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Hospitality and COVID-19

Frequently Asked Questions: 18 December 2020

Bristol will move into tier 2 at 00:01 on Saturday 19 December

Please note this is a 'live' document and we will update as needed. Please email business@bristol.gov.uk with additional questions you have on the latest restrictions.

Please ensure your COVID risk assessments are up-to-date and [social distancing is maintained](#).

TIER 2 Related Questions:

1. [Can I serve alcohol?](#)
2. [What is meant by a substantial meal?](#)
3. [What is the opinion on lunchtime 'main meal' against an evening 'main meal'? Most people would have a lighter meal at lunchtime than the evening. Would a sandwich plus side count during the day time?](#)
4. [Can customers bring in a takeaway order from somewhere else and then order an alcoholic drink in my premises to consume with their food?](#)
5. [Can customers drink alcohol before and after a meal?](#)
6. [What are the rules on Test and Trace?](#)
7. [If I'm a wet-led venue, can I start serving main meals so that I can continue to operate?](#)
8. [For those wet-led bars who do arrange a partnership with takeaways/caterers - what proof will be required that a meal has been ordered, if any?](#)
9. [Can I offer a takeaway service in Tier 2?](#)
10. [We are struggling with customers being less than honest about their intentions. For example there are customers claiming to have business meetings yet we are unable to check their integrity and confirm that meeting is legitimately business. How do we deal with this?](#)
11. [To what degree are we supposed to check that groups are all from the same household or support bubble?](#)
12. [Can I take bookings for more than a group of 6?](#)
13. [As a venue \(theatre\) can we serve alcohol to patrons in Tier 2?](#)
14. [Can we serve alcohol from the bar in performance venues \(cinemas, theatres, concert halls and sports stadia\)?](#)
15. [Can we serve drinks, before, after and during the performance?](#)
16. [What classifies as a grassroots music venue?](#)
17. [Can I sell performance tickets as a group of up to 6 people?](#)
18. [Are hotels exempt from selling alcohol without a main meal?](#)
19. [Can bookings be taken from customers who live outside Bristol?](#)
20. [Should I give advice on travel arrangements to my business?](#)
21. [What time is last orders?](#)
22. [Are there any restrictions on how long employees can stay on the premises following closing?](#)
23. [What is the difference between outdoor and indoor arrangements in Tier 2?](#)
24. [Structures outside: are they classified as indoors or outdoors?](#)
25. [Why are indoor and outdoor arrangements so important?](#)



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1: Can I serve alcohol?

Alcohol can only be served **with a main meal via table service**. If you only serve soft drinks (hot or cold) these can be served with or without food and can be ordered from a counter as a takeaway or for sit down.

2: What is meant by a substantial meal?

Much confusion has been caused by the term substantial meal. We interpret the regulations to mean that the primary purpose for visiting the venue is to enjoy a meal with the consumption of alcohol as the secondary activity. A snack item, such as a sausage roll or Scotch egg, would not be considered substantial unless it was served plated with additional items such as vegetables, salad or potatoes. In these circumstances, the term 'main' meal is more appropriate.

3: What is the opinion on lunchtime 'main meal' against an evening 'main meal'? Most people would have a lighter meal at lunchtime than the evening. Would a sandwich plus side count during the day time?

If your menu offering varies (including quantities of food) between breakfast, lunch time and evening, that is perfectly acceptable. For example, a full breakfast would be considered a main meal where as a croissant would not. For lunch, a full sandwich type meal served on a plate with salad would be considered a main meal, a side of chips would not. Again, you must use common sense and judgement and apply the intent of the regulations that the main purpose of the visit is food not alcohol related.

4: Can customers bring in a takeaway order from somewhere else and then order an alcoholic drink in my premises to consume with their food?

No. The purchase of alcohol must occur with the purchase of food within the same premises. However, there is no reason why you cannot set up a catering arrangement with a sister pub/venue to provide the food to you, so that you can fulfil the 'table meal.' However the order of food and alcohol must both happen through your premises (not via a different app for example).

5: Can customers drink alcohol before and after a meal?

We recommend that orders for the initial drink should be taken at the same time as the food is ordered to avoid the possibility of customers changing their minds and not ordering food.

If a table orders a round of drinks but do not touch the food served (i.e. they are effectively using the purchase of food as an 'entry fee' to come in and drink), you should refuse further service of alcohol as their primary purpose for visiting the venue is to drink alcohol rather than to eat. To do otherwise would leave you open to the accusation of not acting as a restaurant.

You must decide how long people can stay following their meal, we recommend that the end of the meal is a good time to stop taking orders of alcohol. Enforcement will target premises that let customers stay well beyond the duration of the meal consuming alcohol.



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6: What are the rules on Test and trace?

It is still mandatory for venues to have a system to collect NHS Test and Trace data and keep this for 21 days. It is a legal requirement for businesses to refuse entry if a customer refuses to give details or check-in on the NHS COVID-19 app.

Venues are legally required to display NHS QR code posters in their venues. It is not mandatory for all customers to scan the QR code but it is mandatory for all customer contact information to be logged in some format. This includes all venues in: hospitality; leisure and tourism; close contact services; and local authority venues. Please go to www.gov.uk for a full list of venues required to collect contact information.

7: If I'm a wet-led venue, can I start serving main meals so that I can continue to operate?

If you are a wet-led venue, you can partner with a local food business or caterers to provide main meals and operate. The main principle is that alcohol must be ordered as part of the food order, not separately. Hospitality venues considering this option should:

- check that prospective food partners are registered with their local authority as a food business.
- ensure that prospective food partners have a food hygiene rating of at least 3 – Satisfactory. This can be checked on www.food.gov.uk
- take steps to ensure that the partner food business has sufficient capacity to provide food swiftly, hygienically and safely to the hospitality venue.
- consider offering a fairly limited choice of meal options to ensure food can be supplied safely and promptly when ordered.

Although all bars and wet-led pubs should already be registered as food businesses, before deciding if you will prepare and food on site, you will have to consider the:

- additional risks relating to food safety practices;
- suitability of available kitchens;
- food hygiene knowledge and expertise of staff that will be needed if they decide to prepare and serve food on site.

Please visit www.food.gov.uk for further information.

8. For those wet-led bars who do arrange a partnership with takeaways/caterers - what proof will be required that a meal has been ordered, if any?

As alcohol can only be ordered with a main meal you should have a process to demonstrate that this has occurred and no alcohol has been ordered without food e.g. record of orders via an app, your ordering system, receipts.



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9: Can I offer a takeaway service in Tier 2?

Yes, you can still sell food and drink (alcohol and non-alcohol) for consumption **off your premises** between the hours of 5am and 11pm. Customers can order inside your venue but **must** leave the premise to consume.

If your license allows the sales of food & drink (**including alcohol**) between 11pm and 5am, all orders must be:

- conducted remotely e.g. by telephone, internet, text and **delivered**
- pre-ordered as above and collected but the person does **not** enter the premises.
- collected in a vehicle without having to leave the vehicle e.g. drive thru's or handed the order through the window.
- Consumed off-premises, including any outdoor areas associated with your premises.

If operating as a takeaway, you must still maintain a COVID-secure environment and carry out a risk assessment and implement actions such as:

- minimising contact between kitchen workers and front of house workers, delivery drivers or riders, for example, by having zones from which delivery drivers can collect packaged food items.
- encouraging customers to order remotely (online, on apps or over the telephone) during the day to reduce queues and stagger pick-up times.
- ensuring customers order remotely (online, on apps or over the telephone) after 11pm.
- limiting access to venues for people waiting for or collecting takeaways. Set out clear signage for social distancing (2m, or 1m with risk mitigation where 2m is not viable, is acceptable) for delivery drivers, riders or customers queuing. Ask customers to wait outside or in their cars.

Note: The sale of hot food past 11pm will require a late night refreshment licence under the Licensing Act 2003.

10: We are struggling with customers being less than honest about their intentions. For example there are customers claiming to have business meetings yet we are unable to check their integrity and confirm that meeting is legitimately business. How do we deal with this?

Bookings that are reasonably necessary for work purposes can be accepted however, these **must be for the purpose of work** and not social gatherings. Again common sense and diligence must apply.



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11: To what degree are we supposed to check that groups are all from the same household or support bubble?

We would recommend making it clear at the time of booking that all members of the party must be from the same household. You must ask questions and show due diligence, similar to what you would apply to age related restrictions when serving alcohol. Ask positive questions and verify answers provided. For example, evidence of being from the same household should be sought if two couples are trying to book a single table.

12: Can I take bookings for more than a group of 6?

You can:

- take bookings from groups of more than 6 if they are all from the same household or support bubble.
- cater for groups of up to 15 participants for a wedding or equivalent ceremony (such as wake or christening) where the organiser has carried out a risk assessment to reduce the risk of transmitting COVID.
- accept bookings for work meetings however, these **must be for the purpose of work** and not social gatherings (e.g. Christmas parties). If from different households social distancing measures should be taken (2m apart or 1m with barriers such as masks or screens).

13: As a venue (theatre) can we serve alcohol to patrons in Tier 2?

In cinemas, theatres, concert halls and sports stadia, alcohol can be ordered at a bar to be consumed when seated in the auditorium or area where the screening/performance is taking place. This should be limited to only those with tickets. When it is to be consumed in the bar area itself, it must be part of a substantial meal and full table service must be provided. Alcohol must always be consumed when seated with no vertical drinking permitted.

14: Can we serve alcohol from the bar in performance venues (cinemas, theatres, concert halls and sports stadia)?

Yes, alcohol can be purchased from the bar by those with tickets but only consumed while seated in the auditorium/performance area. If to be consumed in the bar area, alcohol should be served with a main meal and only through table service. If serving from the bar area, venues should take steps to reduce queues for ordering and ensure social distancing is maintained. To avoid these issues, venues may wish to only provide table service.

15: Can we serve drinks, before, after and during the performance?

Hospitality services within performance venues must take last orders at 10pm and close at 11pm. The venue may open past 11pm to conclude performances that start before 10pm. The guidance has recently been updated and advises that venues should only serve alcohol without a substantial meal to ticketed customers during the performance, and for a maximum of 60 minutes outside of the performance period (this can be split either side of the performance/screen if required).



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16: What classifies as a grassroots music venue?

The guidance advises that concert halls include dedicated grassroots music venues that host music and other programming artists in front of audiences. If you are unsure whether your premises fall into this category, and you are proposing to hold an event, please contact the Licensing Team via email at licensing@bristol.gov.uk.

17: Can I sell performance tickets as a group of up to 6 people?

We would recommend selling tickets individually.

18: Are hotels exempt from selling alcohol without a main meal?

If ordering alcohol in a hotel bar or hotel restaurant this must be sold with a main meal via table service. With regards to room service alcohol does not have to be sold with a main meal.

19. Can bookings be taken from customers who live outside Bristol?

A key thing is that customers should not come in from higher incidence areas - Tier 3 (or equivalent in Wales). Customers postcodes could be screened on booking and block any Tier 3 post codes. Be aware that many 'BS' postcodes are now in Tier 3 areas, such as those in South Gloucestershire.

20. Should I give advice on travel arrangements to my business?

Where possible businesses should make clear to customers that they should avoid mixing with another household before and after their booking (e.g. on booking/or via website). For example, customers should be encouraged to walk, cycle or travel independently (not car share with another household).

21: What time is last orders?

You must stop taking orders by 10pm and close by 11pm. Hospitality businesses and venues selling food and drink for consumption off the premises can continue to do so after 10pm as long as this is through a delivery service, click-and-collect or drive-through. Licensing restrictions apply.

22: Are there any restrictions on how long employees can stay on the premises following closing?

Businesses must close to all customers by 11.00pm. Employees can stay on the premises to clean down, prepare for next shift etc.

23: What is the difference between outdoor and indoor arrangements in Tier 2?

There is a crucial difference between outdoor and indoor arrangements that impact your booking arrangements and COVID risk management policy:

- **Indoor arrangements:** Only bookings from persons within the same household or support bubble can be taken.
- **Outdoor Arrangements:** If you have outdoor facilities the 'Rule of 6' can apply, this means a group size of up to 6 persons (rule of 6), who can be from different households.



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Customers must be seated and there can be no drinking while standing. In all circumstances, indoors or outdoors, alcohol can only be purchased with a main meal.

24: Structures outside: are they classified as indoors or outdoors?

The same definition is used in the COVID rules as is applied to smoking shelters. For a structure to be treated as **outdoors**, at least 50% must be open to the air. If the structure is wholly or substantially enclosed, it will be treated as **indoor** space.

This is why it is important to understand the difference as it will affect what bookings can be taken i.e. household bookings or Rule of 6 for outdoor bookings.

Additionally, care is needed if the structure allows for flexibility during times of inclement weather, for example, adding additional side panels to a marquee. By adding additional sides to help protect customers from the weather, you may inadvertently create an indoor structure that compromises bookings made for the area.

If during times of inclement weather, you anticipate people moving inside to the main premises; your COVID risk assessment must cater for such a scenario and consider:

- If they are mixed households? (in which case you cannot move the booking inside)
- If you have sufficient 'COVID-safe' space to accommodate people moving inside?
- Toilet capacity and management.
- If you have the appropriate one-way systems in place.
- Any additional issues identified in your COVID risk assessment.

25: Why are indoor and outdoor arrangements so important?

Quite simply it is due to transmission risk. We know that household transmission provides the greatest risk. By retaining indoor arrangements to a single or linked household that risk is mitigated. With outdoor arrangements allowing mixed households of up to 6, the risk is greatly reduced by being in an outdoor environment helping to dissipate the virus.

To help understand the difference between outdoor and indoor structures, some examples and how they are classified are provided below.



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Indoor as shown

Indoor

Outdoor

		
<p>This structure is more than 50% enclosed so would be classed as an Indoor environment. You could open and close different sides depending on weather but ensure that at all times 50% of side area remained open – this would then make this structure an Outdoor environment.</p>	<p>This structure is classified as indoor as more than 50% of the structure is enclosed.</p>	<p>Any structure that provides a canopy with open sides such as this umbrella-type structure is classed as outdoor environment</p>