

## SCHEDULE 3

### Tier 3 restrictions

## PART 2

### Closure of, and restrictions on, businesses

#### **Restricted businesses and services for purposes of Part 2 of this Schedule**

**13.**—(1) The restricted businesses and restricted services for the purposes of this Part of this Schedule are those falling within sub-paragraph (2), (6) or (7).

(2) The following businesses and services fall within this sub-paragraph—

- (a) nightclubs;
- (b) dance halls;
- (c) discotheques;
- (d) any other venue (not falling within paragraph (b) or (c)) which—
  - (i) opens at night,
  - (ii) has a dance floor or other space for dancing by members of the public (and for these purposes members of the venue in question are to be considered members of the public), and
  - (iii) provides music, whether live or recorded, for dancing;
- (e) sexual entertainment venues;
- (f) hostess bars;
- (g) any business which provides, whether for payment or otherwise—
  - (i) a waterpipe to be used for the consumption of tobacco or any other substance on the premises, or
  - (ii) a device to be used for the recreational inhalation of nicotine or any other substance on the premises.

(3) A business or service does not fall within sub-paragraph (2)(b), (c) or (d) if it ceases to provide music and dancing.

(4) In sub-paragraph (2)(e) “sexual entertainment venue” has the meaning given in paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

(5) In sub-paragraph (2)(f) “hostess bar” has the meaning given by paragraph 3B of that Schedule.

(6) The following businesses and services fall within this sub-paragraph—

- (a) restaurants, including restaurants and dining rooms in hotels or members’ clubs;
- (b) cafes, including workplace canteens, but not including—
  - (i) cafes or canteens at a hospital, care home, school, educational accommodation for students attending higher education courses or provider of post-16 education or training (as defined in paragraph 1(8) of Schedule 17 to the Coronavirus Act 2020),
  - (ii) canteens at criminal justice accommodation, immigration detention accommodation or an establishment intended for use for naval, military or air force purposes or for the purposes of the Department of the Secretary of State responsible for defence,

*Status: This is the original version (as it was originally made).*

- (iii) cafes or canteens at a higher education provider, where there is no practical alternative for staff and students at that institution to obtain food or drink and alcohol is not served for consumption on the premises,
  - (iv) workplace canteens, where there is no practical alternative for staff at that workplace to obtain food or drink and alcohol is not served for consumption on the premises, or
  - (v) services providing food or drink to the homeless;
  - (c) bars, including bars in hotels or members' clubs;
  - (d) public houses;
  - (e) businesses providing food or drink prepared on the premises for immediate consumption off the premises, but not including—
    - (i) supermarkets,
    - (ii) convenience stores, corner shops and newsagents,
    - (iii) pharmacists and chemists, or
    - (iv) petrol stations;
  - (f) social clubs.
- (7) The following businesses and services fall within this sub-paragraph—
- (a) indoor play areas and indoor play centres, including soft play centres, soft play areas, trampoline parks and inflatable parks;
  - (b) casinos;
  - (c) bingo halls;
  - (d) bowling alleys;
  - (e) snooker and pool halls;
  - (f) amusement arcades, including adult gaming centres;
  - (g) laser quest and escape rooms;
  - (h) cinemas, except drive-in cinemas;
  - (i) theatres, except drive-in theatres;
  - (j) concert halls;
  - (k) indoor skating rinks;
  - (l) circuses;
  - (m) indoor attractions at—
    - (i) water parks and aqua parks;
    - (ii) theme parks, fairgrounds and funfairs;
    - (iii) adventure parks and activities;
    - (iv) aquariums, and zoos, including safari parks;
    - (v) animal attractions at farms and any other place where animals are exhibited to the public as an attraction;
    - (vi) botanical or other gardens, biomes or greenhouses;
    - (vii) stately or historic homes, castles or other heritage sites;
    - (viii) museums and galleries but not including retail galleries where the majority of the art on display is for sale;
    - (ix) sculpture parks;

- (x) landmarks, including observation wheels or viewing platforms;
  - (xi) model villages;
  - (xii) visitor attractions at film studios;
  - (n) conference centres and exhibition halls, so far as they are used to host conferences, exhibitions, trade shows, private dining events or banquets, other than conferences, trade shows or events which are attended only by employees of the person who owns or is responsible for running the conference centre or exhibition hall.
- (8) For the purposes of sub-paragraph (7)(m), an “indoor attraction” means those parts of a venue, including visitor centres but not including toilets for visitors, which—
- (a) would be considered to be enclosed or substantially enclosed for the purposes of section 2 of the Health Act 2006 under the Smoke-free (Premises and Enforcement) Regulations 2006, and
  - (b) are in normal times open for members of the public to visit for the purposes of recreation, whether or not for payment.
- (9) For the purposes of sub-paragraph (7)(n), a “trade show” is an event held to bring together members of a particular industry to display, demonstrate and discuss their latest products or services with members of the public or other members of the industry.