

# ADMIRAL COVID-COMPLIANCE LICENSEE GUIDANCE



## COVID REGULATIONS AND GOVERNMENT FINANCIAL ASSISTANCE

**Updated January 5<sup>th</sup> 2021**

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# ADMIRAL COVID-COMPLIANCE LICENSEE GUIDANCE

## PLAN B – ENGLAND

### GUIDANCE & FAQs

**UPDATED JANUARY 4<sup>TH</sup> 2021**

#### Summary

On Wednesday 8 December the Prime Minister announced new measures for England, following the emergence of the Omicron variant. This is based on the previously announced Plan B for Winter. A summary of what is being introduced, and from when, is summarised in the table below, and further guidance/FAQs can be found in the main document.

| Restrictions                                  | Commencement date            | Gov guidance              | Legislation               |
|---|------------------------------|---------------------------|---------------------------|
| <i>Face covering extensions</i>               | <i>Friday 10 December</i>    | <a href="#">Link here</a> | <a href="#">Link here</a> |
| <i>Working from home</i>                      | <i>Monday 13 December</i>    | <a href="#">Link here</a> | None                      |
| <i>Covid Pass for specified venues/events</i> | <i>Wednesday 15 December</i> | <a href="#">Link here</a> | <a href="#">Link here</a> |

Overarching government guidance here: <https://www.gov.uk/guidance/covid-19-coronavirus-restrictions-what-you-can-and-cannot-do>

New guidance and regulations will be produced by the Government to explain these changes. This document is an interpretation of the information currently available as it pertains to hospitality, as we currently understand it. This FAQ is the shared view of UKHospitality, BBPA and BII on how aspects of Plan B could be applied to different practical situations. This FAQ will be kept under constant review. Please note that not all of the information is currently available and may be subject to change. This will be kept updated and revised as new information emerges. This note does not constitute legal advice.

**We continue to advise members to ensure their Covid-Secure risk assessments are regularly reviewed and up to date, with particular regard to ventilation, as per Government Working Safely guidance [here](#).**

Please note this applies to England only, please see relevant government rules and industry guidance for Wales, Scotland and Northern Ireland.

Full Government guidance for businesses can be found here: [Carrying out mandatory COVID-19 status checks at your venue or event - GOV.UK \(www.gov.uk\)](#)

A toolkit for business including Government posters and other resources can be found [here](#).

# ADMIRAL COVID-COMPLIANCE LICENSEE GUIDANCE

## Q. Which venues/events are in scope?

The use of the NHS COVID Pass is required as a condition of entry into the following three categories:

1. Nightclubs, dancehalls and discotheques;

2. Other late night dance venues. These are any venues other than nightclubs that are:

- open between 1am and 5am; **AND**
- serve alcohol during this time; **AND**
- have a dancefloor (or designated space for dancing); **AND**
- provide music, whether live or recorded, for dancing.

## Q. Which venues/events are exempt for checking COVID-19 status?

There are some settings that will be exempt from requirements to use the NHS COVID Pass including:

- All venues that do not meet the criteria for nightclub, late night dance venue, or large event

## Q. What are the requirements for staff?

COVID-19 status checks are not mandatory for workers, Government guidance states that organisations should take reasonable steps to make sure that all adults working or providing services (as an employee, contractor or volunteer) in customer-facing roles show evidence of one of the following:

- a valid NHS COVID Pass
- an acceptable alternative proof of either vaccination, clinical trial participation, or medical exemption, for example, international equivalents accepted at the UK border
- an alternative proof of a negative COVID-19 test result, for example, text or email confirmation from NHS Test and Trace

## Q. Are some hospitality premises exempt from face coverings?

Yes. The following venues are exempt from customer and staff mandatory face covering use:

- Restaurants, cafés and canteens
- Pubs, bars and shisha bars

## Q. Can I still host office Christmas parties in my venue?

Yes. There are no restrictions on hosting or attending Christmas parties (or similar work events) in hospitality premises (subject to Covid Pass checks only if applicable for the venue/event).

# ADMIRAL COVID-COMPLIANCE LICENSEE GUIDANCE

## **Financial Assistance**

### ***Omicron Hospitality and Leisure Grants guidance***

Guidance is now available on the Government website for the new hospitality grants and ARG funds. This can be accessed by [clicking here](#)

The new measures include:

- Businesses in England will be eligible for one-off grants of up to £6,000 per premises; with up to £683m available in funding for these grants. This breaks down at £2,666 for properties with a rateable value of under £15k, £4,000 for properties with a rateable value between 15 and 51k, and £6,000 for properties with a rateable value of over £51k.
- Government covering the cost of Statutory Sick Pay for Covid-related absences for SMEs
- To support other businesses impacted by Omicron – such as those who supply the hospitality sectors – the government is providing an additional £102 million to the Additional Restrictions Grant (ARG) fund for local authorities in England.
- The devolved administrations will also receive an additional £154m of funding to provide additional support.

Grants are per premises and the amount paid is varied by rateable value (RV) of each eligible premises, in three bands:

| <b>Rateable Value</b>    | <b>£0-15k</b> | <b>£15-51k</b> | <b>&gt;£51k</b> |
|--------------------------|---------------|----------------|-----------------|
| Value of grant available | £2.7k         | £4k            | £6k             |

### ***Factsheets on support packages announced by the Chancellor***

The factsheet on the new local authority grants is available [here](#).

The key Points are:

- Hospitality is defined as
- accommodation
- food & beverage services

Recipients must be solvent businesses, and ratepayers in the hospitality and leisure sector. The funding will be based on the rateable value of the property as set out above.

**TO VIEW THE BRITISH INSTITUTE OF INNKEEPING SUMMARY GUIDANCE [CLICK HERE](#)**

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## ***Statutory Sick Pay Rebate Scheme (SSPRS)***

The link to the factsheet on Statutory Sick Pay Rebate Scheme (SSPRS) [here](#), and details of the original scheme have been updated [here](#).

Key points are:

- It is available for SMEs (i.e. employers with fewer than 250 employees).
- Employers will be eligible for the scheme if:
- They are UK-based.
- They employed fewer than 250 employees as of 30 November 2021.
- They had a PAYE payroll system as of 30 November 2021.
- They have already paid their employees' COVID-related SSP.
- Employers will be able to claim the costs for up to two weeks of SSP per employee that has to take time off because of COVID-19.
- This two-week limit will be reset so an employer will be able to claim up to two weeks per employee regardless of whether they have claimed under the previous scheme for that employee.

## ***Mandatory COVID certification toolkit for venues and events***

We have been asked to share a new toolkit that is now available to support messaging about mandatory COVID certification for some venues and events in England.

This toolkit provides a suite of downloadable and easy-to-use resources for venues and events to use where proof of COVID status is mandatory as a condition of entry. These resources can also be used by those venues where proof of COVID status is not mandatory, but they wish to use it on a voluntary basis.

The resources include social media assets for your organisation's channels, posters, website banners, email signatures and window or door stickers. The toolkit is available [here](#) and can be easily downloaded.

## ***Permission for outdoor marquees at hospitality premises to be allowed permanently***

The measures originally introduced during the pandemic for movable structures in the grounds of pubs will now be made permanent. The current provision ceases to have effect from the end of 1 January 2022. The amendment in respect of moveable structures comes into force from 2 January 2022 to ensure there is no gap.

The secondary legislation was laid on 20 December and is available [here](#).

The key outcomes for hospitality premises are:

- Local hospitality businesses no longer need planning permission to put up marquees on their land and councils will no longer need planning permission to hold an outdoor market

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- Measures originally introduced during the pandemic will now be made permanent following public consultation

The permitted development rights (PDR) introduced in 2020 to 2021 that will be made permanent; these include the rights for moveable structures in the grounds of pubs, cafes, restaurants and historic visitor attractions. These measures will apply to England.

Pubs, cafes and restaurants will be able to erect a moveable structure for an unlimited number of days without the need for a planning application.

Listed pubs, restaurants, cafes and historic visitor attractions will be able to erect a moveable structure for 120 days in a 12-month period, subject to prior approval by the local council.

Additional measures apply to all moveable structures to minimise impacts on surrounding communities, including limits to size, height and distance to residential boundaries. Full details of these measures are not apparent from the announcement; we will advise when these details are published.

These measures, introduced through PDRs, are separate to changes to pavement licenses introduced last year. Pavement licenses allow hospitality businesses to place furniture, such as tables and chairs, on the pavement outside their premises whereas the PDR for movable structures allows businesses to install marquees in gardens or outside areas on their own land.

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## WALES – GUIDANCE

### Financial Assistance

**UPDATED JANUARY 4<sup>TH</sup> 2021**

There are 3 government funding support options; the first two are paramount and should be registered/applied for in all cases, detailed below:

1. **Economic Resilience Fund** – related to the number of staff
2. **Non-domestic Rates grant** (needs to be actively re-registered for)
3. A (residual) Discretionary Fund

#### *Latest COVID grants from the Welsh Government – how to apply*

Following the Welsh Government's recent announcement about the £120m financial support that has been made available for businesses impacted by Omicron, the eligibility checker **for the Economic Resilience aspect of the funding** is now live on the Business Wales website.

The checker can be found at [COVID-19 Crisis Support Tool | Business Wales](#)

This funding will be delivered by the Welsh Government and will provide discretionary grants to hospitality, leisure and attraction sectors and their supply chains via an application process subject to eligibility criteria.

The application stage of the funding **will open during the week of the 17<sup>th</sup> of January** and will be open for two weeks. The funding is open to businesses employing between 1 and 249 full time equivalent staff, including charities and social enterprises.

The grants available to eligible businesses are as follows:

| Full-time Equivalent | Business closed by regulations on 27.12.21 | Event space and attractions | Other business with restrictions |
|----------------------|--|-----------------------------|----------------------------------|
| 1-3                  | £5,000                                     | £3,500                      | £2,500                           |
| 4-9                  | £10,000                                    | £7,000                      | £5,000                           |
| 10-49                | £15,000                                    | £12,000                     | £7,500                           |
| 50-99                | £20,000                                    | £15,000                     | £10,000                          |
| 100+                 | £25,000                                    | £20,000                     | £15,000                          |

In addition to the Economic Resilience Fund, Local Authorities **will be delivering a Non-Domestic Rates (NDR) linked grant fund to non-essential retail, hospitality**, leisure and tourism businesses (NERHLT). There will not be an application process for this element however in order to receive payment **businesses will be required to register with their local authority to confirm their details**, NDR linked grants will then be paid directly to rate payers as follows:

- NERHLT businesses in receipt of Small Business Rate Relief (SBRR) and with a rateable value of £12,000 or less will be eligible for a £2,000 payment.
- NERHLT businesses with a rateable value of between £12,001 and £51,000 will be eligible for a £4,000 payment if impacted by the restrictions.
- NERHLT businesses with a rateable value of between £51,001 and £500,000 will be eligible for a £6,000 payment if impacted by the restrictions.

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Local Authorities will also be delivering a **discretionary fund** via a short application process with sole traders, freelancers and taxi drivers able to apply for £500 and businesses that employ people but do not pay business rates will be able to apply for £2,000. The registration process for the NDR linked grants and application process for the discretionary fund will **open week commencing the 10<sup>th</sup> of January 2022**.

**(UPDATED DECEMBER 27<sup>TH</sup> 2021)**

## *Wales moves to 'PLAN B' from 26<sup>th</sup> December 2021*

- A general requirement of 2m social distancing in all premises open to the public and workplaces, where reasonable.
- The rule of six will apply to gatherings in regulated premises, such as hospitality, cinemas and theatres.
- All licensed premises will need to take additional measures to protect customers and staff, including table service and collecting contact details.
- Face coverings will be required in hospitality settings at all times apart from when seated.
- Extra measures in place to protect customers and staff, such as one-way systems and physical barriers

Government Guidance can be accessed here - [Coronavirus – Stay Safe at Christmas; COVID 19 \(gov.wales\)](#)

**TO VIEW THE BRITISH INSTITUTE OF INNKEEPING GUIDANCE [CLICK HERE](#)**



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## SCOTLAND – GUIDANCE

**UPDATED DECEMBER 27<sup>TH</sup> 2021**

### *Scottish COVID Restrictions – update*

The new Regulations were published today (available [here](#)). These include:

- requirements for social distancing between groups;
- requirements for seated food and drink consumption (“table service”)

As previously noted, the advice for groups to consist of no more than three households remains guidance and is not in the Regulations. However, Scottish Government officials have advised that this was on the basis that their evidence suggests this aspect was largely being followed; they suggested it could become part of the Regulations if they felt the public were not following that particular piece of guidance.

The Safer Businesses and Workplace Guidance has been updated with regards to hospitality ([here](#)), as has the specific Tourism & Hospitality sector guidance ([here](#)). Key points for pubs to note in the latter are:

- only offer table/at seat service. This means there should be no standing at bar areas/vertical drinking. Full table service should be carried out where reasonably practicable, however where this is not practical drinks may be served at bar areas where there is a clear queuing system with appropriate distancing and the food/drink is consumed at a table/when seated. This may include bar seating if managed with safe distancing, appropriate hygiene controls and not obstructing any order points leading to crowding. Buffet service may also be offered where there is appropriate distanced queue management. Premises should revisit the adaptations deployed in earlier phases where table/at seat service was a requirement and use these, as necessary. Games/gaming tables/gaming machines may still be used/take place in premises with appropriate distancing, face coverings and hygiene controls, but all food and drink must be consumed while seated.
- observe 1 metre physical distancing between groups. The strong advice is that people should not meet in groups of more than three households. In most instances this will mean ensuring 1 metre distancing between tables. It will also mean that, with the exception of wedding receptions, dancing will not be possible due to the likelihood of households mixing in large numbers.

*Nightclubs* – the Government has changed its position on nightclubs with regards to post-Christmas restrictions, and has decided it is best to mandate their closure, unless they choose to operate under a different model. The statement from Scottish Government is [here](#) and the amendment to the new Regulations that mandates this is [here](#).

This is in recognition that for most, if not all, nightclubs could not viably operate under the forthcoming restrictions. However, the Government has confirmed that this only applies to nightclubs and not other late-night venues. Additional funding will be provided via a new top-up fund to those nightclubs that close.

*Reminder* - We would remind all members of the general ongoing responsibilities on employers, and the need for appropriate risk assessments. <https://www.gov.scot/publications/coronavirus-covid-19-general-guidance-for-safer-workplaces/pages/employer-and-employee-responsibilities/>

# ADMIRAL COVID-COMPLIANCE LICENSEE GUIDANCE

## **Financial Assistance**

**(UPDATED DECEMBER 22<sup>ND</sup> 2021)**

The Treasury has provided £175m which will be allocated as business support. The Scottish Government will provide a further £100m for business support between now and the end of the calendar year.

Framed as the December and January Business Support Top Up - Hospitality package, the value of this to pubs is as follows:

- £4,500 for premises which have a rateable value of up to and including £51,000, or
- £6,800 for premises have a rateable value of £51,001 or above

Eligibility criteria and information on how businesses will be paid can be found [here](#).

**TO VIEW THE BRITISH INSTITUTE OF INNKEEPING SUMMARY GUIDANCE [CLICK HERE](#)**

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## Ventilation as a mitigation of COVID-19 transmission – guidance for pubs

*Ventilation guidance* ([here](#))

Ventilation of enclosed spaces is identified as an important measure for keeping customers and staff safe. The guidance confirms that:

- There are different ways of providing ventilation, including mechanical ventilation using fans and ducts, natural ventilation which relies on passive flow through openings (doors, windows, vents) or a combination of the two.
- HSE guidance on ventilation and air conditioning explains how to identify those spaces and steps to take to improve ventilation. [Read advice on air conditioning and ventilation from HSE.](#)

### **Key points**

- It is well-accepted that improving ventilation for an indoors space can reduce the risk of transmission of the virus carried in aerosol particles, alongside other mitigation measures.
- There are practical, no-cost means of improving natural ventilation as set out in guidance from the Health and Safety Executive (HSE).
- Current government guidance to the hospitality sector refers directly to the HSE guidance and does not specify any prescribed standard of ventilation or specific equipment.

### **Tips for better ventilation (per HSE guidance)**

#### [Why ventilation is important](#)

- Good ventilation reduces the concentration of the virus in the air and therefore reduces the risks from airborne transmission. This happens when people breathe in small particles (aerosols) in the air after someone with the virus has occupied an enclosed area. However, ventilation will have little or no impact on droplet or contact transmission routes.

#### [Balancing ventilation with keeping people warm](#)

- Good ventilation is a balance between making sure premises are warm but keeping a flow of air going through an area. Simple steps, such as partially opening windows, can be taken to ensure ventilation is maintained. [Natural ventilation](#) can be used with heating systems to maintain a reasonable temperature.

#### [Identifying poorly ventilated areas](#)

- Look for areas where there is no [mechanical ventilation](#) or no natural ventilation, such as opening windows and vents etc, unless doors are opened very frequently

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- Check that mechanical systems provide outdoor air, temperature control or both. If a system (e.g. a local air conditioner) is recirculating only and doesn't have an outdoor air supply, or a separate source of outdoor air, the area is likely to be poorly ventilated
- Identify areas that feel stuffy or smell badly
- Use carbon dioxide (CO<sub>2</sub>) monitors to identify the CO<sub>2</sub> levels to help decide if ventilation is poor. CO<sub>2</sub> monitors are most effective for areas that are regularly attended by the same group of people. They are less effective in areas with low numbers of people

## [How to improve ventilation](#)

- The more people occupying an area that is poorly ventilated, and the longer they remain in it, the greater the risk of transmission. Singing, shouting and aerobic activities generate higher levels of aerosol and increase the risk further, so consider these factors when ensuring you have adequate ventilation.

## [Natural ventilation](#)

- Natural ventilation can be provided through open windows, or through other means such as vents. However, fire doors should not be propped open.
- Do not to completely close windows and doors when the area is occupied as this can result in very low levels of ventilation.
- Lower temperatures and likely windy weather conditions in the winter months will increase the natural ventilation through openings. This means you don't need to open windows and doors as wide, so partially opening them can still provide adequate ventilation while maintaining a comfortable temperature. Opening higher-level windows is likely to generate fewer draughts.
- Airing rooms as frequently as you can will help improve ventilation. This involves opening all doors and windows wide to maximise the ventilation in the room. It may be easier to do this when the room is unoccupied or between uses.