



Environmental Health - a shared service for:



Dear Premises Licence Holder,

## SAFE REOPENING OF LICENCED PREMISES IN ROTHER & WEALDEN

Licensing Act 2003, Coronavirus Restriction (Steps)(England) Regulations 2021, Health and Safety at Work etc. Act 1974

HM Government has announced that licensed premises may re - open on **12 April** for outdoor consumption of alcohol, and food and take-away alcohol sales. Then from **17 May** for indoor consumption as well. This very welcome news does not mean a return to normal. You must plan carefully, put in place measures to protect the health and safety of your employees and customers. Discuss your proposed arrangements with neighbouring businesses so there is enough space for queues.

To help you prepare for this safely Rother & Wealden environmental health and licensing have prepared this letter with Sussex Police licensing and prevent teams. Please read carefully. We would like to understand your intentions on reopening, please email us letting us know so we can continue to work together. [EastSussex.Licensing@sussex.pnn.police.uk](mailto:EastSussex.Licensing@sussex.pnn.police.uk)

Please plan for significant demand on re opening. Be aware that a loss of control on customers queueing or drinking by any business would be a public order and safety matter, which you as the premises licence holder are responsible for controlling, without the intervention of the police. Should Sussex Police have to intervene to control queues or your customers and this is a consequence of inadequate control measures being in place, then this is likely to result in a report to the licensing authority for investigation.

We appreciate that you may have to change the way your business operates to make them Covid-Secure and we will try to accommodate changes that do not affect your local community, licensing objectives or any existing legal orders. This letter includes details of how to apply for a pavement licence and the automatic extension to temporarily amend all licences to include off-sales and the use of marquees.

This letter has also been sent to your email, where available, so you can use the weblinks. If you received a letter by post, to receive an electronic version of this letter please contact us with your full details at [foodhs@rother.gov.uk](mailto:foodhs@rother.gov.uk)

Thank you to every licensed premises which has obeyed the Coronavirus Restrictions Regulations since March, saving lives and protecting the NHS. We wish you a safe and successful reopening.

Yours sincerely,

*R. Parker-Harding*

Richard Parker Harding  
Head of Environmental Health and Licensing

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Licensing Sussex Police

## LICENSING

The following list is not exhaustive, and you should always have Covid security, and the prevention of the spread of the virus, at the forefront of your minds.

- Ensure you are fully up to date with the restrictions and guidance issued by HM Government at <https://www.gov.uk/government/publications/further-businesses-and-premises-to-close/further-businesses-and-premises-to-close-guidance>
  - The Council will endeavour to publish the official guidance, once released on these licensing pages <https://www.wealden.gov.uk/licences-and-registers/licensing/alcohol-and-entertainment/licensing/>
  - Trade guidance has been issued by various bodies including BBPA and UK Hospitality, for details please contact these organisations directly.
  - Review the conditions on your licence and consider whether any conditions/activities need amending/adding to permit the use of outside space, licensing of external bars, off sales, last entry, door staff, relaxation of delivery and collections to reduce interaction between customers/staff and visitors; opening new access points to regulate entry/flow of visitors and customers; ability to keep windows and doors open (except fire doors) to assist ventilation.
  - Ensure that the DPS nominated on your licence is still responsible for, and working at, the premises.
  - Look at your policies in light of COVID 19 – such as control of numbers; admission and dispersal; drugs; toilet checks and cleaning protocols; security; avoiding overcrowding, especially in toilets and other confined spaces; controlling queues and ensuring social distancing. Encourage customers to email, use website or apps when ordering or calling ahead to reserve seating.
  - Ensure your fire risk assessment is up to date and amend in light of any changes.
  - Consider liaising with neighbours and resident associations before you reopen; it is likely that the ambient noise levels, particularly with greater use of outdoor areas, will increase and residents may become sensitive to noise issues.
  - It is likely that the way people socialise at your premises will be very different whilst coronavirus restrictions remain in place. Remember the conduct and behaviour of your customers remains your responsibility, and this extends to public areas in the vicinity of your premises.
  - Instances of crime and disorder or anti-social behaviour associated with your premises may lead to enforcement under the Licensing Act or the Coronavirus Restriction (England) Amended Regulations and could potentially lead to a review of your premises licence.
- Licensing enquiries to [licensing@rother.gov.uk](mailto:licensing@rother.gov.uk) or [eastsussex.licensing@sussex.pnn.police.uk](mailto:eastsussex.licensing@sussex.pnn.police.uk)

## HEALTH AND SAFETY

- Every business must be “Covid Secure”. This means a risk assessment must be prepared, if you employ 5 or more people this must be written down. You will need to develop hand washing and cleaning procedures, health checks for employees, reorganise seating areas and work areas to maintain social distancing, develop instructions for customers on service and payment processes.
- At this webpage you will find advice on how to do all this and helpful checklists to prepare to re-open;  
<https://www.wealden.gov.uk/safe-food-and-healthy-workplaces/healthy-workplaces/support-and-advice-for-businesses-during-the-covid-19-pandemic/>
- Free to download posters are available at  
<https://www.wealden.gov.uk/news/signs-to-advise-customers-and-staff-of-social-distancing-requirements/>
- If you haven't regularly flushed your water systems throughout the lock down, you must take action. Stagnant water left at warm temperatures will allow disease causing bacteria like Legionella, to grow. Water systems will need flushing and/or disinfecting. Drains must be checked to make sure they are running freely, and thorough checks of the building must be made for rats and mice.
- One of the most effective methods of reducing possible infection from Covid-19 is by ensuring where possible good natural ventilation. Good ventilation reduces how much virus is in the air. It helps reduce the risk from aerosol transmission, when someone breathes in small particles (aerosols) in the air after a person with the virus has been in the same enclosed area. The risk is greater in areas that are poorly ventilated. Ventilation reduces the aerosol risk but has minimal impact on droplet transmission (where people are within 2 metres of each other) and contact transmission (touching surfaces). For these reasons the rules of hands, face and space are still applicable.

[Ventilation and air conditioning during the coronavirus \(COVID-19\) pandemic \(hse.gov.uk\)](#)

- As ever, food preparation should be hygienic. A deep clean of the kitchen may be needed, you must check your Safer Foods Better Business folder and revise for how you intend to operate. Full information on re opening a food business safely is available at  
<https://www.wealden.gov.uk/safe-food-and-healthy-workplaces/healthy-workplaces/support-and-advice-for-businesses-during-the-covid-19-pandemic/information-for-food-businesses/>
- Speak to your employees to make sure they understand the new systems of work, discuss the risk assessment and provide training if needed.

If you need further advise on how to re-open safely email [foodhs@rother.gov.uk](mailto:foodhs@rother.gov.uk)

## **PAVEMENT LICENCES and OFF SALES EXTENSIONS**

The “Pavement Licence” regime is designed to make it easier for premises serving food and drink such as bars, restaurants and pubs to seat and serve customers outdoors through temporary changes.

Alcohol licensing changes allow operators with existing alcohol on-sales licences to also serve alcohol for consumption off the premises and to make deliveries.

### **Pavement Licences**

There is a temporary regime for businesses selling food and drink such as cafes, pubs and restaurants to obtain permission, in the form of a “pavement licence”, from the local council for the placement of furniture such as tables and chairs on the pavement outside their premises.

This will enable them to maximise their capacity whilst adhering to social distancing guidelines.

There is a charge of £50 for a pavement licence and all such licences expire on 30 September 2022.

Apply for a pavement licence at;

<https://www.wealden.gov.uk/licences-and-registers/licensing/alcohol-and-entertainment-licensing/pavement-licence/>

### **Alcohol Licensing: off-sales extension**

Licensed premises that have only an on-sales licence to sell alcohol for consumption off the premises, automatically have an extension for off – sales until September 2022. There is no need for any application to be made, therefore no fee will need to be paid.

The default hours in which off-sales will be permitted will be the same as those in which on-sales are permitted. Any licensee who wished to open for longer hours could apply for a licence variation.

The provisions will also apply temporary conditions to licences where there is a pre-existing permission for off-sales.

The conditions will set the hours of off-sales to match those for on-sales, allow off-sales of alcohol in open containers and allow deliveries of alcohol to residential or work buildings. Those conditions will suspend existing conditions that are more restrictive. So, for example, an existing condition that allowed off-sales only in closed containers would be suspended to allow sales in open containers.

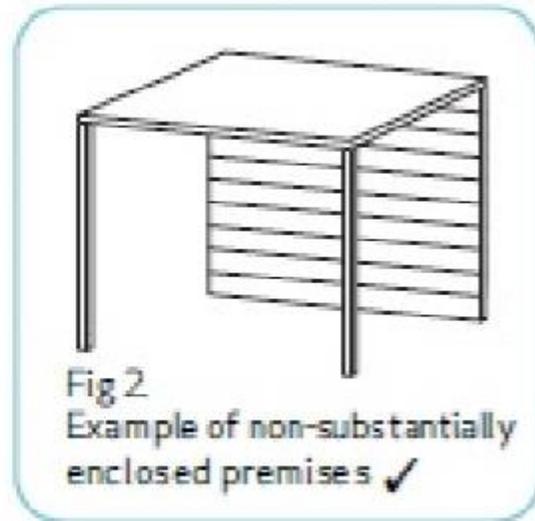
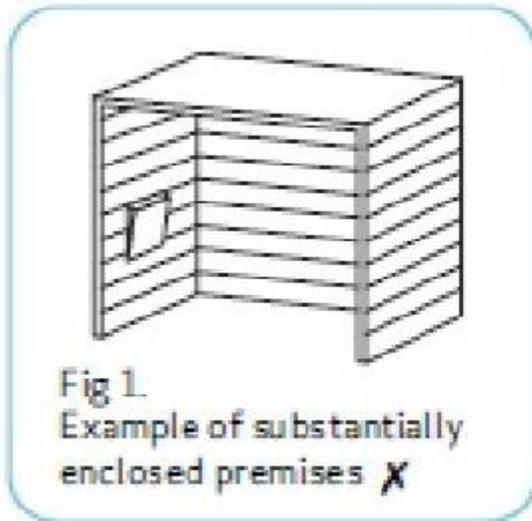
If there were problems of crime and disorder, public nuisance, public safety or the protection of children arising from how the premises operated using the new permission, any responsible authority, including the police or environmental health, could apply for a new off-sales review. The off-sales review process is modelled on the existing summary review process. In the event that an off-sales review is triggered, it will only relate to off-sales authorised by virtue of these provisions, or conditions which have effect by virtue of these provisions: it cannot be used to revoke the existing licence or modify pre-existing licence conditions.

## **Marquees**

Marquees may be erected on land, which is licensed for the sale of alcohol, Premises Act 2006. The following conditions must be observed;

Any marquee must be open to the fresh air – it is not acceptable to have all the sides down. An enclosed marquee is not permissible and enforcement action may be taken.

A marquee may be non-substantially enclosed, that is, it may have a roof and less than 50% of the sides down. As figures below;



**Please talk to your neighbours if the marquee is near the boundary of your property and theirs.**

## **SUMMARY**

- Reopening from 12 April for outdoor consumption of food and drink.
- Customers must remain seated outdoors and food/drink served at the table.
- Customers may use the indoor toilet facilities
- There is no requirement to purchase a meal when ordering alcohol
- Indoor consumption of food and drink from 17 May
- Customers must remain seated to order and consume food and drink (So order via an APP or waiter/waitress)
- Up to six persons from separate households can share a table or two households may share a table: there is no restrictions on numbers at the table for two households.
- Customers (from different groups) must be kept 2 meters apart
- People must be kept 1 meter apart not tables – measure from back of chairs when people are sat down.