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STATUTORY INSTRUMENTS

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**2020 No. 1200**

**The Health Protection (Coronavirus,  
Restrictions) (England) (No. 4) Regulations 2020**

**PART 4**

Closure of, and restrictions on, businesses

**Restrictions on service of food and drink for consumption on the premises**

**15.**—(1) A person responsible for carrying on a restricted business, or providing a restricted service, must—

- (a) close any premises, or part of the premises, in which food or drink are provided for consumption on those premises, and
- (b) cease providing food or drink for consumption on its premises.

(2) The requirement in paragraph (1) is subject to the exceptions in regulation 17(1) and (2).

(3) For the purposes of paragraph (1)(a), food or drink provided by a hotel or other accommodation as part of room service is not to be treated as being provided for consumption on its premises.

(4) For the purposes of paragraph (1), except where paragraph (5) applies, references to food or drink being for consumption on premises, include a reference to consumption on an area adjacent to the premises of the restricted business or restricted service where seating is made available for its customers (whether or not by the business or the provider of the service) or which its customers habitually use for consumption of food or drink served by the business or service is to be treated as part of the premises of that business or service.

(5) This paragraph applies where the restricted business or services is situated at—

- (a) a motorway service area, or
- (b) within a part of—
  - (i) an airport or maritime port, or
  - (ii) the international rail terminal area within the vicinity of Cheriton, Folkstone (as referred to in section 1(7)(b) of the Channel Tunnel Act 1987<sup>M1</sup>), and

that part of the airport, maritime port or terminal area is accessible between the restricted hours to passengers, crew or other authorised persons but not to members of the general public.

(6) Where a restricted business or restricted service forms, or is provided as, part of a larger business and that larger business is not itself a restricted business, the person responsible for carrying on the larger business complies with the requirement in paragraph (1) by closing down the restricted business or by ceasing to provide the restricted service.

(7) In this regulation, “restricted business” and “restricted service” mean a business or service which—

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**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020, PART 4. (See end of Document for details)

- (a) is of a kind specified in Part 1 of the Schedule, or
- (b) is carried on from, or provided at, premises of a kind specified in Part 1 of the Schedule.

#### Commencement Information

**I1** Reg. 15 in force at 5.11.2020, see [reg. 1\(2\)](#)

#### Marginal Citations

**M1** 1987 c. 53.

### Requirement to close premises and businesses

**16.—(1)** A person responsible for carrying on a restricted business, or providing a restricted service, must cease to carry on that business or provide that service.

(2) Where a restricted business or restricted service forms, or is provided as, part of a larger business and that larger business is not itself a restricted business, the person responsible for carrying on the larger business complies with the requirement in paragraph (1) by closing down the restricted business or by ceasing to provide the restricted service.

(3) The requirement in paragraph (1)—

- (a) does not apply to any facilities provided in criminal justice accommodation, and
- (b) is subject to the exceptions in regulation 17(6) and (8).

(4) In this regulation “restricted business” and “restricted service” means a business or service which—

- (a) is of a kind specified in Part 2 of the Schedule, or
- (b) is carried on from, or provided at, premises of a kind specified in Part 2 of the Schedule.

#### Commencement Information

**I2** Reg. 16 in force at 5.11.2020, see [reg. 1\(2\)](#)

### Exceptions

**17.—(1)** Regulation 15(1) does not prevent the person responsible for carrying on a restricted business, or providing a restricted service, of a kind specified in Part 1 of the Schedule—

- (a) from selling food or drink (but not alcohol) for consumption off the premises between the hours of 05:00 and 22:00;
- (b) from selling food or drink (including alcohol) for consumption off the premises in accordance with paragraph (2).

(2) A person responsible for carrying on a restricted business, or providing a restricted service, referred to in paragraph (1) may only sell the following for consumption off the premises—

- (a) alcohol, by any method permitted by paragraph (3)(a) to (c), and
- (b) food and drink between the hours of 22:00 and 05:00, by any method permitted by paragraph (3)(a) to (c).

(3) The methods of sale permitted under this paragraph are—

- (a) by making deliveries in response to orders received—
  - (i) through a website, or otherwise by on-line communication,

- (ii) by telephone, including orders by text message, or
  - (iii) by post,
  - (b) to a purchaser who collects food or drink that has been pre-ordered by a means mentioned in sub-paragraph (a), provided the purchaser does not enter inside the premises to do so, or
  - (c) to a purchaser who collects the food or drink in a vehicle, and to whom the food or drink is passed without the purchaser or any other person leaving the vehicle.
- (4) Regulation 15(1) does not prevent the person responsible for a carrying on a restricted business, or providing a restricted service, of a kind specified in Part 1 of the Schedule, from carrying on that business, or providing that service, if—
- (a) the business or service is carried on or provided in an aircraft, train or vessel,
  - (b) the aircraft, train or vessel is providing a public transport service, and
  - (c) alcohol is not served in the carrying on of the business, or the provision of the service, concerned (subject to paragraph (5)(b)).
- (5) In paragraph (4)—
- (a) “public transport service” has the meaning given by regulation 2(2) of the Health Protection (Coronavirus, Wearing of Face Coverings on Public Transport) (England) Regulations 2020 <sup>M2</sup>, but for these purposes does not include a service provided primarily for dining or other recreational purposes;
  - (b) sub-paragraph (c) does not apply in respect of the service of alcohol to persons who are seated on an aircraft.
- (6) Regulation 16(1) does not prevent the use of—
- (a) any premises used for a restricted business or restricted service to host blood donation sessions;
  - (b) any premises used for the making of a film, television programme, audio programme or audio-visual advertisement;
  - (c) facilities for training by elite sportspersons, including stables, indoor gyms, fitness studios, and other indoor sports facilities, and any outdoor facilities for sport;
  - (d) indoor fitness and dance studios by professional dancers and choreographers;
  - (e) theatres and concert halls for—
    - (i) training,
    - (ii) rehearsal, or
    - (iii) performance without an audience for broadcast or recording purposes;
  - (f) indoor gyms, fitness studios, indoor sports facilities and other indoor leisure centres for supervised activities for children;
  - (g) indoor gyms, fitness studios, indoor swimming pools, indoor sports courts and other indoor leisure centres and outdoor sports courts and swimming pools by schools or providers for post-16 education or training (as defined in paragraph 1(8)(e) of Schedule 17 to the Coronavirus Act 2020);
  - (h) stables, for the purposes of any activities referred to in regulation 6(14).
- (7) For the purposes of paragraph (6), a person is a professional dancer or choreographer if that person derives their living from dance, or from choreographing dance, as the case may be.
- (8) Subject to regulations 15 and 18(1), regulation 16(1) does not prevent a person responsible for carrying on a restricted business or providing a restricted service (“the closed business”), from—

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- (a) carrying on a business which is not a restricted business, or providing services which are not restricted services—
    - (i) in premises which are separate from the premises used for the closed business,
    - (ii) by making deliveries or otherwise providing services in response to orders received—
      - (aa) through a website, or otherwise by on-line communication,
      - (bb) by telephone, including orders by text message, or
      - (cc) by post, or
    - (iii) to a purchaser who collects goods that have been pre-ordered by a means mentioned in paragraph (ii), provided the purchaser does not enter inside the premises to do so, or
  - (b) operating a café or restaurant solely to sell food or drink for consumption off the premises, if the café or restaurant is separate from the premises used for the closed business.
- (9) For the purposes of paragraph (8), a premises, café or restaurant (“PCR”) is separate from premises used for the closed business if—
- (a) the PCR is in a self-contained unit, and
  - (b) it is possible for a member of the public to enter the PCR from a place outside the premises used for the closed business.

#### Commencement Information

**I3** Reg. 17 in force at 5.11.2020, see [reg. 1\(2\)](#)

#### Marginal Citations

**M2** [S.I. 2020/592](#), as amended by [S.I. 2020/1021](#); there are other amending instruments but none is relevant.

### Further restrictions and closures

**18.—(1)** A person responsible for carrying on a business, not listed in Part 3 of the Schedule, of offering goods for sale or for hire in a shop, or providing library services must—

- (a) cease to carry on that business or provide that service except—
  - (i) by making deliveries or otherwise providing services in response to orders received—
    - (aa) through a website, or otherwise by on-line communication,
    - (bb) by telephone, including orders by text message, or
    - (cc) by post;
  - (ii) to a purchaser who collects goods that have been pre-ordered by a means mentioned in paragraph (i), provided the purchaser does not enter inside the premises to do so,
- (b) subject to paragraph (2), (3) and (4)—
  - (i) close any premises which are not required to carry out its business or provide its services as permitted by sub-paragraph (a);
  - (ii) cease to admit any person to its premises who is not required to carry on its business or provide its service as permitted by sub-paragraph (a).

(2) A person responsible for providing library services may open the library premises for the purposes of—

- (a) support groups;
- (b) childcare provided by a person who is registered under Part 3 of the Childcare Act 2006;
- (c) education or training;
- (d) to provide essential voluntary services or public support services, including digital access to public services.

(3) Paragraph (1) does not prevent any business from continuing to provide—

- (a) hot or cold food for consumption off the premises, or
- (b) goods or services to the homeless.

(4) A person responsible for carrying on a business or providing a service referred to in paragraph (1), may open any premises for the purposes of making a film, television programme, audio programme or audio-visual advertisement.

(5) Subject to paragraph (6), a person responsible for carrying on a business consisting of the provision of holiday accommodation, whether in a hotel, hostel, bed and breakfast accommodation, holiday apartment, home, cottage or bungalow, campsite, caravan park or boarding house, canal boat or any other vessel must cease to carry on that business.

(6) A person referred to in paragraph (5) may continue to carry on their business and keep any premises used in that business open—

- (a) to provide accommodation for any person, who—
  - (i) is unable to return to their main residence;
  - (ii) uses that accommodation as their main residence;
  - (iii) needs accommodation while moving house;
  - (iv) needs accommodation to attend a funeral;
  - (v) is isolating themselves from others as required by law;
  - (vi) is an elite athlete, the coach of an elite athlete, or (in the case of an elite athlete who is a child), the parent of an elite athlete, and needs accommodation for the purposes of training or competition,
- (b) to provide accommodation for any person who needs accommodation for the purposes of their work,
- (c) to provide accommodation for any child who requires accommodation for the purposes of education,
- (d) to provide accommodation for the purposes of a women's refuge or a vulnerable person's refuge,
- (e) to provide accommodation or support services for the homeless,
- (f) to provide accommodation for any person who was staying in that accommodation immediately before these Regulations came into force,
- (g) to host blood donation sessions, or
- (h) for any purpose requested by the Secretary of State, or a local authority.

(7) A person who is responsible for a place of worship must ensure that the place of worship is closed, except for uses permitted in paragraph (8) and regulation 11(18).

(8) A place of worship may be used—

- (a) for funerals,

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- (b) for commemorative events celebrating the life of a person who has died,
  - (c) to broadcast an act of worship, whether over the internet or as part of a radio or television broadcast,
  - (d) to provide essential voluntary services or urgent public support services (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency),
  - (e) for childcare provided by a person registered under Part 3 of the Childcare Act 2006,
  - (f) for individual prayer, and for these purposes, “individual prayer” means prayer by individuals which does not form part of communal worship, or
  - (g) to host any gathering which is permitted under regulation 8 or 9.
- (9) A person who is responsible for a community centre or hall must ensure that the community centre or hall is closed except where it is used—
- (a) to provide essential voluntary activities or urgent public support services (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency),
  - (b) for the purposes of education or training,
  - (c) for the purposes of support groups, or
  - (d) for the purposes of—
    - (i) childcare provided by a person registered under Part 3 of the Childcare Act 2006, or
    - (ii) supervised activities for children.
- (10) A person who is responsible for a crematorium or burial ground must ensure that the crematorium or burial ground is closed to members of the public, except—
- (a) for funerals or burials,
  - (b) commemorative events celebrating the life of a person who has died, or
  - (c) to allow a person to pay respects to a member of their household, a family member or friend.
- (11) If a business referred to in paragraph (1) or (5) (“business A”) forms, or is provided as, part of a larger business (“business B”) and business B is not restricted under these Regulations, the person responsible for carrying on business B complies with the requirement in paragraph (1) or (3) to cease to carry on its business if it ceases to carry on business A.

#### **Commencement Information**

**I4** Reg. 18 in force at 5.11.2020, see [reg. 1\(2\)](#)

**Status:**

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There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020, PART 4.