1988 No. 300

LICENSING

The Licensing (Requirements for Restaurants) Regulations (Northern Ireland) 1988

Made . . . . . 12th August 1988

Coming into operation . . 19th September 1988

The Department of Health and Social Services, in exercise of the powers conferred on it by section 84(1) of the Licensing Act (Northern Ireland) 1971(**a**) and now vested in it(**b**) and of all other powers enabling it in that behalf, with the concurrence of the Department of Economic Development(**c**), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Licensing (Requirements for Restaurants) Regulations (Northern Ireland) 1988 and shall come into operation on 19th September 1988.

(2) In these regulations "the Act" means the Licensing Act (Northern Ireland) 1971.

Requirements to which a restaurant must conform

2. The requirements to which a restaurant as defined by section 84(1) of the Act must conform are as set out in the Schedule.

Revocation

3. The Licensing (Restaurants Prescribed Requirements) Regulations (Northern Ireland) 1971(**d**) are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services on 12th August 1988.

(L.S.) *Z. I. Davies*
Under Secretary

(**a**) 1971 c. 13 (N.I.) as amended by Art. 13(6)(*a*) of the Licensing (Northern Ireland) Order 1987 (S.I. 1987/1277 (N.I. 13))

(**b**) *See* Art. 5 of and Sch. 2 to S.R. & O. (N.I.) 1973 No. 504; and Art. 5 of and Sch. 1 to S.I. 1982/338 (N.I. 6)

(**c**) Formerly Ministry of Commerce, then Department of Commerce, lately the Department of Economic Development: *see* Sch. 5 para. 8(1) to the Northern Ireland Constitution Act 1973 c. 36; and Art. 4 of S.I. 1982/846 (N.I. 11)

(**d**) S.R. & O. (N.I.) 1971 No. 166

The Department of Economic Development hereby concurs with the foregoing Regulations.

Sealed with the Official Seal of the Department of Economic Development on 12th August 1988.

(L.S.) *Suzanna Cooper*
Assistant Secretary

SCHEDULE Regulation 2

Requirements to which a restaurant must conform

PART I

EQUIPMENT AND FURNISHING

Dining-rooms

1.—(1) Every dining-room of the restaurant must be—

(*a*) so ventilated at all times that no odour from the kitchen is perceptible;

(*b*) suitably floored or carpeted;

(*c*) maintained in good decorative order and in a high state of cleanliness.

(2) Every public room in the restaurant must have means of space heating capable of maintaining a room temperature of at least 20 degrees Celsius.

(3) The overall area must be such that there shall be not less than 1 square metre of floor space for each customer served in a dining-room of the restaurant seating fewer than 50 persons.

(4) The space for each customer served in a larger dining-room must be assessed in accordance with the Appendix to this Schedule.

(5) The part of a dining-room in which dining-tables are placed for the service of customers must have a floor to ceiling height of not less than 2.44 metres, except in the case of a dining-room which is part of a "listed building" as defined by Article 31(7) of the Planning (Northern Ireland) Order 1972(**a**), which must have a floor to ceiling height of not less than 2.25 metres.

Furnishings

2.—(1) A seat used by an adult customer in a dining-room of the restaurant must normally be either an immovable and padded banquette or a strongly constructed chair with a padded cushion, and high chairs must be available for use by small children if they are served in the restaurant.

(2) Dining-tables must be solidly made and—

(*a*) completely covered with a clean table cloth; or

(*b*) surfaced with polished hardwood or a good facsimile thereof or with approved material of a comparable quality.

Kitchens

3.—(1) The restaurant must have a well-equipped kitchen with space for vegetable preparation, vegetable storage, dry goods storage and a larder.

(2) Equipment must be adequate to produce the meals offered on the menu and appropriate to the seating capacity of the restaurant.

(3) The kitchen must be adjacent to or easily accessible from a dining-room to which food is taken from the kitchen.

(4) Doorways and passageways used by the restaurant staff to serve food to customers in a dining-room of the restaurant must be separate from the means of access normally used by customers.

(a) S.I. 1972/1634 (N.I. 17)

(5) Adequate facilities must be provided for the exclusive use of the staff of the restaurant, including toilets with hand washing facilities, changing area with locker provision, and sitting and dining facilities.

Accommodation for clothing and toilets

4.—(1) The restaurant must provide for the exclusive use of its customers—

(*a*) facilities for customers' clothing to be hung up or otherwise accommodated; and

(*b*) separate toilets for male and female customers,

which must be kept clean and properly maintained and supervised.

(2) Such toilets must be easily accessible from all public areas of the restaurant and must contain—

(*a*) water-closets in separate compartments;

(*b*) fixed wash-hand basins equipped with plumbing for the continuous supply of hot and cold water and the disposal of waste, and

(*c*) mirrors, clothes hooks, hand drying facilities and a clean and ample supply of toilet requisites (including soap, toilet paper, disposal bins and other necessary accessories).

(3) The minimum number and type of sanitary fittings installed in such toilets must be calculated in relation to the number of customers to be accommodated on the premises at any one time as follows:—

No. of persons	*Male*	*Female*
Up to 20	1 WC, 1 urinal, 1 wash-hand basin	1 WC, 1 wash-hand basin
Between 20 and 50	1 WC, 2 urinals, 1 wash-hand basin	2 WCs, 2 wash-hand basins
Between 50 and 100	2 WCs, 2 urinals, 2 wash-hand basins	3 WCs, 3 wash-hand basins
Between 100 and 200	3 WCs, 3 urinals, 3 wash-hand basins	4 WCs, 4 wash-hand basins
Between 200 and 300	4 WCs, 4 urinals, 4 wash-hand basins	5 WCs, 4 wash-hand basins.

PART II

MANAGEMENT AND STAFF

Management

5.—(1) The restaurant must be managed by and under the continuous supervision of a competent person with adequate catering experience.

(2) The person in charge of the preparation of meals must have practical experience and a thorough knowledge of the supervision of a restaurant kitchen and, where the Northern Ireland Tourist Board considers it necessary, appropriate professional qualifications.

Staff

6.—(1) Properly skilled staff must be employed in all departments of the restaurant and ensure a satisfactory standard of service during the hours in which meals are served.

(2) The waiting staff of the restaurant must be clean in their appearance and readily identifiable.

PART III

CATERING

Menu and wine list

7.—(1) The menu for every meal served in the restaurant must show—

(*a*) the total price of each meal or the price of each individual item available for service in such a way that the total cost of the meal can be readily and accurately ascertained;

(*b*) any service charge; and

(*c*) the hours during which the restaurant will be open.

(2) During such hours the range of items included on the menu must be normally available for service to customers.

(3) The wine list on show to customers of the restaurant must offer a choice of table wine at stated prices per bottle, half-bottle, carafe or by the glass.

(4) An accurate copy of the menu and of the wine list must be available to customers in the waiting area of the restaurant and, if practicable, attached to the outside of the premises.

Standards of catering, etc

8. The management of a restaurant must ensure that catering for functions does not unduly inconvenience customers of the restaurant during any period in which main table meals are normally served or reduce the standards of catering and service available.

Provisions which do not apply where an extension licence or an order for additional permitted hours is in force

9. Paragraph 1 (in so far as it requires a dining-room to be carpeted or maintain a certain space according to seating capacity) and paragraphs 2 and 7 shall not apply to such part or parts of the premises of a restaurant—

(*a*) where the normal state of decor and furnishings has been altered for the purposes of a function for which an extension licence has been granted; or

(*b*) where there is in force an order for additional permitted hours, on such days as may be specified in that order, from eleven in the evening to one in the morning of the next day following.

PART IV

HYGIENE AND FIRE PREVENTION

Legislative requirements

10.—(1) The management of a restaurant must produce to the Northern Ireland Tourist Board—

(*a*) a letter from an environmental health officer of the district council for the district in which the restaurant premises are situated, stating that those premises comply with the hygiene provisions of the Food and Drugs Act (Northern Ireland) 1958(**a**) and with the Food Hygiene (General) Regulations (Northern Ireland) 1964(**b**);

(**a**) 1958 c. 27 (N.I.)
(**b**) S.R. & O. (N.I.) 1964 No. 129

(*b*) a letter from an inspector appointed by that district council, stating that the restaurant premises comply with the provisions of the Health and Safety at Work (Northern Ireland) Order 1978(**a**); and

(*c*) either, where applicable, a fire certificate issued by the Fire Authority for Northern Ireland under the provisions of the Fire Services (Northern Ireland) Order 1984(**b**) or a letter from an authorised member of the fire brigade, stating that the restaurant premises afford an adequate means of escape in case of fire and that appropriate means for fighting fire have been provided and maintained on those premises, together with, where necessary, appropriate means for giving warning in case of fire.

(2) In this paragraph—

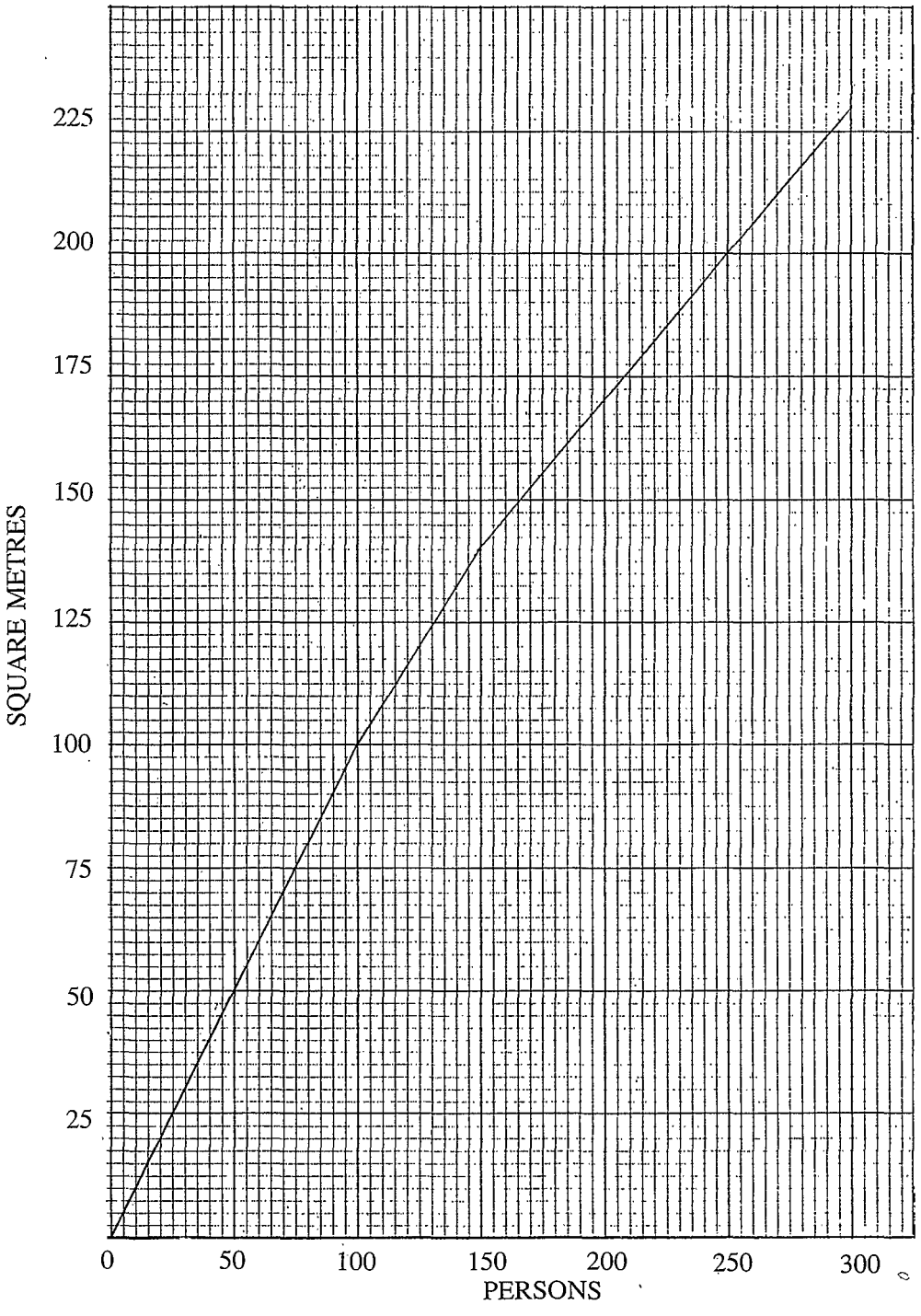
"inspector" has the meaning assigned to it by Article 2 of the Health and Safety at Work (Northern Ireland) Order 1978; and

"authorised member of the fire brigade" has the meaning assigned to it by Article 21 of the Fire Services (Northern Ireland) Order 1984.

(**a**) S.I. 1978/1039 (N.I. 9)
(**b**) S.I. 1984/1821 (N.I. 11)

APPENDIX

DINING ROOM AREAS



EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations rationalise and revise the requirements to which a restaurant must conform before the Northern Ireland Tourist Board may consider issuing a certificate to an applicant to the court for the grant or renewal of a licence for the retail sale of intoxicating liquor in a restaurant under section 3(1)(*d*) of the Licensing Act (Northern Ireland) 1971.

The Licensing (Restaurants Prescribed Requirements) Regulations (Northern Ireland) 1971 are therefore revoked.

The requirements set out in the Schedule to the regulations relate to all aspects of the running of a restaurant, including equipment, furnishing, management, staff, catering, hygiene and fire prevention.