

PREMISES CLOSURE NOTICE
REFERENCE NUMBER 21/11422/COVIDS



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

Business/Premises Name:	Upper Cuts Downtown Babers
Business/Premises Address:	32 Cardiff Road, Newport NP20 2ED
Name of Person Responsible:	Natasha Cunvin
Address of Person Responsible:	32 Cardiff Road, Newport NP20 2ED
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 (1) and (2) 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) and (2) 'Reasonable measures to minimise risk of exposure to coronavirus'.

Specifically, on 24 March 2021 you failed to take all reasonable measures to ensure—

That a distance of 2 metres is maintained between any persons on the premises.

All other reasonable measures for that purpose, for example measures which limit close face-to-face interaction and maintain hygiene such as—

Changing the layout of premises including the location of furniture and workstations.

Controlling use of the entrance.

Installing barriers or screens.

Provision or requiring use of personal protective equipment.

Information was available to those entering or working at the premises about how to minimise the risk of exposure to coronavirus.

Collecting contact information from each person at the premises and retaining it for 21 days was available.

Operating on an appointment only basis was available.

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.

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:		Date	25 March 2021
		Time	
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 25 March 2021 until 8 April 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.

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

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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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