

## PREMISES IMPROVEMENT NOTICE

REFERENCE NUMBER \_\_\_\_\_



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

<b>Business/Premises Name:</b>	<b>Neyaz Crib</b>
<b>Business/Premises Address:</b>	155 Chepstow Road Newport NP19 8GE
<b>Name of Person Responsible:</b>	Neyaz Abbas
<b>Address of Person Responsible:</b>	155 Chepstow Road Newport NP19 8GE
<b>Type of Premise/Business/Service:</b>	<b>Barbers</b>

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 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 Friday 11<sup>th</sup> December 2020 at 14:26

One member of staff in close contact work, cutting hair, was wearing just a mask face covering but no visor. A second younger member of staff had no face covering at all until after I had entered your barbershop.

Upon checking your Test, Track and Protect book record, for collecting contact information from each person at the premises, it did not include the contact information of the two customers who were having their hair cut on my arrival. There were only two entries in the record for Friday 11.12.20 at the time of my inspection, one of which was a person who arrived when I was present.

**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.**

This did not mirror your book record of work and payments received which contained twelve entries, at that time, for Friday 11.12.20. Also the times these persons visited were not recorded in the book.

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 persons inside Neyaz Crib barber shop wear a mask face covering at all times to minimise the risk of exposure to coronavirus at your regulated premise.

Ensure all persons working on customers wear the required Personal Protection equipment to comply with Welsh Government Covid guidance for close contact work. See link

<https://gov.wales/close-contact-services-businesses-coronavirus-workplace-guidance-html#section-48671>, which states –

“For treatments to the body but excluding the face this should take the form of a Type II mask and a clear visor that covers the face and provides a barrier between the wearer and the client from respiratory aerosols and droplets caused by breathing, sneezing, coughing or speaking). Visors must fit the user and be worn properly. It should cover the forehead, extend below the chin, and wrap around the side of the face”.

Comply with The Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020, Regulation 21 (3)(d), by ensuring that contact information is collected from each person at the premises and retain it for 21 days for the purpose of providing it to a contact tracer or Welsh Ministers, taking reasonable measures to ensure that such contact information is correct. Also ensuring the time each person visits is recorded.

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**

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.**

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<b>Enforcement Officer Name:</b>	John Baker		
<b>Signed:</b>	John Baker	<b>Time &amp; Date:</b>	11:52 16.12.2020.
<b>Enforcement Officer Contact Details:</b>	Newport City Council, Civic Centre, Newport. NP20 4UR <a href="mailto:trading_standards@newport.gov.uk">trading_standards@newport.gov.uk</a>		

## 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 19<sup>th</sup> of February 2020. 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 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 Improvement Notice is being issued under Regulation 26 and Schedule 3 of The Health Protection (Coronavirus Restrictions) (No.4) (Wales) Regulations 2020

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Schedule 3 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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