

COVID-19 Recovery Committee

**11th Meeting, 2021 (Session 6), Thursday
18 November 2021**

Baseline health protection measures: preparing for winter and pathways to recovery

Introduction

1. At its meeting on 28 October 2021, the Committee agreed to undertake a short inquiry into baseline health protection measures: preparing for winter and pathways to recovery.
2. The inquiry will focus on three broad policy areas:
 - health and social care services;
 - the hospitality, business and leisure sectors; and
 - schools.
3. At this meeting, the Committee will focus on the hospitality, business and leisure sectors and will take evidence from the following witnesses—
 - Kirsty Cumming, Chief Executive, Community Leisure UK
 - Barry McCulloch, Head of Policy, Federation of Small Businesses Scotland
 - Gavin Stevenson, Scottish Licensed Trade Association
 - Leon Thompson, Executive Director, Scotland, UK Hospitality
 - Professor Irene Petersen, Professor of Epidemiology and Health Informatics, University College London

Background

4. The Scottish Government's [Strategic Framework](#) explains how it plans to respond to COVID-19 and what it seeks to achieve. This explains that the Scottish Government's overall aim is:

“To suppress the virus to a level consistent with alleviating its harms while we recover and rebuild for a better future”.

5. The Scottish Government hopes to achieve this aim using measures such as ventilation, face coverings, vaccination and social distancing etc. These are what are known as “baseline health protection measures”.

6. This inquiry will consider what role baseline health protection measures, in particular ventilation, will play in lessening the impact of COVID-19 over the winter period. It will also investigate what measures are required to support long-term recovery.

7. With regard to ventilation measures, alongside the Strategic Framework, the Scottish Government has published general guidance for [improving ventilation](#) in workplace/commercial settings. The Scottish Government has also committed funding to supporting improved ventilation in some settings, such as [schools](#) and [high-risk settings](#) where people come into close proximity, including restaurants, bars and gyms.

8. In this evidence session, the Committee will also consider other baseline health protection measures such as vaccination certification, face coverings, social distancing, test and protect etc., that are relevant to the hospitality, business and leisure sectors.

Evidence

9. At its meeting on 4 November 2021, the Committee heard from experts in ventilation and on 11 November 2021 the Committee heard from stakeholders in the health and social care sectors. The papers and transcripts from those meetings can be found on the Committee’s [website](#).

10. The Committee has received written submissions from the following organisations to inform this evidence session, which are provided in the **Annexe**:

- The Scottish Beer and Pub Association
- The Scottish Licensed Trade Organisation (to follow as late paper)

11. Professor Irene Petersen has provided a copy of a [research paper on rapid testing, which can be accessed online](#).

Next steps

12. The Committee will take further evidence on this inquiry at its meeting on 25 November 2021. The Committee intends to highlight the evidence it has heard in a debate on 2 December 2021.

Committee Clerks
November 2021

Submission to the Scottish Parliament's Covid-19 Recovery Committee – Impact on the Hospitality Industry

Scottish Beer & Pub Association

11 November 2021

Impact of the pandemic

Scotland's hospitality industry has been one of the hardest hit sectors as a result of the pandemic. Even before the introduction of coronavirus mitigations in March 2020, the impact of increasing cost pressures and a changing regulatory environment resulted in a steep decline in the number of pubs in Scotland and across the UK¹. Forced closure of the hospitality sector for the majority of 2020 and a substantial part of 2021 has also had a major impact, with an estimated 400 pubs lost since December 2019² – representing a 10% decline in the total number of pubs in Scotland.

As we enter the all-important recovery phase, many of Scotland's pubs are in a precarious financial position with high sums of debt and no further economic support on the horizon. Our hospitality industry requires further support going forward to avoid irreversible harm.

Baseline Health Protection Measures

The current baseline measures impacting directly on Scotland's pubs and wider hospitality trade is the maintenance of face coverings for customers and staff when moving around premises, and in addition, the need to collect customer details for Test and Protect.

In addition to the baseline measures, a large number of hospitality businesses have maintained previous measures and mitigations in their premises to further limit the spread of the virus and contribute towards public health goals. They include, but not limited to, continued use of one-way systems; increased distance between tables; Perspex screens (across bars and between tables); temperature checks; ventilation improvements and rigorous cleaning regimes.

Face Coverings

The maintenance of face coverings for the public when entering, exiting, and moving around premises has had a negligible impact on the day-to-day operations of pubs

¹ ONS data:

<https://www.ons.gov.uk/businessindustryandtrade/business/activitysizeandlocation/articles/economies-ofales-mallpubscloseaschainsfocusonbigbars/2018-11-26>

² British Beer & Pub Association and CGA Strategy data.

and bars. The majority of patrons understand and accept this continued mitigation. Any potential for conflict over this between staff and customer is mitigated by the ability of the customer to claim exemption, with staff legally unable to challenge any assertion.

The impact on the maintenance of face coverings for staff in all public facing areas is more pronounced. In premises with loud music, such as night clubs and late-night venues, nonverbal communication (between staff and other staff, and between staff and customer) is important. Face coverings make this more difficult, resulting in some instances of customers and staff being forced to lean in and raise their voices to be able to understand each other.

Collection of Customer Information

The continued need to collect customer information did create an added burden on the sector, however the ability for businesses to now create a QR code via the Scottish Government website which is interlinked with the Test & Protect system has reduced this burden significantly. Before this was possible, premises would need to create their own system to maintain details which came with several challenges and costs to ensure compatibility with both covid regulations and GDPR rules. The new system removes these burdens from industry.

Changes to Baseline Measures

The biggest impact on the sector at the moment has been the introduction of Covid Certification for Nightclubs and some late-night venues. Those venues which have been captured have suffered an unsustainable drop in trade since the introduction of the policy in October. A survey carried out by the Night Time Industries Association (NTIA) reveals³:

- Nightclub trade levels have dropped by almost half (46%), with some reporting declines in excess of 60% compared to previous weeks
- 46% decline in trade for nightclubs would represent lost income of £506,000 per year per venue on average if this scheme continues compared to pre-vaccine passport levels of trade
- 24% decline in trade for pubs and bars would represent lost income of £180,000 on average if this scheme continues compared to pre-vaccine passport levels of trade
- In addition, venues enforcing the scheme report their expenses to administer the scheme in staffing, equipment, etc., would result in an average £31,200 per year of additional costs if it continues
- Trade in pubs and bars caught by the policy has dropped by one quarter (24%), despite 90% of these venues implementing measures to take themselves out of remit of the scheme by closing at midnight or removing space for dancing.

³ NTIA press release; 27 October 2021

Potential Further Changes

The announcement by the Deputy First Minister to Parliament on Tuesday the 9th of November that there is consideration of extending this policy to wider hospitality is deeply troubling. If the impact felt by those premises currently impacted by the policy was replicated on the pub trade, it would result in a high level of business failures. This would be amplified by the policy occurring during the all-important festive trading period for the sector. There are huge operational and practical challenges for traditional pubs to enforce this policy, including a legal obligation for SIA qualified stewards to control entry, in addition to a current shortage of stewards. As well as legally being unable to control entry, there is a concern for the safety of untrained staff trying to enforce the policy. This is exacerbated by further impacts to the sector, including the end of free movement and related staff shortages.

Any extension of Covid Certification to wider hospitality would need to see the policy adapted for the wider sector to be workable and to protect staff. The current model of 100% entry checks at hospitality would not be deliverable in traditional pub and bar settings. Furthermore, the Scottish Government would need to set out clearly what they would do to protect staff in these environments attempting to enforce the policy. We also believe that inclusion of negative testing and natural immunity would assist the Government's public health goals and reduce the impact on business.

Furthermore, we would question whether there is sufficient evidence to justify the extension of Covid Certification. When the introduction of Covid Certification was announced by the First Minister on 1 September 2021, there were a total of 6170 reported cases in Scotland. On 9 November 2021, the day the Deputy First Minister announced consideration of extending the scheme, the number of cases had declined by 63.8% (2233 cases). Similarly, on the day the policy was introduced to night clubs and other analogous settings (1 October 2021), there were 983 people hospitalised with Covid, but this declined by 23.4% (753) by the 9th of November. With both cases and hospitalisation rates below the levels when the policy was introduced for the current settings, we cannot see how extending the policy at the current time could be justified.

Support for the Sector

Critical to protecting the remaining hospitality premises is further support from Government, both at Holyrood and in Westminster. Any changes to current mitigations which would have a material impact on trading would need to be met with further economic support to ensure that mass business failures do not occur in the first quarter of 2022. Ahead of the Scottish Parliament 2021 elections, we published a [manifesto](#) which included the following recommendations which we would urge the Committee to consider as part of the final report:

Championing and backing Scotland's Pubs and Brewers

- Allocate a dedicated Covid-19 recovery fund for the sector, focused on protecting and creating jobs, and ensuring environmental sustainability sits at the heart of the sectors rebuild.
- Appoint a dedicated Scottish Pubs Minister, by allocating clear, funded, responsibility and ownership of the pubs and brewing sector to a single ministerial portfolio.

Covid-19 Restrictions and Sector Regulation

- Assure regular and science-based review of Scotland's coronavirus restrictions level structure to ensure that no Scottish pub should be forced to remain closed, or limited in its operation, unless a clear, data-led public health imperative demands it.
- Continue high-level engagement with the industry for the duration of both the pandemic and recover phase to ensure the voice of the sector is heard within government, and government support is placed where it is needed most.
- Provide legal assurance that Covid-19 restrictions on the sector will ultimately be lifted in full, in line with the relaxation of social-distancing measures in other settings, as the vaccine rollout takes effect. No "long tail" restrictions can be allowed to linger, unless there is an explicit scientific basis for this, and only if any such restrictions apply to any and all indoor settings.
- Introduce a moratorium on new legislation or regulation which would place further cost or logistical burdens on Scotland's hard-pressed breweries and pubs through the Covid-19 recovery. Consider all new legislative / regulatory proposals in the context of cumulative regulatory burden on the sector and where appropriate, accelerate the de-regulation agenda.
- Assist in lowering of the disproportionate tax burden on pubs and brewers through support for a cut in beer duty, extension of the business rates holiday and an extension of VAT cut through to 2022 for all drinks.

Jobs and skills

- Support a new industry-led apprenticeship scheme to run in conjunction with the Apprenticeship Levy which will serve to address specific staff shortages (i.e., pub chefs) created by Covid-19 and Brexit and promote high-level brewing apprenticeships.

Environment and green recovery

- In the year of COP26, provide a dedicated, funded Green beer and pubs plan, through a package of support to help enable pubs and breweries to become carbon-neutral businesses, increase energy efficiency and promote renewable energy options.
- Increase funding for pubs to install electric vehicle charging infrastructure in pub car parks, which demonstrates the importance of pubs to communities.
- Introduce a rates relief for pubs or brewers that demonstrate they operate in an environmentally friendly manner.

Communities

- Recognise pubs are the largest community outreach network in the country and support this accordingly, helping to tackle loneliness and social isolation and as high streets continue to suffer through the loss of other institutions and meeting places. Place pubs at the heart of a national high streets plan.
- Ensure that planning policy recognises the role of pubs as community hubs by ensuring that new developments do not threaten their closure and ensure new developments provide land to enable the opening of new pubs where possible.
- Create a pilot fund to improve connectivity and public transport in rural communities to support rural pubs and clubs and the communities they serve.