

Business Closure Advice

Our ref: Business Closure Advice
Phone N^o: 01962 848097
E-Mail: EHealth@winchester.gov.uk

Date: March 2020

Dear Sir/Madam

Environmental Health advice for local businesses regarding national closure guidance

The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020

I am writing to inform you of legislation brought in to support the government's closure of premises announced on Friday 20th March 2020. The closures are to support the national drive to prevent the spread of COVID-19.

To help support the national drive to reduce the spread of COVID-19, local authorities have been asked by government to ensure that social settings – for example pubs, cinemas, theatres and other places of congregation – which have been asked to close, are fully enforcing these public health guidelines.

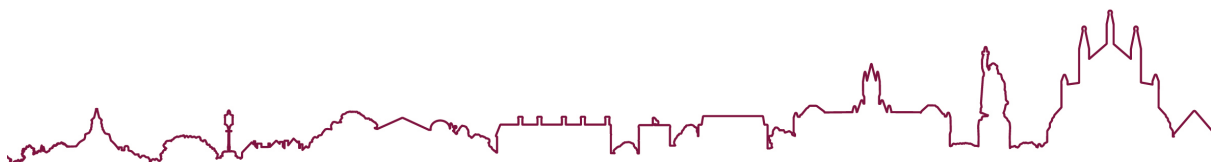
Businesses are being written to setting out the new guidance and the enforcement legislation that is in place for, at present, the next six months.

Winchester City Council is working hard to support local businesses over this unprecedented period – many food businesses for example, are changing to offer customers a takeaway option – guidance on how to do this can be received by contacting our Environmental Health team at EHealth@winchester.gov.uk

Further advice on government compensation and support for businesses is here: <https://www.gov.uk/government/publications/support-for-those-affected-by-covid-19/support-for-those-affected-by-covid-19>

To protect the public, local authorities will take robust steps to prevent continued unsafe behaviours that go against the national guidance, including fines and the loss of alcohol licenses. Environmental health officers will visit any premise that is reported to be breaking the closure directive.

For more information: <https://www.gov.uk/government/publications/business-and-other-venues-subject-to-further-social-distancing-measures/businesses-and-other-venues-subject-to-further-social-distancing-measures>



The legislation has been brought in as part of the Government's strategy based on public health guidance to prevent people gathering in groups and prevent the continued spread of the Covid-19 pandemic. It is in place for 6 months but is being reviewed every 28 days by the Secretary of State.

CONTROL OF FOOD SALE AND CONSUMPTION

The regulations state a person responsible for carrying on the businesses listed below MUST:-

1. CLOSE any premises, or part of premises, where food is sold for consumption on the premises
 2. CEASE selling food and drink for consumption on the premises, and
 3. If selling food for consumption off premises, CEASE selling food or drink for consumption on premises.
- Restaurants including restaurants and dining rooms in hotels and members clubs
 - Cafes including workplace canteens
 - Bars including those in hotels or members clubs
 - Public Houses

Seating within the vicinity of a businesses establishment is considered to be the business premises regardless of whether it falls within its curtilage.

ABSOLUTE BUSINESS PROHIBITIONS

Anyone responsible for carrying on any of the following businesses must cease until further notice:-

- Cinemas
- Theatres.
- Nightclubs.
- Bingo halls.
- Concert halls.
- Museums and galleries.
- Casinos.
- Betting shops.
- Spas.
- Massage parlours.
- Indoor skating rinks.
- Indoor fitness studios, gyms, swimming pools or other indoor leisure centres.

The legislation also makes it an offence for these premises to remain open. The legislation also makes it an offence to obstruct a person attempting to carry out a function under this legislation. In addition, the legislation allows persons carrying out a function under this legislation to **“take such action as is necessary to enforce a closure or restriction”**.

For those of you who own/operate the above businesses please be aware that you **must** close your business/es. We appreciate that this is an extremely difficult course of action. The Government has set out a comprehensive compensation package for businesses, for more information please visit:

<https://www.gov.uk/government/publications/support-for-those-affected-by-covid-19/support-for-those-affected-by-covid-19>

If your business falls within the first four business groups at the top of this email then there may be other options available to trade, particularly if you provide food.

Businesses at present are able to provide take-away services. However please remember that people must not be able to sit and consume this on the premises, or gather nearby to do so. Should they be allowed to do so then you run the risk of committing offences, incurring an unlimited fine and losing any licence issued by the Licensing Authority.

Further information can be found below:

<https://www.gov.uk/government/publications/business-and-other-venues-subject-to-further-social-distancing-measures/businesses-and-other-venues-subject-to-further-social-distancing-measures>

Our officers will be visiting premises of the type named in the above list which remain open and will take enforcement action where there is evidence to suggest that offences are being committed. Please follow the guidance and help to prevent the spread of COVID-19.

Yours faithfully,

David Ingram
Service Lead – Public Protection