

Regulations made by the Secretary of State, laid before Parliament under section 45R of the Public Health (Control of Disease) Act 1984 (c. 22), for approval by resolution of each House of Parliament within twenty-eight days beginning with the day on which the instrument is made, subject to extension for periods of dissolution, prorogation or adjournment for more than four days.

STATUTORY INSTRUMENTS

2020 No. 1131

PUBLIC HEALTH, ENGLAND

The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) (Amendment) Regulations 2020

<i>Made</i>	- - - -	<i>at 2.15 p.m. on 16th October 2020</i>
<i>Laid before Parliament</i>		<i>at 2.55 p.m. on 16th October 2020</i>
<i>Coming into force in accordance with regulation 1</i>		

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 45C(1), (3)(c), (4)(b), (4)(d), 45F(2) and 45P of the Public Health (Control of Disease) Act 1984(1).

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in England.

The Secretary of State considers that the restrictions and requirements imposed by the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020(2) as amended by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of that Act, the Secretary of State is of the opinion that, by reason of urgency, it is necessary to make this instrument without a draft having been laid before, and approved by a resolution of, each House of Parliament.

Citation and commencement

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) (Amendment) Regulations 2020.

(2) Regulation 3(7) comes into force—

(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14).
(2) S.I. 2020/1105.

- (a) for the purpose of inserting Schedule 2A, and paragraph 1 of that Schedule, on 17th October 2020;
 - (b) for all other purposes, on 19th October 2020.
- (3) All other provisions of these Regulations come into force on 17th October 2020.

Amendment of the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020

2. In the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020(3), in Schedule 2, omit “Lancashire” and the entries from “Blackpool Council” to “Wyre Borough Council” under it.

Amendment of the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020

3.—(1) The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 are amended as follows.

- (2) In regulation 3(1) and (2)(a), at the end insert “and Schedule 2A”.
- (3) In regulation 4—
 - (a) in paragraph (2)(a), after “Schedule 1”, insert “or Schedule 2A”;
 - (b) in paragraph (10), after “Schedule 1”, insert “or Schedule 2A”.
- (4) In regulation 6—
 - (a) in paragraph (12)(a), after “Schedule 1”, insert “or Schedule 2A”;
 - (b) in paragraph (17)(a), after “Schedule 1”, insert “or Schedule 2A”.
- (5) In Schedule 1—
 - (a) in the heading before paragraph 5, at the end insert “and certain outdoor gatherings”
 - (b) in paragraph 5(1), at the end insert “and outdoor gatherings in a place which does not satisfy the conditions set out in paragraph 2(4)”;
 - (c) in paragraph 9(5)—
 - (i) in paragraph (a), after “indoor gatherings”, insert “or outdoor gatherings in a place which does not satisfy the conditions in paragraph 2(4)”;
 - (ii) in paragraph (b), in the opening words, after “gatherings”, insert “in a place which satisfies the conditions in paragraph 2(4)”;
 - (d) in paragraph 17(4)—
 - (i) for paragraph (a), substitute—
 - “(a) is of a kind specified—
 - (i) in paragraph 19(4) in relation to the Tier 3 area, or
 - (ii) in Schedule 2A in relation to an area specified in that Schedule, or”;
 - (ii) in paragraph (b), at the end insert “or in Schedule 2A”;
 - (e) in paragraph 18—
 - (i) in sub-paragraph (3), for paragraph (a), substitute—

- “(a) carrying on a business which is not a restricted business, or providing a service which is not a restricted service, in premises which are separate from the premises used for the closed business.”;
- (ii) after paragraph (3), insert—
 - “(4) For the purposes of paragraph (3), premises (“premises A”) are separate from the premises used for the closed business (“premises B”) if—
 - (a) premises A are in a self-contained unit, and
 - (b) it is possible for a member of the public to enter premises A from a place outside premises B.”;
- (f) in paragraph 19—
 - (i) in sub-paragraphs (2), (3) and (4), at the beginning, insert “Subject to sub-paragraph (8)”;
 - (ii) in sub-paragraph (4), omit paragraphs (g) to (j), and
 - (iii) after sub-paragraph (7), insert—
 - “(8) A business or service does not fall within sub-paragraph (2), (3) or (4) in any area in relation to which it is specified in Schedule 2A.”
- (6) In Schedule 2, for paragraphs 1 to 6, substitute—

“Lancashire

Blackpool Council

Blackburn with Darwen Borough Council

Burnley Borough Council

Chorley Borough Council

Fylde Borough Council

Hyndburn Borough Council

Lancaster City Council

Pendle Borough Council

Preston City Council

Ribble Valley Borough Council

Rossendale Borough Council

South Ribble Borough Council

West Lancashire Borough Council

Wyre Borough Council

Liverpool City Region

Halton Borough Council

Knowsley Metropolitan Borough Council

Liverpool City Council

Sefton Borough Council

St Helens Borough Council

Wirral Metropolitan Borough Council”.

- (7) After Schedule 2, insert—

“SCHEDULE 2A

Regulation 3

Local closures

Liverpool City Region

1. The businesses and services in this paragraph are restricted businesses and restricted services in those areas listed in Schedule 2 in relation to Liverpool City Region—

- (a) betting shops and adult gaming centres;
- (b) casinos;
- (c) indoor gyms, fitness and dance studios;
- (d) indoor sports facilities.

Lancashire

2.—(1) The businesses and services in this paragraph are restricted businesses and restricted services in those areas listed in Schedule 2 in relation to Lancashire—

- (a) betting shops and adult gaming centres;
- (b) casinos;
- (c) bingo halls;
- (d) soft play areas;
- (e) car boot sales.

(2) Paragraph 17(1) of Schedule 1 and sub-paragraph (1)(d) do not prevent the use of soft play areas by persons with a disability within the meaning of paragraph 11(4) of Schedule 1”.

Matt Hancock

Secretary of State,

Department of Health and Social Care

At 2.15 p.m. on 16th October 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations subject a number of areas to the restrictions set out in the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 (the “Very High Regulations”) and make corresponding amendments to remove those areas from the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020. They also impose closures on additional businesses in specified areas, and make a number of other minor amendments to the Very High Regulations.

No impact assessment has been prepared for these Regulations.