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STATUTORY INSTRUMENTS

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**2020 No. 1200**

**The Health Protection (Coronavirus,  
Restrictions) (England) (No. 4) Regulations 2020**

**PART 4**

Closure of, and restrictions on, businesses

**Exceptions**

**17.**—(1) Regulation 15(1) does not prevent the person responsible for carrying on a restricted business, or providing a restricted service, of a kind specified in Part 1 of the Schedule—

- (a) from selling food or drink (but not alcohol) for consumption off the premises between the hours of 05:00 and 22:00;
- (b) from selling food or drink (including alcohol) for consumption off the premises in accordance with paragraph (2).

(2) A person responsible for carrying on a restricted business, or providing a restricted service, referred to in paragraph (1) may only sell the following for consumption off the premises—

- (a) alcohol, by any method permitted by paragraph (3)(a) to (c), and
- (b) food and drink between the hours of 22:00 and 05:00, by any method permitted by paragraph (3)(a) to (c).

(3) The methods of sale permitted under this paragraph are—

- (a) by making deliveries in response to orders received—
  - (i) through a website, or otherwise by on-line communication,
  - (ii) by telephone, including orders by text message, or
  - (iii) by post,
- (b) to a purchaser who collects food or drink that has been pre-ordered by a means mentioned in sub-paragraph (a), provided the purchaser does not enter inside the premises to do so, or
- (c) to a purchaser who collects the food or drink in a vehicle, and to whom the food or drink is passed without the purchaser or any other person leaving the vehicle.

(4) Regulation 15(1) does not prevent the person responsible for a carrying on a restricted business, or providing a restricted service, of a kind specified in Part 1 of the Schedule, from carrying on that business, or providing that service, if—

- (a) the business or service is carried on or provided in an aircraft, train or vessel,
- (b) the aircraft, train or vessel is providing a public transport service, and
- (c) alcohol is not served in the carrying on of the business, or the provision of the service, concerned (subject to paragraph (5)(b)).

(5) In paragraph (4)—

- (a) “public transport service” has the meaning given by regulation 2(2) of the Health Protection (Coronavirus, Wearing of Face Coverings on Public Transport) (England) Regulations 2020(1), but for these purposes does not include a service provided primarily for dining or other recreational purposes;
  - (b) sub-paragraph (c) does not apply in respect of the service of alcohol to persons who are seated on an aircraft.
- (6) Regulation 16(1) does not prevent the use of—
- (a) any premises used for a restricted business or restricted service to host blood donation sessions;
  - (b) any premises used for the making of a film, television programme, audio programme or audio-visual advertisement;
  - (c) facilities for training by elite sportspersons, including stables, indoor gyms, fitness studios, and other indoor sports facilities, and any outdoor facilities for sport;
  - (d) indoor fitness and dance studios by professional dancers and choreographers;
  - (e) theatres and concert halls for—
    - (i) training,
    - (ii) rehearsal, or
    - (iii) performance without an audience for broadcast or recording purposes;
  - (f) indoor gyms, fitness studios, indoor sports facilities and other indoor leisure centres for supervised activities for children;
  - (g) indoor gyms, fitness studios, indoor swimming pools, indoor sports courts and other indoor leisure centres and outdoor sports courts and swimming pools by schools or providers for post-16 education or training (as defined in paragraph 1(8)(e) of Schedule 17 to the Coronavirus Act 2020);
  - (h) stables, for the purposes of any activities referred to in regulation 6(14).
- (7) For the purposes of paragraph (6), a person is a professional dancer or choreographer if that person derives their living from dance, or from choreographing dance, as the case may be.
- (8) Subject to regulations 15 and 18(1), regulation 16(1) does not prevent a person responsible for carrying on a restricted business or providing a restricted service (“the closed business”), from—
- (a) carrying on a business which is not a restricted business, or providing services which are not restricted services—
    - (i) in premises which are separate from the premises used for the closed business,
    - (ii) by making deliveries or otherwise providing services in response to orders received—
      - (aa) through a website, or otherwise by on-line communication,
      - (bb) by telephone, including orders by text message, or
      - (cc) by post, or
    - (iii) to a purchaser who collects goods that have been pre-ordered by a means mentioned in paragraph (ii), provided the purchaser does not enter inside the premises to do so, or
  - (b) operating a café or restaurant solely to sell food or drink for consumption off the premises, if the café or restaurant is separate from the premises used for the closed business.

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(1) S.I. 2020/592, as amended by S.I. 2020/1021; there are other amending instruments but none is relevant.

(9) For the purposes of paragraph (8), a premises, café or restaurant (“PCR”) is separate from premises used for the closed business if—

- (a) the PCR is in a self-contained unit, and
- (b) it is possible for a member of the public to enter the PCR from a place outside the premises used for the closed business.