The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 as amended

IMPROVEMENT NOTICE

Reference Number: CAP/IN/001/2021

Part A

To:	Nigel Henry WILLETS
	being a person responsible for;
Name of Premises:	THE BRIDGEND INN
Address:	Church Square
	Bedwas
	CF83 8DY

This Improvement Notice is served under paragraph 1 of Schedule 8 of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 as amended (the Regulations).

Regulations 16, 17 and 17A impose certain obligations to minimise the risks to public health arising from exposure to coronavirus.

I, **Craig Austin PARSONS**, designated as a relevant person for the purposes of the Regulations by Caerphilly County Borough Council, have reasonable grounds for believing that you, as the person responsible for the regulated premises stated above, have failed to take reasonable measures, which are set out in Part B below, to minimise risk of exposure to coronavirus or the spread of coronavirus by those who have been at the premises. In order to secure compliance it is necessary and proportionate to issue this Improvement Notice to prevent continued contravention of the requirements.

Full details of this notice can be found at;

https://www.caerphilly.gov.uk/ Services/Coronavirus/Covid-19-Business-Improvement-Notice

Mae'r ddogfen hon ar gael yn Gymraeg, ac mewn ieithoedd a fformatau eraill ar gais.
This document is available in Welsh, and in other languages and formats on request.

Part B. Contravention of the requirements imposed by Regulation 16(1)

You have failed to take the following *other* reasonable measures. **(delete the following as appropriate)**

- minimising the risk of exposure to coronavirus at the premises
- minimising the spread of coronavirus by those who have been at the premises

(b)(ii) controlling use of entrances, passageways, stairs and lifts

and / or under Regulation 16(2)

(d) collecting contact information from each person at the premises and retaining it for 21 days for the purpose of providing it to the Welsh Ministers or a contact tracer upon either's request.

and under Regulation 17(2)

Where the premises is authorised for the sale or supply of alcohol for consumption on the premises, failed to take the following reasonable measures under Regulation 17(2)

(b) ensuring customers are seated in the premises anywhere other than at a bar,
(i) when ordering food or drink
(ii) when being served with food or drink, and
(iii) when consuming food or drink

Specifically you are required to

- Control entrance to premises at all times, to ensure that customers are seated and complete Track and Trace details
- Take full details of all customers, staff and visitors to the premises-no nicknames, contact numbers recorded and all information must be legible.
- maintain table service at all times, where customers order drink from their table and such food and drink is delivered to them at that table

NOTE Regulation 18(1) states that a person required to take reasonable measures under Regulations 16, 17 or 17A must have regard to guidance issued by the Welsh Ministers about those measures.

Part C. Action required by you

This Improvement Notice requires you to take steps to address the contravention(s) set out in Part B above by the date and time stated at the end of this Notice which will be no sooner than 48 hours after it has been served.

When you have complied with the terms of this Notice you should contact the issuing officer and they will arrange to carry out a visit to assess compliance. When the officer is satisfied that you have complied they will issue you with a written Termination Notice.

PART D. Publicising premises Improvement and Closure Notices

When a premises Improvement Notice or a premises Closure Notice is issued the Regulations require, as soon as reasonably practicable after issuing the Notice, the enforcement officer to

(a) display a copy of the Notice, and a sign in the form set out in Schedule 8 of the Regulations, in a prominent place near every entrance to the premises **and**
(b) arrange for the Notice to be published on the website of the Local Authority for the area in which the premises are located.

A copy/copies of the Notice and sign required to be displayed on the premises and published on the Local Authority website must continue to be displayed and published for as long as the notice has effect.

Please note that without a reasonable excuse it is a criminal offence to remove, obscure or damage a Notice or sign required to be displayed by the Regulations.

Part E. Consequences of non-compliance

The consequences of failing to comply may result in you being issued with a Closure Notice which will stop you from operating until you have put in reasonable measure to control the spread of Coronavirus.

The Local Authority may, at their discretion, offer you the opportunity to pay a Fixed Penalty Notice (FPN) as an alternative to prosecuting you for non-compliance. If you fail to pay an FPN or if the Authority chooses to prosecute you instead of issuing you an FPN on summary conviction a Magistrates' Court can impose a fine on you.

If further non-compliances are found in future you may be subject to further enforcement action to secure compliance.

Please note that if your premises forms part of critical infrastructure (for example, premises used to generate electricity or supply water) or which are used to provide essential public services you will not be issued with a Closure Notice.

Part F. Your rights to challenge this notice

(1) A person to whom a premises Improvement Notice or premises Closure Notice is issued may appeal to a Magistrates' Court against the notice.

(2) An appeal must be made— (a) by way of complaint for an order, and in accordance with the Magistrates' Courts Act 1980, and (b) within 7 days after the day the notice is issued.

(3) But a Magistrates' Court may allow an appeal to be made after the expiry of the period mentioned in sub-paragraph (2)(b) if satisfied that there is a good reason for the failure to appeal before the expiry of that period (and for any delay in applying for permission to appeal out of time).

(4) A Magistrates' Court may suspend the effect of a premises Improvement Notice or premises Closure Notice pending the determination of an appeal.

(5) On an appeal against a premises Improvement Notice or premises Closure 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.

(6) 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.

(7) An appeal by either party against the decision of a Magistrates' Court on an appeal under this section may be brought to the Crown Court.

(8) 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 to the Magistrates' Court to dispose of in accordance with directions given by the Crown Court.

This Notice remains in force until either a notice of termination is issued or any appeal you lodge is determined.

Signed: [Relevant Person]	Date and time notice served: 1 June 2021 12.37
Name in Capitals: **CRAIG AUSTIN PARSONS**	This notice must be complied with by: 1200 on 4 June 2021 (minimum 48 hours)
Name and Address of Local Authority:	**Caerphilly County Borough Council** **Penallta House** **Tredomen Park** **Ystrad Mynach** **Hengoed** **CF82 7PG**
Telephone: **07394400945**	Email:parsoca@caerphilly.gov.uk

If you are not sure of your rights or the implications of this Notice, you may wish to seek independent legal advice

GIG CYMRU NHS WALES | Iechyd Cyhoeddus Cymru Public Health Wales

DIOGELU CYMRU
KEEP WALES SAFE

Llywodraeth Cymru
Welsh Government

IECHYD Y CYHOEDD

Y CORONAFEIRWS

Gofyniad i leihau'r risg o ddod i gysylltiad â'r coronafeirws mewn mangre:

PUBLIC HEALTH

CORONAVIRUS

Requirement to minimise risk of exposure to coronavirus on premises:

ANGEN GWELLA

IMPROVEMENT NEEDED

Diogelu Cymru gyda'n gilydd

Together we'll keep Wales safe

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