

PREMISES IMPROVEMENT NOTICE
REFERENCE NUMBER _____



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

Business/Premises Name:	TAWA INDIAN BUFFET.
Business/Premises Address:	7 STYLES AVENUE NEWPORT NP19 4QR.
Name of Person Responsible:	RUMAN HUSSAIN
Address of Person Responsible:	21 GORDON STREET NEWPORT NP19 0EP
Type of Premise/Business/Service:	BUFFET RESTAURANT

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 12 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 23RD SEPT. 2020 at 13:05

- NO TWO METRE SOCIALING SIGNAGE ON ENTRY.
- NO TWO METRE SOCIALING DISTANCING FLOOR MARKINGS TO QUEUE TO BUFFET AREA.
- TABLE BEING USED BY CUSTOMERS NEXT TO QUEING AREA AND WITHIN TWO METRES.
- WITNESSED CUSTOMER NOT WEARING MASK IN BUFFET AREA.
- BUFFET AREA NOT ALWAYS SUPERVISED BY MEMBER OF STAFF TO MONITOR AND INSTRUCT CUSTOMERS TO USE REASONABLE MEASURES IN PLACE.
- CUSTOMER ICE CREAM MACHINE AND SAUCE BOTTLES NOT SANITISED BETWEEN CUSTOMERS.
- NO RISK ASSESSMENT FOR COVID 19 IN PLACE.
- RECORD FOR TEST, TRACE, PROTECT NOT CAPTURING TIME AND DATE CUSTOMER/VISITOR ATTENDS.

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.

Which fails to ensure that other reasonable measures have taken place for the same purpose, contrary to Regulation 12(2)(b).

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:

- DISPLAY TWO METRE SOCIAL DISTANCING SIGN AT ENTRANCE TO PREMISES.
- REMOVE CUTLERY AND NAPKINS FROM TABLES NEXT TO BUFFET QUEING LINE SO CUSTOMERS DO NOT USE AND MAINTAIN SOCIAL DISTANCING.
- TWO METRE QUEING FLOOR MARKINGS FOR CUSTOMERS WAITING TO USE BUFFET TO MAINTAIN SOCIAL DISTANCING.
- BUFFET AREA TO BE SUPERVISED AND MONITORED BY MEMBER OF STAFF AT ALL TIMES TO ENSURE CUSTOMERS COMPLY WITH REASONABLE MEASURES ALREADY IN PLACE - WEAR A MASK, MAXIMUM OF TWO CUSTOMERS AT BUFFET, SANITISE EACH VISIT TO BUFFET AND FRESH GLOVES EACH VISIT TO BUFFET.
- COMPLETE A COVID RISK ASSESSMENT FOR PREMISES AND MAKE AVAILABLE TO OFFICERS REQUIRING SIGHT OF IT.
- MOVE TO TABLE SERVICE AS SOON AS POSSIBLE AND CLOSE BUFFET AREA TO PUBLIC. FOOD AND DRINK ORDERS TO BE TAKEN AND SERVED TO SEATED CUSTOMERS AT TABLES.
- RECORD DATE AND TIME OF CUSTOMERS / VISITORS AS WELL AS NAME AND TELEPHONE NUMBER FOR TEST, TRACE, PROTECT.

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.

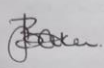
Further guidance is available at <https://gov.wales/coronavirus-legislation-and-guidance-law> and <https://gov.wales/taking-all-reasonable-measures-minimise-risk-exposure-coronavirus-workplaces-and-premises-open>

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 public health and safety of coronavirus acute respiratory syndrome coronavirus 2 in Wales incidence and spread of severe acute respiratory syndrome coronavirus 2 in Wales

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.

Enforcement Officer Name:	JOHN BAKER		
Signed:		Time & Date:	13:55 23-09-2020
Enforcement Officer Contact Details:	TRADINGSTANDARDS@NEWPORT.GOV.UK 01633 656656 Newport City Council, Civic Centre, Newport. NP20 4UR		

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).

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.

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

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

