

PREMISES CLOSURE NOTICE
REFERENCE NUMBER: JWD/131120/01



THE HEALTH PROTECTION (CORONAVIRUS RESTRICTIONS) (No.4) (WALES)
REGULATIONS 2020
Regulation 26 & Schedule 3

Business/Premises Name:	Hawkal Ali trading as 'King Cuts'
Business/Premises Address:	118 Broadway, Treforest, Pontypridd, CF37 1BA
Name of Person Responsible:	Hawkal Ali
Address of Person Responsible:	118 BROADWAY, TREFOREST, PONTYPRIDD, CF37 1BA
Type of Premise/Business/Service:	Barbers

I, Jamie Duncan, 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 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 21 and Schedule 2 are failing to comply with the following relevant provision(s):

Regulation 21(2) of The Health Protection (Coronavirus Restrictions) (No.4) (Wales) Regulations 2020 for the following reasons:

Failure to comply with the obligations imposed on you by Regulation 21(2) 'Reasonable measures to minimise risk of exposure to coronavirus'.

Specifically, on 11/11/2020 at 15:20 and again on 12/11/2020 at 14:45 it was witnessed that:

- Staff were not wearing sufficient personal protective equipment for close contact services, namely a Barber was observed cutting hair, only wearing a mask and not a visor.

The above point fail to ensure that reasonable measures were in place for persons on the premises, contrary to Regulation 21(2)(b).

Failure to comply with The Health Protection (Coronavirus Restrictions) (No.4) (Wales) Regulations 2020, without reasonable excuse, is an offence under Regulation 35 and punishable on summary conviction by a fine.

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.

In order to secure compliance Rhondda Cynon Taf County Borough Council hereby directs you to take the following actions:

- Ensure staff are wearing a type 2 mask and visor at all times whilst under taking close contact work.

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>

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

This Closure Notice is considered reasonable and proportionate due to staff at the premises not wearing the required PPE for undertaking close contact services further to Premises Improvement Notice reference BLE/250920/01 and Premises Closure Notice reference BLE/300920/01

Time Limit for Measures to be taken

The measures identified within this Premises Closure Notice must be taken within 336 hours, commencing with the time that the notice is issued

Enforcement Officer Name:	Jamie Duncan		
Signed:		Time Date:	& 13/11/20 12:30pm
Enforcement Officer Contact Details:	Email: Jamie.wduncan@rctcbc.gov.uk Telephone: 01443 425001		

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Appeals

The appeals process is set out in Schedule 3 Paragraph 5.

A person to whom a premises closure 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.4) (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 19th February 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 21(1), if the officer considers that the person is not complying with the obligations imposed on the person by Regulation 21(2) 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.4) (Wales) Regulations 2020

Schedule 3 of the Regulations places a requirement on the Local Authority to publicise all Premises Closure Notices.

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