

SUMMARY OF LEGAL REQUIREMENTS INTRODUCED ON 23 SEPTEMBER 2020 FOR VENUES IN WHICH ALCOHOL MAY BE CONSUMED, E.G. HOTELS, RESTAURANTS, PUBS, VENUES & FOOD SERVICES

24th September 2020

This guide sets out the absolute requirements from the regulations introduced on 23rd September. It also contains some other key considerations for businesses. Legal requirements are highlighted **in bold**. The accompanying text is designed to provide guidance as to how to ensure those obligations are fulfilled.

This summary is provided in addition to existing guidance produced by Tourism NI and the Department for the Economy. The guidance documents require comprehensive review following the significant changes to regulations and this will be done in the coming weeks.

1 RISK ASSESSMENT AND MANAGING VISITOR NUMBERS

- 1.1 **The maximum number of visitors that the venue can accommodate in seated areas where alcohol can be consumed must be calculated.** This should be done once the seating areas have been rearranged to apply the social distancing guidance. The calculation must be reflected in the Risk Assessment. (see SECTION 4 on Table layout)
- 1.2 **You must display the maximum number of visitors that can be seated in the venue at any given time.** This can be displayed at the entrance door or adjacent. In a larger premises, this should be done within each of the seating areas.
- 1.3 **Businesses must ensure that the maximum number of visitors is never exceeded.** For example, through advance reservations and/or allocated sitting times if feasible. Alternatively, if walk-ins are envisaged, this is likely to require designated staff to manage customers queuing outside. Any queues that form outside must be adequately socially distanced i.e. 2m.
- 1.4 Businesses must consider noise levels both inside and outside their premises as part of their risk assessment (see SECTION 8). In addition to the noise that background music, televised sport and outside queues generate, and the concerns around how that might increase transmission risk as outlined in SECTION 8, businesses should remember that they have other legal obligations relating to noise, and in particular noise nuisance.
- 1.5 **The Risk assessment should be available for inspection by enforcing authorities.** In practice this means that the risk assessment will have to be documented, even

for smaller premises. A template you can use to complete your risk assessment can be found [here](#).

2 **MANAGING QUEUES**

There are a number of ways in which queues might form. They include outside the venue; inside the front door; in rest rooms; or even at smoking shelters depending on their size. Businesses need to think through all scenarios where queues might form and put in place controls to ensure that where they do, they are managed as safely as possible with a focus on social distancing and good hand hygiene.

- 2.1 **Anyone entering the premises must be seated immediately upon entry.** This means that queuing once inside the premises is not permitted. Businesses will need to think through the implications of this including how they manage bookings to try to prevent outside queues as far as possible. Controls could include operating defined table times (sittings); clear communication with customers at the time of booking to prevent early arrival; providing covered outdoor waiting areas where feasible, complete with adequate social distancing; dedicated staff to manage outdoor queues.
- 2.2 Restroom facilities should be operated based on an assessment of how many persons can use the facilities at any one time at minimum risk. In considering this, businesses need to consider the number of cubicles; number of urinals; access and egress, and whether or not they should require face coverings by visitors using the facilities to reduce droplet projection. In smaller facilities it may be appropriate to admit one person to the toilet facilities at a time. Doors, for example in intervening lobbies, should be kept open as far as is possible to reduce the need for hand contact. Queues at toilets should be managed with at least 2m social distancing. Clear floor markings can assist with this.
- 2.3 For food self-service or buffet service see SECTION 6.

3: **CONTACT TRACING**

There are now some specific requirements that premises need to put in place concerning the collection, retention and, if required, sharing of personal information from visitors. These are summarised as follows:

- 3.1 **The following visitor information must be collected either in advance of the visit or on arrival.**
 - **The name and telephone number of one member of each household visiting the premises.**

- The date and arrival time.
 - The number of persons of that household visiting the premises at that time.
- 3.2 The above information must be recorded and retained for at least 21 days; the first day being the date on which the visit occurred.
- 3.3 The business must make this information available within 24 hours on request by a relevant person.

The information can be retained either by hard copy (paper based) or electronically. Full information about Contact Tracing, including GDPR considerations, can be found at: www.health-ni.gov.uk/sites/default/files/publications/health/hospitality-industry-guidance.pdf.

4 TABLE ARRANGEMENT AND DISTANCING

- 4.1 Tables should be arranged as far as is possible at least 2m apart. For the purposes of determining distance, it is the distance between the chairs at separate tables that should be considered rather than the distance between the tables themselves. Where 2m is not possible the distance between chairs must be no less than one metre and the chairs cannot be face to face. Rather chairs must be side by side, at an angle or ideally back to back. Where chairs are side by side and only 1m apart, the use of separating screens should be considered.
- 4.2 **Tables must be at least 2m from any bar used either wholly or partly for the service of food and/or drink.**
- 4.3 **No table can seat more than six persons from two separate households.** Note, children under 12 are not counted within the party of six but must be from either of the two households. This is the only circumstance in which tables of larger than six are permitted.

5 MANAGING VISITORS ONCE INSIDE THE VENUE

Once visitors have been escorted to their table, there are specific requirements that both they and the business must observe. As outlined in SECTION 4, **tables of more than six persons from two households are not permitted.**

- 5.1 **Orders for food and/or drinks can only be taken from the table at which visitors are seated.** How this is achieved may vary from premises to premises. In wet bars and in a small room it may be possible for orders to be communicated directly

from the table to the bar without the need for table service. In other cases, table service may be necessary/more appropriate.

- 5.2 Avoiding the use of menus through contactless options such as wall displays, online menus and apps are all ways in which hand contact can be minimised.
- 5.3 **Visitors must not leave their table during their visit except to either use restroom/toilet facilities or to exit the premises (for either use of smoking areas or on departure).** This should be communicated on booking (where a booking system operates) and/or on arrival prior to seating. The only exception relates to premises where self-service or buffet service is in operation (see SECTION 6)
- 5.4 **Visitors must remain seated at all times for the purposes of consuming either food and/or drink.**

6 SELF SERVICE AREAS/BUFFETS

- 6.1 If food is provided on a self-service or buffet style then visitors will be permitted to leave their table to avail of this service. However, **the business must ensure that visitors maintain a distance of at least 2m when queuing.** Businesses can ensure this happens through clear floor markings; clear communication with visitors on arrival and/or through booking; and, if necessary, dedicated staff to manage the process.

7 HYGIENE REQUIREMENTS

- 7.1 Businesses' must provide hand sanitisation facilities at all points of entry inside the premises.
- 7.2 In addition to the above it is strongly recommended that businesses provide additional hand sanitisation facilities throughout their premises and in particular at restroom or toilet facility queuing areas; at smoking shelter areas; at service points (for staff use); and at all exits from the premises. Where there are outside areas (other than smoking shelters) these facilities should also be made available for visitors using these areas.

8 ENTERTAINMENT AND NOISE

COVID 19 is a respiratory illness that is spread through droplets and/or aerosols. Any activity that either places people in close proximity to each other and/or increases droplets or aerosols significantly increases the risk of onward transmission. Singing, dancing, raised voices and/or shouting all increase the risk.

In light of this there have been a number of specific requirements introduced relating to entertainment and noise inside any venue to which the regulations apply (i.e. any venue where alcohol may be consumed).

- 8.1 **Businesses must ensure that there is no dancing on their premises.** The only exception to this is for wedding venues where the party to the wedding (i.e. the wedding couple) are permitted their first dance. There is also an exemption for professional dancers providing entertainment at a venue (for example Irish dancers, etc). The intent of the regulation is to prohibit dancing between and amongst visitors.
- 8.2 **Recorded music for the purposes of dancing (i.e. DJs) is not permitted.**
- 8.3 **Live music is not permitted.**
- 8.4 **Businesses are required, within their risk assessment, to ensure that they control the level of background noise that may be generated by either background music and/or televised sport to ensure that visitors do not have to raise their voices to talk.** These sources of noise should be controlled carefully to ensure that visitors can converse at normal speech levels.

9 SMOKING SHELTERS

Businesses need to take steps to ensure that social distancing is maintained within smoking shelters. This may involve queuing systems and/or removal or adaptation of seating to ensure 2m social distancing.

10 WEDDINGS OR CIVIL PARTNERSHIP CELEBRATIONS

There are some important exemptions for venues where weddings or civil partnerships are celebrated (i.e. receptions, etc).

- 10.1 As clarified at 8.1, the party to the wedding (the wedding couple) are permitted to dance as part of the reception proceedings.
- 10.2 **Table size at such functions can be up to, but no larger than, 10 persons.** NOTE: this does not apply to the “top” table at which the wedding party is seated. As for tables at other venues, this number excludes any children under 12. Whilst there is no requirement other than the maximum permitted number and no legal restriction on household numbers, if tables can be organised as far as possible in households and or bubbles, this would significantly reduce transmission risk. Likewise, good social distancing between participants at the same table would further reduce this risk.