

Status: Point in time view as at 05/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020. (See end of Document for details)

STATUTORY INSTRUMENTS

2020 No. 1105

PUBLIC HEALTH, ENGLAND

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

Approved by both Houses of Parliament

| | | |
|-------------------------------|---------|--|
| <i>Made</i> | - - - - | <i>at 5.00 p.m. on 12th October 2020</i> |
| <i>Laid before Parliament</i> | | <i>at 6.00 p.m. on 12th October 2020</i> |
| <i>Coming into force</i> | - - | <i>14th October 2020</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 ^{M1}.

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 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.

Marginal Citations

M1 1984 c. 22. Part 2A was inserted by section 129 of the [Health and Social Care Act 2008 \(c. 14\)](#).

^{F1}PART 1

Introductory

F1 Regulations revoked (except Sch. 3) (5.11.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(No. 4\) Regulations 2020 \(S.I. 2020/1200\)](#), regs. 1(2), **25(c)** (with regs. 23, 26)

Status: Point in time view as at 05/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020. (See end of Document for details)

Citation, commencement and application

1.

Interpretation

2.

^{F1}PART 2

Tier 3 restrictions

Tier 3 restrictions

3.

^{F1}PART 3

Enforcement

Enforcement of restrictions and requirements

4.

Offences and penalties

5.

Fixed penalty notices

6.

Prosecutions

7.

^{F1}PART 4

Final provisions

Review

8.

Expiry

9.

Consequential amendments, revocations and transitional provisions

10.

Department for Health and Social Care

Matt Hancock
Secretary of State

Status: Point in time view as at 05/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020. (See end of Document for details)

^{F1}SCHEDULE 1 Regulation 3

.....

^{F1}SCHEDULE 2 Regulation 3

.....

^{F1}SCHEDULE 2A Regulation 3

.....

SCHEDULE 3 Regulation 10

Amendments and transitional provisions

PART 1

Amendments

Amendments of the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020

1.—(1) Regulation 9 of the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 ^{M2} is amended as follows.

(2) In paragraph (9), at the end (but after paragraph (l) as inserted by the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020 ^{F2}...) insert—

“(m) Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020, other than notices issued in respect of a business restriction offence as defined by regulation 6(12) of those Regulations or an offence of contravening a restriction or requirement imposed by paragraph 3 of Schedule 1 to those Regulations).”.

F2 Word in Sch. 3 para. 1(2) omitted (27.10.2020) by virtue of The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium, High and Very High) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/1176), reg. 1(2), Sch. para. 3(5)(a)

Commencement Information

I1 Sch. 3 para. 1 in force at 14.10.2020, see reg. 1(2)

Marginal Citations

M2 S.I. 2020/684.

Amendments of the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020

2. In regulation 18 of the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020^{M3}, in paragraph (7A)^{M4} after sub-paragraph (e) (as inserted by the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020) insert—

“(f) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020, where the fixed penalty notice relates to a business restriction offence as defined by regulation 6(12) of those Regulations.”.

Commencement Information

I2 Sch. 3 para. 2 in force at 14.10.2020, see reg. 1(2)

Marginal Citations

M3 [S.I. 2020/105](#).

M4 Paragraph (7A) was inserted by [S.I. 2020/1046](#).

Amendments of the Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020

3.—(1) The Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020^{M5} are amended as follows.

(2) In regulation 1, in paragraph (3)—

(a) after sub-paragraph (fa) (as inserted by Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020), insert—

“(fb) the “Tier 3 Regulations” means Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020;”;

(b) in sub-paragraph (h) after “Tier 2 Regulations” insert “or of the Tier 3 area for the purposes of the Tier 3 Regulations”.

(3) In regulation 1A—

(a) in paragraph (1), in the opening words, after “Tier 2 Regulations” insert “or of the Tier 3 area for the purposes of the Tier 3 Regulations”;

(b) after paragraph (1A), insert—

“(1B) A person who operates or occupies relevant premises in the Tier 3 area for the purpose of the Tier 3 Regulations must, during the emergency period, take all reasonable measures to ensure that—

(a) no bookings are accepted for—

(i) a group of more than six persons, where the group is to be located in a place which satisfies the conditions in paragraph 2(4) of Schedule 1 to the Tier 3 Regulations (“a relevant place”), unless one of the exceptions in paragraph 4 of that Schedule applies; or

(ii) a group of two or more persons to be located in a place which is not a relevant place, unless one of the exceptions in paragraph 4 of Schedule 1 to the Tier 3 Regulations applies;

(b) no persons are admitted to the premises—

Status: Point in time view as at 05/11/2020.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020*. (See end of Document for details)

- (i) a group of more than six persons, where the group is to be located in a relevant place, unless one of the exceptions in paragraph 4 of that Schedule applies; or
 - (ii) a group of two or more persons to be located in a place which is not a relevant place, unless one of the exceptions in paragraphs 4 of Schedule 1 to the Tier 3 Regulations applies;
 - (c) no person joins another group or otherwise acts in a way which would contravene the Tier 3 Regulations.”
- (4) In regulation 4, in paragraph (8A) ^{M6}, after sub-paragraph (e) (as inserted by the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020) insert—
- “(f) the Tier 3 Regulations, where the fixed penalty notice relates to a business restriction offence as defined by regulation 6(12) of those Regulations.”.

Commencement Information

I3 Sch. 3 para. 3 in force at 14.10.2020, see reg. 1(2)

Marginal Citations

M5 [S.I. 2020/1008](#).

M6 Paragraph (8A) was inserted by [S.I. 2020/1046](#).

PART 2

Transitional provisions

4.—^{F3}(...) A designation made, or treated as made, in exercise of the powers conferred by the following provisions is to be treated as if it had been made in exercise of the powers conferred by regulations 4(9)(b), 6(3)(b), 6(16)(a) or 7 (as appropriate) of these Regulations—

- (a) regulation 7(10)(b), 9(3)(b), 9(13) or 10 of the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020;
- [^{F4}(aa) regulation 8(9)(b), 10(3)(b), 10(13) or 11 of the Health Protection (Coronavirus, Restrictions) (Leicester) (No. 2) Regulations 2020;]
- (b) regulation 8(9)(c) or (d), 10(3)(b), 10(13) or 11 of the Health Protection (Coronavirus, Restrictions) (North of England) Regulations 2020;
- (c) regulation 8(9)(b)(iii) or (iv), 10(3)(b), 10(14)(a) or 11 of the Health Protection (Coronavirus, Restrictions) (Bolton) Regulations [^{F5}2020];
- (d) regulation 7(9)(c), 9(3), 9(14) or 10 of the Health Protection (Coronavirus, Restrictions) (Birmingham, Sandwell and Solihull) Regulations 2020;
- (e) regulation 8(9)(b)(iii) or (iv), 10(3)(b), 10(14)(a) or 11 of the Health Protection (Coronavirus, Restrictions) (North East and North West of England) Regulations 2020;
- (f) regulation 4(9)(b), 6(3)(b), 6(16) or 7 of the Health Protection (Coronavirus, COVID 19-Alert Level) (Medium) [^{F6}(England)] Regulations 2020;
- (g) regulation 4(9)(b), 6(3)(b), 6(16) or 7 of the Health Protection (Coronavirus, COVID 19-Alert Level) (High) [^{F7}(England)] Regulations 2020.

Status: Point in time view as at 05/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020. (See end of Document for details)

- F3** Sch. 3 para. 4(1) renumbered as Sch. 3 para. 4 (27.10.2020) by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium, High and Very High) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/1176), reg. 1(2), **Sch. para. 3(5)(b)**
- F4** Sch. 3 para. 4(aa) inserted (27.10.2020) by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium, High and Very High) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/1176), reg. 1(2), **Sch. para. 3(5)(c)(i)**
- F5** Word in Sch. 3 para. 4(c) inserted (27.10.2020) by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium, High and Very High) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/1176), reg. 1(2), **Sch. para. 3(5)(c)(ii)**
- F6** Word in Sch. 3 para. 4(f) inserted (27.10.2020) by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium, High and Very High) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/1176), reg. 1(2), **Sch. para. 3(5)(c)(iii)**
- F7** Word in Sch. 3 para. 4(g) inserted (27.10.2020) by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium, High and Very High) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/1176), reg. 1(2), **Sch. para. 3(5)(c)(iv)**

Commencement Information

- I4** Sch. 3 para. 4 in force at 14.10.2020, see reg. 1(2)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose restrictions on gatherings and businesses in the areas specified in Schedule 2, where the COVID-19 alert level is assessed as being very high, and on gatherings elsewhere by persons living in the specified areas. The restrictions on businesses in the specified areas consist of limitations on the sale of alcohol for consumption on the premises, the imposition of restricted hours for certain businesses and closure of certain businesses in the specified areas. The restrictions will cease to have effect in relation to a particular area 28 days from the date in which the restrictions came into force in that area, unless the Secretary of State directs otherwise. If such a direction is issued, the restrictions will continue in effect for a further 28 days. The need for the restrictions in these Regulations must be reviewed by the Secretary of State every 28 days. The Regulations themselves expire six months after the date on which they are made. No impact assessment has been prepared for these Regulations.

Status:

Point in time view as at 05/11/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020.