be brought to the public's attention. Blackpool Council also has a statutory obligation under the Environment and Safety Information Act 1988 to maintain a public register of certain notices. Details from this notice will therefore be stored on a database and made available at the following address:

Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF

2. Information on a notice will not be entered onto the database until after the right of appeal against the notice has expired. Where a notice is withdrawn or cancelled on appeal no entry will be made. Entries relating to notices served on individuals will be kept on the register for a period of 5 years from the date of issue. Notices served on individuals under the age of 18 will be removed sooner.

3. Information will be withheld where, in Blackpool Council's belief, its disclosure would:

- cause harm or prejudice; or
- be in breach of the law.

4. Personal information is dealt with in accordance with the Data Protection Act 1998. Where disclosure of personal information would be incompatible with the Act it will not be included on the database.

5. If you are not satisfied with the information contained in the entry you have a further right to appeal to Blackpool Council in the first instance.

Blackpool Council Schedule

Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Health and Safety at Work etc. Act 1974, Sections 21, 23 and 24

Serial Number: MM/0057/2018

Windows are without restriction throughout the hotel, particularly at higher levels, thus exposing staff and residents to a risk of falling from height. This was noted in room 42 on the top floor.

Ensure all windows throughout the hotel have adequate restriction to prevent falls from height. Do so within the timescale of this notice.

Blackpool Council Improvement Notice



Health and Safety at Work etc Act 1974, Sections 21, 23 and 24

Serial Number: MM/0058/2018

Name: OMG LEISURE BLACKPOOL LIMITED

Address: 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Trading as: Cornhill Hotel

I, Marcus Maddock

One of Blackpool Council's Public Protection Officers

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

of Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF. Telephone number (01253 478341)

hereby give you notice that I am of the opinion that at: Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

you, as an employer are contravening the following statutory provisions:

The Health and Safety at Work etc. Act 1974 Section 2(1), 2(2)(d)(e), 3(1)
Workplace (Health, Safety and Welfare) Regulations 1992 Regulation 5(1)

The reasons for my said opinion are:

Bathroom tiles, throughout the hotel, are cracked or in disrepair

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by:

10/08/2018

(and I direct that the measures specified in the schedule which forms part of this notice shall be taken to remedy the said contraventions or matters).

Signature

A handwritten signature in black ink, appearing to read 'M. Maddock'.

Date 12/07/2018

An Improvement Notice is also being served on

of

related to the matters contained in this notice.

This is a relevant notice for the purposes of the Environment and Safety Information Act 1988 Yes

This page only will form the register entry.

NOTES

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 in England and Wales, 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 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 the 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 provisions 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 can be found on the GOV.UK website at <https://www.gov.uk/employment-tribunals/make-a-claim>. An appeal can either be submitted online at the above website address, or by downloading form ET1 and posting it to either the Employment Tribunal Central Office(England and Wales), PO Box 10218, Leicester, LE1 8EG

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Time limit for appeal

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The rules for the hearing of an appeal are given in The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 (SI 2013 No 1237).

Public availability of information on all enforcement notices

1. Blackpool Council, for its own purposes and, records and monitors trends in the enforcement action it takes, and in the convictions and penalties imposed by the Courts. It is Blackpool Council's policy that this information should be brought to the public's attention. Blackpool Council also has a statutory obligation under the Environment and Safety Information Act 1988 to maintain a public register of certain notices. Details from this notice will therefore be stored on a database and made available at the following address:

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3. Information will be withheld where, in Blackpool Council's belief, its disclosure would:

- cause harm or prejudice; or
- be in breach of the law.

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Blackpool Council Schedule

Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Health and Safety at Work etc. Act 1974, Sections 21, 23 and 24

Serial Number: MM/0058/2018

On inspection, several hotel bathrooms had broken/cracked tiles.

Ensure all damaged tiles throughout the hotel are replaced or made good within the timescale of this notice. This may include any remedial works that remove the risk of cuts from the cracked tiles.

Blackpool Council Improvement Notice



Health and Safety at Work etc Act 1974, Sections 21, 23 and 24

Serial Number: MM/0059/2018

Name: OMG LEISURE BLACKPOOL LIMITED

Address: 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Trading as: Cornhill Hotel

I, Marcus Maddock

One of Blackpool Council's Public Protection Officers

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

of Health and Safety Enforcement, Public Protection Division, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF. Telephone number (01253 478341)

hereby give you notice that I am of the opinion that at: Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

you, as an employer are contravening the following statutory provisions:

**The Health and Safety at Work etc. Act 1974 Section 2.1, 2(2)(e), 3(1)
Workplace (Health, Safety and Welfare) Regulations 1992 Regulation 12(3)**

The reasons for my said opinion are:

Trip hazards caused by carpets lifting throughout the hotel

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by:

10/08/2018

(and I direct that the measures specified in the schedule which forms part of this notice shall be taken to remedy the said contraventions or matters).

Signature

A handwritten signature in black ink, appearing to read 'M. Maddock'.

Date 12/07/2018

An Improvement Notice is also being served on

of

related to the matters contained in this notice.

This is a relevant notice for the purposes of the Environment and Safety Information Act 1988 Yes

This page only will form the register entry.

NOTES

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 in England and Wales, 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.
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Blackpool Council Schedule

Cornhill Hotel, 377-379 Promenade, Blackpool, Lancashire, FY1 6BM

Health and Safety at Work etc. Act 1974, Sections 21, 23 and 24

Serial Number: MM/0059/2018

Floors and traffic routes should be kept free of obstructions that may present a hazard or impede access. This is particularly important in any place where an obstruction is likely to cause an accident, for example near emergency routes, stairs, corners or junctions.

Carpets are lifting throughout the hotel, mainly due to carpet plates being missing or damaged. This needs to be addressed within the timeframe of this notice.
