

Coronavirus – Licensing Pre-opening Checklist

- Is the current DPS is still working at the premises and how many personal licence holders you have working on site.
- Has there been a change to the premises licence holder or their registered address?
- Is the Premises Licence Summary and Section 57 Notice on display? Is the full licence available for inspection?
- Is the bar authorisation form in place and all training records up to date?
- Has the Premises Licence annual fee (and late night levy) been paid. Check for suspension notices and remove if applicable.
- Has the gaming permit annual fee been paid? If it has not then the permit will have lapsed and need to apply for a new one.
- Notifications (automatic entitlements to 2 gaming machines) – if the premises licence has been transferred then you need to apply for a new notification.
- Is your licence fit for purpose? – do you need extended hours at start or end of trading, do you need to modify conditions or the addition of off sales (more details below). Consider time limited licence applications or TENs if permanent changes not needed/possible.
- If you are adding a food offer consider if you need late night refreshment if trading beyond 11pm? Consider food registration issues and discuss with local food EHO. Do you need to add permissions – e.g. films? Can the deregulation of live and recorded music help? Do you have unused spaces in your building which can be used for social distancing and do you need permission from the local authority?
- Review licence conditions (now and in light of any subsequent COVID 19 regulations)– ensure compliant and consider whether anything needs amending – e.g. use of any existing outside space or any potential opportunity areas, licensing of external dispense bars, off sales, last entry, door staff , relaxation of delivery and collections to reduce interaction between customers/staff and visitors. Do you plan opening new access points to regulate entry/flow of visitors and customers? Do you wish to keep windows and doors open (except fire doors) to assist ventilation? Check if the Local Authority will accept minors, possibly time limited for the changes you need.
- Check for any planning restrictions which might need to be amended as a result of changes you wish to make. This could relate to the use of areas, trading hours or operational conditions. Here are some areas to think about but please contact us for further advice if needed:

If you are considering using an area for customers that has been previously used as a non customer part of the premises e.g. storage/staff area/car park, then while change of use may not be required, you will still need to consider if it is needed. If the area can be said to be part of the planning unit then it could be used for any purpose incidental to the primary use. Exceptions would be restrictive conditions that may require retention of all parking spaces or no outside customer area (for amenity reasons). In the current climate, it may be straightforward to obtain a temporary permission at least.

If the local authority decides to permit use of public spaces for consumption of drinks and food outside - while mobile bars would not require planning consent unless left in a fixed place, planning consent may be required for any fixed structure. And, you would need to licence the use of the bar either by way of a TENs or variation.

If you want to have outdoor bar/marquee/structure/fixed furniture outside on your land for more than 28 days you may need planning consent. Also consider the impact of any new street furniture or advertising.

- Pavement licence, A Boards, marriage licence and special treatment licence - have they been renewed and if renewed, were fees paid or have they been deferred? Is there an opportunity to amend the licence – hours or area? If required, check that the licence is on display.
- Outside drinking – check if you are in an area covered by a Public Space Protection Order (PSPO) also known as controlled drinking then alcohol can be seized by the police, unless the area is covered by a pavement licence or is licensed as part of a premises licence
- In addition to licensing any external bar, do you need a street trading licence e.g. for outside bar, food offer that is not on your land.
- Consider use of external spaces which may be owned by your landlord or local authority and speak to them. Find out if they intend to widen pavements or increase space available to premises.
- In relation to hotels if you are not intending to open either the hotels restaurants or bars initially but will be offering a limited breakfast/dinner service to the guest's bedroom you may wish to have some refrigerated units behind reception or other location to sell a selection of alcohol that can be taken to the room by hotel residents. Some of these areas may not be licensed (particularly where the bar is separate to reception) so check the licence and plan.
- If you are a landlord and your tenant has left then carry out the necessary checks to ensure that the premises licence has not been surrendered or has lapsed.
- Have building works been undertaken during the closure? If so, is licensing consent required?
- Consider what works you wish to undertake before opening and consider whether they need permission – such as installation of barriers and screens.

- Check fire risk assessment is up to date and review capacity levels within the assessment and/or premises licence conditions in light of COVID-19 regulations.
- Consider existing operating policies in light of COVID 19 regulations (and consider if you need new/revised ones) –such as admission and dispersal, searching, drugs, toilet checks, underage, vulnerable persons, cleaning protocols, security, avoiding overcrowding of areas used regularly like corridors and toilets and other confined spaces, controlling queues and ensuring markers are in place or other measures to comply with social distancing.
- Consider website and social media to give advance notice to customers of how you will operate in respect of issues that might cause licensing issues – e.g. queuing, overcrowding, use of outside areas, admission rules.
- Consider staff training on operational changes that will impact on reopening.
- Consider liaising with neighbours and resident associations; it is likely that the ambient noise levels will increase and residents may become sensitive to noise issues.
- Pubwatch/BIDs and other local initiatives – check for local advice and support.
- Check how enforcement will work locally and nationally – potentially, non-compliance with more technical licence breaches that do not impact on the licensing objectives may not be enforced by the Authorities in the same way as others. National and local guidance might follow on this. It may assist to contact your primary authority for advice.
- Undertake pre-opening licence health check and risk assessment to comply with COVID-19 regulations (when released) and signage requirements – including social distancing guidelines; hygiene information; entry and exit routes; pick up and drop off point instructions; customer instructions upon service and payment process.
- Contact the local Police and Local Authority licensing officers to find out their views on premises reopening, and any particular challenges or local initiatives. This might include anti-terror concerns, or increase in drug activity, illegal taxis'. There could be a gradual reopening and therefore certain conditions could be problematic initially, for example provision of door staff.

Contact us for more information: mail@popall.co.uk or call us on:

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