

# Update for businesses operating within the District of Lancaster City Council

## New Covid19 control measures

You will have read or heard about the recent growth in confirmed Covid19 cases nationally and locally. The Government has responded by introducing new control measures for businesses.

To help our local businesses understand the new controls we have produced summary guidance which we are issuing to local businesses. Not all of the changes may apply to your business, but please read the entire update to be sure.

Although we have tried to cover all relevant changes, the situation is frequently changing, and therefore you must keep up to date by regularly checking the Government's website ([www.gov.uk/coronavirus](http://www.gov.uk/coronavirus)) and the Lancaster City Council Website ([www.lancaster.gov.uk](http://www.lancaster.gov.uk)).

### **Business and venue that must stay closed**

The following businesses and venues must remain closed nationally, including in the affected areas:

- nightclubs, dance halls, and discotheques
- sexual entertainment venues and hostess bars

#### ***Note – no change***

***(Nightclubs that have remodelled themselves as pubs/bars where no dancing is permitted and where customers are seated are permitted to trade.)***

### **Bars, restaurants and cafes – changes to service**

In licensed premises, food and drink to be consumed on the premises must be ordered from, and served at, a table.

In non-licensed premises, customers may order food and drink at the counter, but food and drink must be consumed at a table. (*Wherever possible, orders should still be taken at the table*).

Take out service for food and drink is still permitted (subject to licensing laws) between the hours of 5am and 10pm.

This change applies to:

- restaurants, including hotel dining rooms and members' clubs
- cafes (With some exemptions e.g. staff canteens, military, services for the homeless etc)
- bars including bars in hotels or members' clubs
- pubs
- social clubs
- casinos

***Advice to businesses:***

- ***In licensed premises, table service applies to drink and food. Just because a pub only sells drink, it must still be table service only.***
- ***Table service means that the order is taken at the customer's table, and order is delivered to their table. Where possible, payment should also be taken at the table.***
- ***For unlicensed premises, orders should be taken at the table wherever possible.***
- ***Customers can still walk around a premises to visit the toilet or to pay, but we recommend mobile payment at the table.***
- ***Staff in hospitality and retail will now also be required to wear face coverings (from 24 September) – see later section and FAQ on this.***

**New closure time for certain businesses**

The following businesses and venues must close from **22:00 to 05:00** each day (please see below an exemption for food and drink deliveries):

- the hospitality businesses and venues listed above
- businesses providing **takeaway only** service
- amusement arcades or other indoor leisure centres or facilities
- funfairs (indoors or outdoors), theme parks and adventure parks and activities
- bingo halls
- concert halls

***Advice to businesses:***

- ***This means that business must have closed their doors and all customers to have left by 10pm. To facilitate this, we expect relevant businesses will have to stop serving customers by 9.30pm.***
- ***For takeaway only businesses, closure at 10pm applies and therefore for internet or phone orders. You must not have customers on your premises after 10pm.***

- ***Orders for collection after 10pm must not be taken to ensure the business is closed to customers.***

### **Sale of food and drink off the premises**

Businesses and venues can still sell food and drinks for consumption off the premises between the hours of 22:00 to 05:00 but **only for delivery service** in response to orders received:

- through a website, or otherwise by online communication
- by telephone, including orders by text message
- by post

### ***Advice to businesses:***

- ***Takeaway only premises are included in the requirement to close at 22.00.***
- ***Between 22.00 and 05.00 any sales must be for delivery only.***
- ***Orders for collection after 10pm cannot be taken. Customers cannot enter the premises after 10pm.***
- ***For other businesses wanting to provide food/ drink deliveries after 10pm, they need to check their licence conditions to make sure it is permitted and follow the conditions above – please remember orders must be for DELIVERY ONLY – no collections.***

### **Social interaction between individuals**

When meeting friends and family you do not live with (or have formed a support bubble with) you must not meet in a group of more than 6.

You must not meet or host people you do not live with in private homes or gardens unless they are in your support bubble.

In addition to these restrictions, Government advice is not to:

- Socialise with people you do not live with, unless they are in your support bubble, in any public venue.  
Examples of public venues include **pubs, restaurants, cafes**, shops, places of worship, community centres, leisure and entertainment venues, or visitor attractions

If you operate a business or organise events within the affected areas you should take steps to ensure people do not socialise with people they do not live with, in line with COVID-19 secure guidance.

### **Advice to businesses:**

- *Government is advising people not to socialise with people they do not live with. However, this is not enforceable by law. It is advice only. People can still visit pubs, bars, and restaurants, etc. in groups of up to 6 people and they do not have to be from the same household or support bubble.*
- *The rule of 6 – you could have cases where the household plus support bubble is greater than 6 (e.g. students living together in a large house). However, to determine whether this is the case or not will be extremely difficult.*
- *The advice to all businesses is not to exceed the 6 sat together and not to take bookings for two tables near to each other (that will just make it difficult to manage and sends out the wrong message to other customers).*

### **Customer contact recording**

Businesses and other public settings where people meet socially including hospitality, close contact and leisure venues must **record contact details of customers, visitors, and staff on their premises** to tackle the spread of coronavirus. Fixed penalties will be issued for organisations that do not comply.

These regulations came into force on **18th September 2020 and apply to England only.**

Businesses will need to display the **official NHS QR code posters** so that customers can 'check-in' at different premises using this option as an alternative to providing their contact details once the app is rolled out nationally (from 24 September).

- A QR code must be displayed to enable a customer entering the premises, with a smartphone, to scan the QR code as they enter or immediately after entering the premises.
- Create a QR poster for your venue here:  
<https://www.gov.uk/create-coronavirus-qr-poster>
- Businesses must ask visitors to scan the QR code when they arrive, using their NHS COVID-19 app
- If you do not have a printer, you can show the QR code on a display screen, such as a TV or tablet. Make sure it is within reach so visitors can scan it with their mobile phones.
- For customers who do not have a smartphone or who are unable to scan the QR code, details must be recorded by the venue in the usual way.

### **In what situations must details be requested?**

Details must be requested of anyone visiting the premises for any purpose, unless they are:

- a Police Officer/ PCSO acting in the course of their duty
- an emergency responder acting in the course of their duty
- a person visiting for the sole purpose of making postal, courier, or other deliveries, and collections of documents, food, physical goods etc.

Details don't need to be requested:

- Where the person has scanned the QR code (or in the case of a group all members have scanned the QR code), or
- Where it is believed that the customer can't provide the details due to a physical, mental disability or other health related reason, or
- Where someone is under the age of 16.

### **Helpful links for Test and Trace requirements:**

General advice about maintaining records for Test and Trace:

<https://www.gov.uk/guidance/maintaining-records-of-staff-customers-and-visitors-to-support-nhs-test-and-trace>

**Create a NHS QR Code for your venue:**

<https://www.gov.uk/create-coronavirus-qr-poster>

**Advice about securely recording and storing the required information:**

<https://ico.org.uk/global/data-protection-and-coronavirus-information-hub/contact-tracing-protecting-customer-and-visitor-details/>

<https://ico.org.uk/global/data-protection-and-coronavirus-information-hub/data-security-the-basics/>

### ***Advice to businesses:***

- ***Venues will still need to maintain other methods of recording customer contact details for those who do not use the Government QR code option.***
- ***The requirement to record customer contact details applies to ALL PREMISES where customers spend time at a premises, even for small venues with just a small seating area, including takeaways where seating is provided for customers.***
- ***Where a group of people attend a venue together, it is acceptable for one group member to provide their name and telephone number plus the number of people in the group that they are in.***
- ***Businesses are required to refuse entry to customers who are not willing to give their details/check in using the QR code.***

### **Wearing of face coverings**

The requirement to wear a face covering has changed. From the 24<sup>th</sup> September, you must wear face coverings when visiting:

- public transport (aeroplanes, trains, trams, and buses)
- taxis and private hire vehicles (PHVs)
- transport hubs (airports, rail and tram stations and terminals, maritime ports and terminals, bus and coach stations and terminals)
- shops and supermarkets (places which offer goods or services for retail sale or hire)
- shopping centres (malls and indoor markets)
- auction houses
- premises providing hospitality (bars, pubs, restaurants, cafes), except when seated at a table to eat or drink (see [exemptions](#)) from 24 September
- post offices, banks, building societies, high-street solicitors and accountants, credit unions, short-term loan providers, savings clubs, and money service businesses
- premises providing personal care and beauty treatments (hair salons, barbers, nail salons, massage centres, tattoo, and piercing parlours)
- premises providing veterinary services
- visitor attractions and entertainment venues (museums, galleries, cinemas, theatres, concert halls, cultural and heritage sites, aquariums, indoor zoos and visitor farms, bingo halls, amusement arcades, adventure activity centres, indoor sports stadiums, funfairs, theme parks, casinos, skating rinks, bowling alleys, indoor play areas including soft-play areas)
- libraries and public reading rooms
- places of worship
- funeral service providers (funeral homes, crematoria, and burial ground chapels)
- community centres, youth centres and social clubs
- exhibition halls and conference centres
- public areas in hotels and hostels
- storage and distribution facilities

**For full details, including a list of the relevant exemptions, please visit:**

<https://www.gov.uk/government/publications/face-coverings-when-to-wear-one-and-how-to-make-your-own/face-coverings-when-to-wear-one-and-how-to-make-your-own#when-to-wear-a-face-covering>

***Advice to businesses:***

- ***Customers in private hire vehicles and taxis must wear face coverings (from 23 September).***

- *Customers in hospitality venues must wear face coverings, except when seated at a table to eat or drink. They must wear a face covering when travelling around the premises to the toilet, to pay or upon entry and exit.*
- *Staff in hospitality and retail will now also be required to wear face coverings (from 24 September). (See question below for further clarity on wearing face coverings in kitchens).*
- *EXEMPTIONS: People who are already exempt from the existing face covering obligations, such as because of an underlying health condition, will continue to be exempt from these new obligations.*
- *If a staff member has an exemption which means they cannot wear a face covering, you should consider putting them in a non-customer facing role.*
- *Guidance stating that face coverings and visors should be worn in close contact services will now become law (from 24 September). This means that in hairdressing, tattooing, piercing and beauty environments, both types of PPE must be worn by law.*
- *Staff working on public transport and taxi drivers will continue to be advised to wear face coverings.*
- *Businesses must remind people to wear face coverings where mandated.*

## ***Common questions received***

### **Q. Can customers from different households book a table together?**

Pubs, cafes, and restaurants can accept bookings for groups of different households providing that the group booking is for no more than 6 people.

In Lancashire, the government is discouraging different households from mixing together, however this is advice and not law.

### **Q. Can we still have customers playing pool/snooker?**

A. Yes, provided this is managed well and infection control is in place to ensure cues, balls and touch surfaces are sanitised between games. Cues should be kept behind the bar to ensure that they are sanitised between customers. However, there is a risk that this might send the wrong message out to other customers and therefore will become difficult to manage. We may issue further guidance on this in due course

Customers playing pool/snooker must now wear a face covering whilst playing.

### **Q. I have downloaded the Government contact tracing QR code, but when it is scanned it says "Currently only for NHS volunteer responder, Isle of White..." Why is this?**

A. We have heard of this and we have no information to update you. We expect this will be resolved shortly. You must have your own system to record customer details, and even when the Government QR code is operational, you will still need to maintain your own system to record details for those people who are unable to scan the QR code.

### **Q. Can my staff wear a visor instead of a face covering?**

A. The changes announced recently refer to face coverings rather than visors. Therefore, we believe that face covering will have to be worn for all staff. Face coverings help protect other staff members and customers whereas the face visor is providing protection to the wearer. If there is further clarity or guidance on this, we will share it.

### **Q. Do my kitchen staff have to wear face coverings?**

A. We believe so, although further guidance may be issued in due course. However, we understand this may be of concern to some businesses and therefore until further clarification or guidance is issued, we will not insist staff in kitchens wear face coverings. However, as staff pass through front of house areas, visit the toilet and when entering/exiting work through customer area, they will have to wear a face covering.

For open kitchens or kitchens with serving counters direct to the public, we believe that face coverings will be required. All businesses must carry out a risk assessment for their kitchen staff to determine what control measures will be required and this requirement has not changed.

**Q. I operate a takeaway service and a sit-down meal service, do I have to take all customer contact details whether sitting in or takeaway?**

A. Contact recording of customers only applies to customers who are consuming food or drink on the premises. If your customer is just ordering a takeaway, then you do not need to record their contact details. However, if you provide tables or benches for the consumption of food/drink on the premises, then you will have to comply with the requirement to record customer contact details.

**Q. Do I have to record every customer's details?**

A. If a group visits your premises, then you only legally need to record contact details for one member of the group. Please record their name, contact telephone number, date, time of arrival and the number of people in the group.

If they are unable to provide a telephone number, an email address can be taken and as a last resort an address can be taken instead.

If using the Test and Trace QR code to check in, all members of the group must scan the code on entry, otherwise the venue must record the details of at least one member of the group in the normal way.

**Q. I operate a hotel. Can I still serve hotel guests at the bar after 10pm?**

A. No. The hotel bar will have to shut at 10pm. However, you can still provide a room service to guests.

**Q. What about Test and Trace and GDPR?**

GDPR allows you to request contact information from your staff, customers and visitors and share it with NHS Test and Trace to help minimise the transmission of COVID-19 and support public health and safety. It is not necessary to seek consent from each person, but you should make clear why the information is being collected and what you intend to do with it.

Personal data that is collected for NHS Test and Trace, which you would not collect in your usual course of business, must be used only to share with NHS Test and Trace. It must not be used for other purposes, including marketing, profiling, analysis, or other purposes unrelated to contact tracing, or you will be in breach of GDPR.

**Q. Do I need to update my risk assessment?**

You Covid-19 risk assessment must be kept under constant review. All businesses should revisit their Covid-19 risk assessment in light of these changes and review the control measures in place to protect staff and customers. Further advice on risk assessments can be found at :- <https://www.hse.gov.uk/coronavirus/working-safely/risk-assessment.htm>

**The government's expectation is the measures described above will need to remain in place until March.**

Steve Sylvester

24th September 2020

Lancaster City Council

## **Other helpful links:**

**North West of England: local restrictions** - Find out what you can and cannot do if you live, work or travel in areas of the North West of England.

<https://www.gov.uk/guidance/north-west-england-local-restrictions>

**Coronavirus outbreak FAQs: what you can and can't do**

<https://www.gov.uk/government/publications/coronavirus-outbreak-faqs-what-you-can-and-cant-do/coronavirus-outbreak-faqs-what-you-can-and-cant-do>

**Face coverings: when to wear one, exemptions, and how to make your own**

<https://www.gov.uk/government/publications/face-coverings-when-to-wear-one-and-how-to-make-your-own/face-coverings-when-to-wear-one-and-how-to-make-your-own>

## **Working safely during coronavirus (COVID-19) sector specific guides**

**Restaurants, pubs, bars and takeaway services**

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/restaurants-offering-takeaway-or-delivery>

**Shops and branches**

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/shops-and-branches>

**Close contact services –**

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/close-contact-services>

**Hotels and other guest accommodation**

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/hotels-and-other-guest-accommodation>

**Performing arts**

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/performing-arts>

**The visitor economy - Guidance for people who work in hotels and guest accommodation, indoor and outdoor attractions, and business events and consumer shows.**

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/the-visitor-economy>