

Reopening Your Premises

Frequently Asked Questions



From 4th July, the Coronavirus regulations will be amended to allow pubs, bars and restaurants to reopen. This includes licensed clubs. The Government has issued [very comprehensive guidance](#) about how business should operate from 4th July.

The guidelines provided are quite straightforward but have created a lot of discussion about what you can and can't do. There are measures required for maintaining hygiene and reducing contact; for example apps, contactless payments, table service, provision of hand sanitizers and reducing capacity and queues. The guidance covers safe working and operating practices; working from home; travelling to and from work; tips for social distancing within the premises, particularly toilets and high volume areas, etc. This FAQ seeks to provide quick points based on the numerous phone calls we have received over the last week. It is not a replacement for the government guidance.

Risk assessments

All businesses should undertake a risk assessment to ensure they are operating as a COVID-Secure business. This is to protect both staff and customers from infection, or the potential spread of infection from asymptomatic people. GOV.UK [has a webpage](#) that will help you to write your risk assessment:

The risk assessment is key to understanding how you can reopen safely while protecting yourself, your staff and your customers from coronavirus. It should be written, and then shared with your staff. It should be a fluid document you can amend, initially after each shift, so that you can reflect and adjust your working practices and update the risk assessment to suit. For example you might find that your customers ignore markings on the floor, but will follow signage instead, or rearranging furniture may be more helpful. Make sure your staff know what the risk assessment says and where a copy of it is kept. You may be asked for it by a police officer or council enforcement officer.

Part of your risk assessment should detail how you will manage the entry of customers, and the number of customers at a venue, so that all indoor customers are seated with appropriate distancing, and those outdoors have appropriately spaced seating or standing room. This is to ensure that the venue, including areas of congestion does not become overcrowded. Managing entry numbers can be done through reservation systems, social distancing markings, having customers queue at a safe distance for toilets or bringing payment machines to customers.

Capacities and Groups

There is no specific maximum capacity you are allowed. Instead your capacity should be based on the number of people you can host whilst maintaining the measures set out in the guidance and will vary based on the profiles of each group in your premises.

The law is a little confusing on how many people can gather in a group. You should **not** allow people to:

- Gather indoors in groups of more than two households (a support bubble counts as one household) - this includes when dining out or going to the pub.
- Gather outdoors in a group of more than six people from different households; gatherings larger than 6 should only take place if everyone is from just two households.
- Interact socially with anyone outside the group they are attending a place with, even if they see other people they know.
- Parties and celebrations where attendees are not from two households should be avoided.

It may be easiest to control this through your table booking system and by giving advice on arrival. Customers inside should remain seated and be encouraged not to move about. You should offer table service, preferably ordering through an app to avoid as much contact with staff as possible. Don't let people move furniture around and don't let separate groups of people mingle, even if they know each other.

If you have put in place table bookings, please tell your customers so they don't just turn up, on spec. Use your social media accounts and signage on the premises. If you are limiting the time people can book a table for, make this clear to them. Customers won't be able to go anywhere else easily, so be prepared for them wanting to stay beyond their allotted time slot.

Social distancing is the key message in all instances with the exception of people from within the same household. Please note that there is a distinct difference between a household and family, who collectively will be from more than 2 households.

Test and Trace

Businesses are advised to retain information about their customers for 21 days should NHS Test and Trace need it. You only need to record the name and phone number of one of the party. Some premises are collating this information from their table booking system. Others have set up a phone number the main organiser can text with their name which will record when they visited the premises.

A number of businesses have asked us about if they can do this in light of the general data protection regulation (GDPR). The answer is yes you can but you must make sure you keep the data confidential and secure, not use the information for any purpose other than assisting NHS Test and Trace and not share it with anyone other than those people authorised by the government to collect the information for the purposes of preventing the spread of coronavirus. The [Information Commissioner's website](#) has more information.

Social Distancing – 2m or 1m

In his announcement, the Prime Minister stated that in some cases social distancing had been relaxed to 1 metre with mitigation. To be clear, the 2 metre social distancing rules still apply. However it is recognised that in some scenarios this is not viable, and so you can reduce social distancing to 1 metre providing other mitigating measures are used such as face masks, hand sanitising, back to back or side by side rather than face to face working. There still must be social distancing between people in different households and staff and customers and where ever possible this must be 2 metres.

Staff

It is really important to protect your staff from coronavirus. The best protection for your staff is regular hand washing and to maintain a 2m distance from other staff and customers where possible, and 1m with mitigation where it isn't. Staff should travel separately and to not car share, avoid public transport and have a change of clothes for the workplace. It is recommended that regular shifts are organised so people are working with the smallest number of different people as possible.

Make sure your staff are aware of the measures you've set out in your risk assessment, including the wearing of PPE. Have a staff debrief at the end of the night – what went well, what went wrong, how do we need to change it?

You are required by law to report if a member of staff tests positive for COVID-19. This is vital so Environmental Health can start contact tracing. You may need to ask all your staff to self-isolate if one becomes infected so reiterate the advice to stay at home if they feel unwell, have a temperature or cough.

You can report if a member of staff has tested positive for COVID-19 by [submitting a form](#) on the Health and Safety Executive's website.

Queues

It is your responsibility to manage the queues that form outside your premises and to ensure that customers are maintaining social distancing. This is 2m, or 1m with mitigation where this is not viable. City Centre Management is providing marshals for the first few weekends to help but it's your responsibility to control and manage the queues for your premises.

Door staff

You should risk assess how many door staff you think you will need for inside your premises, to manage outdoor areas, any queue that may form and prevent entry to people who have not booked or when the premises have reached full capacity. It may be the number you assess to be sufficient is less than your licence condition due to your capacity being greatly reduced.

Entertainment

At present venues should not permit live performances, including drama, comedy and music to take place in front of a live audience. This includes entertainment such as acoustic music, lap dancing etc.

All venues are required to take steps to avoid people needing to unduly raise their voices to each other which includes, but is not limited to, refraining from playing music or broadcasts that may encourage shouting, including if played at a volume that makes normal conversation difficult, loud background music, communal dancing, group singing or chanting.

You should very carefully risk assess the showing of football matches, or other live sport. It will be hard to control your customers and to stop them from shouting, cheering and celebrating.

It may not be possible for you to provide your usual facilities such as snooker, pool or darts due to the requirement that all customers should remain seated and the communal nature of the activity, the need to sanitise between uses etc. At the time of writing the Government strongly recommends that indoor sports not be provided and snooker halls must remain closed.

Off sales

There is a new law, due to be enacted late July, which will allow any premises with on sales only to add off sales to their licence until September 2021. Alongside this will be a streamlined process for placing table and chairs on the pavement outside your premises (pavement licence). Further information relating to pavement licences can be obtained through [City Centre Management](#) or [on our website](#).

If you already have on and off sales on your licence, you may need to check your conditions to ensure that you don't have restrictions on which make it difficult to work to your new model of operation. Contact Entertainment Licensing for advice on variations.

It is important that you continue to operate responsibly. Be mindful of the four licensing objectives, ensure you handle littering, antisocial behaviour and nuisance. When serving alcohol for consumption off the premises we ask that you use non-glass containers, and encourage the use of recyclable containers. Check if you are in a [PSPO area](#), and if so you will need to apply for a pavement licence to allow people to drink outside your premises.

Finally

Keep your standards high, even if it looks like COVID-19 is going away. Please ensure that cleaning regimes and social distancing measures are strictly enforced. Any local outbreak could result in further closure of businesses.

Be a good neighbour. Even though the Government is encouraging the café society, this does not mean that the public nuisance objective has gone away. If anything people have become used to licensed premises being closed and their streets being quiet and so sensitivity will be heightened once customers start to return to licensed premises, and particularly if making more use of outdoor areas.

These are guidelines and not the law, however please remember that if you do not operate safely, you can be prosecuted under the Health and Safety at Work Act. You are also putting your premises licence at risk of review.

Useful links and contacts:

- [General advice on the easing of restrictions from 4th July from GOV.UK.](#)
- [The Government has issued very comprehensive guidance about how business should operate from 4th July.](#)
- [GOV.UK has a webpage that will help you to write your risk assessment.](#)
- [UK Hospitality have provided guidance for pubs and bars.](#)
- We have [issued a survey](#) asking for information from businesses about reopening. It is not mandatory but it does help us to ensure we have enough resources in place to support you.
- [The Health and Safety Executive has produced further information and guidance on Covid-19 risk assessments.](#)
- [You can report if a member of staff has tested positive for COVID-19 by submitting a form on the Health and Safety Executive's website.](#)
- [We have collated the latest information relating to COVID-19 and businesses in Leeds.](#)
- If your premises is in a [PSPO area](#), allowing people to drink in public spaces near your premises may be problematic.

Further assistance may be obtained from:

- Street Cafes and Pavement Licences: city.centre.managem@leeds.gov.uk
- Alcohol Licensing: entertainment.licensing@leeds.gov.uk
- Environmental Health (incl social distancing): epteam@leeds.gov.uk
- Noise Nuisance Referrals: Out of Hours Noise Nuisance Hotline: 0113 376 0337
<https://my.leeds.gov.uk/Pages/Form%20Pages/ReportNoisePollution.aspx>

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This document should be used as a guidance tool. Only the courts can give an authoritative opinion on statute law. Every effort has been made to ensure this document is both comprehensive and accurate but in an attempt to simplify the law omissions have been made. Please refer to the Licensing Act 2003 and associated regulations for full details of the law. You should seek your own legal advice on the matters raised in this guidance note.