



PREMISES IMPROVEMENT NOTICE

THE HEALTH PROTECTION (CORONAVIRUS RESTRICTIONS) (No.4) (WALES) REGULATIONS 2020

This Notice is served under paragraph 1 of Schedule 3 of above Regulations. Regulation 21(2) imposes certain obligations to minimise the risks to public health arising from exposure to coronavirus.

Business/Premises Name:	Visual Hair Design
Business/Premises Address:	3 John Street, Merthyr Tydfil, CF47 0AB
Name of Person Responsible:	Ali Onuyg
Address of Person Responsible:	3 John Street, Merthyr Tydfil, CF47 0AB
Type of Premises	Hairdresser

I, Amy Cordingley, as a relevant person and enforcement officer designated by Merthyr Tydfil County Borough Council, have reasonable grounds for suspecting that you, as the person responsible, for the regulated premises stated above, have failed to take reasonable measures, which are set out in **Part A** 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.

Part A. Contravention of the requirements imposed by Regulation 21

Regulation 21(2) -You have failed to take the following reasonable measure(s) to ensure (*delete the following as appropriate*)

~~2(a)(i) that a distance of 2 metres is maintained between any persons on the premises (except between two members of the same household, or a carer and the person assisted by the carer)~~

~~2(a)(ii) where persons are required to wait to enter the premises, that a distance of 2 metres is maintained between them (except between two members of the same household, or a carer and the person assisted by the carer)~~

and / or

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

* limiting close face to face interaction * ~~maintaining hygiene~~ * minimising the risk of exposure to coronavirus at the premises * minimising the spread of coronavirus by those who have been at the premises

by failing to

~~2(b)(i) change the layout of premises including the location of furniture and workstations~~

~~2(b)(ii) control the use of entrances, passageways, stairs and lifts~~

~~2(b)(iii) control the use of shared facilities such as toilets and kitchens~~

~~2(b)(iv) otherwise control the use of, or access to, any other part of the premises~~

~~2(b)(v) install barriers or screens~~

2(b)(vi) provide or require use of personal protective equipment

2(c) provide information to those entering or working at the premises about how to minimise the risk of exposure to coronavirus

and / or under **Regulation 21(3)**

~~(a) by ceasing to carry out certain activities~~

~~(b) by failing to close part of the premises~~

~~(d) by failing to collect 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 / or under **Regulation 21(4)**

~~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 21(5)~~

~~(a) ensuring there is a person controlling entry to the premises and allocating a limited time period during which customers may stay in the premises~~

~~(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~~

[if appropriate and necessary specify the exact non-compliance]

Part B. Action required by you

Specifically, you are required to [insert actions below].

Facemasks must be worn in public areas.

Visors must be worn when cutting clients hair.

Signage requesting facemasks are worn in the premises on the door.

This Improvement Notice requires you to take the above 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 with the Notice they will issue you with a written Termination Notice.

PART C. 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 4 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 D. 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 E. 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.

Enforcement Officer Name:	Amy Cordingley		
Signed:	A Cordingley	Served: Date Time	18.12.20 16:25
Enforcement Officer Contact Details:	MTCBC, Civic Centre, Castle Street, Merthyr Tydfil 01685 725000		
You must comply with this notice by:	72 hours		

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



**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**