

# Lockdown 2 – what can pubs\* do

\* (i.e. Types of business listed under Schedule (Part 1).

PAS spoke to [Cerulean Law](#) and obtained the following comments on the new regulations:

As requested, we have reviewed the latest regulation (*2020 No. 1200 PUBLIC HEALTH, ENGLAND The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020*) as it affects your members selling alcohol and takeaways. From our assessment the government's guidance is materially inaccurate and of course it is the regulation not the guidance which has legal effect.

*Regulation 17* addresses sales from pubs. In summary, on our assessment, a pub may:

**(1)** provide a takeaway service of food and non-alcoholic drink between 5am and 10 pm which DOES NOT REQUIRE PRE-ORDERING. There is no restriction on collecting from on the premises.

**(2)** Sell alcohol at any time (subject to having an off licence and any of its restrictions or terms) provided it is pre-ordered by telephone, website, text, email or post. Purchasers may not enter the premises to collect

**(3)** provide a takeaway service between the hours of 10pm and 5am for PRE-ORDERED food and drink (non-alcoholic). Purchasers may not enter the premises to collect

All orders may be delivered (subject to any licence restriction)

Alcohol and food must not be consumed on the premises or anywhere nearby where purchasers of on-sales usually consume them.

Ends.

Source: [https://www.legislation.gov.uk/ukxi/2020/1200/pdfs/ukxi\\_20201200\\_en.pdf](https://www.legislation.gov.uk/ukxi/2020/1200/pdfs/ukxi_20201200_en.pdf)

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