

SHOP



STAY



Reopening Westminster's hospitality sector

Advice for the hospitality sector on outdoor dining

Date of publication: 30 July, 2020



City of Westminster



Introduction

The restrictions on the hospitality sector were lifted on 4 July 2020. In preparation for this, the council implemented measures to assist the sector open and gain additional space in which to operate with social distancing rules in place. These measures included temporarily widening pavements, closing roads, introducing a fast-track tables and chairs process, and providing a dedicated number of business owners with information and support on additional licensing applications.

This document consolidates a number of documents that were produced prior to the opening of the hospitality sector. It has also been updated to reflect the new Business and Planning Act 2020 which relaxed the provision of off-sales in alcohol-licensed premises for the purposes of outside service and introduced a new fast-track Pavement Licensing regime.

It is essential that businesses continue to operate in a responsible and Covid-19 secure way. Businesses should have reviewed and implemented the Government's [guidance](#) on minimising the risks and operating in a Covid-19 secure way.

This document seeks to provide information and guidance to businesses within the hospitality sector. It should not be read in isolation and businesses are encouraged to continue to take note of Government's, other agencies' and industry associations' advice.

Summary of Key Actions

- A Covid-19 secure risk assessment has been carried out and appropriate mitigation measures identified to enable the safe operation of the business.
- All staff are provided with a copy of the Covid-19 secure risk assessment and understand the mitigation measures that the business has put in place.
- Review your licences and assess if there are any restrictions or conditions that need to be considered as part of how you are operating.
- If you need additional permissions to remove some restrictions, or need to apply for permissions to use, for example, additional outside space, you should make an application to the council.
- Protect staff wellbeing by ensuring safety and hygiene measures are in place as well as ensuring workers are complying with health advice and are not unwell.
- Have provisions in place to record visitor and patrons' contact details on booking or entry (either inside or outside the premises, with an exception only made for takeaway customers), with a name and contact number (the details of every visitor are not required, but at least one person from each party's contact information must be recorded).
- Undertake a deep clean of the premises and implement additional hygiene and cleaning measures and practices.



- Ensure each venue continues to adhere to any newly assessed capacity limits and that physical distancing of individuals and groups is possible. The minimum safe social distancing for the venue must be 2 metres unless this is not possible. In that case 1 metre with appropriate mitigation is acceptable.
- Ensure patron awareness of, and compliance with, requirements (including collection of contact information).
- Be ready to work with the council's Public Health Departments and the NHS in the event of a case of coronavirus (Covid-19) in a staff member or patron, or an outbreak affecting your business.
- Complete and consider displaying the 'Staying Covid-19 Secure in 2020' notice provided in the Government's guidance: Keeping workers and customers safe during Covid-19 in restaurants pubs, bars and takeaway services.
- Prepare signage to display at your venue relating to social distancing, payment, queuing, hand cleansing, capacity and that customers should not enter if they have any coronavirus (Covid-19) symptoms.

Risk assessments

All businesses must undertake a risk assessment to ensure they are operating as a Covid-19 secure business. This is to protect both staff and customers from infection, or the potential spread of infection from asymptomatic people. The Government has produced a [webpage](#) that explains how you can write your risk assessment.

The risk assessment is key to understanding how you can reopen safely while protecting yourself, your staff and your customers from coronavirus. It should be written and then shared with your staff. It should be a dynamic document which can be amended, initially after each shift, so that you can reflect and adjust your working practices and update the risk assessment to suit. For example, you might find that your customers ignore markings on the floor, but will follow signage instead. Or that rearranging furniture may be more helpful. Make sure your staff know what the risk assessment says and where a copy of it is kept. You may be asked for it by a police officer or council enforcement officer.

Part of your risk assessment should detail how you will manage the entry of customers, and the number of customers at a venue, so that all indoor customers are seated with appropriate distancing, while outdoor customers have appropriately spaced seating or standing room. This is to ensure that the venue, including areas of congestion, does not become overcrowded. Managing entry numbers can be done through reservation systems, social distancing markings, having customers queue at a safe distance for toilets, or by bringing payment machines to customers.

Capacities and Groups

There is no specific maximum capacity you are allowed. Instead your capacity should be based on the number of people you can host whilst maintaining the measures set out in the guidance. This will vary based on the profiles of each group in your premises.



You should not allow people to:

- Gather indoors in groups of more than two households (a support bubble counts as one household) – this includes when dining out or going to the pub.
- Gather outdoors in a group of more than six people from different households; gatherings larger than six should only take place if everyone is from just two households.
- Interact socially with anyone outside the group they are attending a place with, even if they see other people they know.
- Parties and celebrations where attendees are not from two households should be avoided.

It may be possible to control this through a table booking system if you have one and by giving advice on arrival. Customers should remain seated and be encouraged not to move about. You should offer table service, preferably ordering through an app to avoid as much contact with staff as possible. Don't let people move furniture around and don't let separate groups of people mingle, even if they know each other.

If you have put in place table bookings, please tell your customers so that they don't turn up expecting to be able to get a seat without one. This can create issues with managing access to the premises and could cause confrontation. Use your social media accounts and signage on the premises to advise customers of the measures you have put in place to ensure they remain safe. If you are limiting the time people can book a table for, make this clear to them. Customers won't be able to go anywhere else easily, so be prepared for them wanting to stay beyond their allotted time slot.

Test and Trace

Businesses are advised to retain information about their customers for 21 days in case NHS Test and Trace needs it. You only need to record the name and phone number of one member of any party. Some premises are collating this information from their table booking system. Others have set up a phone number that the main party organiser can text with their name which will record when they visited the premises. In any case, you need to record customer information if they are drinking/dining inside or outside the premises, with an exception only made for takeaway customers.

Several businesses have asked us if they can do this in light of the General Data Protection Regulation (GDPR). The answer is yes you can, but you must make sure you keep the data confidential and secure. You cannot use the information for any purpose other than assisting NHS Test and Trace and cannot share it with anyone other than those people authorised by the Government to collect the information for the purposes of preventing the spread of coronavirus. The [Information Commissioner's website](#) has more information.

Social Distancing – 2m or 1m plus

In his announcement, the Prime Minister stated that in some cases social distancing had been relaxed to 1 metre plus mitigation. To be clear the 2 metre social distancing rules still apply. However, it is recognised that in some scenarios this is not viable, and so you can reduce social distancing to 1 metre providing other mitigating measures are used such as face masks, hand sanitising, back to back or side by side rather than face to face working. There still must be social distancing between people in different households and staff and customers and wherever possible this must be 2 metres.



Seating in Restaurants or Bars

All seating should be arranged to comply fully with Government social distancing guidelines. Currently this is 2m which can be reduced to 1m+ if mitigation measures (such as screens between diners) can be effectively introduced.

Staff

It is important to protect your staff from coronavirus. The best protection for your staff is regular handwashing and to maintain a 2m distance from other staff and customers where possible, and 1m with mitigation where it isn't. Staff should travel separately to work and not car share, should avoid public transport and have a change of clothes for the workplace. It is recommended that regular shifts are organised, so people are working with the smallest number of different people as possible.

Make sure your staff are aware of the measures you've set out in your risk assessment, including the wearing of PPE. Have a staff debrief at the end of the night – what went well, what went wrong, how do you need to change it?

You are required by law to report if a member of staff tests positive for coronavirus. This is vital so Environmental Health can start contact tracing. You may need to ask all your staff to self-isolate if one becomes infected so reiterate the advice to stay at home if they feel unwell, have a temperature or cough. You can report if a member of staff has tested positive for coronavirus by [submitting a form](#) on the Health and Safety Executive's website.

Queues

It is your responsibility to manage the queues that form outside your premises and to ensure that customers are maintaining social distancing. This is 2m, or 1m with mitigation where 2m is not viable. You are required to manage your own queues and ensure compliance with the social distancing rules. The council has produced guidance for [Queue Management with Social Distancing](#). Businesses should review this guidance document when undertaking their assessments and planning the operation of their establishments.

Key considerations include:

- The premises will be responsible for enforcing social distancing amongst patrons.
- Physical queuing is to be avoided where possible. Bookings and reservations via online platforms or by telephone should be encouraged to prevent prolonged dwelling.
- Where queuing and waiting is unavoidable the premises will be responsible for the safety and management of the queuing/ waiting area and the queue size should be limited to the number of people that can safely stand within the premises' frontage while abiding by social distancing regulations.
- Markings should be put in place to provide direction to patrons – see Signage Toolkit.



- Queuing must only occur within the boundary set by the premises' frontage. Queues should not impact upon neighbouring premises. You should take this into account when determining how much outdoor space you wish to allocate to tables and chairs.
- Ensuring that you consider inclusive mobility by factoring in how disabled people will be able to safely navigate around whatever measures you wish to put in place.

Signage toolkit

The council has produced a signage toolkit for use by Westminster businesses to help them open and operate safely. This includes a variety of stickers and signage to help enforce social distancing, manage queues and highlight sanitizer points. Download the toolkit [here](#).

Free bespoke support and guidance

The Westminster Business Unit is offering bespoke support if you need help and guidance on a range of issues, including getting advice on preparing for reopening. Please email businessunit@westminster.gov.uk or call 020 7641 2070

Other sources of information

The Food Standards Agency has guidance for food businesses looking to operate during the Covid-19 pandemic. Sector guidance has been provided to help employers, employees and the self-employed understand [how to work safely in the food sector](#).

Door Staff

You should risk assess how many door staff you think you will need for inside your premises, to manage outdoor areas and any queues that may form, and to prevent entry to people who have not booked or when the premises have reached full capacity. It may be the number you assess to be sufficient is less than your licence condition due to your capacity being greatly reduced.

The council's guidance on [Queue Management with Social Distancing](#) sets out further advice on security arrangements for businesses including the management of queues.

Entertainment

At present venues should not permit live performances, including drama, comedy and music to take place in front of a live audience. This includes entertainment such as acoustic music, lap dancing, etc.

All venues are required to take steps to avoid people needing to unduly raise their voices to each other which includes, but is not limited to: refraining from playing music or broadcasts that may encourage shouting, including if played at a volume that makes normal conversation difficult, loud background music, communal dancing, group singing or chanting.

Careful consideration should be given to the showing of football matches or other live sport on your TVs. Sporting events can raise the likelihood of customers shouting, cheering, or raising their voices which may increase the risk of aerosol transmission. It may be particularly difficult to control this behaviour and therefore businesses must assess the risk and whether sporting events or matches should be shown.



It may not be possible for you to provide your usual facilities such as snooker and pool tables or darts due to the requirement that all customers should remain seated and due to the communal nature of the activity, the need to sanitise between uses, etc. At the time of writing, the Government strongly recommends that indoor sports not be provided.

Off-Sales

From the 22 July 2020, the Licensing Act 2003 (2003 Act) was amended by the Business and Planning Act 2020 to include a new section (section 172F) that automatically grants premises with a licence for on-sales only permission to provide off-sales for customers to take away, without the need to apply or notify the council. There are some exemptions to this extension, for example premises that have previously had an application for off-sales refused, or where permission for this revoked. Businesses with club premises certificates are also excluded from this.

Under the new permission, businesses will be authorised for off-sales until 11pm. Premises that already have an off-sales licence with a cut-off time before 11pm will also be permitted to provide off-sales until 11pm or until the current on-sales licensing hours for that premises end, whichever is the earlier. Where off-sales were permitted by their premises licence beyond 11pm, this licensable activity can continue.

The Home Office has produced [guidance](#) on the new temporary off-sales permissions.

If you have any questions relating to the relaxation of off-sales for alcohol licensed premises, please contact the Licensing Service on 020 7641 4141 or email licensing@westminster.gov.uk

Use of Outside Space (Pavement and Tables and Chairs Licences)

The Business and Planning Act 2020 also introduced a new temporary licensing regime for pavement licences, which enables food and drink businesses to put removable furniture on the pavement adjacent to their premises in order to sell or serve food and drink, or for people to sit at to consume food and drink.

This licensing regime runs parallel with the tables and chairs licensing regime under the Westminster Act 1999. If you already hold a tables and chairs licence for the outside space, then you will not need to do anything until the licence is due to expire. Businesses will have the option to apply for a temporary pavement licence or a tables and chairs licence.

Further information and applications for both [pavement](#) and [tables and chairs licences](#) is available via the council's website. The Pavement Licensing regime will only run until the 30 September 2021. Licences under this regime can be issued for a minimum of three months but may not extend beyond 30th September 2021. The council's [policy for pavement licences](#) can be viewed via the council's website.

The Government has produced [guidance](#) to accompany the legislation on the Pavement Licensing regime.

If you have any questions relating to pavement or tables and chairs licences, please contact the Licensing Service on 020 7641 4141 or email licensing@westminster.gov.uk



Alcohol in Open Containers

If you are providing alcohol in open containers, you may want to consider the use of non-glass containers. Westminster has a city-wide Controlled Drinking Zone under a Public Spaces Protection Order. This Order makes it an offence for anyone who, without reasonable excuse, fails to surrender any alcohol in their possession when asked to do so by a police officer, police community support officer, or authorised person from the council. If you intend to provide alcohol for consumption off the premises in unsealed containers, you may need to apply for a pavement licence or tables and chairs licence to allow people to drink outside your premises.

Furniture

As all furniture and equipment must be removed and stored at night, use tables and chairs which are easily folded or stacked. Choose furniture, which is strong, stable and durable enough for heavy use and is easily wiped down and dried after rain or cleaning.

Crime Prevention

If you provide outside tables and chairs, then crime prevention measures need to be considered and implemented. Every table should be fitted with Chelsea Hooks to reduce the potential for bag snatches and dippers. Signage must be present at all establishments warning patrons of the risk of bag thefts and dipping. These should be displayed where they are clearly visible to all members of the public. Staff must be trained and directed to actively warn customers of the risks of crime and advise customers to move any bags hanging on the backs of chairs or on the floor to use the Chelsea Hooks. The council has a limited amount of hooks available to your business by contacting your local City Inspector.

Umbrellas

No umbrellas overhanging the carriageway will be permitted and they should not interfere with vehicle sight lines and traffic signs. Umbrellas should be free of advertising, be in a plain canvas material, be capable of being folded down and removed when weather permits, and be stable enough to withstand strong winds. Any form of gazebos or temporary shelters are not permitted as these have the risk of reducing natural surveillance or creating congregation points.

Service and Storage

Tables and chairs must be supplied by businesses and taken within the premises before 11pm when roads reopen – see Licensing. If tables and chairs are unable to be taken within the premises, they must be safely stored and locked within the street. Table service must be provided to all patrons to ensure social distancing is complied with. New licenses for outside drinking cannot be supported.

Premises will be responsible for street maintenance and cleanliness of the street trading area unless the responsibility is accepted by a BID or landowner.

Premises must ensure that they are appropriately covered with insurance.



Toilets

Under the business's Covid-19 secure risk assessment (specific to each business), use and access (including queuing) of the WCs should also be reviewed. WCs should be made accessible to customers in line with the risk assessment.

[Please see the Government's website for further advice.](#)

The installation of temporary toilets on the street will be continually reviewed and installed if necessary.

Waste

You should have arrangements in place to remove waste and litter and make sure it won't accumulate from customers outside the premises. Any area used by customers outside should be swept and washed. You will need to make sure you are following the refuse storage arrangements for your business.

Noise

It is anticipated that there is likely to be additional noise generated across the city from businesses operating outside spaces and with queuing. Businesses should ensure that noise levels are kept to a minimum. Businesses will be required to take proactive steps to minimise the noise disruption from their operation.

You should make sure that no noise coming from the premises could cause a nuisance. Loudspeakers should be kept well within the premises and should not be located in an entrance lobby or outside.

As well as entertainment causing an issue, customer noise can also cause a disturbance – especially later into the evening. Please ensure that any customers drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff to ensure that there is no public nuisance. Please also ensure your customers leave in an orderly manner.

Businesses may also wish to consider making their manager's telephone number easily available if neighbours have reason to complain to encourage a good line of communication.

Our Noise Service will be fully operational and we have brought in extra resources for expected busy times. Officers will be monitoring complaints and where these complaints are linked with businesses, the council will actively engage with them to advise on the need to reduce the noise nuisance. If businesses continue to generate a public nuisance then the council may take more formal enforcement action depending on the severity of that nuisance.

If neighbours do suffer with problems, they can report noise and anti-social behaviour via [our Report It webpage](#). Reports can be made 24/7 and will enable our officers to attend and witness the noise levels.



Lighting

Given the time of year, it is hoped that natural lighting and ambient streetlight will provide sufficient to accommodate outdoor dining. In instances where localised lighting is required for businesses for either practical reasons or safety considerations, the following should be considered:

- Avoid any cables on the footpath/street. Cable covers will be required in all locations.
- Overhead cables should be avoided. In instances where they are needed, the height of these will need to ensure it does not impinge on emergency vehicle access and be high enough from pedestrians' reach.
- The direction and height of the lighting will need to be considered so that it does not cause any light pollution into residential premises.
- If required, free-standing lighting should be suitable secured.
- If electrically powered, these will need to be suitable for outdoor use.
- Ideally, plastic covered lights are to be used to prevent breakages as these will encounter a lot of wear and tear.

Health Act 2006

Any business operating will need to comply with the Health Act 2006 and ensure any outdoor smoking area is not considered substantially enclosed. Further advice can be found on [pages 9 and 10 of this document](#) and [at Smoke Free England's guide](#). Businesses should also be mindful of where customers are allowed to smoke as, if permitted directly under a residential window, this may cause an annoyance or nuisance to the occupier.

If your business will utilise a pavement licence, then you will also need to comply with the national smoke-free condition or any locally set condition imposed on that licence. The national condition is:

"Where the furniture on the relevant highways consists of seating for use by persons, for the purpose of consuming food or drink, the licence holder must make reasonable provision for seating where smoking is not permitted."

Operating Your Business Responsibly

It is important that you continue to operate responsibly. Licensed premises must ensure that they promote the Licensing Objectives and that any changes to the operation of their business does not adversely impact them in any ways. The licensing objectives are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance, and
- Protection of children from harm



We want businesses to operate safely but also to be mindful of the impact of reopening on residents and other businesses in the area.

You should take steps to make sure that any customers drinking and/or smoking outside the premises are behaving in an orderly way and are supervised by staff and/or security. This will help prevent any public nuisance or obstruction of the public highway.

Enforcement

Our key focus is to ensure the hospitality sector operates safely, that businesses are supported, and that the needs of our residents are at the heart of our plans.

Key principles of our enforcement plan will include:

1. Ensuring premises comply with the conditions and times of their various authorisations.
2. Reviewing social distancing measures implemented by premises, including customer management.
3. Enforcing on waste collections and litter to keep streets clean.
4. Managing Noise and Public Nuisance, both from the premises using tables and chairs and those providing off-sales which leads to people drinking on the street.
5. Addressing congestion caused by road closures or unlicensed street trading (tables and chairs).

Our enforcement approach will be in line with our corporate enforcement policy, and we aim to support businesses getting back on their feet. We will use an escalating enforcement model, where we are accurately capturing the details of the premises causing complaints and the actions taken. Businesses will initially be given advice and guidance on how they should operate to comply, and they will be given the opportunity to implement the advice or make necessary changes. If premises persistently fail to comply or are generating large numbers of complaints or concerns, we will look at enforcement action.

The lead enforcement officers will be the city Inspectors. Shifts will be altered to better allocate resources at busy times and Inspectors will be proactively monitoring locations that are expected to be busy or receiving complaints.

Complaints can be made via the [council's online reporting system](#).

Kit of parts

Three different typologies have been proposed for streets across the borough.

These include:

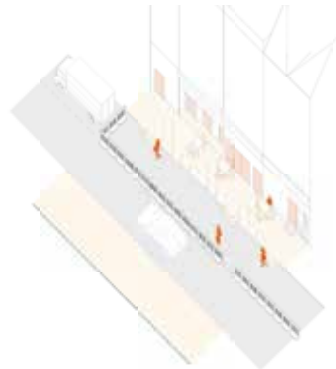
1



Extension of outdoor seating areas

In focused areas, this layout will extend the hours of timed closures to support dining within the carriageway areas.

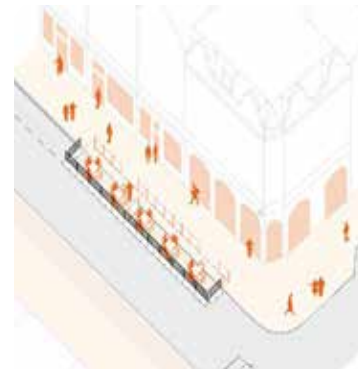
2a



Temporary footway widening works: Type 1

Outdoor dining against building frontages will be better enabled via widened footways, allowing social distancing between diners and pedestrians.

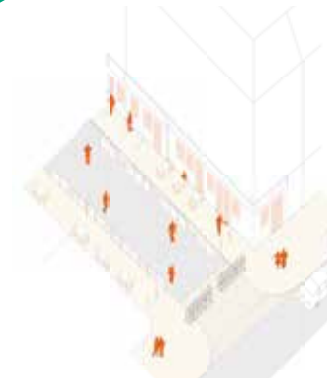
2b



Temporary footway widening works: Type 2

Outdoor dining in new areas of widened footway, with the footway retained for pedestrians.

3



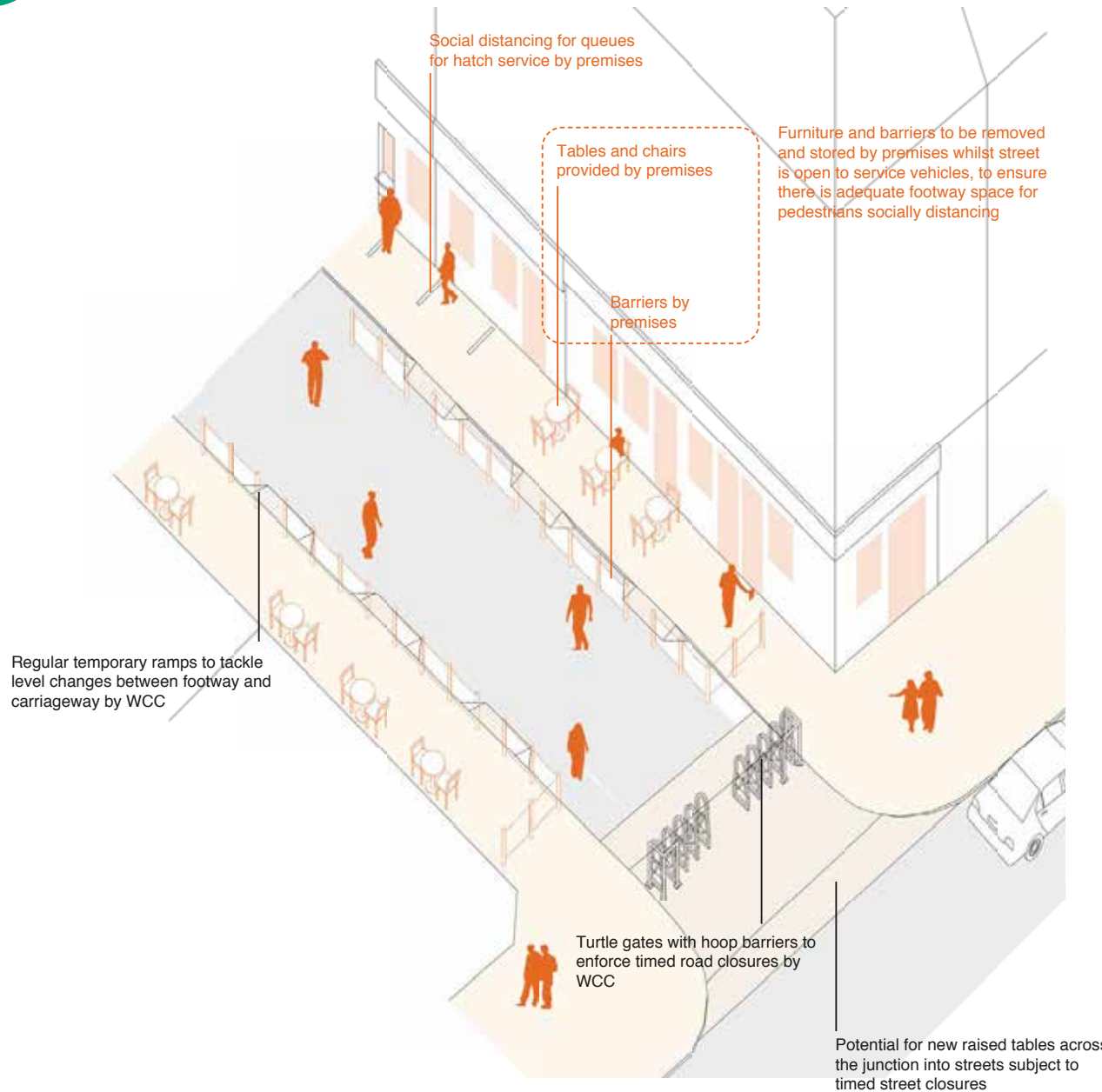
Timed closures to vehicles

Supporting dining against building frontages with pedestrians able to make use of the temporarily closed carriageway to increase space for dining and circulation within social distancing guidelines.

3a

Timed closures to vehicles

Supporting dining against building frontages – with pedestrians in the temporarily closed carriageway.



Westminster City Council actions / interventions:

- Install turtle barriers to enable road closures
- Manage road closure hours / operation of Turtle Barriers
- Install ramps at kerbs

Premises actions / interventions:

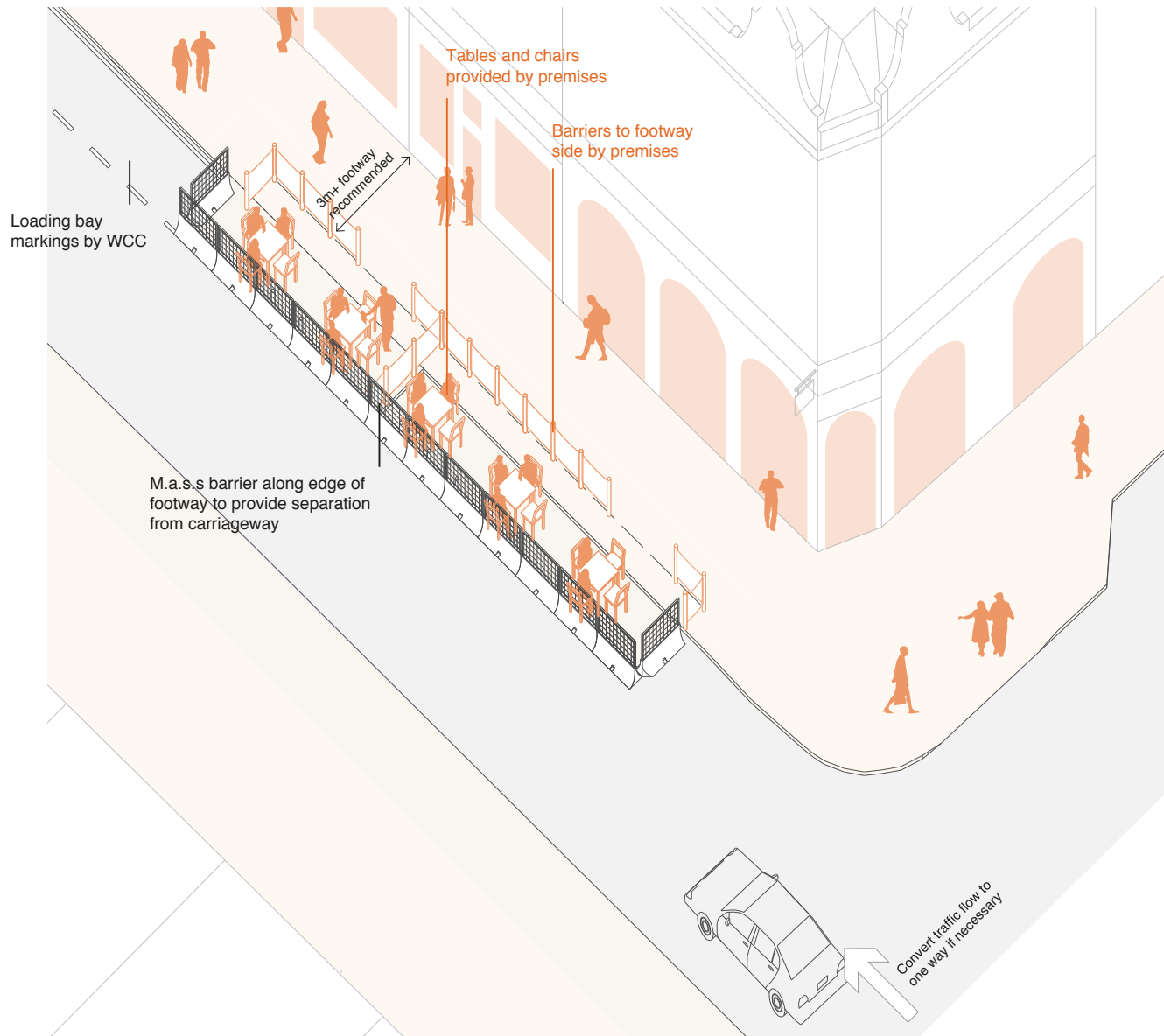
- Apply for any required licenses or permissions for tables and chairs on the public highway (new legislation expected)
- Liaise with adjacent premises to understand their demands for space
- Provide separation between patrons and pedestrians to support appropriate social distancing
- Supply tables and chairs



3b

Temporary footway widening works

Outdoor dining in new areas of widened footway, with the footway retained for pedestrians.



Westminster City Council actions / interventions:

- Install m.a.s.s barriers to create separation from carriageway
- Road markings
- Install ramps at kerbs

Stakeholder actions / interventions:

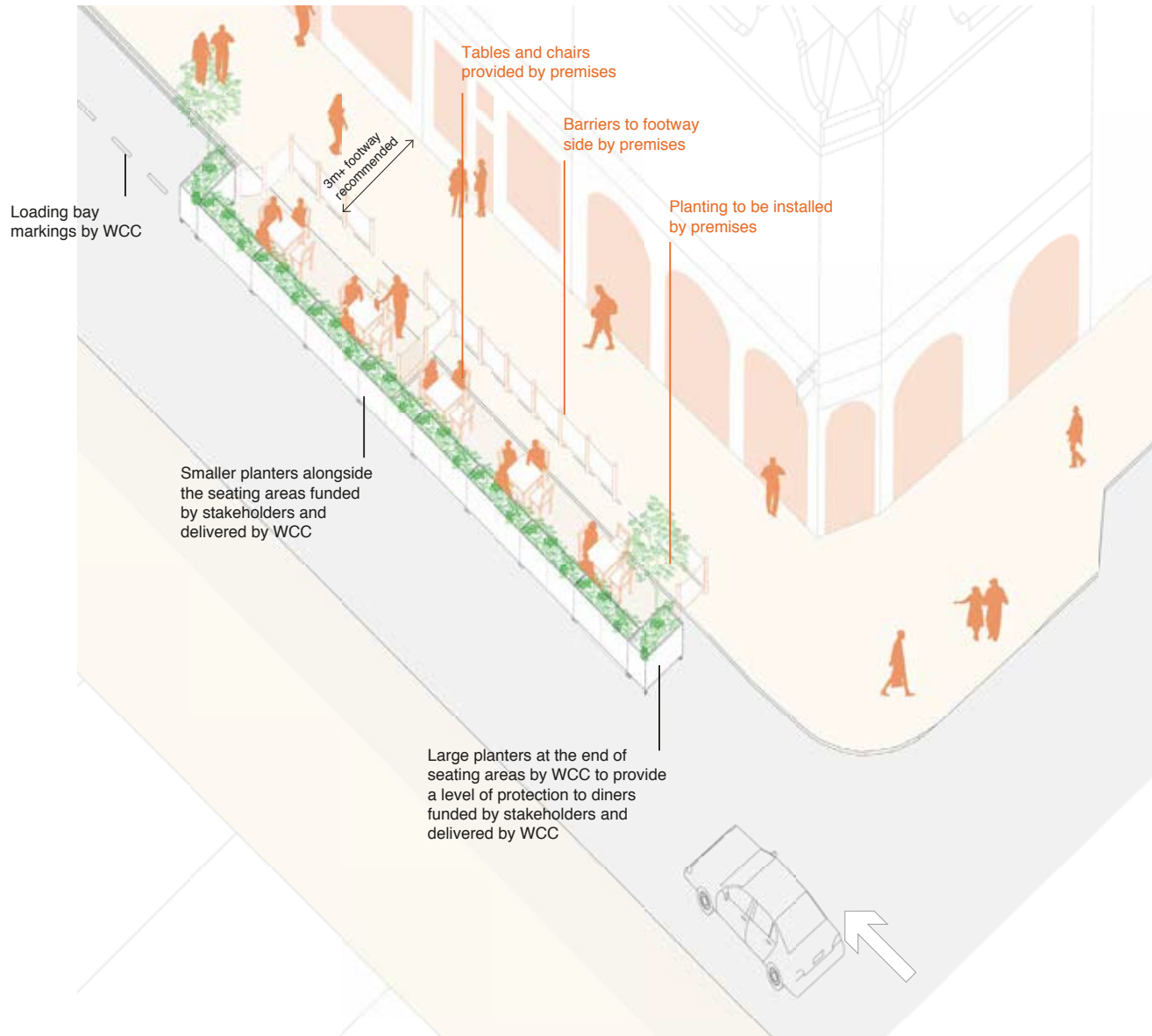
- Apply for any required licenses or permissions for tables and chairs on the public highway (new legislation expected)
- Liaise with adjacent premises to understand their demands for space
- Provide separation between patrons and pedestrians to support appropriate social distancing
- Supply tables and chairs



3b

Temporary footway widening works

Outdoor dining in new areas of widened footway, with the footway retained for pedestrians.



Westminster City Council actions / interventions:

- Install new planters and barriers (to be funded by stakeholders)
- Adjust road markings if required

Premises actions / interventions:

- Provide funding for replacement structures
- Apply for any required licenses or permissions for tables and chairs on the public highway (new legislation expected)
- Liaise with adjacent premises to understand their demands for space
- Provide separation between patrons and pedestrians to support appropriate social distancing
- Supply tables and chairs



Planting

Any additional planter boxes and planting introduced by businesses must be maintained in good condition.

Advertising and Signage

Any new advertising and signage applied to barriers which enclose tables and chairs, or any other area on the highway, will require express advertisement consent from Westminster City Council.

The display of unauthorised adverts is a criminal offence and any breaches will be investigated by the Planning Enforcement Team.

Westminster City Council will not be providing any advertising guidance as part of the Hospitality Scheme. The display of unauthorised adverts is a criminal offence and any breaches will be investigated by the Planning Enforcement Team.

Should businesses wish to apply for advertisement consent [they can do so here](#).

As a rule, advertising must not be illuminated in any way and will be subject to the standard conditions in Schedule 2 of the Government's guidance on outdoor adverts Regulations. These are:

1. No advertisement is to be displayed without the permission of the owner of the site on which they are displayed (this includes the highway authority, if the sign is to be placed on highway land).
2. No advertisement is to be displayed which would obscure, or hinder the interpretation of official road or rail signs, or otherwise make hazardous the use of these types of transport.
3. Any advertisement must be maintained in a condition that does not impair the visual amenity of the site.

4. Any advertisement hoarding or structure is to be kept in a condition which does not endanger the public.
5. If an advertisement is required to be removed, the site must be left in a condition that does not endanger the public or impair visual amenity.

Marshalling and Access

As part of these proposals Westminster City Council will install barriers (or other measures approved by the council) at various locations across the borough in order to facilitate road closures for outdoor dining. Westminster City Council will be working with organisations including majority landowners, Business Improvement Districts or individual businesses to assume responsibility for management and daily operation of the barriers.

The responsible organisation will be required to ensure the roads are closed to normal traffic at times specified by the timed closure. They will also be responsible for managing the entry of the following exempted vehicles/activities during these times:

- Emergency vehicles
- Vehicles involved in building operations, highways maintenance, statutory undertakings or duties, etc
- Refuse vehicles
- Road-sweepers
- Royal Mail vehicles
- Residents requiring access to/from off-street parking areas
- Disabled driver/passenger access (common sense approach)



- Vehicles subject to a specific Westminster City Council disregard for that location

The barriers provided would need to be marshalled permanently throughout the closure period to ensure access is managed and maintained. Marshalls should be suitably qualified for the task with appropriate PPE provided.

Clear and unobstructed access for all emergency vehicles requiring access has been designed into the plans, with all new barriers and bollards positioned to ensure this access can be maintained. It will be the responsible organisation's duty to ensure this access is always maintained unobstructed to ensure response times are kept to an absolute minimum if first responders attend incidents within the footprint.

The responsible organisation should also be ensuring that furniture is not positioned in a manner that will impede this access and/or items are able to be swiftly moved if access is necessary.

Waste Management

Westminster City Council will continue to offer a full waste and recycling collection service from outside premises throughout this period. Where the council's larger trucks cannot gain direct access, collections will be made via smaller electric vehicles that can work safely in the closed-off streets. Up-to-date information on waste and recycling collections in your area [can be found via the council's website here](#).

To assist us, business and residents are requested to:

- Whenever possible, the use of other collection time-bands outside of 11am – 11pm is encouraged. Most streets have two or three collections every day.

- Households should also continue to present their waste and recycling in the agreed locations during the existing collections times and outside of 11am – 11pm whenever possible.
- Request suppliers take items such as pallets, kegs, shrink wrap, empty boxes and crates back when they deliver supplies.
- Where possible, change the times when cleaners or contractors operate in your building, avoiding the need to present waste in the 11am – 11pm closure period.
- Switch from using single-use plastic waste and recycling bags to wheelie bin collections. Bins should be stored in a suitable in-door storage space, not on the street. These bins can be collected outside the 11am – 11pm closure.
- Avoid presenting waste and recycling bags where it can cause obstruction. Waste should not be thrown onto big mixed piles. Please keep different coloured waste bags (red, blue, etc.) separate from each other.
- Businesses and residents are encouraged to reduce the need for waste and recycling collections in the first place. [Please click here for advice on waste reduction](#).

Customers using private waste collection services need to speak to their contractor so that they can ensure that their waste will be collected. This conversation needs to consider the changes to road layouts/closures and agree a suitable location and time for the waste to be collected from. The collection times for these locations needs to be adhered to. When using marked waste or recycling bags (unmarked waste bags will be enforced against as fly tipping), these must not be over-filled and must be secured in a way that waste does not escape from the bag or cause staining on the highway.



Freight, servicing and deliveries

Information for businesses, landowners and BIDs

DO

- **DO** inform your suppliers of the change in circumstances and that your business is open and ready to receive goods and services. If you are in an area where the proposed street closure will be from 11am do either supply a set of keys to your suppliers or have a member of staff on site from 8am to accept deliveries.
- **DO** refer them to [this council website link](#) that explains the changes and contains a map of the affected areas.
- **DO** work with neighbouring businesses, your landowner and, if applicable, your local Business Improvement District (BID) see [Westminster's Business Improvement Districts online map](#) and the [Cross River Partnerships Clean Air Better Business site](#).

To balance the amenity of local areas and to ensure that we minimise traffic, we are asking businesses to consolidate deliveries and freight. This will help keep noise disruption to a minimum, keep congestion from returning to unacceptable levels and maintain our improved air quality. Here are some suggestions you should consider:

- **DO** consider collective procurement – this is where a group of businesses jointly purchase goods and services from carefully selected suppliers. For example, the order of stationery for one business is combined with those of other local businesses so deliveries arrive together, on a single vehicle. This may work for you if your businesses share a building or landowner. A major benefit of collective procurement is that it increases buying power and usually results in lower prices.

- **DO** reduce and consolidate deliveries by sharing suppliers or by using suppliers from one source which is already consolidated (e.g. New Covent Garden Market) so that the number of delivery trips can be reduced – [see advice on this here](#).
- **DO** consider using suppliers and delivery companies that use zero emissions transport such as cargos bikes, small electric vans and porterage schemes, etc. for the 'last mile' delivery – see crossriverpartnership.org/directory or email askhighways@westminster.gov.uk
- **DO** consider nominated carriers – this is where a delivery company is selected by a business to deliver all their goods from all their suppliers. While this solution is not suitable for all types of businesses, its effectiveness is increased if businesses located in a specific area work together and agree to use the same nominated carrier for all their deliveries and collections. It eliminates the problem of many carriers duplicating each other's routes with partially-filled trucks or vans.
- **DO** consider bunching orders – this is a simple solution that does not involve a major change in the way goods are bought. Simply, you agree with your supplier that, regardless of the number of orders placed during a given time period, the supplier only makes the delivery on a given day or date. Individual orders are 'bunched' so they arrive together, on a single vehicle. This reduces the overall number of trips needed and associated emissions.
- **DO** consider the 'upstream supply chain' – the sharing of transport resources through collaboration between businesses and businesses and their landowner/BID can lead to a reduction in trips as well as financial and environmental savings.
- For more information, [see this report from TfL](#).



DON'T

- **DON'T** forget that the temporary closure of streets (until approximately the end of September 2020) required due to the Covid-19 pandemic must not make things worse for residents, neighbouring businesses and the safe movement of people and traffic. Therefore, businesses, landowners and BIDs must respect local regulations and all businesses still need to comply with any local Planning, Licensing and Highways restrictions on the times at which deliveries are made.
- **DON'T** use this as an opportunity to retime your deliveries to very late at night or very early in the morning. The council's proposals are that streets are closed to traffic from 11am at the earliest and until 11pm at the latest. The recent extension of the Congestion Charge Zone from 7am – 10pm every day, including weekends, is unlikely to result in earlier deliveries as most deliveries are already made between 7 – 11am. If it is absolutely necessary for you to retime your deliveries then please contact the council as your planning permission, or Licence and Highways regulation may mean that your hours of delivery are conditioned.
- **DON'T** forget that businesses with permission for 'out of hours' or 'shoulder deliveries' should comply with [TfL's Retiming Toolkit](#) and [TfL's Code of Practice for Quieter Deliveries](#).
- Businesses and communities can access information and guidance in relation to Covid-19 from [official Government resources](#) in relation to CRP's projects.
- Businesses and communities can access information and guidance in relation to CRP's [Healthy Streets Everyday project](#). The programme is helping to aid London's Covid-19 response by enabling walking and cycling through initiatives such as school streets and car-free zones.
- **DON'T** forget that the council's loading/unloading time limits for commercial delivery vehicles still apply. For more information please refer to westminster.gov.uk/loading-and-unloading which includes clear guidance on the 20 minute and 40 minute 'grace period' concessions for deliveries.



Information for Freight, Logistics and Delivery Companies Deliveries / servicing by van or HGV on Movement Strategy streets

The council's Covid-19 Movement Strategy has led to the implementation, in a very short space of time, to a wide range of:

1. Pedestrian space-widening schemes in key retail, food and beverage, hospitality areas
2. Marked cycle routes and increased cycle parking
3. Fully pedestrianised areas which include timed road closures, e.g. in Covent Garden and Soho, and
4. The installation of many plastic barriers, cones, metal 'turtle gates' and temporary signage.

More than 70 of these temporary (until approximately the end of September 2020) schemes are being implemented and at least 50 of these involve outdoor dining and tables and chairs. Please bear in mind that these schemes were installed at very short notice through the use of new Government powers and so were not pre-consulted through the usual Traffic Management Order (TMO) process. If you have any concerns about these please contact us at movementstrategy@westminster.gov.uk where each enquiry will be logged and responded to.

They are also being regularly reviewed and updated, so please check our [website](#) for our latest developments.



If you deliver, collect or undertake local servicing with a van or HGV to any business or resident affected by the above, please DO the following:

- **DO** visit the site yourself to appreciate what measures are on the street. Seeing the changes on the ground; preferably in person but also virtually, will give you a far better perspective on the changes than looking at a plan or diagram. For example, in respect to turning circles, road width, nearby on-street loading and unloading bays, etc.
- **DO** speak to your customers, clients, account and business managers, etc. to see if deliveries can be consolidated, reduced, times and consignment sizes amended to suit the new arrangements (see above). Do ask businesses and customers in those areas that have proposed street closures from 11am to either supply keys or have a member of staff on site from 08am to accept deliveries. Also ask them to see if more storage space can be used which could reduce the number of journeys required.
- **DO** look for gaps in our temporary barriers where traffic cones are placed – as these are ‘Loading Only Zones’ which are deliberately spaced to allow on-street deliveries to continue in a safe and compliant way. Please put cones back into place after you have completed your delivery.
- **DO** please look to find available kerbside space/ designated loading bays close by, for example around the corner – if the kerbside space outside your delivery location is not accessible by a line of barriers, etc.
- **DO** come prepared with a sack-truck for onward deliveries by foot from the vehicle to the door. For commercial vehicles, the council will generally give 20 minute casual observations (unless the concession is blatantly being abused) for loading/ unloading and do make it clear that this is what you are doing.
- **DO** take time to acclimatise – the number of pedestrians is likely to rise daily as the city recovers from the Covid-19 lockdown; some businesses will re-open earlier than others and changes will need to be made on the ground to respond to resident and business requests. Where possible, we wish to encourage freight, deliveries and servicing consolidation and would welcome positive input from yourselves to achieve this.
- **DO** please remember that normal Parking, Waiting, Loading and Waiting conditions still apply for all other roads across Westminster. For more information please refer to westminster.gov.uk/loading-and-unloading which includes clear guidance on the 20 minute and 40 minute ‘grace period’ concessions for deliveries.
- If you have any questions or have particular handling needs on any of these streets, please email movementstrategy@westminster.gov.uk where all enquiries will be logged and advice will be supplied in return.



Useful links and contacts:

- Advice can be found on issued Penalty Charge Notices (PCNs) via the [councils parking ticket webpage](#).
- To apply for suspensions of bays for removal vehicles, skip deliveries, building materials deliveries visit the [councils parking suspension webpage](#).
- The council's [Oversize/Abnormal Loads advice](#).
- The [London Lorry Control Scheme \(LLCS\)](#) that grants permits for overnight and weekend access and deliveries.
- TfL's [guidance on deliveries across London](#) which includes a useful link to receive TfL's weekly Freight bulletin.
- [The Driver's Guide to Loading and Unloading in England and Wales, FTA publication \(PDF\)](#).
- [Reopening Westminster's hospitality sector](#).
- [The Government has issued very comprehensive guidance about how business should operate from 4 July](#).
- [GOV.UK has a webpage that will help you to write your risk assessment](#).
- [UK Hospitality have provided guidance for pubs and bars](#).
- [The Health and Safety Executive has produced further information and guidance on Covid-19 risk assessments](#).
- [You can report if a member of staff has tested positive for Covid-19 by submitting a form on the Health and Safety Executive's website](#).
- [Allowing people to drink in public spaces near your premises may be problematic due to the city-wide Controlled Drinking Zone](#).

Contacts

For any licensing enquiries contact the Licensing Service:
Tel: 020 7641 4141 | Email: licensing@westminster.gov.uk | Web: westminster.gov.uk/licensing

For any highway's management enquiries:
Email: askhighways@westminster.gov.uk



Frequently Asked Questions

Licensed Businesses

Do I have to do a risk assessment?

Yes, all pubs, bars and restaurants must undertake a Covid-19 secure risk assessment and implement any mitigation and safety measures. This risk assessment must be kept under review and take into account any guidance issued by the Government or Health and Safety Executive (HSE) The Government has provided guidance on this process via the [GOV.UK website](https://www.gov.uk).

If you fail to undertake a risk assessment or fail to implement mitigation, then either the council or HSE can take a range of actions to ensure that the business either implements sufficient mitigation or closes the premises to protect staff and customers.

Can I use an outside space for tables and chairs?

If you wish to use an outside space which is part of the highway you will need a licence for the use of that space. Businesses can apply for either a pavement licence under the Business and Planning Act 2020 or tables and chairs licence under the City of Westminster Act 1999.

The council has provided information on its website on [pavement licences](#) and [tables and chairs licences](#).

Can I provide alcohol for consumption off the premises?

If your business has a premises licence which authorises the sale of alcohol on the premises, then you will be able to sell alcohol off the premises under the temporary relaxation of the Licensing Act 2003. Off-sales (sale of alcohol for consumption outside the premises) is permitted from the start of the permitted hours for the sale of alcohol until the terminal hour if before 11pm or no later than 11pm.

Premises that are already permitted to sell alcohol on and off the premises will not be affected by this and can do so in accordance with the hours already on their licence.

Premises that have previously had an application for off-sales refused, or permission for this revoked will not be able to use this provision in the Act. Also, businesses with club premises certificates are excluded from this.

How can I have an outside space if I have conditions that prevent me from selling alcohol off the premises in unsealed containers?

If you have conditions that restrict the selling of alcohol off the premises, then under the provisions of the Business and Planning Act 2020 these conditions will be suspended. If you are unsure of whether the conditions would be suspended or not, then please contact the Licensing Service on 020 7641 4141 or email licensing@westminster.gov.uk



Can I open windows and doors to provide better ventilation in the premises even if my licence conditions restrict this?

If your conditions restrict the opening of windows or doors, then you must comply with these conditions. However, we do understand that it may be necessary to consider this as possible mitigation to enable a free flow of air to disperse possible aerosol particles from customers. If you have specific questions on this, please contact a member of the Licensing Service to discuss your risk assessment and licence conditions.

Can I show football matches or other live sporting events on TV?

Yes, however you must have undertaken a risk assessment and considered whether it is safe to do so. The [Government's guidance](#) states: "All venues should ensure that steps are taken to avoid people needing to unduly raise their voices to each other. This includes, but is not limited to, refraining from playing music or broadcasts that may encourage shouting, including if played at a volume that makes normal conversation difficult. This is because of the potential for increased risk of transmission, particularly from aerosol transmission.

Due to the potential for customers to raise their voices, shout, sing and cheer, the business must consider the appropriate mitigation measures to reduce the risk of aerosol transmission from customers.

If I am a sexual entertainment venue (strip club/ lap dancing venue) can I open?

Yes, you can open but only as a bar and you must have the appropriate licence to sell alcohol. Lap dancing, strip tease, table/pole dancing or any other sexual entertainment is classified as a live performance to an audience and is therefore prohibited at the moment.

Can I have live music at my venue?

No, this is deemed as a live performance to an audience which is not permitted at the present time.

Can I have karaoke at my venue?

No, this is deemed as a live performance to an audience which is not permitted at the present time.

If I am a theatre or cinema can I open my bar and/or restaurant?

Yes, you can open your bar and/or restaurant if the licence conditions permit this. If you have a licence that has conditions restricting the service of alcohol and food to persons attending the theatrical performance or exhibition of a film, then this will not be possible unless the licence is varied or you operate under a Temporary Event Notice.



Can I have a private pre-booked event?

You can have private pre-booked events, but these must be assessed and the associated risk mitigation put in place. Any event should comply with the terms and restrictions of any licence that provides the permission for any activity on the premises.

Indoor gatherings should only be occurring in groups of up to two households (including support bubbles) while outdoor gatherings should only be occurring in groups of up to two households (or support bubbles), or a group of at most six people from any number of households. It is against the law to gather in groups of more than 30 people, except for the limited circumstances as set out in law. In these specific cases, those operating venues should take additional steps to ensure the safety of the public and prevent large gatherings or mass events from taking place.

Customers

How can I encourage safe customer behaviour?

Place signs at entry points stating that:

- Customers should not enter if they are unwell.
- Only a specific number of patrons are allowed to be seated according to the patron limit or density quotient of each separate space.
- Patrons not adhering to the seating limits will be asked to leave.
- Businesses have the right to refuse service or entry.

What do I do if a customer does not comply with my business' control measures?

If a customer at the venue is in breach of the Government guidance or is not cooperating, a business has the right to refuse entry to customers or ask them to leave.

Am I able to take temperature checks to screen patrons entering the venue?

Temperature checks for patrons are not currently recommended for the hospitality industry. However, if a venue wanted to introduce these measures as part of their screen process at the point of entry they are entitled to do so.

Who do I need to collect contact information from?

Venues should have a process to request, record and securely store contact details of at least one member of a group visiting the venue or from individuals entering the premises or being served. It is advised that in addition to a customer's information, the contact information of maintenance workers, contractors and delivery workers are also taken.

What information am I required to collect from patrons?

The venue must request a patron's name and a contact phone number. Venues must keep a secure record of those details, the date and time at which the person attended the facility, and the area/room and table number at which they were seated. Venues are not required to record patrons' IDs to verify their information.



Do I need to disclose to customers that data will be retained?

Yes, there should be a collection notice displayed informing patrons and other visitors of the requirement to record their contact details, the purpose for doing so and that records will be destroyed after 21 days.

How long do records need to be kept?

Keep the record for 21 days from the date the individual attended the venue. This enables contact tracers to quickly contact those who were potentially exposed in the event that a positive case of coronavirus (Covid-19) is detected at the venue.

Securely destroy the record after 21 days from the date the individual attended the venue. Note that this only applies to customer records put in place to prevent the spread of coronavirus.

Businesses must take reasonable steps to protect patrons' personal information from being misused, interfered with and lost, as well as from unauthorised access, modification and disclosure.

What if a patron or visitor does not want to give their details?

Explain the purpose for collection, which is to assist any contact tracing in the event of an outbreak or potential exposure to someone with coronavirus at the venue and in order to protect the patron and the health and safety of their family and friends.

If the patron or visitor still declines to provide details after being given an explanation, they cannot be compelled to do so. However, you can therefore refuse entry to that person or the group if they are not willing to provide the information as this could impact the safety of that customers, other customers or staff in the event of an outbreak of the virus.

Do I need to keep electronic records or would written down (pen and paper) records suffice?

Businesses can determine how to best securely record and store visitor details. A simple handwritten log or register will suffice but considerations must be made on how to minimise the risk of transmission if staff and patrons share the record-keeping materials. For example, only have one staff member per shift collect customers' details and/or regularly clean the pens used to write down details.

Records should be securely stored, and information not used for any other purpose other than the reason for which it was collected, namely to trace in the event that a positive case of coronavirus (Covid-19) is detected at the venue.

Do I have to do an ID check to verify patron and visitor details?

No. You should request and record each person's name and phone number as well as the time and date they visited.

Do I have to get every single patron and visitor's details, or just one from each group?

The details of one person in the party is sufficient.



What if the patron or visitor does not have a phone number?

Invite the patron to provide an email address instead or any other alternative means of contact to assist with contact tracing in the event of an outbreak or potential exposure.

Can I record visitor contact details from when they made a booking or reservation?

Records should reflect all the patrons and visitors who attend your venue, not only those making the booking. Details from a booking or reservation can be used as long as the person actually attended the venue at the time they booked for.

What do I need to do to comply with privacy regulations when collecting and keeping visitor details?

The [Information Commissioners Office](#) provides a guide on the reasonable steps you could take to protect the personal information you are collecting from patrons and visitors. This includes steps to protect the information from misuse, interference and loss, as well as unauthorised access, modification or disclosure.

Am I allowed to collect data from customers who are under the age of 18?

Yes.

Do I have to request patron and visitor details each time they come in, even if they are regulars?

Yes.

Can customers bring their own keep-cups or takeaway containers?

It is up to the business to decide if they accept customers' own cups or takeaway containers. Businesses are not obliged to accept them.

I have tested positive for coronavirus (Covid-19) since going to a venue in the last 10 days. What do I do?

The NHS Contact and Trace will interview every confirmed case and undertakes contact tracing. This includes determining each place that person attended while they were infectious. The team will contact the venue you attended and provide guidance on the public health actions required at the venue.

What if patrons are unable to use contactless payment and want to use cash?

The business can decide how it wants to operate its customer payment process. Businesses can implement a contactless payment only option if there is a clear limit in the total amount payable per transaction. However, businesses can decide to accept credit and debit chip-and-pin payments and/or cash payments as well. As part of the risk assessment the business would assess the risk associated with these processes and the mitigation to protect customers and staff from infection.



City of Westminster