

Business and Planning Bill to Aid COVID-19 Re-opening

Please feel free to [contact us](#) if you have a question relating to this update.

Planning and licensing laws will be relaxed to help the hospitality industry recover from the coronavirus lockdown, the Government has announced.

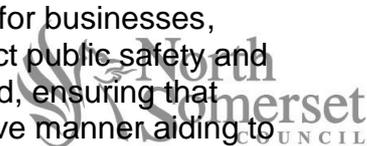
The [Business and Planning Bill](#)'s proposals summarised in the [Explanatory Notes](#) as 'making it easier for premises in England serving food and drink such as bars, restaurants and pubs to seat and serve customers outdoors through temporary changes to planning procedures and alcohol licensing. Alcohol licensing changes will allow operators to serve alcohol for consumption off the premises and will also apply in Wales'.

This Bill introduces a number of urgent measures to help businesses succeed in these new and challenging conditions over the coming months, and to remove short term obstacles that could get in their way. Almost all measures are temporary, with some limited exceptions.

The measures include:

Outdoor Seating

- a temporary fast-track process for these businesses to obtain permission from the local council for the placement of furniture such as tables and chairs on the pavement outside their premises. This will enable them to maximise their capacity whilst adhering to social distancing guidelines.
- temporary measures to place a cap on the application fee for businesses, enforcement and revocation powers so councils can protect public safety and amenity, and introduces a new 14 day determination period, ensuring that businesses can obtain licenses in a timely and cost effective manner aiding to their financial recovery.



Alcohol Licensing

- automatic extensions to the terms of on-sales alcohol licences to allow for off-sales. It will be a temporary measure to boost the economy, with provisions lasting until the end of September 2021.

The off-sales provision will remove any need for any application to be made or determined, and no fee will be payable. Licensees who have had an application for an off-sales permission refused or had their off-sales permission excluded by variation or at review within the last three years, will be excluded from this provision.

The default hours in which off-sales will be permitted will be the same as those in which on sales are permitted, and the provisions will also apply temporary conditions to licences where there is a pre-existing permission for off-sales, to:

- set the hours of off-sales to match those for on-sales
- allow off-sales of alcohol in open containers
- allow deliveries of alcohol to residential or work buildings.

The conditions will effectively suspend any pre-existing conditions that are more restrictive. So, for example, an existing condition that allowed off-sales only in closed containers would be suspended to allow sales in open containers.

[Draft Guidance](#) has also been published to support the Business and Planning Bill.

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