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BOLTON IS VERY HIGH RISK FOR CORONAVIRUS
AND THE BOROUGH IS NOW SUBJECT TO ALERT LEVEL TIER 3 RESTRICTIONS

Dear business owner / licensee

Due to the high levels of Coronavirus across Greater Manchester, Bolton has now been placed on the 'Very High' Covid alert level by the Government.

I am therefore writing to businesses in Bolton, to help you understand what is expected of you and to help you achieve compliance. Some of this information may not apply to your business type. Below, you will find a quick reference guide with the addition of links where you can find more in-depth information. This includes information regarding grant funding for affected businesses.

Our environmental health and licensing teams will continue to work with Greater Manchester Police to monitor and ensure businesses and venues across the Borough are following the restrictions and requirements, you will be asked to provide evidence of compliance with Regulations. Whilst I recognise the implications and consequences of these restrictions, appropriate action will be taken in relation to non-compliance, which could include fines of up to £10,000, prosecution, licence review or closure.

1. BUSINESSES THAT MUST CLOSE *(as of 23 October 2020)*

- pubs, bars or other businesses that sell alcohol for consumption on the premises
(unless they operate as a restaurant and alcohol is only served for consumption on the premises as part of a substantial meal; alcohol served as room service is excluded, e.g. in a hotel)
- nightclubs, dance halls, discotheques and other venues that open at night, provide music and space for members of the public to dance
- sexual entertainment venues and hostess bars
- casinos, betting shops, bingo halls and adult gaming centres
- soft play areas and soft play centres
(there is an exception for the provision of soft play areas to people with disabilities)

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All businesses that remain open must operate in a COVID-secure manner.

2. SUBSTANTIAL FOOD IN PUBS / BARS / ON PREMISES CONSUMPTION OF ALCOHOL

Your business may only continue to sell alcohol for consumption on the premises if –

the alcohol is only served for consumption on the premises as part of a **‘table meal’**

- the food and drink are ordered by, and served to, a customer who is seated on the premises, and
- you take all reasonable steps to ensure that customer remains seated whilst consuming the food and drink on the premises.

A **‘table meal’** is:

- A meal that you’d expect to serve as a main midday or main evening meal (or as a main course at either such meal)
- A meal eaten by a person seated at a table, (or at a counter/or other structure functioning as a table where people are seated)

For the avoidance of doubt, alcohol can only be ordered if the customer is ordering or consuming a substantial meal deemed to be a table meal and businesses should exercise judgement in line with the licensing objectives, around what is considered to be reasonable when alcohol is ordered and consumed during the relevant timeframe of the table meal.

A business is permitted to use a third-party caterer for the provision of food, however the primary business, i.e. the pub/bar, must take the order from and serve the food directly to customers who are seated on the premises. If you intend to do this, you should ensure that your caterer is registered with Environmental Health at <https://www.bolton.gov.uk/business-licenses/food-business-registration>

and has a food hygiene rating. You can check a rating at <https://ratings.food.gov.uk/>. You need to be able to provide details of the caterer to Environmental Health.

Introducing food

If you want to introduce food preparation or provision, you need to contact Environmental Health as soon as possible to discuss your plans and food safety controls.

- You need to ensure your business has an appropriate food registration in place. If you are expanding your food provision, please re-register here: <https://www.bolton.gov.uk/business-licenses/food-business-registration>
- You will need a Food Safety Management System – The Food Standard Agency’s (FSA) Safer Food Better Business Catering Pack is recommended.
- Allergen management plans must be documented, implemented and all staff trained in how to deal with allergen queries.

Food Safety inspections will take place unannounced and an assessment will be made of hygiene practices, cleanliness, structure and management systems. A food hygiene rating will be issued and displayed on the FSA website.

Any queries can be sent to: environmentalhealth@bolton.gov.uk

Frequently Asked Questions:

1. Is takeaway / outside catering permitted?

Reg 15(1)(a) stipulates that a person responsible for carrying on a restricted business in the tier 3 area which serves alcohol for consumption on the premises may sell food or drink for consumption

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on the premises only if the food or drink is ordered by, and served to, a customer who is seated on the premises.

From a tier 3 covid perspective, there is nothing stopping a business from utilising a third party to supply the food, however customers must order the food and be served the food whilst seated on the premises, not bring it in themselves.

You must however follow the Environmental Health 'repurposing' advice given above.

2. Are breakfasts / brunches classed as a table meal?

Yes, if it's a substantial meal, ordered from the premises and if consumed seated at a table.

3. Can I serve drinks before and / or after the meal?

Reg 16(2) 'Alcohol is only served for consumption on the premises as part of a table meal'. A drink whilst waiting for food is a normal part of a table meal, and finishing a drink after the meal would be reasonable however the continuous supply of alcohol in absence of food arriving or after meal we would suggest would no longer be deemed to form part of the table meal.

4. Who does liability lie with for any food hygiene and safety related issues, for example food poisoning, reaction to allergens?

Liability would lie initially with the pub/bar selling the food – however, the supplier of the food could also be guilty of an offence of supplying food to the pub/bar.

3. RISK ASSESSMENT

You are required to have a Covid-19 risk assessment in place setting out the measures you have in place to keep your staff and customers safe. All staff need to understand it and ensure they comply with it. You can find further information here: www.hse.gov.uk/coronavirus/assets/docs/risk-assessment.pdf

If your employees are required to self-isolate, you must not allow them to continue to work in any setting other than their place of isolation.

4. GATHERINGS

Different households (and support bubble) are not permitted to socialise indoors or outdoors at public venues. Support bubble rules are very clear: they refer to people living on their own and one parent families. You cannot form 'bubbles' with other extended family or work colleagues in addition to this. The police can issue fines of up to £10,000 to people breaching this requirement.

I appreciate that this is difficult for the hospitality sector to control, but I would expect you to challenge customers by making them aware of the restrictions in place to protect them, your other customers, your staff and yourself.

Where customers are seated to eat and/or drink, you must take all reasonable measures to ensure the following:

- No person in one household (and support bubble) mingles with any person in another household (and support bubble); and
- an appropriate distance is maintained between tables of at least 2 metres or at least 1 metre, if:
 - there are barriers or screens between tables;
 - the tables are arranged with back to back seating, or otherwise arranged to ensure that people sitting at one table do not face any person sitting at another table at a distance of less than 2 metres; or
 - other measures are taken to limit the risk of transmission of the coronavirus between people sitting at different tables

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5. CURFEW

Businesses selling food or drink (including cafes, bars, pubs, restaurants and takeaways) **must be closed to the public between 10pm and 5am**. All customers must have vacated the premises by 10pm and the doors shut.

Please factor in 'last orders' i.e. the latest time that customers can order food and drink, to enable them to have left the premises by 10pm. Delivery services are permitted after 10pm.

- Deliveries can be made in response to orders received through a website or on-line communication, by phone (including text message), or by post.
- A purchaser can collect food or drink on foot or in a vehicle provided that the food has been pre-ordered and the purchaser does not enter inside the premises to do so.

Businesses providing late night refreshment (the serving of hot food and drinks between 11pm and 5am) must be licensed to do so under a premises licence. Details on how to obtain a licence can be found here: <https://www.bolton.gov.uk/alcohol-gambling/alcohol-entertainment-late-night-refreshments>

A cinema, theatre or concert hall may operate after 10pm in order to conclude a performance which began before that time.

6. TEST AND TRACE INFORMATION

If customers are eating and drinking on your premises, you are **legally obliged** to:

- display and make available the NHS QR Code for customers with a smartphone to scan upon entry. You can use this link to obtain one for your business – www.gov.uk/create-coronavirus-qr-poster
- record their contact details and this extends to staff and visitors. Details must be stored for 21 days and shared with NHS Test & Trace if requested. Businesses that do not comply will face fixed penalties:
- [you must ensure that customers use the QR code, or you can use your own test and trace system, in addition to displaying the NHS QR code. You are legally required to collect the following information:](#)
 - i. the name of the individual;
 - ii. a telephone number where they can be contacted;
 - iii. an e-mail address if the individual can't provide a telephone number;
 - iv. a postal address if the individual can't provide an email address;
 - v. the date and time that the individual entered the relevant premises;
 - vi. where the individual is a member of a group, the number of people in that group including anyone who has scanned a QR code to enter the premises (*as per point 4, single household/bubble only*)

You **must** refuse entry to customers who refuse to provide these details, or where you have reason to believe the details provided are inaccurate.

7. TABLE SERVICE

In a premises licensed to sell alcohol for consumption on the premises, all food and drink **must** be ordered from, and served at, a table. This means no customers are permitted to approach or order at a bar or counter. If you do not have a portable card reader, it is permissible for customers to set up a tab and for this to be settled at the bar before they leave. All food and drink must be consumed whilst sat at a table in all premises with on-premises consumption.

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8. FACE COVERINGS (existing exemptions still apply)

Customers must wear face coverings in hospitality venues, except for when eating or drinking at a table. It is also compulsory for staff in hospitality venues to wear face coverings, in areas that are open to the public.

You are legally obliged to display a notice, reminding customers to wear a face covering before entering, unless they are exempt from doing so.

LOCAL RESTRICTIONS SUPPORT GRANT

The Government has announced that Local Restrictions Support Grants will be available to businesses who are subject to Business Rates and are required to close as a result of the imposition of local restrictions.

Eligible businesses will be able to access up to £3,000 per month and they are eligible for payment after two weeks of closure.

- Businesses with a rateable value of exactly £15,000 or under will receive a payment of £667 per two weeks of closure (£1,334 per month).
- Businesses with a rateable value of over £15,000 and less than £51,000 will receive grants of £1,000 per two weeks of closure (£2,000 per month)
- Businesses with a rateable value of £51,000 or above will receive grants of £1500 per two weeks of closure (£3,000 per month).

If your business is required to close, you will need to apply online to the Council for this support. The Council is expecting more detailed guidance to be issued by the Government before the application form goes live, so please check for updates.

<https://www.bolton.gov.uk/coronavirus-support-1/local-restrictions-cannot/2?documentId=648&categoryId=20119>

Business Support

Bolton Council is keen to engage with you to ensure that you are aware of the full range of business support that may be available to you. Please contact us at www.businessbolton.org to discuss further.

Visit <https://www.visitbolton.com/whatson> - if you would like free promotional materials to support your business, including posters and floor stickers contact the team.

Our website has the latest information on how coronavirus restrictions affect your business, and details of financial and other support available to both businesses and individuals. Please use the following link to keep up to date: <https://www.bolton.gov.uk/>

Please be aware that the Government are legally obliged to monitor the need for tier 3 restrictions every 28 days, so this is continually under review.

Thank you for your understanding and compliance and if we can help, please do not hesitate to contact us or use the support available at the links given above.

Director of Place Gerry Brough

If you have any queries or concerns, please email licensing.covidrecovery@bolton.gov.uk.

We understand the difficult task you face in implementing these ever-changing rules and procedures and understand the impact this is having on your businesses and livelihoods. We would like to take the time to thank you for your continued support and effort in fighting the COVID-19 Pandemic.

To assist in further communications please can you provide a contact email address to licensing.covidrecovery@bolton.gov.uk

Yours faithfully,

Kellie Hopkins

Kellie Hopkins

Assistant Director Neighbourhood and Regulatory Services

Director of Place Gerry Brough

Bolton Blackrod Farnworth Horwich Little Lever South Turton Westhoughton... all the family

