

Trading Outside: Compliance and Safety for Pubs, Bars, Restaurants and Cafes

This guidance focusses on compliant and safe trading outside during the pandemic (in line with the Government's Roadmap to Recovery), as well as other important safety considerations when trading outside at any time.

From 17th May 2021, as per Step 3 of the Roadmap, you will be able to trade inside, so if your business has outdoor structures that are not compliant at Step 2 (classed as inside), then they will be able to be used at Step 3.

For more support, please speak to your local Environmental Health Team at your District / Borough Council.

1.0 General Preparation

Along with considerations to ensure your outside space is 'COVID safe', the usual preparation is still required as you would do every year when re-opening these spaces to trade, including:

1.1 Housekeeping

Clear access / egress including cleaning of paths, decking and steps. Ensure parking areas / play areas / smoking bins are in a good and clean condition.

1.2 Maintenance

Furniture, cables, light bulbs etc are checked and replaced where necessary. PAT Testing undertaken where required. Outdoor structures are in good condition and secured.

Heaters / fans / air conditioning units must be inspected regularly (prior to use) / as per the Manufacturers recommendations to ensure they are in good condition / good working order and have not been damaged. Any damaged equipment is to be removed immediately.

1.3 Environmental Considerations

Plan for adverse weather and consider other environmental impacts such as light complaints, pests / rodents and noise. Control the noise levels by limiting capacity and keeping background music at a low volume or restricting times it is played.

1.4 Fire Considerations

Your fire risk assessment must be reviewed / updated when there are significant changes. This helps to recognise the risk from heaters, furniture layouts, new heat sources and structures etc, and to ensure adequate controls are in place.

Consider if movable structures are fire retardant. Fire pits and heaters should be secured to prevent them being moved and ideally the same with surrounding furniture to prevent customers getting closer to the pit or heater. When closing the sides of a marquee / tent, remember to ensure that all electrical equipment / heat sources are turned off / made safe.

Certain electric patio heaters will also need a large area of clearance to ensure nearby materials aren't ignited; always follow the manufacturer's instructions, carry out a risk assessment and if in doubt – turn it off and leave it outside.

Patio heaters are designed to be used in outside spaces as they require lots of ventilation and an adequate air supply. Particularly gas patio heaters can emit gases such as carbon monoxide, which can be fatal if inhaled.

1.5 Arson

Consider reducing the risk of Arson and ensure it is captured within your Fire Risk Assessment.

To help prevent arson attacks store bins and rubbish away from buildings, but within the boundary of the property. Security lighting and CCTV can be an effective deterrent against arson attacks and provide proof should an attack take place.

Always make sure your alarm system is switched on and in working order and report any antisocial behaviour you witness to local police or neighbourhood watch as this type of behaviour could lead to an arson attack.

1.6 Insurance Compliance

Ensure that any undertakings are compliant with your Insurance Company and that they are informed of and approve any changes you want to / have made.

1.7 Licencing Conditions

Ensure structures do not obstruct CCTV cameras or implement changes which could impact licencing conditions.

1.8 Food Safety

The [Food Safety Management System](#) must be reviewed and updated to ensure that any outside catering is suitably covered. The team must have been suitably trained and understand the controls needed for this different process.

Consider unique risks and controls in place for an outside kitchen area e.g Keeping food covered if preparing outside; cross contamination, temperature control, hand washing facilities, disposing of waste, control of pests, etc

2.0 COVID Specific Safety Considerations / Relevant Regulation:

2.1 COVID Risk Assessment

You must undertake a COVID assessment. If you employ five or more people, this must be written down. Ensure you cover all hazards associated with COVID, who could be harmed and the controls you have in place to reduce the risk of COVID transmission. ie social distancing, bookings only, increased cleaning regime, sanitizing handwash etc

2.2 Outdoor Structures

Outdoor structures must comply with the Smoking Shelter regulations – this means that the sides **must** be at least 50% fully open (windows / doors do not count as ‘open’) but can have a roof.

Structures should not be sited too close to sheltering walls or other structures which may prevent proper airflow through the shelter, thus increasing the risk of COVID transmission.

2.3 Table Service

Will be required for venues that serve alcohol, even if no alcohol is ordered. This means customers must order, be served and eat / drink while seated.

If a venue does not serve alcohol, customers can order and collect food and drink from a counter, but they must consume food and drink while seated at a table.

2.4 Customer Groups

From 17th May 2021, customers can be served in groups of up to 6 or 2 households indoors, or in groups of up to 30 outdoors (Please refer to 2.2 – Outdoor Structures).

2.5 Toilet facilities

Both internal and external toilets can be used, although proprietors must ensure social distancing, enhanced cleaning and the wearing of face coverings.

2.6 Cleaning Regime

Ensure all cleaning regimes are followed and the correct products are used (At least 60% alcohol or to BS EN 14476)

2.7 Test and Trace (QR Code) / Record Keeping of Customers

Print the code off at: <https://www.gov.uk/create-coronavirus-qr-poster>

The QR Code **must** be displayed at all public entrances to the business. Customers who have the NHS COVID App can then scan in the code. (Check that the App is working on a daily basis)

Should a person visit the business and develop COVID, this will help to track the infected person and with whom they have been in contact with.

For those who don't have the App, records of Customers should also be kept for up to 21 days. This can easily be done via your booking in system / logbook.

Please ensure that you are complying with the Data Protection Act.

PLEASE NOTE: Hospitality businesses MUST refuse entry to customers who do not comply.

2.8 Lateral Flow Testing

Lateral Flow Testing (LFT) is a test for people without symptoms of COVID-19. It tests to see if a person is asymptomatic ie, has contracted the virus but shows no signs of contamination, however, they could still be a carrier.

The LFT is not mandatory but is good practice for those in public facing business's and should be taken twice per week. The result is shown within 30 minutes.

The tests are free, can be ordered on-line for business use, personal use, in local drive-through centres, and pharmacies. Click this link for [Hertfordshire testing information](#). Click this link for the [Government LFT Endorsement Scheme](#).

2.9 Non-Compliance by Customers

You should also consider what plans you have in place should customers fail to comply with your COVID controls, especially as further alcohol is consumed throughout their visit. i.e. use of security etc.

For further support, please contact your local Environmental Health team and [explore our trading safely online guidance](#).