

PREMISES IMPROVEMENT NOTICE

REFERENCE NUMBER _____



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

Business/Premises Name:	Super bowl UK Newport
Business/Premises Address:	Top Floor Friars Walk Shopping Centre, Newport , NP20 1EA
Name of Person Responsible:	Mark Quaintance
Address of Person Responsible:	Top Floor Friars Walk Shopping Centre John Frost Square Newport South Wales NP20 1EA
Type of Premise/Business/Service:	Bowling Alley / Licence Premises

I, 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 15 and Schedule 7 are failing to comply with the following relevant provision(s), namely -

Regulations 16 and 17 of The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 for the following reasons:

Specifically, on Friday 18th June 2021,

- Track, Trace and Protect measures were insufficiently monitored/managed to ensure accuracy.
- Customers noted standing whilst consuming drinks inside the premises
- Seating areas within premises not suitably distanced to allow for 2 metre distancing between tables, and persons accessing premises to use the facilities.
- Insufficient staff to monitor and control adherence to reasonable measures.
- Customers moving around inside the premises and failing to wear suitable face coverings.

Failure to comply with The Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020, without reasonable excuse, is an offence under Part 8 Regulation 42 and punishable on summary conviction by a fine.

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.

In order to secure compliance Newport City Council hereby directs you to take the following actions:

- Take all reasonable measures to effectively record of customers name and contact details as required by the Track, Trace and Protect scheme, either through manual recording, the use of a premises specific QR code (Not NHS QR) (and the information can be accessed on demand) or the combination of both, and the system is monitored to ensure accuracy.
- To take reasonable measures to ensure customers are seated including signage and denial of service to persons consistently ignoring the requirements.
- Ensure the layout of tables and chairs inside the premises is conducive to social distance with regard the access and egress of customers moving around the premises
- To either remove tables, or otherwise restrict the use of tables to ensure that customers seated inside the premises can adhere to social distancing. Alternatively, and only where suitable, mitigation (eg the use of screening) can be utilised.
- Staffing levels should be closely managed to ensure sufficient staff are on duty to be able to manage reasonable measures to minimise the risk of exposure to coronavirus adequately.
- Social distancing should be enforced between Alleys or every other Alley closed to ensure social distancing.
- Pool tables should be booked at the bar or reception area, all equipment should be stored behind the bar/reception area and should be fully sanitised alongside the pool table after each customer. Only 2 customers are permitted at the pool tables and social distance and masks are required when customers playing pool.
- To take all reasonable measures to ensure face coverings are worn by customers required to wear them when, when moving around inside the premises, including signage and denial of service to persons consistently ignoring the requirements.
- The Level of music from either recorded music or gaming machines must be set at background level.
- Social distancing at gaming machines should be in place and regular cleaning after a customer has used the gaming machines.

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.

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>

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:	Alastair Dearing	Time & Date:	18/06/21
Enforcement Officer Contact Details:	01633 656 656 Newport City Council, Civic Centre, Newport. NP20 4UR		

Appeals

The appeals process is set out in Schedule 8 Paragraph 5.

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 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 2020, as amended 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.

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 16(1), if the officer considers that the person is not complying with the obligations imposed on the person by Regulation 16(1) (b) 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 8 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 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 incidence and spread of severe acute respiratory syndrome coronavirus 2 in Wales.