

P-05-1047 Let pubs and bars trade, cancel the curfew.

Y Pwyllgor Deisebau | 1 Rhagfyr 2020
Petitions Committee | 1 December 2020

Reference: RS20/14570-2

Petition Number: P-05-1047

Petition title: Let pubs and bars trade, cancel the curfew

Text of petition:

Licensees of bars and pubs follow strict procedures in order to trade and to ensure that staff and patrons are kept safe at all times.

With added socially distancing measures in place, licensees across the country have shown they were able to do this and still trade, keep their venues open and securing jobs.

The Sage documents show that experts dismissed the idea of a 10pm curfew for pubs, bars and restaurants before it was implemented across England.

<http://www.independent.co.uk/news/health/coronavirus-3-tier-lockdown-new-restrictions-boris-johnson-sage-curfew-b1012869.html%3Famp>



The First Minister himself states there is no prove to link rise in cases to bars, pubs and restaurants. "Evidence in the Gwent Police force area shows that the rising number of cases are not being caused by pubs and restaurants, First Minister Mark Drakeford has claimed."

<https://www.walesonline.co.uk/whats-on/food-drink-news/newport-lockdown-gwent-pubs-hospitality-19078374>

Venues are reporting up to a 93% downfall since August compared to previous year. With very little support available and uncertainty, this is causing more worry and stress on owners within hospitality.

We are calling on the Welsh Government to cancel the 10pm curfew, let venues trade in accordance to their licence and save our night time economy.

1. Background

On 22 September 2020, the Welsh Government announced that hospitality businesses in Wales would be required to close from 10pm in order to help tackle the coronavirus pandemic. The 10pm curfew, which came into force on the 24 September, was also introduced in England and Scotland at the same time.

The Welsh Government clarified that the 10pm curfew applies to the sale of alcohol, with premises having to close by 10:20pm in Wales, allowing customers time to finish any food/ beverages. This is slightly different to the position in England where premises must close at 10pm.

During the firebreak lockdown, hospitality businesses such as pubs and bars were required to close from 23 October to 9 November, with the exception of takeaway and delivery services.

Following the firebreak lockdown, since 9 November hospitality businesses have been able to reopen. Again, they have been required to stop selling alcohol at 10pm, and all places licensed to sell alcohol for consumption on the premises will need to close by 10.20pm. The Welsh Government also introduced a limit on the

size of groups, which must be limited to 4 people (not including children aged under 11) unless they are from the same household. There are also requirements such as pre-booking, table service only, and controlled entry to premises.

Advisory bodies

The petitioners refer to documents published by the UK Government's Scientific Advisory Group for Emergencies (SAGE).

Whilst SAGE is responsible for ensuring “timely and coordinated scientific advice is made available to decision makers to support UK cross-government decisions”, the Welsh Government also has its own body - the Technical Advisory Cell (TAC). Both co-chairs of TAC are members of SAGE. The Research Service has produced a blog article which includes more information about each body.

Advice relating to curfews

At its 21 September meeting, SAGE considered and endorsed a paper on 'the effectiveness and harms of different non-pharmaceutical interventions' (PDF,232KB). The UK Government website makes clear that the paper “is the assessment of the evidence at the time of writing”.

The paper considers the impact of a range of non-pharmaceutical interventions [NPIs] on the transmission of Covid-19, on other social and economic factors and considers any implementation issues relating to the intervention. One intervention included in the paper is the closure of bars and pubs. In considering the impact on Covid-19 transmission, the paper states that “curfews [are] likely to have a marginal impact”.

TAC regularly publishes summaries of the advice it provides to the Welsh Government. Whilst it does not mention curfews specifically, the summary of advice provided on 18 September states:

A package of [NPIs] on local and national scale may be needed...Interventions differ in their effectiveness in reducing transmission and have different types and levels of harm associated with them. It is increasingly important to consider the indirect harms associated with COVID-19.

The Welsh Government's Technical Advisory Group (TAG), which includes technical and scientific experts from across the Welsh Government, NHS Wales

and academia, published its advice to Ministers on a firebreak lockdown on 19 October. This states that:

Outside the household, preliminary analysis of a recent case-control study by PHE [Public Health England] suggests that working in health and social care remains a risk factor, as is working in close personal services and hospitality. Activities associated with increased risk amongst cases include frequenting entertainment venues e.g. bars and restaurants. Outbreaks associated with restaurants and bars have also been recorded, both in the UK and elsewhere.

When reviewing the post-firebreak proposals on 3 November, the Chief Medical Officer stated that, in relation to the requirements for the hospitality industry:

...,although providing some prospect of economic activity returning, re-opening the Welsh hospitality industry will inevitably lead to some increase in viral transmission. The option of allowing only 4 individuals to interact in these settings together with the other requirements that are being placed on the sector will help to mitigate this as will enabling social mixing to take place in regulated settings.

Reaction

In response to the curfew announcement, the British Beer and Pubs Association (BBPA) issued a statement that it would “devastate” the pub sector without additional financial support from the Government.

Giving evidence to the House of Commons Treasury Committee (PDF,312KB), the CEO of UKHospitality highlighted that whilst:

...other European countries...have introduced a curfew [on alcohol sales]...it has been a later curfew: it has been 11 o'clock with a 12 o'clock closure or midnight with a 1 o'clock closure.

The difference in approach between England and Wales was also highlighted during the evidence session. As outlined earlier, in Wales alcohol sales must stop at 10pm but venues can remain open for slightly longer. In England, venues must shut at 10pm, and there have been news reports of large numbers of people gathering on the streets instead.

2. Welsh Government action

In his letter to the Chair dated 30 October 2020, the Deputy Minister for Culture, Sport and Tourism states that:

The hospitality measures – including the 10pm alcohol curfew and 10.20pm closure of licensed premises – were developed in line with public health advice and after consulting the hospitality industry (including the British Beer & Pub Association)

The Deputy Minister also refers to the advice the Welsh Government receives from TAC, outlined earlier in this briefing. The Deputy Minister says that TAC “evidence supports the view that alcohol consumption still presents a major risk factor in the spread of infectious diseases” and the 10pm ban on alcohol sales has been introduced to minimise these risks.

The letter also refers to people not adhering to social distancing measures and whilst:

...this is not necessarily as a result of hospitality businesses not putting suitable measures in place [it] is more about people’s behaviour and interactions in and around these settings.

It also suggests that “since the introduction of time limited opening hours, there is evidence of a reduction in the number of contacts identified by individuals who have tested positive”.

During a Welsh Government coronavirus briefing on 9 November, the First Minister did not comment specifically on whether the 10pm curfew had been effective.

The Deputy Minister’s letter also outlines the support made available to businesses. The Research Service has produced a blog article outlining the various UK and Welsh Government business support schemes which is regularly updated.

3. Welsh Parliament action

On 7 October 2020, the Senedd’s Economy, Infrastructure and Skills Committee heard evidence from sectors of the economy that have been severely affected by the pandemic. UKHospitality Cymru stated that:

...one of the first things that could be done is a review of the 10 o'clock provision that's across all licensed premises at the moment. We feel it's an arbitrary deadline, but also what we're getting reports of, and it's not only anecdotal evidence but also from our discussions with Government, is that people are doing gatherings that are not under the licensing guidance and not under our professionalism, if you like, in looking after people when they're enjoying hospitality. It would make much more sense to give an extended time when they're in safe environments that are being properly looked after by professionals, rather than leaving them to their own devices to try to find other places.

On 5 November 2020, the Culture, Welsh Language and Communications Committee heard evidence on the impact of Covid-19 on live music. The Committee heard from the Chief Executive of Cardiff nightclub Clwb Ifor Bach that whilst it was able to reopen as a pub during August:

...once the 10 o'clock curfew came in, it was financially unsustainable for us to remain open because 70 per cent of our income came in after 10.

During the session, witnesses also told the Committee their views that it was safer for people to continue drinking alcohol past 10pm in licensed premises, where track and trace and social distancing measures were in place, than to continue drinking in people's homes.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.