

PREMISES IMPROVEMENT NOTICE

REFERENCE NUMBER _____



**THE HEALTH PROTECTION (CORONAVIRUS RESTRICTIONS) (No.5) (WALES)
REGULATIONS 2020, as amended
Regulation 26 & Schedule 8**

Business/Premises Name:	Amy's Fur Babies
Business/Premises Address:	119 Duckpool Road Newport NP19 8FL
Name of Person Responsible:	Amy Mitchell
Address of Person Responsible:	119 Duckpool Road Newport NP19 8FL
Type of Premise/Business/Service:	Canine Fertility Clinic

I, John Baker, 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 15 and Schedule 7 are failing to comply with the following relevant provision(s):

Regulation 16(1) and/or 17A of The Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020, as amended for the following reasons:

Failure to comply with the obligations imposed on you by Regulation 16(1) 'Reasonable measures to minimise risk of exposure to coronavirus'.

Failure to comply with the obligations imposed on you by Regulation 17A 'Specific measures applicable to retail premises'

Specifically, on Thursday 25th February 2021 at 11:48am.

There were no reasonable measures for controlling entry to the premise and to limit the number of customers who are on the premise at any one time.

No provision of hand sanitisation products for use by customers when they enter and exit the premises, except hand gel on a table inside the premise.

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.

No signage at the entrance or anywhere else on the premise in order to remind customers to maintain a distance of 2 metres between themselves and others or to wear a face covering.

No measures in place to ensure 2 metres social distancing where persons are required to wait to enter the premises.

Which fails to ensure that other reasonable measures have taken place for the same purpose, contrary to Regulation 16(2) (a) and/or (b).

Failure to comply with The Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020, as amended, without reasonable excuse, is an offence under Part 8 Regulation 42 and punishable on summary conviction by a fine.

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

Introduce reasonable measures for controlling entry to the premise. Limit the number of customers who are on the premise at any one time to one person. Display signage at entrance to the premise to this effect. Display information on your Facebook and Instagram accounts, to advise customers in advance, when they make an appointment. Have just one customer waiting chair inside to support maximum limit of one person allowed.

Provide hand sanitisation products for use by customers at the entrance, for when they enter and exit the premises

Display signage at the entrance and inside the premise in order to remind customers to maintain a distance of 2 metres between themselves and others.

Display signage at the entrance and inside the premise in order to remind customers to wear a face covering at all times when in the premise.

Ensure 2 metres social distancing signs and floor markings are in place outside the entrance, where persons are required to wait to enter the premises.

Where possible use contactless or card payment to minimise contact between staff and customers.

Install a screen at reception desk where customers come within 2 metres of staff to minimise risk of exposure to coronavirus.

Implementation of 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>


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.

Time Limit for Measures
The measures identified
commencing with
It is an offence

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:	John Baker		
Signed:		Time & Date:	13-10-20 11-3-20
Enforcement Officer Contact Details:	trading_standards@newport.gov.uk Newport City Council, Civic Centre, Newport, NP20 4UR		

Appeals

The appeals process is set out in Schedule 8 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:

- By way of complaint for an order, and in accordance with the Magistrates' Courts Act 1980(37), and
- 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.5) (Wales) Regulations 2020, as amended 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.

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These Regulations expire on the 31st March 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 16(1), if the officer considers that the person is not complying with the obligations imposed on the person by Regulation 16(1) (b) 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 26 and Schedule 8 of The Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020, as amended

Schedule 8 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