



Basingstoke and Deane's Regulatory Services Team wishes to offer some practical advice around the operation of licensed premises following the release of the Government's '[COVID-19 Response - Spring 2021](#)', which sets out the roadmap out of the current lockdown for England.

On 10th May the Prime Minister confirmed that the data now supports moving to step 3 in England from next Monday 17th May. This means that the majority of the indoor and remaining outdoor hospitality industry can reopen, and gathering limits will increase both indoors and outdoors.

The Government has updated the [guidance on reopening businesses and venues in England](#) to help understand the [Regulations](#) in relation to Step 3. There is no substitute for reading the regulations and guidance in full but in the meantime, we have provided further information on these requirements to help you. You are reminded that until 17 May, Step 2 restrictions still apply.

Step 3 – no earlier than 17 May

Following the move to Step 3, further settings will be permitted to open. Clarification on who can and who cannot open can be found [here](#). Unless a specific exemption exists, venues must only be attended/used in line with the wider social contact limits at this stage - in a group of no more than 6 people or 2 households indoors; or in a group of no more than 30 people outdoors.

Indoor areas of hospitality venues (cafes, restaurants, bars, pubs, social clubs, including in members' clubs) can reopen. As outdoors, table service will be required. Unless seated to eat or drink, customers will be required to wear face coverings whilst indoors.

Reopening

Before opening, you must ensure that you can comply with COVID-Secure guidance including taking reasonable steps to limit the risk of transmission and completing a COVID risk assessment. Even if you have already been open with an outside area, you must review your risk assessment before re-opening your indoor areas to the public. Please refer to the [guidance for working safely during coronavirus in restaurants, pubs, bars, cafes and takeaway services](#).

- Employers also providing accommodation services should refer to the [guidance for people who work in or run hotels and other guest accommodation](#).
- Employers also providing entertainment should refer to the [guidance for people who work in performing arts, including arts organisations, venue operators and participants](#).

- The Food Standards Agency have also published specific advice for [reopening and adapting your food business during COVID-19](#), which looks at food safety issues and cleaning after a long period of closure./

Key changes for hospitality venues at Step 3

- serving customers indoors
- updated social contact rules (gatherings of up to 30 people are permitted outdoors; gatherings of up to 6 people or 2 households of any size are permitted indoors)
- relaxation of rules around live performances, business events and soft play areas

Meeting other people

At Step 3, no earlier than 17 May, you will be able to serve customers in groups of **6 people or 2 households of any size indoors, or in groups of up to 30 people outdoors.**

New guidance on [meeting friends and family](#) will emphasise personal responsibility rather than government rules. Instead of instructing the public to stay 2m apart from anyone they don't live with, they will be encouraged to exercise caution and consider the guidance on risks associated with COVID-19 and actions they can take to help keep themselves and their loved ones safe. Remember that the risks of close contact may be greater for some people than others and in some settings and circumstances, there will be specific guidance that must be followed even when friends and family are together. As a hospitality venue you must continue to configure your venue so that social distancing can be observed. More on this below.

Consumption of alcohol on the premises / seating / table service

All food and drink sales, from a premises which are licensed for the supply of alcohol for consumption 'on' the premises, are restricted in Step 3. Food and drink, including alcohol, must only be ordered by, and sold to, customers inside or outside **who are seated**. The Premises Licence Holder must take all reasonable steps to ensure that customers remain seated whilst consuming food or drink.

For the purposes of these regulations 'the premises' includes all outdoor seating areas adjacent to the premises and any area which customers habitually use for consumption of food or drink purchased from the premises. Sale and consumption of food or drink in these areas are subject to the restrictions above.

Sales of food or drink, including alcohol, for consumption 'off' the premises are permitted in a Step 3 area. All reasonable steps must be taken to prevent off sale purchases from being consumed in areas adjacent to the premises where seating is provided or which is habitually used by customers for consumption.

Alcohol can be served inside or outside without food, but table service is required for both.

Test and Trace requirements

As before, Test and Trace details must be taken for all customers eating and drinking seated at the premises. Customers for takeaway only are exempt.

As with Step 2, all customers must now check in via the NHS app or provide their details by other means. Guidance from the Government states that “one person can no longer be nominated as a party lead and to give their contact details on behalf of the rest of the group. A party of four, for example, can either all check in with the NHS app via the QR code or any of them who do not would be required to give their details to the venue. This is for people aged 16 and over.”

You must:

1. Display the official NHS QR code poster. [Official NHS QR posters can be generated online.](#)
2. Ask every customer or visitor aged 16 and over to check in to your venue or provide their contact details. This can be done quickly and easily using the NHS COVID-19 app to scan in the NHS QR code poster.
3. Have a system in place to ensure that you can collect information from your customers and visitors who do not have a smartphone or do not want to use the NHS COVID-19 app. You must keep this data for 21 days and provide it to NHS Test and Trace if they ask for it. [Check what data you need to collect and how it should be managed.](#)

Businesses should take steps to satisfy themselves that customers have provided contact details, such as asking customers if they have checked-in. Check-in/collection of contact details doesn't have to happen at the front door before entry, but does have to happen before an order is taken.

Businesses should satisfy themselves that individuals who are checking in using the official NHS QR code have done so – you may do this by asking the individual if they have scanned the code or ask to view the person's screen to show the venue check-in screen if you still have reason to believe they haven't done so.

Additional matters to consider:

Seating and tables

These should be reconfigured to maintain social distancing guidelines (2m, or 1m+ with risk mitigation, such as barriers, where 2m is not viable) between groups of customers. Government have confirmed that social distancing between tables remains the focus and this is reflected in the workplace guidance.

- Any reduction in the two metre 'social distancing' separation between customers will require additional steps, or mitigation. Where screens are used between customers from different groups or households, separation can be reduced to 1

metre **only** if the screen is substantial, providing good separation lengthways and above head height.

- Where back-to-back seating is the **only mitigation**, we would expect separation to be at least **1 metre between tables**.
- Side by side seating is not considered to offer any substantial mitigation and therefore separation should remain at **2 metres**.

Businesses are expected to take a sensible approach to social distancing between different households within the same group.

Managing queues

Managing customers as they queue to enter, to leave or use the toilet must be considered and controlled. Floor markings, one-way systems and good signage must be in place and staff must be briefed in advance.

Customer and staff face coverings

Face covering regulations make it a legal requirement to wear a covering in hospitality venues for both customers and front of house staff. A covering should be worn when moving around venues, including while being taken to be seated and going to the toilet. Face coverings should follow the [Government guidance](#). You must remind customers to wear a face covering whilst moving around the venue.

Customers can remove their face covering once seated to consume food and/or drink.

If businesses have taken steps to create a physical barrier or screen between workers and members of the public, then staff behind the barrier or screen will not be required to wear a face covering.

The legal requirement is for a face covering. People can then choose to wear a visor on top of that but a visor on its own cannot replace a face covering which securely covers the nose and mouth.

Face coverings only apply to indoor areas of the premises. Practically of course, for example if staff have picked up a tray of drinks/food inside (where a covering is required) to deliver to an outdoor table (where a covering is not required) they will likely keep the covering on. Whilst not mandatory to wear face coverings in outside areas, customers and staff may still choose to wear face coverings, and the business may also ask its customers and/or staff to do so.

Carveries and buffets

For carvery and buffet options and where alcohol is served, table service is required. If a venue is not serving alcohol, customers can order and collect food from a counter or similar.

As in the previous tier system, the regulations allow for carvery service whereby the customer orders a carvery meal option whilst seated. They can select elements of their carvery options from the carvery deck whilst wearing a face covering and remaining

socially distanced in the queue. The meal can then be plated by staff. The customer then returns to their seat, and is served their meal by staff to their table.

Gaming machines and pool/snooker

These can operate if customers are wearing face coverings and are subject to social distancing, and risk assessed mitigations such as cleaning regimes and avoiding pinch points are in place. Players must be seated if they are consuming food and/or drinks.

Weddings, funerals and life events

At Step 3, weddings, receptions, and commemorative events including wakes can proceed with up to 30 attendees. A broader range of stand-alone life events will also be permitted at this step, including bar mitzvahs and christenings. The Government has announced that the limit on the number of attendees for funerals in Step 3 will be removed. The only restriction on numbers will be based on the capacity of the venue hosting the funeral.

Government guidance for wedding ceremonies and receptions can be found here: [COVID-19: Guidance for small marriages and civil partnerships](#) and [COVID-19: Guidance for wedding and civil partnership receptions and celebrations](#)

Further information on wakes [COVID-19: guidance for arranging or attending a funeral during the coronavirus pandemic](#)

These pieces of guidance are expected to be updated by Government shortly to reflect Step 3.

Covid outbreaks in the workplace

Make sure your risk assessment includes an up-to-date plan in case there is a COVID-19 outbreak. This plan should nominate a single point of contact (SPOC) where possible. The SPOC should lead on contacting local Public Health teams.

Contact your local PHE health protection team if you've had an outbreak and need further guidance at hiow@phe.gov.uk / 0344 225 3861

If the local PHE health protection team declares an outbreak, you will be asked to:

- record details of staff with symptoms of COVID-19
- assist with identifying contacts

You should therefore ensure all employment records are up to date. You will be provided with information about the outbreak management process. This will help you to:

- implement control measures
- assist with communications to staff
- reinforce prevention messages

Tables and chairs on the highway

Some premises already have the benefit of a Tables and Chairs Permit, or recently introduced Pavement Licence, to place furniture on the highway. Please familiarise yourself with the conditions and plan layout before re-opening. Also ensure that you have appropriate drinking containers for use in these areas, such as plastic and polycarbonate.

The new Pavement Licence process was introduced by the Government to support businesses such as cafes, restaurants and bars to operate safely whilst social distancing, and provide much needed income for the hospitality industry. The application procedure includes an expedited 7 day consultation period, 7 days determination period, and a £100 application fee.

Full details of the application process can be found on our website [Here](#).

Controlling noise and preventing a nuisance

Please give some thought and consideration as to how you will manage noise to minimise disturbance to nearby neighbours.

This may include:

- Considering the best location for your customers to avoid disturbance/ limiting the number in a particular location (not just for COVID-19 Secure purposes)
- Managing the outdoor area. Provide signs politely requesting people to be considerate. Reminding patrons to be quieter when they become over exuberant, and if patrons continue to be extra noisy, ask them politely to leave.
- Monitoring noise levels from the boundary of the nearest residential property especially late at night (after 23:00) to check that noise levels are reasonable;
- Speaking to or write to nearby residents providing a telephone number that they can contact you on if they are disturbed (so you can quickly resolve their issue);
- Emptying bottle bins into the main external waste bin the following day rather than at the end of the shift;
- Limiting the hours of opening / activities outside.

Make sure all of your staff know your rules about noise management and are actively enforcing them.

Entertainment within or outside restaurants, pubs and bars

At Step 3, no earlier than 17 May, more types of socially distanced indoor and outdoor events are allowed. Some types of events, including live performance events and business events, should have a cap on attendance of:

- 1,000 people or 50% of a venue's capacity, whichever is lower - indoors
- 4,000 people or 50% of a venue's capacity, whichever is lower - outdoors

These events should be ticketed. Read the [organised events](#) guidance for more information on the types of event subject to these requirements.

If businesses are organising a performance event, they also should read the [performing arts guidance](#). If they're organising a business event, they should also read the [visitor economy guidance](#).

Any events should be held in a separate room from regular food and drink customers to prevent mixing with event attendees.

Businesses can continue to provide other types of entertainment to food and drink customers. The following guidance should be followed:

- Determine the viability of entertainment and maximum audience numbers. Make this consistent with social distancing outside and within venues, and with other safety considerations.
- Prevent entertainment that is likely to encourage audience behaviours with increased transmission risk. For example, loud background music, communal dancing, group singing or chanting.
- Reconfigure your entertainment spaces to ensure customers are seated rather than standing. For example, repurposing dance floors for customer seating.
- Communicate clearly to customers your arrangements for entertainment. Clearly supervise them with extra staff if appropriate.

If you are considering providing entertainment (live music, comedy act etc) at your premises, please do contact the Licensing Team so that we can advise on how this can go ahead safely and legally: licensing@basingstoke.gov.uk

Temporary Event Notices (TENs)

Many hospitality businesses will submit Temporary Event Notices (TENs) to the licensing authority to authorise additional licensable activities or extend the hours on their Premises Licence.

TENs must be submitted no less than 10 working days in advance of an event (not including the date that the licensing authority receive the TEN, or the first day of the event). Late TENs must be submitted no less than 5 working days in advance of an event.

We strongly advise that you submit any TENs as soon as possible. We are also currently advising premises users to submit a coronavirus risk assessment with their TENs to demonstrate an understanding of the risks during the coronavirus pandemic.

Temporary Event Notices can be submitted on our [website](#).

Legionnaires' disease: lockdown risk and reopening safely

When buildings reopen after lockdown, it is essential that water systems are not put back into use without considering the risks of Legionnaires' disease.

There is an increased risk of waterborne pathogens such as Legionella bacteria being present as a consequence of the conditions that lockdown may have created.

As a result of the **coronavirus (COVID-19)** pandemic, there is the potential for an increased number of people to be susceptible to Legionnaires' disease due to a compromised respiratory system during or after infection with COVID-19.

The Chartered Institute of Environmental Health has produced useful guidance to help you take reasonable steps to ensure the safety of your water system prior to reopening, which can be found [here](#).

Business Reopening Checklist

If you are planning to reopen your premises, you must give careful consideration to that matters included in this checklist to ensure that your premises are compliant and safe for both staff and customers.

Premises Licences



Do you have a copy of your Premises Licence, and is your Premises Licence Summary displayed in a prominent location at the premises?

If you require a new copy of your premises licence, please email licensing@basingstoke.gov.uk



Have you checked whether the conditions on your premises licence remain appropriate for the way you're operating?

You must comply with ALL conditions. If you need to change the conditions on your licence, please visit our website.



Are your CCTV cameras working and fully functional?

Remember to check any licence conditions specific to CCTV at your premises to ensure that they can be complied with.



Can you fulfil your licence conditions with regards to provision of SIA licensed door supervisors?

Have a discussion with your door supervision provider prior to re-opening.



Are your designated premises supervisor (DPS) details still correct?

You can't lawfully sell alcohol without a DPS. You can apply to specify a new designated premises supervisor on our website.



Are your premises licence holder details still correct?

Is the same individual/company running the premises? Has their address changed? You can apply to transfer the premises licence on our website.



Has the annual fee for the premises licence been paid?

Non-payment of the annual fee will result in the premises licence being suspended. Please contact the Licensing Department if you are unsure whether payment has been made.



Do you have enough Personal Licence Holders to authorise the sale of alcohol at the premises?

Some of your staff may have left the business during the periods of closure. You can apply for a new personal licence on our website.



Is your Pubwatch radio working?

COVID-19 Safety



Review your COVID-19 Secure risk assessment to ensure that it continues to be relevant and fit for purpose

Refer to Government Guidance and utilise the HSE risk assessment template if you don't have a risk assessment already.



Review your procedures

Ensure to review your operational procedures in relation to social distancing, safe use of toilet facilities, wearing of face coverings and table service.



Communicate with your customers

Consider giving your customers advance notice of operational and safety issues such as wearing of face coverings, hand washing, how to make reservations and table/booking sizes.



NHS Test and Trace QR code

Ensure that you have an NHS QR code displayed at your premises, or another system in place to collect data for the purposes of NHS Test and Trace.



Staff testing

Consider introducing COVID-19 testing for your staff and ensure that you have procedures in place in the event of a positive test. Free rapid tests are not available for all businesses; register via GOV.UK.

Health and Safety



Kitchens and food preparation

Please refer to the Food Standards Agency's [Reopening checklist for food businesses during COVID-19](#).



Water system management and Legionella

The Chartered Institute for Environmental Health has produced useful guidance on ensuring the safety of your water system prior to reopening, which can be found [here](#).



Fire safety systems

Ensure that you complete checks of your fire extinguishers, emergency lighting, alarm and detection system and all fire exits prior to re-opening. Check your fire risk assessment also; is it due for a review?



Evidence of pests

Check your premises for evidence of pests, and contact a pest control specialist where necessary.



Ventilation

Good ventilation (including air conditioning) can help to reduce the risk of spreading coronavirus. See the [HSE website](#) for guidance. Remember not to wedge open any fire doors, as this could present a fire safety issue.



Review and refresh your staff training

Assess your staff training requirements prior to reopening to ensure that your staff are suitably trained on food hygiene, alcohol sales, COVID-19 secure measures and other safety considerations.



The impact of trading outdoors

As customers can only sit outdoors to consume food and drink, you must consider the additional noise that this will create and the impact on nearby residents. Create a noise management plan where appropriate.



Outdoor furniture

If you're putting furniture on the pavement or the road for customers to use, you need to ensure that you have the necessary licence/permit in place. Visit our website for information on how to obtain permission.

Questions and help

If you have any queries regarding the safe and lawful operation of your business during under the current COVID-19 restrictions, please contact the Regulatory Services Team in one of the following ways:

Environmental Health 01256 844844
including advice on food
safety, health and safety
in the workplace and
advice on noise
mitigation

eh@basingstoke.gov.uk

Licensing 01256 844844

licensing@basingstoke.gov.uk

Government Guidance and Legislation

[Reopening businesses and venues in England](#); this guidance details the steps to reopen certain businesses and venues in England

[Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021](#)

[How to make your workplace COVID-secure](#)

[Get a COVID testing kit from a local pharmacy](#)

Self-isolation

- [Self-isolating: check if you can get a £500 Test and Trace Support Payment](#)
- [Self-isolating: stay at home if you think you have coronavirus](#)
- [NHS test and trace: what to do if you are contacted](#)

Hospitality Fact Sheet

Venue Check In Regulations



1 Display an NHS QR Code poster and have a logbook for contact details

You are required by law to ask people to check in to your venue. You must also keep a record of times your staff are at the venue, and their contact details. This will allow individuals to receive public health advice quickly, helping to stop the spread of the virus.



2 Make sure your NHS QR code poster is visible and obvious

The poster should be displayed in a clear, visible and accessible location near the entrance for all visitors and staff to see easily.



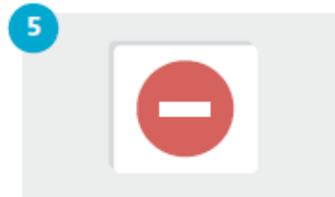
3 You must ask all visitors and customers to 'check in' to your venue

Individuals can scan the NHS QR poster with their NHS COVID-19 app (a quick and easy way to check in anonymously) or provide their name and number.



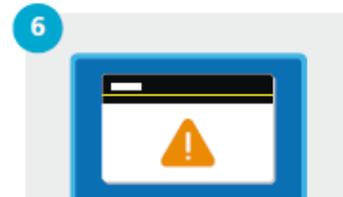
4 Rules for individuals visiting your premises

You are required to make sure that **all** individuals check in. If there is a group of people, every individual must scan the NHS QR code poster or leave their name and number. Children under the age of 16 are not included.



5 Legal duty and refusal of entry

You are required to take all reasonable steps to deny entry to any person that refuses to check in.



6 Venues will face financial penalties if ignored

Failure to take these steps could result in a £1000 penalty. Checking in to venues is essential to support NHS Test and Trace and reduce the transmission of coronavirus.

To download the NHS COVID-19 app, search for "NHS COVID-19" in the App Store or Google Play Store on your phone



For more information visit covid19.nhs.uk

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