

PREMISES IMPROVEMENT NOTICE
REFERENCE NUMBER _____



**THE HEALTH PROTECTION (CORONAVIRUS RESTRICTIONS) (No.2) (WALES)
REGULATIONS 2020
Regulation 17A & Schedule 5**

Business/Premises Name:	Slipping Jimmy's Bar and Grill
Business/Premises Address:	51-52 High Street, Newport NP20 1GA
Name of Person Responsible:	Suzanne Reynolds
Address of Person Responsible:	51-52 High Street, Newport NP20 1GA
Type of Premise/Business/Service:	Licensed Premises

I, Tanya Hopkins, as a relevant person and enforcement officer designated by Newport City Council, consider that you, as the person responsible, are contravening a requirement imposed by these Regulations and it is necessary and proportionate to give you this Premises Improvement Notice for the purpose of preventing you from continuing to contravene the requirement(s) of the Regulations.

I am of the opinion that you, as the person responsible, for the premises detailed above, which is listed in Regulation 12 and Schedule 4 are failing to comply with the following relevant provision(s):

Regulation 12(2) of The Health Protection (Coronavirus Restrictions) (No.2) (Wales) Regulations 2020 for the following reasons:

Failure to comply with the obligations imposed on you by Regulation 12(2) 'Reasonable measures to minimise risk of exposure to coronavirus'.

Specifically, on Saturday 3rd October 2020:

- customers were not adhering to the 2 metre social distancing requirement at the outside area of the pub premises;
- customers were not adhering to the 2 metre social distancing requirements inside the pub premises;
- insufficient signage on display inside the premises informing customers that there is a one way system around the premises;
- insufficient floor markings inside the premises to ensure that the one way system is followed by customers;
- music being played on the premises was not at background level encouraging customers to talk louder and move closer to each other during a conversation.

This Premises Improvement Notice is being given to you for the purpose of protecting against the risks to public health arising from coronavirus and the serious and imminent threat to public health posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 in Wales.

Which fails to ensure that other reasonable measures have taken place for the same purpose, contrary to Regulation 12(2)(b).

Failure to comply with The Health Protection (Coronavirus Restrictions) (No.2) (Wales) Regulations 2020, without reasonable excuse, is an offence under Regulation 20(1) and punishable on summary conviction by a fine.

In order to secure compliance Newport City Council hereby directs you to take the following actions:

- Ensure sufficient signage is displayed outside the pub premises to inform customers to comply with the 2 metre social distancing requirement
- Ensure that customers are seated when outside the pub premises and that they comply with the 2 metre social distancing requirement
- Ensure that customers are seated inside the premises and that they comply with the 2 metre social distancing requirement
- Ensure sufficient signage is displayed inside the premises to inform customers of the one way system around the pub
- Ensure clear and visible floor markings are displayed inside the premises to ensure that the one way system is followed by customers
- Ensure that music is played at background level only
- Implement all actions identified in your COVID Risk Assessment
- Other measures that achieve equal effect but are not necessarily specified in the guidance may be implemented

Further guidance is available at <https://gov.wales/coronavirus-legislation-and-guidance-law> and <https://gov.wales/taking-all-reasonable-measures-minimise-risk-exposure-coronavirus-workplaces-and-premises-open>

Time Limit for Measures to be taken

The measures identified within this Premises Improvement Notice must be taken within 48 hours, commencing with the time that the notice is issued

It is an offence not to comply with this Premises Improvement Notice by the date stated.

Enforcement Officer Name:	Tanya Hopkins		
Signed:		Time & Date:	16.55 08/10/20
Enforcement Officer Contact Details:	Trading.standards@newport.gov.uk Tel: 01633 656656 Newport City Council, Civic Centre, Newport. NP20 4UR		

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Appeals

The appeals process is set out in Schedule 5 Paragraph 5.

A person to whom a premises improvement notice is issued may appeal to a Magistrates' court against the notice.

An appeal must be made:

- a) By way of complaint for an order, and in accordance with the Magistrates' Courts Act 1980(37), and
- b) Within 7 days after the day the notice is issued

A magistrates' court may allow an appeal to be made after the expiry of the period mentioned in b) above if satisfied that there is a good reason for the failure to apply before the expiry of that period (and for any delay in applying for permission to appeal out of time).

Notes

The Health Protection (Coronavirus Restrictions) (No.2) (Wales) Regulations 2020 are made under The Public Health (Control of Diseases) Act 1984 (*as amended*).

"Coronavirus" means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

A "person responsible for carrying on a business" includes the owner, proprietor and manager of that business.

These Regulations expire on the 8th January 2021. All requirements and restrictions will be subject to review by the Welsh Ministers every 21 days.

A Premises Improvement Notice may be issued to a person responsible for premises referred to in Regulation 12(1), if the officer considers that the person is not complying with the obligations imposed on the person by Regulation 12(2) and the measures specified are necessary and proportionate in order to ensure that the person complied with those obligations.

This Premises Improvement Notice is being issued under Regulation 17A and Schedule 5 of The Health Protection (Coronavirus Restrictions) (No.2) (Wales) Regulations 2020

Schedule 5 of the Regulations places a requirement on the Local Authority to publicise all Premises Improvement Notices.

WARNING

FAILURE TO COMPLY WITH THIS NOTICE CAN RESULT IN A PREMISES CLOSURE NOTICE BEING ISSUED

Further advice may be sought from a solicitor or from the Magistrates Court at:
Gwent Magistrates' Court

The Law Courts

Faulkner Road, Newport NP20 4PR Tel: 01633 261300

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