
STATUTORY INSTRUMENTS

2020 No. 750

**The Health Protection (Coronavirus,
Restrictions) (England) (No. 3) Regulations 2020**

Directions by local authorities: general

2.—(1) A local authority may give a direction under regulation 4(1), 5(1) or 6(1) only if the authority considers that the following conditions are met—

- (a) that giving such a direction responds to a serious and imminent threat to public health,
- (b) that the direction is necessary for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus in the local authority's area, and
- (c) that the prohibitions, requirements or restrictions imposed by the direction are a proportionate means of achieving that purpose.

(2) Where a local authority gives a direction under regulation 4(1), 5(1) or 6(1) the local authority must—

- (a) notify the Secretary of State as soon as reasonably practicable after the direction is given, and
- (b) at least once every 7 days review whether the conditions in paragraph (1) continue to be met.

(3) If on a review of a direction under paragraph (2)(b) a local authority considers that one or more of the conditions in paragraph (1) is no longer met in relation to the direction, the local authority must by notice—

- (a) revoke the direction without replacement, or
- (b) revoke the direction and replace it with a further direction under regulation 4(1), 5(1) or 6(1) in relation to which the local authority considers that the conditions in paragraph (1) are met.

(4) In determining whether to give a direction under regulation 4(1), 5(1) or 6(1) or to revoke such a direction, a local authority must have regard to any advice given to it by its director of public health (or its interim or acting director of public health).

(5) Section 16 of the Interpretation Act 1978⁽¹⁾ applies in relation to the revocation of a direction under regulation 4(1), 5(1) or 6(1) as it applies in relation to the repeal of an enactment.