

## Quick guide for pubs, bars & restaurants erecting gazebo's, marquees & other temporary structures from the 12<sup>th</sup> April 2021. (Published 16<sup>th</sup> March 2021)

### Introduction

There are now many regulations & guidance documents imposing duties upon business to help them remain CoVid Secure. To ensure that you remain up to date with current restrictions on your business you should check the Council website: [www.preston.gov.uk/Cv19restrictonsonbusinesses](http://www.preston.gov.uk/Cv19restrictonsonbusinesses)

Covid 19 guidance specifically for Licensed premises can be found on our website: [www.preston.gov.uk/cv19pubs](http://www.preston.gov.uk/cv19pubs)

The erection of gazebo's, marquees, tents, canopies, large parasols and other temporary structures on licensed premises must only be undertaken after careful consideration. This leaflet helps to outline the matters Premises Licence holders and Designated Premises Supervisors need to consider.

### Coronavirus Restrictions STEP TWO Currently 12<sup>th</sup> April 2021 (Date & restrictions maybe subject to alteration upon the publication of the Regulations)

- No indoor consumption of food or alcohol.
- Premises can offer table service only in outdoor areas.
- There is no requirement to purchase a meal when ordering alcohol.
- Customers must remain seated to order & consume food and drink (So order via an APP or waiter/waitress).
- To allow the consumption of food and drink in an outdoor structure, at least 50% of the walls must be open and removed from the shelter. Open sides must not be closer than 1 meter to other walls, fences, hedges or other obstructions that will impede ventilation.
- 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. (A household includes legal bubble).
- Customers (from different groups) must be kept 2 meters apart. Customers may come as close as 1 meter with mitigation. Mitigation is sitting side by side or back to back. Customers sitting closer than 1 meter need separating by physical barriers. Remember it's the people that must be 1 meter apart not the tables. Measure from the back of the chairs, when people are sat down.
- Customers may use the indoor toilet facilities.
- Members of the public must wear a face mask in a pub, bar or restaurant & takeaway unless they have a legal exemption. You should display signs at all entrance's reminding customers to wear face coverings. Customers will need to wear a face covering if moving through the premises to the rear drinking area or going to the toilets. Face coverings are not required in 'outdoor' areas. Customers failing to comply with rules should not be served. If customers become violent or abusive call the Police.

### Licensing Considerations

- If serving customers in a beer garden or other outdoor part of your premises, from your normal bar, you are unlikely to require any amendments to your licence.
- Off-License sales can take place if your license allows it. If not the Business & Planning Act 2020 allows licence holders to provide off sales upon them giving notice of their intention to the Licensing Authority.

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- Utilising an outdoor space that is not part of your premises, such as the highway (pavement) requires you to have off-Licence sales permissions.
- If you wish to place a temporary bar outside, then you may need to apply for a variation or Temporary Event Notice. Seek further advice from the Licensing Team.

### **Prevention of Crime**

- If you have CCTV camera(s) covering the outdoor areas, the erection of temporary structures may obstruct or impede the view. This maybe a breach of your Licence conditions. Speak to your Police Licensing Team for further advice.

### **Public Nuisance**

- Any recorded music played must be kept to an ambient background level.
- Try to ensure that groups do not create too much noise. Neighbours are likely to be sensitive to noise, especially if the outside areas are not typically used for drinking.
- Ensure any litter is regularly removed from the curtilage of your premises, especially if you have a pavement café licence.

### **Public Safety**

Before you erect any temporary structure you must undertake a risk assessment and implement suitable control measures. If you have 5 or more employees the risk assessment must be written down. [www.hse.gov.uk/risk](http://www.hse.gov.uk/risk). It is also likely that you will need to review and alter your fire risk assessment if using temporary structures on your premises.

### **Erection of Structures** [www.muta.org.uk](http://www.muta.org.uk)

- All temporary structures should be erected according to manufactures instructions.
- Large marquees will need to be erected by competent persons.
- All temporary structures must be suitably secured from blowing away/falling over by the use of weights, pegs or other suitable fastenings.
- Weather conditions should be monitored. In adverse conditions such as heavy winds and or rain the temporary structures may need to be 'closed' or taken down. If water pools on the roof of structures it should be regularly removed to prevent the weight causing collapse.

### **Trip Hazards** [www.hse.gov.uk/slips](http://www.hse.gov.uk/slips)

- Care should be taken to avoid trip hazards from guy ropes, loose canvass or discarded bags etc.
- Any holes or uneven surfaces should be covered or highlighted.
- If the temporary structure is to be used when it is dark, you will need to ensure there is an adequate supply of artificial light.

### **Electrical Safety** [www.hse.gov.uk/electricity](http://www.hse.gov.uk/electricity)

- Electrical supplies must be safe. External electrical devices must be protected by a residual current device (RCD).
- High voltage appliances such as electric heaters should have their own supply, they should not be powered by extension cable and never have more than one heater plugged into an extension, this can cause overheating and fire.
- The electrical installation (wires and sockets) and electrical appliances must be suitably rated to operate in an outdoor environment and therefore protected from water ingress.
- Electrical works must be undertaken by a competent person.

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### **Gas Safety** [www.gassaferegister.co.uk/help-and-advice/lpg](http://www.gassaferegister.co.uk/help-and-advice/lpg)

- Gas appliances such as heaters or lamps must be suitable for 'indoor use'. Gas equipment such as patio heaters are frequently only rated for 'outdoor use', due to the dangerously high amounts of Carbon Monoxide they emit. Consult the instruction manual for your gas appliance prior to operation. If you cannot find the instruction manual consult with a competent Gas Safe Engineer.
- Ensure all staff are trained in the changing and operation of gas cylinders.
- Spare gas cylinders (full and empty) must be stored outside in a locked cage. The cage must not be located near to drain or cellar access.
- Persons, especially children, must be protected from burns brought about from being too close to or touching hot patio heaters.

### **Fire Safety**

- All materials used in a temporary structure must be flame retardant.
- The temporary structure must not be erected where it can cause an obstruction to Means of Escape. Fire doors must not be blocked. If travel paths are altered, you may need to erect temporary signage to guide people to the final exits.
- If using heaters they must not be located close to flammable materials such as planters or the fabric of the temporary structure as it may cause a fire. Patio 'mushroom' style heaters are notorious for emitting a large amount of upward heat that could damage the roof of a temporary structure.

### **Road Safety**

- If temporary structures are to be erected in a car park care must be taken to ensure pedestrian and vehicle separation; you may wish to use temporary barriers, cones or planters etc.
- Avoid creating sharp corners and blind bends. Ensure there is good visibility across the car park, especially in places where pedestrians will be emerging from shelters.
- Ensure the areas are well lit at night.

### **Other Considerations**

#### **Pavement Café License**

If you intend on placing furniture on the highway (pavement), you must apply for a pavement café license, if you do not already have one. Full details of how to apply can be found on the Council website <https://www.preston.gov.uk/article/2852/Pavement-licence>

#### **Contact Details**

Police Licensing:	<a href="mailto:CentralLicencing@lancashire.pnn.police.uk">CentralLicencing@lancashire.pnn.police.uk</a>	01772 209794
Licensing Team:	<a href="mailto:Licensing@preston.gov.uk">Licensing@preston.gov.uk</a>	01772 906911
Environmental Health:	<a href="mailto:info@preston.gov.uk">info@preston.gov.uk</a>	01772 906978