

PREMISES CLOSURE NOTICE
REFERENCE NUMBER 21/26127/COVIDS



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

Business/Premises Name:	Star Barber
Business/Premises Address:	48 Commercial Road, Newport NP20 2PE
Name of Person Responsible:	Hazhar Yousifi
Address of Person Responsible:	48 Commercial Road, Newport NP20 2PE
Type of Premise/Business/Service:	Barbershop

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 have reason to believe that you, as the person responsible, for the premises detailed above, listed in Regulation 15 and Schedule 7 are failing to comply with the following relevant provision(s):

Regulation 16, 17A and 18 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, 17A and 18 'Reasonable measures to minimise risk of exposure to coronavirus, specific measures applicable to retail premises and Guidance about taking reasonable measures'.

Specifically, on 27 July 2021 you failed to take all reasonable measures to ensure—

Provision or requiring use of personal protective equipment. You failed to have regard to and comply with Welsh Government guidance regarding the wearing of the correct Personal protection equipment whilst in close contact with clients. You were not wearing a Type II mask and a clear visor that covers the face to provide a barrier between the wearer and the client. There by not minimising the risk to them from respiratory aerosols and droplets caused by breathing, sneezing, coughing, or speaking. As required by Regulation 18(1) A person required to take reasonable measures under regulation 16(1) 17(1) or 17A must have regard to guidance issued by the Welsh Ministers about those measures.

That all reasonable measures to ensure that a distance of 2 metres is maintained between persons on the premises, having no screen barriers between two working chairs that were within two metres of each other. As required by Regulation 16 Step 4 (C) (i) and (v).

Information was provided to those entering the premises about how to minimise the risk of exposure to coronavirus by wearing a face covering inside the premises. No signage on display. As required by Regulation 17A (d) (i).

That a specific assessment of the risk of exposure to coronavirus at the premises was undertaken which was suitable and sufficient (satisfying the requirements of Regulation 3 of the Management of Health and Safety At Work Regulations 1999) as required by Regulation 16 (1) Step 1 and 16 (4)(a).

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.

Collection of contact information from each person at the premises and retaining it for 21 days for the purpose of providing it to any of the following, upon their request— the Welsh Ministers or a contact tracer. As required by Regulation 16 Step 4 (3) (d).

Failure to comply with this Premises Closure Notice 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 close your premises as soon as is reasonably practicable for 14 days from the date of issue of this notice.

Signed:	J Baker	Date	28 July 2021
		Time	15:18
Enforcement Officer Contact Details:	Trading.Standards@newport.gov.uk 01633 656656 Newport City Council, Civic Centre, Newport. NP20 4UR		

This Premises Closure Notice comes into force immediately- from 28th July 2021 until 11th August 2021.

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

Guidance on the regulations 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>

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:

- 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.5) (Wales) Regulations, as amended 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.

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These Regulations expire on the 31st of March 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 16(1), if the officer considers that the person is not complying with the obligations imposed on the person by Regulation 16(1) 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.5) (Wales) Regulations 2020, as amended

Schedule 8 of the Regulations places a requirement on the Local Authority to publicise all Premises Closure Notices.

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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