

PREMISES IMPROVEMENT NOTICE

REFERENCE NUMBER _____



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

Business/Premises Name:	Minstrels
Business/Premises Address:	1A Station Road Caerleon Newport South Wales NP18 1NH
Name of Person Responsible:	Claire Louise Jenkins
Address of Person Responsible:	1A Station Road Caerleon Newport South Wales NP18 1NH
Type of Premise/Business/Service:	Public House

I, Alastair Dearing, 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:

- That customers are gathering and socialising in the outdoor garden without social distancing.
- Customers are less than 2 meters from other households are not maintaining social distancing requirements when on the premises both inside and outside premises.
- Customers are standing and gathering are customers who are seated outside.
- The marquee in the garden would constitute a outside area in line with Covid 19 regulations.

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:

- Only 22 of people permitted in the front beer garden at one time all to be seated.
- When the Premises meets capacity of 75% a member of staff must be located at the entrance of the premises to either direct people to tables or inform customers there is no longer and tables available and refused entry.
- Two sides of the current marque must be removed to comply with Covid 19 regulations (as discussed at the site meeting)
- That you and staff ensure customers do not gather in groups on the premises or congregate around other tables over areas.

It is also recommended CCTV should be in operation within 7 days of this notice

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 Dearing		
Signed:		Time & Date:	2/10/20
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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