

HAMMERSMITH & FULHAM COUNCIL
The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020
(SI. 2020: No.350)

PROHIBITION NOTICE
(Reference No. 2020/04105/LIALIP)

15 May 2020

Part A

To: Callow Ruscoe Limited

At: 152 Wandsworth Bridge Road, London, SW6 2UH

Trading As: Jacks, 152 Wandsworth Bridge Road, London, SW6 2UH

This Prohibition Notice is served under Regulation 8(2) of The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 (the Regulations) and has immediate effect.

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, **Cristina Perez-Trillo**, designated as a relevant person for the purposes of the Regulations by **Hammersmith & Fulham Council**, have reasonable grounds for believing that you are contravening a requirement in the Regulations as set out in Part B below and that it is necessary and proportionate to issue this Prohibition Notice to prevent continued contravention of the requirement.

Part B. Contravention of the restrictions

Regulation 4(1).

A person responsible for carrying out a business which is listed in Part 1 of Schedule 2 of the Regulations must –

(a) during the emergency period—

(i) close any premises, or part of the premises, in which food or drink are sold for consumption on those premises, and

(ii) cease selling food or drink for consumption on its premises; or

(b) if the business sells food or drink for consumption off the premises, cease selling food or drink for consumption on its premises during the emergency period.

Part C. Action required

This Prohibition Notice requires that you **immediately cease** the activities giving rise to contravention of the Regulations.

The activities must not resume before the end of the emergency period¹.

The measures specified below must be taken to prevent continued contravention of the Regulations:

To cease immediately selling food or drink for consumption on the premises during the emergency period.

Part D. Consequences of non-compliance

Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence punishable by a fine on summary conviction in a Magistrates Court.

Part E. Challenging this Prohibition Notice

There is no statutory right to appeal against this Prohibition Notice.

If you consider that the Notice should not have been issued or that the actions required of you are unreasonable or unjust, you can make representations to **Hammersmith & Fulham Council** in writing outlining your reasons for challenging the Notice, within **7 days** of the date on this Notice.

Your challenge will be processed in accordance with **Hammersmith & Fulham Council's** Complaint Procedure which can be seen on the Council website:

<https://www.lbhf.gov.uk/councillors-and-democracy/complaints>

Contact: handfintouch@lbhf.gov.uk and Hashith.Shah@lbhf.gov.uk

Alternatively, you may challenge this Notice by way of Judicial Review. Should you wish to pursue this option, you may wish to consult a lawyer to obtain independent legal advice.

This Notice remains in force even if you have raised a challenge.

Should the local authority's review of your challenge determine that the Notice should be revoked, you will be notified in writing that the Notice has been revoked.

Signed:



Date: 15 May 2020

Name: **CRISTINA PEREZ-TRILLO, LICENSING COMPLIANCE AND ENFORCEMENT OFFICER**

Telephone: **020 8753 5465**

Email: Cristina.Perez-Trillo@lbhf.gov.uk

¹The Secretary of State will publish a direction terminating the emergency period as soon as they consider the restrictions or requirements set out in the Regulations are no longer necessary

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

A copy of this Prohibition Notice (Reference No. 2020/04105/LIALIP) has been sent to:

1. Company Director: Mr Vincenzo Defeo, K [REDACTED] 160 City Road, London, England, EC1V 2NX, by email vincenzo@jacks.london

2. Designated Premises Supervisor: Mark Ward, 4 [REDACTED] [REDACTED]