

**PREMISES IMPROVEMENT NOTICE**

REFERENCE NUMBER: GMK/210920/02

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

Business/Premises Name:	Mr Ismail Yildiz trading as Star Turkish Barbers
Business/Premises Address:	24 Cardiff Street, Aberdare, Rhondda Cynon Taf CF447DP
Name of Person Responsible:	
Address of Person Responsible:	
Type of Premise/Business/Service:	Barbers

I, Gareth Mackenzie, as a relevant person and enforcement officer designated by Rhondda Cynon Taf County Borough 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 21/09/2020 at 13:00 it was observed that:

The business was not operating by appointment only and is accepting 'walk in' customers'

Lack of a Track Trace Protect Register.

High risk close contact activities such as beard trimming were being undertaken.

Client chairs were placed within 2m of each other.

No screen at till area

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.

Gowns were not being washed between each use.

The above points fail to ensure that reasonable measures were in place for persons on the premises, 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 Rhondda Cynon Taf County Borough Council hereby directs you to take the following actions:

Ensure clients are by appointment only

Ensure Track Trace Protect Register is maintained.

High risk close contact activities such as beard trimming shall not be carried out.

Ensure client chairs are placed 2m apart

Provide a screen at the till area.

Gowns must either be disposable or boil- washed in-between each use.

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>


Further guidance on close contact services is available at <https://gov.wales/close-contact-services-businesses-coronavirus-workplace-guidance-html>

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

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THESE MEASURES WILL REMAIN IN FORCE UNTIL THE RESTRICTION HAS BEEN LIFTED BY THE WELSH MINISTERS

Enforcement Officer Name:	Gareth Mackenzie		
Signed:		Time Date:	& 21.9.20 15:12.
Enforcement Officer Contact Details:	Gareth.mackenzie@rctcbc.gov.uk 01443 425001		

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

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Schedule 5 of the Regulations places a requirement on the Local Authority to publicise all Premises Improvement Notices.

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