

PREMISES CLOSURE NOTICE

REFERENCE NUMBER_____



THE HEALTH PROTECTION (CORONAVIRUS RESTRICTIONS) (No.4) (WALES) REGULATIONS 2020 Regulation 26 & Schedule 3

Business/Premises Name:	Caerleon AFC
Business/Premises Address:	Caerleon Football Club Cold Bath Rd, Caerleon, Newport NP18 1NF
Name of Person Responsible:	Maria Davies
Address of Person Responsible:	Caerleon Football Club Cold Bath Rd, Caerleon, Newport NP18 1NF
Type of Premise/Business/Service:	Licensed premises

I, _____, 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 Closure 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 21 and Schedule 2 are failing to comply with the following relevant provision(s):

Regulation 21(2) of The Health Protection (Coronavirus Restrictions) (No.4) (Wales) Regulations 2020 for the following reasons:

Failure to comply with the obligations imposed on you by Regulation 21(2) 'Reasonable measures to minimise risk of exposure to coronavirus'.

Specifically, on evening Saturday 28th November 2020 Newport City Council Trading Standards and Gwent Police witnessed the following at the premises:

- Customers were not 2m apart and no management was in place to stop customers from moving from table to table as such freely mixing.
- No information provided to those entering the premises about how to minimise the risk of exposure to coronavirus.

This Premises Closure 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.

- Music was on very loud, encouraging customers to be stood out of their seats and the potential for singing.
- Collecting of contact information was not suitable with no persons controlling the entry to the premises or ensuring customers are seated at allocated table.

Which fails to ensure that other reasonable measures have taken place for the same purpose, contrary to Regulation 21(2)(b).

Failure to comply with The Health Protection (Coronavirus Restrictions) (No.4) (Wales) Regulations 2020, without reasonable excuse, is an offence under Regulation 35 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 all patrons have face coverings inside and are using them unless seated and eating/drinking
- Table service only
- All customers must be led to their tables and reminded that they are not permitted to change tables at any time. Clear signage on tables should remind customers of this fact and any customers that fail to comply will be asked to leave the premises.
- Sufficient staff to manage inside and outside areas to ensure appropriate social distancing between separate household groups
- Keep music to background level
- 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>

Time Limit for Measures to be taken

This Premises Closure Notice comes into force immediately from 30.11.20 until 14.12.20 (no more than 336 hours/14 days)

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

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.

Enforcement Officer Name:	Heather Crutcher		
Signed:	Heather Crutcher	Time & Date:	30.11.20
Enforcement Officer Contact Details:	Environment.licensing@newport.gov.uk Newport City Council, Civic Centre, Newport. NP20 4UR		

Appeals

The appeals process is set out in Schedule 3 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.4) (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 19th of February 2021. All requirements and restrictions will be subject to review by the Welsh Ministers every 21 days.

A Premises Closure Notice may be issued to a person responsible for premises referred to in Regulation 21(1), if the officer considers that the person is not complying with the obligations imposed on the person by Regulation 21(2) and the measures specified are necessary and proportionate in order to ensure that the person complied with those obligations.

This Premises Closure Notice is being issued under Regulation 26 and Schedule 3 of The Health Protection (Coronavirus Restrictions) (No.4) (Wales) Regulations 2020

Schedule 3 of the Regulations places a requirement on the Local Authority to publicise all Premises Closure Notices.

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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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