



To: Health and Wellbeing Test and Trace Sub Group

Date: 3 August 2020

From: Julie Newman, Director of Law and Governance

Title: Local Powers to Contain Covid-19

1 Purpose

To provide the board with an overview of the new Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 (SI 2020/750) that came into force on 18 July 2020.

2 Recommendations

Note the new regulations that are now in force that enable local authorities in England powers to mitigate local Covid-19 outbreaks.

3 Information/Background

On 17 July 2020, the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 (SI 2020/750) (Regulations) were made to come into force on 18 July 2020. The Regulations give local authorities in England powers to impose restrictions on specific premises, planned events and open spaces in local areas, to mitigate local Covid-19 outbreaks. The Regulations sit alongside the England-wide Health Protection (Coronavirus, Restrictions) (No 2) (England) Regulations 2020 (SI 2020/684), which enabled more venues to reopen in England from 4 July made.

Under the Regulations a local authority can only impose local restrictions if it is satisfied that they are a necessary and proportionate means of responding to a serious and imminent threat, and it must reassess whether this is still the case every seven days. The Secretary of State can require a local authority to impose restrictions. The restrictions which can be imposed under the Regulations are: Restrictions on people entering, leaving or being in specified premises. Restrictions cannot be imposed in relation to "essential infrastructure" (this term is not defined), vehicles, trains, vessels or aircraft used for public transport or the carriage or haulage of goods and certain other vessels.

Restrictions imposing prohibitions, requirements or restrictions on the organisers or hosts of a specified event, or events of a specified description.

Restrictions on access to public outdoor places. Following the imposition of such a restriction, the local authority and any person who owns, occupies or is responsible

for land within the relevant public outdoor space, must take reasonable steps to restrict public access to it. Individuals cannot enter a public outdoor space where this has been prohibited by the local authority without a reasonable excuse, such as accessing their home, visiting someone who lives there or for work.

Owners or occupiers of premises or spaces subject to a restriction have rights of appeal. Failure to comply with the restrictions is an offence and fixed penalty notices may be issued. A local authority must keep neighbouring local authorities informed of any restrictions it imposes.

Report Author(s): Julie Newman

Name and Job Title: Director of Law and Governance

Directorate: Law and Governance

Telephone and E-mail Contact: 02476 972707 julie.newman@coventry.gov.uk

Enquiries should be directed to the above person.