

SCHEDULE 3

Tier 3 restrictions

PART 2

Closure of, and restrictions on, businesses

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

9.—(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 sub-paragraph (1) is subject to the exceptions in paragraphs 10 and 11.

(3) For the purposes of sub-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 sub-paragraph (1), references to food or drink being for consumption on premises include references to consumption on an area adjacent to the premises of the restricted business or restricted service—

- (a) where seating is made available for its customers (whether or not by the business or the provider of the service), or
- (b) which its customers habitually use for consumption of food or drink served by the business or service.

(5) Sub-paragraph (4) does not apply where the restricted business or restricted service is situated or provided—

- (a) at 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, Folkestone (as referred to in section 1(7)(b) of the Channel Tunnel Act 1987),

and that part of the airport, maritime port or terminal area is accessible 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 sub-paragraph (1) by closing the restricted business or by ceasing to provide the restricted service.

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

- (a) is of a kind specified in paragraph 13(6), or
- (b) is carried on from, or provided at, premises of a kind specified in paragraph 13(6).