

PREMISES IMPROVEMENT NOTICE
REFERENCE NUMBER _____



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

Business/Premises Name:	Tiny Rebel Brewery
Business/Premises Address:	22 - 23 High Street Newport South Wales NP20 1FX
Name of Person Responsible:	Gareth Williams
Address of Person Responsible:	Tiny Rebel Ltd, Wern Industrial Estate Rogerstone Newport NP10 9FQ
Type of Premise/Business/Service:	Public House

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 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:

Specifically, on Saturday 26th September 2020 it was witnessed that no Social distancing of Staff Workstation to maintain/mitigate 2m. Staff members working inside the premises did not have face covering on without good reason. The premises failed to challenge customers when seating them inside the premises if they lived within the same household. When this was brought to the attention of management no action was taken by the management to rectify the breach of regulations and officers were required to re enter the premises approximately 20 minutes later.

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:

- Appropriate, clear and sufficient signage-2 m and face coverings required prior to entry.
- Positioning of staff workstations to maintain/mitigate 2m.
- When customers are being seated inside the premises the premises must ensure that the customers live in the same household in line with regulations.
- Implementation of all actions identified in your COVID Risk Assessment, including incorporating the above. Which all staff have seen and signed to acknowledge.
- 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.

Enforcement Officer Name:	Alastair Dearling		
Signed:		Time & Date:	29/09/20
Enforcement Officer Contact Details:	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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