

PREMISES CLOSURE NOTICE
REFERENCE NUMBER 21/25382/COVIDO



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

Business/Premises Name:	Ye Olde Bull Inn
Business/Premises Address:	High Street, Caerleon, NP18 1AE
Name of Person Responsible:	Jonathan Collingbourne
Address of Person Responsible:	High Street, Caerleon, NP18 1AE
Type of Premise/Business/Service:	On-Licensed Premises

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 am of the opinion that you, as the person responsible, for the premises detailed above, which is listed in Regulation 15 and Schedule 7 are failing to comply with the following relevant provision(s):

Regulation 16 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 'Reasonable measures to minimise risk of exposure to coronavirus'.

Specifically, on Saturday 17 July 2021 the premises was operating as a venue authorised for the sale or supply of alcohol where live or recorded music was provided for members of the public to dance which is a business that is required to close by virtue of Regulation 4 (2) and Paragraph 9 of Schedule 1 of The Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020, as amended.

You therefore failed to take all reasonable measures to minimise the risk of exposure to coronavirus, namely that you did not take the measure 'not to carry out certain activities' as required by Regulations 16 (1) and 16 (3) (a).

Furthermore, you failed to undertake a specific risk assessment that was suitable and sufficient (satisfying the requirements of Regulation 3 of the Management of Health and Safety At Work Regulations 1999) as required by Regulation 16 (1) Step 1 and 16 (4)(a).

And you failed to take reasonable measures to mitigate the risk of exposure to coronavirus that arises where persons gather in close proximity, such as limiting close face-to-face interaction between persons on the premises, by not controlling the use of the marquee part of the premises as required by Regulation 16 (1) Step 4 (c) (iv).

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 28 days from the date of issue of this notice, or such time that you can demonstrate compliance with the above requirements to the satisfaction of Newport City Council, whichever is earlier.

Signed:	PL	Date	20 July 2021
		Time	1800 hrs
Enforcement Officer Contact Details:	Trading.Standards@newport.gov.uk 01633 656656 Newport City Council, Civic Centre, Newport. NP20 4UR		

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.

This Premises Closure Notice comes into force immediately

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 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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