



Campaign for Pubs

Promote, Support and Protect Pubs

Nicola Sturgeon
First Minister
Scottish Government
St. Andrew's House
Regent Road
Edinburgh
EH1 3DG

30th April 2021

Dear First Minister,

Regulations for pubs and bars

We are writing, after the first week of opening, regarding the regulations for pubs and bars in Scotland and urging and the Scottish Government to understand the reality of the very difficult situation for many publicans, especially in small community pubs and bars and, in particular, pubs and bars that don't serve food.

Many of Scotland's pubs and bars have been closed since October, so closed now for some six months or so. Support given to pubs by the Scottish and the UK Governments, whilst being welcome, has in most cases not even covered ongoing bills, including rent and many Scottish publicans are now in debt as a result of the disastrous loss of business over the last year.

As it is, the rule that pubs can only serve alcohol outside in Scotland is clearly a huge problem for 'wet-led' pubs and the weather in Scotland in April means that opening is a risk for many, with the possibility that pubs will simply not be able to trade profitably. Pubs in England benefited at least from two weeks of fine weather, but alas the reopening in Scotland has been with poor weather in many areas so this has been a very disappointing week of trade for many pubs and bars. We do not see what scientific evidence there can be that justifies the outdoors only rule.

There are, however, other rules that are making this situation worse and we are asking you to look specifically at these. The Scottish Government's regulations are making it difficult or impossible for many pubs to operate profitably, when they urgently need to do so, so we urge you to look at some these again – and/or consider further financial support.

Ordering and taking payment

At the moment, customers in pubs and bars are required to order from their table, outside. This puts significant extra burden onto staff who are struggling to cope with multiple trips to tables in outdoor areas and also significantly increasing staffing costs. Many pubs and bars simply cannot afford to open as a result.

Staff who are working are run ragged and trying to ensure people give their details (in some cases by taking them in writing), show people to tables, take orders, deliver orders, clear glasses and plates, wipe down tables and oversee social distancing.

Yet in other venues, such as cafés and fast-food restaurants, customers are allowed to order and pay inside. This is unfair and clearly prejudicial against pubs and bars. As far as we can see, there is no evidence that led the Government to decide that people can order and pay inside cafes and fast-food restaurants, but that pubs cannot take orders inside and only take payment inside as a last resort. This should change.

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We are therefore asking for the Scottish Government to give pubs parity and the same position as cafes and fast-food restaurants, when it comes to ordering and paying.

Rule on social distancing within a group

There is a real problem and indeed a contradiction between the rules that on the one hand allow a table of people from different households to meet and socialise together and the rule that says people must socially distance at least one metre apart.

With the restriction to outdoor opening for pubs and bars to serve drinks, this means that many pubs and bars (that have outside areas) can only trade from their outside seating, which in many cases is traditional pub 'picnic style tables or tables with bench seating. To enforce social distancing of over a metre on such tables is difficult, if not impossible. In some cases, picnic style tables make it impossible for people to sit this far apart.

For smaller pubs, the rule is six people from six different households; in level two hospitality can have eight people from eight households; in level one, twelve from twelve; and level zero fifteen, from fifteen households but in reality, with the one metre plus rule, this is not possible and therefore these numbers are irrelevant if the one metre plus rule is enforced.

The practical reality of imposing outdoor-only opening whilst at the same insisting that pubs, bars and restaurants enforce social distancing, makes outdoor opening actually impossible for many. This shows that all of this has clearly never been thought through.

So we urge you to look at this again and to change the regulations to clarify that as long as people follow basic social distancing guidelines, they can sit together on standard pub and bar outdoor furniture.

Suggested two hour-limit for pub customers

We realise that the two-hour limit is only guidance, but this does not make sense for pubs and bars as if followed, is likely to make it unviable for many community pubs to trade, but in actual fact it also encourages people to go to more than one venue, which is therefore less (not more) safe.

The two-hour rule may not be a problem for many restaurants and for large chain pubs and bars, but it is a problem for smaller pubs and bars, wet-led pubs and bars, in many cases the ones that have suffered most from the lockdowns and restrictions. These pubs and bars, which are crucially important for Scotland's communities in our towns, villages, cities and hugely important for tourism, desperately need to trade and trade viably. As it is, the other restrictions will make it difficult for many pubs and bars to trade profitably, especially smaller pubs and bars, including many independents. Yet the two-hour guidance, actually makes it difficult to operate as a community pub, where regulars may wish to spend more than two hours. Such trade in some areas will be all the trade that some of these pubs, not in busy city centres and towns, can rely on. It also unfairly puts licensees in a position where they need to tell people to leave after two hours and risks alienating their customers.

Moreover, in wet sales pubs, where people will spend an afternoon or evening, two-hour time slots are counterintuitive. This will inevitably lead to people booking time slots in different pubs and going on pub crawls, something that the Scottish government was strongly advising against last year. Surely it is much better for people to remain in one place and limit potential contact with others.

This suggestion should have no place in the guidance and licensees should be able to decide on their own dwell times in accordance with the needs of their business and the safety of their customers.

There is no evidence that putting an arbitrary two-hour limit on visiting a pub will do anything to assist with the ongoing fight to tackle Covid-19. As it is and as you know, Scotland's pubs showed that they will put

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in place and operate sensible measures designed to facilitate social distancing. This remains the case, but the two-hour proposal will make life unreasonably difficult for pubs and some will struggle to get through and survive.

All too often in the discussions and debate around pubs re-opening, it seems to be forgotten that there are many Scottish people and families who are reliant on pubs and bars for their income and for their livelihoods. There are many who have struggled and faced hardship over the last year. Pubs are also crucial to many Scottish communities, without which community cohesion and community spirit would be undermined and of course the importance of pubs, inns and bars to Scotland's tourism industry is very significant.

We therefore urge you to reconsider the two-hour suggestion and drop it from the guidance. We also support the other proposals as outlined by the Scottish Hospitality Group and hope you will consider them.

We look forward to your response and to continuing to engage with the Scottish Government.

Yours sincerely,



Morag Douglas
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Licensee, The Star, Burntisland



Greg Mulholland
Campaign Director, Campaign for Pubs

cc Jamie Hepburn MSP, Chair, Minister for Business, Fair Work and Skills