

PREMISES PART CLOSURE NOTICE
REFERENCE NUMBER_20/00407/LAPCRV_ _____



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

Business/Premises Name:	Maesglas Working Man's Club
Business/Premises Address:	Maesglas Ave, Newport NP20 3BT
Name of Person Responsible:	Named Chair Of The Club
Address of Person Responsible:	Maesglas Ave, Newport NP20 3BT
Type of Premise/Business/Service:	Club Premises Under the Licensing Act 2003

I, Alastair Dearling, 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 Part Premises Closure Notice For the area Known as the "Bar Area" 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(2) 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 afternoon of Friday 23rd October at approximately 16:15 Gwent Police Witnessed the following at the premises:

Approximately 100-120 people at the premises with many not social distancing in the premises, this was approximately less than 2 hours before the National "The fire-break" was proposed to commence. It was in the opinion of The Police that no or little control was taking place at the premises regarding Social Distancing.

It is also noted that the Track Trace System was not used by a number of the Patrons entering the premises or when details were taken these where not accurate for the purpose of Track and Trace.

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.

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:

- When Operating the Club Premises when Guest are permitted to sign in with the Club Member and the number of person on the premises (excluding staff) is greater than 50 people, 1 SIA door Staff will be required at the premises. If the number of persons on the premises (excluding Staff) is greater than 100 persons 2 SIA Door Staff are required. (No SIA person is required if only members are permitted in the premises.)
- Staff shall not serve alcohol to members or guest of members until they are seated, staff are shown evidence that they have signed into track and trace be either via the app or Track Trace Book, the Club Member must also show evidence to staff they are members of the Club.
- If Alcohol consumption is going to take place in the “Function Room” a SIA door staff will be required to monitor this area.
- All CCTV should be fully functioning at all times when the premises is open to Club Members and continues to record 1.5 hours after the premises is required to close.
- No booking for events/ Functions that involves alcohol shall be made without approval of the Licensing Authority and Gwent Police with a minimum of 7 days’ notice (clearly any events / functions will have required to comply with covid regulations)
- 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>

IT SHOULD BE NOTED: That is a Part Closure notice and makes reference to the “Bar Area” Only as discussed with the Club Committee, thus meaning the bar must be closed in accordance with this notice. The Community Events that do not involve Alcohol that take place in line with Covid Regulations in the “Function Room” can operate despite the closure notice. Access to this area can be made through the bar area in line with the premises one-way system.

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Time Limit for Measures to be taken

This Premises Closure Notice comes into force immediately from 11:30hrs... 03/11/20 till

Till 11:30hrs 15/11/20 (no more than 336 hours/14 days)

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

Enforcement Officer Name:	Alastair Dearling		
Signed:		Time & Date:	3/11/20
Enforcement Officer Contact Details:	Alastair Dearling Prif Swyddog Trwyddedu / Principal Licensing Officer Y Gyfraith a Rheoleiddio / Law & Regulation Cyngor Dinas Casnewydd / Newport City Council 01633656656 Alastair.Dearling@newport.gov.uk 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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