



FPN Worksheet No: WK/000480875

The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 (SI. 2020 No. 1374)

PROHIBITION NOTICE

10th December 2020

Part A

To: Mr Ali Sukran OZBEK

At: 365 – 369 Green Lanes, London, N4 1DY

Trading as: Rakkas

This Prohibition Notice is served under regulation 9(2) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (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, **Jack Dowler**, designated as a relevant person for the purposes of the Regulations by **Haringey 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 you from continuing to contravene that requirement.

Part B. Contravention of the restrictions

In relation to a breach of a Tier 2 restriction imposed by regulation 8 and Part 2 of Schedule 2, paragraph 8(1) (requirement to cease to carry on a restricted business, or provide a restricted service – subject to the exemptions in paragraph 10, this applies to restricted businesses and restricted services specified in paragraph 9(1), or being carried on from premises specified in paragraph 9(1)).

Mr Ali Sukran OZBEK on the 5th December 2020, provided the service of a waterpipe to be used for the consumption of tobacco or any other substance on the premises, other than as permitted by the exceptions listed, and being in contravention of regulation 8 and Part 2 of Schedule 2, paragraph 8(1) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

Part C. Action required

This Prohibition Notice requires that you immediately cease the activities identified in Part B giving rise to contravention of the Regulations. The measures specified below must be taken to prevent continued contravention of the Regulations:

On the Afternoon of Saturday 5th November at 13:15, Regulatory Officers of Haringey Council *witnessed customers on the premises of Rakkas using a waterpipe for the consumption of tobacco or any other substance in contravention of Regulation 8 and Part 2 of Schedule 2, paragraph 8(1).*

Part D. Consequences of non-compliance with this Notice, and with the Regulations

Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under regulation 10 of the Regulations, punishable by a fine on summary conviction in a Magistrates' Court.

In the event of continued contravention of the prohibition notice, or of any requirements under regulation 10 of the Regulations (Offences and penalties), a fixed penalty notice may be issued in accordance with regulation 11 and 12 of the Regulations, or you may be prosecuted under regulations 10 and 13 of the Regulations.

Part E. Challenging this Prohibition Notice

If you consider that the Notice should not have been issued, you can make representations to **Haringey Council** in writing outlining your reasons for challenging the Notice, within **10 working days** of the date on this Notice.

Your challenge will be processed in accordance with Haringey Council's Corporate Complaints Procedure, which can be found by accessing this link:

<https://www.haringey.gov.uk/contact/council-feedback/complaints-procedures>

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 not have been issued, you will be notified in writing.

Signed:



Date:

10/12/20

Name in Capitals: JACK DOWLER

**Haringey Council, Commercial Environmental Health and Trading Standards, 1st Floor
North River Park House, 225 High Road, London, N22 8HQ**

Telephone: 020 8489 1000

Email: COVID19CONCERNS@HARINGEY.GOV.UK

Should you have any questions regarding this notice, please contact us. **Given the current restrictions, it would be advisable to contact us via email to ensure a timely response.**

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