

JH/AD/2021.05.27/IN001



IMPROVEMENT NOTICE

REFERENCE NUMBER .....

Business/Premises Name:	WISEMANS BRIDGE INN
Business/Premises Address:	WISEMANS BRIDGE SAUNDERSFOOT SA69 9AU
Name of Person Responsible:	MR ROBERT KEMBLE
Type of Business/Premises/Service:	LICENSED PREMISES

I, Officer Name: JACKIE HOWELLS

am of the opinion that you, as the person responsible for the premises stated above, have failed to take the *reasonable measure(s)* which are set out below, for the purposes of minimising the risk of exposure to coronavirus at the premises, or the spread of coronavirus by those who have been at the premises:

Contravention of the requirements imposed by

Regulation 16(1)

On the <sup>1840 HOURS</sup> THURSDAY 27/05/2021 you failed to take the following reasonable measure(s) to ensure **(delete the following as appropriate)**

~~(a) undertake a specific assessment of the risk of exposure to coronavirus at the premises and in doing so consult persons working on the premises or representatives of those persons~~

~~(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)~~

~~(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)~~

• NEED TO CONTROL/DIRECT PATRONS TO REMAIN SEATED + and/or TABLE SERVED.

On the <sup>1840 HOURS</sup> THURSDAY 27/05/2021 you failed to take any other reasonable measures which limit close face-to-face interaction and maintain hygiene such as —

**(delete the following as appropriate)**

~~(b)(i) changing the layout of premises including the location of furniture and workstations\*~~

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

~~(b)(iii) controlling use of shared facilities such as toilets and kitchens\*~~

~~(b)(iv) otherwise controlling the use of, or access to, any other part of the premises\*~~

~~(b)(v) installing barriers or screens\*~~

~~(b)(vi) providing or requiring use of personal protective equipment\*~~

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

• NEED TO CONTROL ENTRANCE + PATRONS UPON ENTRY

• STAFF TO CONTROL PATRONS UPON ENTRY INTO LICENSED PREMISES + DIRECT/GUIDE PATRONS TO TABLES + ENSURE THAT THEY ARE TABLE SERVED

and/or

(c) On the <sup>1840 HRS</sup> THURSDAY 27/05/2021 you failed to provide information to those entering or working at the premises about how to minimise the risk of exposure to coronavirus.

and/or under Regulation 16(2) STAFF MEMBER OBSERVED NOT TO BE WEARING FACE MASK.

THURSDAY AT  
(a) On the 27/05/2021 1840 you had failed to cease to carry out certain activities, namely ~~which are necessary to keep any persons on the premises~~ and / or waiting to enter the premises 2 metres apart (except between two members of the same household, or a carer and the person assisted by the carer)

THURSDAY 27/5/21 AT 1840  
BAR AREA  
(b) On the you had failed to close part(s) of the premises, namely FRONT, which is necessary to keep any persons on the premises and / or waiting to enter the premises 2 metres apart (except between two members of the same household, or a carer and the person assisted by the carer)

(c) On the you failed 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

- (i) has been asked to do so by the Welsh Ministers;
- (ii) has been required to do so by a notification given by a contact tracer;

THURSDAY 27/05/21 AT 1840  
(d) On the you had failed 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 and/or a contact tracer upon their request.

THURSDAY 27/5/2021 AT 1840  
(e) On the you failed to take reasonable measures to ensure that such contact information was correct.

and / or under Regulation 17(1)


Since 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(1):

- (a) having a person controlling entry to the premises; -
- (b) requiring 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 [insert actions]:

- Need to control entrance and patterns upon entry.
- STAFF TO CONTROL PATRONS UPON ENTRY INTO LICENCED PREMISES AND DIRECT / GUIDE PATRONS TO TABLES AND ENSURE THAT THEY ARE TABLE SERVED.
- ENSURE ALL STAFF WEAR FACE MASKS AT ALL TIMES.
- ENSURE TRACK AND TRACE DETAILS ARE COLLECTED FROM ALL PATRONS.

You are required to take the above measures by the following date 27/5/2021 time 1840hrs.

Officer Name:	JACKIE HOLLIS + ALED DAVIES.		
Signature:		Date:	27/05/2021.
Officer Contact Details:	COVID ENFORCEMENT TEAM - PEMBROKE COUNTY COUNCIL.		

**Any person, who, without reasonable excuse, removes, obscures or damages this notice or accompanying sign required to be displayed under paragraph 7(2) of Schedule 8 commits an offence.**

**Failure to comply with this Improvement Notice within the time specified without a reasonable excuse is an offence (Regulation 42 (3), and failure to comply with this Improvement Notice within the time specified without a reasonable excuse may result in the closure of the premises (Schedule 8, paragraph 2)**

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

#### **Termination of premises improvement notice**

**If you consider that you have complied with this Improvement notice and wish to apply for it to be terminated :**

(1) An enforcement officer may issue a notice terminating a premises improvement notice if satisfied that :

- (a) the measures specified in the premises improvement notice have been taken, or
- (b) other measures have been taken to ensure that regulations 16 and / or 17 can be complied with at the premises in question.

(2) A premises improvement notice ceases to have effect at the time notice of the termination is issued. ( Schedule 8 paragraph 4)

#### **Your right of appeal**

(1) A person to whom a premises improvement 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(38), 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 pending the determination of an appeal.

(5) 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.

(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 pay compensation 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.