



Notice

The Health Protection (Coronavirus, Restrictions) (No. 5) (Wales) Regulations 2020 as amended – Regulation 26, Schedule 8, Paragraph 1

Public Health (Control of Disease) Act 1984

Premises Improvement Notice

Part A: Recipient

Name: **Glynneath Town Football Club Limited (Company No. 12998973)**

Jonathon Harris (Director), Dafydd John Davies (Director), Jon Llewellyn (Director) Christopher Foote (Designated Premises Supervisor)

Address: **12a High Street, Glynneath, Neath**

Postcode: **SA11 5BR**

Part B: Relating to

Address of premises subject to this Notice: **Glynneath Town Football Club, 12a High Street, Glynneath, Neath (the "Premises")**

Postcode: **SA11 5BR**

Part C: Basis for Service

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

I, **Neil Chapple**, designated as a relevant person for the purposes of the Regulations by Neath Port Talbot County Borough Council, consider that you are a person(s) responsible for the Premises stated in Part B and that you have not complied with your obligations imposed under regulation 16 and/or 17 of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 as amended, to minimise the risk of exposure to coronavirus at the premises.

Part D: Risk of Exposure

The basis for my decision is that you have not complied with the requirements imposed on you under Regulation 16 and/or 17 of the Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020 as amended, specifically:

1. **Have a person controlling entry to the Premises.**
2. **Require customers to be seated in the Premises in any place 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.**
3. **Take all reasonable measures to minimise the risk of coronavirus at regulated premises, specifically, ensuring that customers do not participate in a gathering which takes place:**
 - i. **Indoors, or outdoors in regulated premises, which consists of more than 6 people unless all the persons participating in the gathering are members of the same household.**

Part E: Action Required This Premises Improvement Notice requires that within 72 hours of service of this Notice

Ensure that :

1. **A person is controlling access to the Premises, at all times the Premises is open to the public.**
2. **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.**
3. **Persons do not participate in a gathering which consists of more than 6 people unless all the persons participating in the gathering are members of the same household.**

Part F: Consequences of Non-compliance Failure to comply with this Premises Improvement Notice, without reasonable excuse, is an offence under Regulation 42, Schedule 8 and punishable by a fine on summary conviction in a Magistrates' Court

Part G: Challenging This Compliance Notice There is a right to appeal against this Premises Improvement Notice to the Magistrates' Court. An appeal can be made:

- By way of complaint for an order, and in accordance with the Magistrates' Courts Act 1980; and
- Within 7 days after the day that this notice is issued.

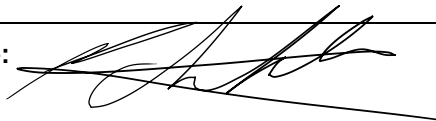
A Magistrates' Court may allow an appeal outside of the time limit stated above where they are satisfied that there is a good reason for the failure to appeal before the expiry of the stated period.

A Magistrates' Court may suspend the effect of this Notice pending the determination of an appeal.

Part H: Publicising This Notice Once served, a copy of this Premises Improvement Notice and a statutory sign will be affixed in a prominent position near every entrance to the Premises (to which the notice applies). A copy will also be published on the Council's website. The Notice and statutory sign must remain in place while the Notice has effect and anyone who, without reasonable excuse, removes, obscures or damages the Notice or sign commits an offence.

Part H: Officer

Signature:



Name: Neil Chapple

Title: Legal Regulatory Manager

Date: 25/05/2021

Contact address:

Legal Regulatory Services, Neath Port Talbot County Borough Council, Port Talbot Civic Centre, SA13 1PJ

Office email: LRS@npt.gov.uk

Office telephone: 01639 763050

Notes**5. Appeals**

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.

Any person who without reasonable excuse, removes, obscures or damages a notice or sign required to be displayed under Schedule 8 of the Health Protection (Coronavirus, Restrictions) (No. 5) (Wales) Regulations 2020 as amended, commits an offence and may be issued with a fixed penalty notice or may be liable to a fine on conviction.

Advice

If you do not understand the contents of this Notice or would like to know more about it, please contact the Local Authority. If you would like to receive independent advice about the contents of this Notice, your rights and obligations, then please contact Citizens Advice, a Housing Aid Centre, Law Centre or solicitor firm.
