



The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020
(as amended) Schedule 6, paragraph 1

PREMISES IMPROVEMENT NOTICE

Reference Number: *ST01/PIN/17.4.21*

1. To *Mr Miran Muhammad* (Responsible Person)

Premises: *Oscar's Barber's* (Name of Premises)

At *50 Holtton Rd. Barry* (Address of Premises)

2. I Sarah Tudbal, an authorised enforcement officer of the Shared Regulatory Service, an enforcement authority for the relevant local authority for the purposes of the above legislation, consider that you are failing to comply with the obligations imposed on the premises by the Regulations by:

(delete as appropriate)

- ~~Failing to take all reasonable measures to ensure that a distance of 2 metres is maintained between any persons on the premises other than 2 members of the same household, or a carer and the person assisted by the carer~~
- ~~Failing to take all reasonable measures to ensure where persons are required to wait to enter the premises, that a distance of 2 metres is maintained between them other than between 2 members of the same household, or a carer and the person assisted by the carer~~
- ~~Failing to allow and enable a person who ordinarily works at the premises to isolate for a specified period due to testing positive for coronavirus or having had close contact with somebody who has tested positive, where that person has been required to do so by a notification given by a contact tracer.~~
- * Failing to collect contact information from each person at the premises and retaining it for 21 days for the purpose of providing it to a contact tracer.
- * Failing to take reasonable measures to ensure that contact information collected from each person at the premises is correct.
- ~~Failing to provide information to those entering or working at the premises about how to minimise the risk of exposure to coronavirus~~
- * Failing to undertake a specific risk assessment of the risk of exposure to coronavirus at the premises

- Failing to take any other reasonable measures which limit close face to face interactions to maintain hygiene, such as:

- changed the layout of premises including the location of furniture and workstations
- controlled the use of entrances, passageways, stairs and lifts
- controlled the use of shared facilities such as toilets and kitchens
- otherwise controlled the use of, or access to, any other part of the premises
- installed barriers or screens

→ ◦ provided or required the use of personal protective equipment

- Failing to take the specific measures for retail premises required by Regulation 17A, i.e.

- Measures for controlling entry to the premises and limiting the number of customers on the premises at any one time
- Provision of hand sanitisation products or hand washing facilities for use by customers when they enter and exit the premises
- Measures to sanitise any baskets or trolleys or similar containers provided for use by customers on the premises
- In order to remind customers to maintain a distance of 2 metres between each other and to wear a face covering:
 - Displaying signs and other visual aids
 - Making announcements on a regular basis

3. In my opinion, the following measure(s) are necessary and proportionate in order to ensure you comply with the Regulations:

- All staff must wear a Typhoid mask & clear visor when cutting/styling hair
 - Ensure that staff maintain 2m social distancing where practicable in communal areas. Wear face coverings if 2m distancing can't be maintained.
 - undertake a risk assessment
 - Ensure that contact information is obtained for each customer
4. The measure or measures must be taken by 19-4-21

(not less than 48 hours beginning with the time the notice is issued)

5. If you fail to comply with this premises improvement notice by the date stated, an offence is committed under Regulation 42(3). Further sanctions may be imposed including Fixed Penalty Notice, Closure Notice or proceedings in court.

Signed Sarah Tudball (Authorised Officer)

Name in Capitals SARAH TUDBALL

Date: 17-4-21

Address: Vale of Glamorgan Council, Civic Offices, Holton Road, Barry

Updated 12th March 2021

07967 381244

sttudball@valeofglamorgan.gov.uk

read the notes overleaf carefully. If you are not sure of your rights or the implications of this notice, you may want to seek legal advice.

NOTES

1. In the opinion of the enforcement officer you are not complying with the Regulations as described in paragraph 2 of the notice. The work needed in the officer's opinion to put matters right is described and it must be finished by the date set.
2. You are responsible for ensuring that the work is carried out within the period specified, which must not be less than 48 hours beginning with the time the notice is issued.
3. The regulations require that once issued, an improvement notice is publicised on the website of the local authority for the area in which the premises is located (paragraph 7 of Schedule 8), and that the sign set out in paragraph 1 of Schedule 9 is displayed in a prominent place near each entrance.

YOUR RIGHT OF APPEAL

4. In accordance with Paragraph 5 of Schedule 8 of The Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020 (as amended), if you disagree with all or part of this notice, you can appeal to the Magistrates Court. You must appeal by way of complaint for an order under Section 37 of the Magistrates Courts Act 1980 and within 7 days after the day the notice was issued. A magistrates' court may allow an appeal to be made after the expiration of the 7 days if they are satisfied that there is a good reason for the failure to appeal before the expiration of the 7 day period (and for any delay in applying for permission to appeal out of time).
5. A magistrates' court may suspend the effect of a premises improvement notice pending the determination of an appeal.
6. On an appeal against a premises improvement notice a magistrates' court may
 - (a) confirm the decision to issue the notice;
 - (b) direct that the notice is to cease to have effect;
 - (c) modify the notice;
 - (d) make such other order as the court considers appropriate.
7. If the magistrates' court directs that a notice is to cease to have effect or modifies a notice, it may order the local authority for the area in which the premises in question are situated to compensate the person responsible for the premises for loss suffered as the result of the issue of the notice.
8. An appeal by either party against the decision of a magistrates' court on an appeal may be brought to the Crown Court
9. On an appeal to the Crown Court, the Court may
 - a. Confirm, vary or reverse the decision of the magistrates' court
 - b. Remit the case the magistrates' court to dispose of in accordance with directions given by the Crown Court.

WARNING

FAILURE TO COMPLY WITH THIS NOTICE CAN RESULT IN A PREMISES CLOSURE NOTICE BEING ISSUED