

Date: November 23, 2015

To: All LCLB Staff
All Industry Associations
All Local Government, First Nations, and Police Agencies

Re: Changes to food-primary (FP) lounges and other FP operational policies

Introduction

These changes support the implementation of the Liquor Policy Review (LPR) recommendation # 35,

“the LCLB should clarify and modernize regulations with respect to food-primary (FP) operations, including lounge and kitchen requirements”.

Changes include repealing the lounge endorsement and relaxing several other restriction for FPs around entertainment, and naming requirements.

New Policies

Lounges

The FP lounge endorsement (section 12 of the regulation) has been repealed effective immediately. The original function of the endorsement – to have a place where a patron could have a drink without food – is no longer relevant given this is now generally permitted in FPs as long as the overall focus remains on the service of food.

Capacity: The person capacity currently assigned to the lounge is now considered added to the other licensed areas in the interior and/or exterior as the case may be. Capacity must not exceed that designated by the local authority. Within the next 6 months, licensees will be sent updated licences and floor plans.

Names: FP applicants and licensees may now use the word “lounge” as part of their name but must continue to ensure the name of the restaurant does not mislead the public as to the primary purpose of the service of food. Restaurants may continue to use the term “bar” in their names if there is a reference to food (e.g. “Joe’s Bar and Grill” is permitted but not “Joe’s Bar”).

Minors: Unaccompanied minors are now permitted in these areas.

Décor: Licensees may maintain or remove any décor or furnishings used to create

the visually distinct area previously required by the lounge.

Signage: Licensees may remove any signs associated with the lounge.

Entertainment

Patron non-participation entertainment (such as musicians or comedians) is now permitted without an application. The requirement to apply to offer patron-participation entertainment (such as dine and dance, usually permitted until midnight), remains.

Creating flexibility for restaurants does not mean restaurants may now behave more like bars. The FP licence requires that the primary purpose, through all hours and areas of operation, is the service of food. Licensees must ensure their restaurants do not operate contrary to the primary purpose of the licence. This is a serious contravention as it circumvents the local government/ community input process.

Further Information

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at <http://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing>.

If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1-866-209-2111 or 250 952-5787 if calling from the Victoria area.

Original signed by

Douglas Scott
Assistant Deputy Minister and General Manager