
STATUTORY INSTRUMENTS

2020 No. 828

The Health Protection (Coronavirus, Restrictions on Gatherings) (North of England) Regulations 2020

PART 3

Restrictions on gatherings in Blackburn with Darwen and Bradford

Amendment of the Blackburn and Bradford Regulations

- 13.**—(1) The Blackburn and Bradford Regulations are amended as follows.
(2) For regulation 4 substitute—

“Restrictions on gatherings in private dwellings

- 4.**—(1) During the emergency period, unless paragraph (2) applies—
- (a) no person may participate in a gathering in the protected area which consists of two or more persons and takes place in a private dwelling, including a houseboat;
 - (b) no person living in the protected area may participate in a gathering which consists of two or more persons and takes place in a private dwelling, including a houseboat, outside the protected area.
- (2) This paragraph applies where—
- (a) all the persons in the gathering are members of the same household or members of two households which are linked households in relation to each other;
 - (b) the person concerned is attending a person giving birth (“M”), at M’s request;
 - (c) the person concerned (“P”) is visiting a person P reasonably believes is dying (“D”), and P is—
 - (i) a member of D’s household,
 - (ii) a close family member of D,
 - (iii) a friend of D, or
 - (iv) where no-one falling within paragraphs (i) to (iii) is visiting D, any other person;
 - (d) the person concerned is fulfilling a legal obligation;
 - (e) the gathering is reasonably necessary—
 - (i) for work purposes, or for the provision of voluntary or charitable services,
 - (ii) for the purposes of education or training,
 - (iii) for the purposes of childcare provided by a person registered under Part 3 of the Childcare Act 2006,
 - (iv) to provide emergency assistance,

- (v) to enable one or more persons in the gathering to avoid injury or illness or to escape a risk of harm,
 - (vi) to facilitate a house move,
 - (vii) to provide care or assistance to a vulnerable person, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding Vulnerable Groups Act 2006, or
 - (viii) to continue existing arrangements for access to, and contact between, parents and children where the children do not live in the same household as their parents, or one of their parents.
- (3) For the purposes of this regulation—
- (a) “linked household” has the meaning given in regulation 4A;
 - (b) a “private dwelling” includes any garden, yard, passage, stair, outhouse or other appurtenance of the dwelling, and does not include—
 - (i) accommodation in a hotel, hostel, campsite, caravan park, members club, boarding house or bed and breakfast accommodation,
 - (ii) care homes, within the meaning of section 3 of the Care Standards Act 2000,
 - (iii) children’s homes, within the meaning of section 1 of the Care Standards Act 2000,
 - (iv) Residential Family Centres, within the meaning of section 4 of the Care Standards Act 2000,
 - (v) educational accommodation,
 - (vi) accommodation intended for use by the army, navy or air force, or
 - (vii) criminal justice accommodation;
 - (c) there is a “gathering” when two or more people are present together in the same place in order to engage in any form of social interaction with each other, or to undertake any other activity with each other;
 - (d) a gathering is in the protected area if any part of the place where it takes place is in the protected area.
- (4) For the purposes of paragraph (3)—
- (a) “educational accommodation” means—
 - (i) accommodation provided for students whilst they are boarding at school;
 - (ii) halls of residence provided for students attending higher education courses, and equivalent accommodation provided for students attending further education courses;
 - (b) “criminal justice accommodation” means—
 - (i) a prison, within the meaning of the Prison Act 1952;
 - (ii) a young offender institution, within the meaning of section 43 of the Prison Act 1952;
 - (iii) a secure training centre, within the meaning of section 43 of the Prison Act 1952;
 - (iv) approved premises, within the meaning of section 13 of the Offender Management Act 2007;
 - (v) a bail hostel, within the meaning of section 2 of the Bail Act 1976.

Linked households

4A.—(1) Where a household comprises one adult, or one adult and one or more persons who were under the age of 18 on 12th June 2020 (“the first household”), the adult may choose to be linked with one other household (“the second household”), provided that—

- (a) neither the first household nor the second household are linked, or have ever been linked, with any other household for the purpose of these Regulations or any other Regulations made under the Public Health (Control of Disease) Act 1984, and
- (b) all the adult members of the second household agree.

(2) There is no limit on the number of adults or children which may be in the second household.

(3) The first and second households are “linked households” in relation to each other.

(4) The first and second households cease to be linked households if neither household satisfies the condition in the opening words of paragraph (1).

(5) Once the first and second households have ceased being linked households, neither the first household nor the second household may be linked with any other household.

Restrictions on other gatherings

4B.—(1) During the emergency period, unless paragraph (3) applies, no person may participate in a gathering in the protected area which consists of more than thirty persons, and takes place—

- (a) on a vessel, other than a houseboat or a vessel used for public transport, or
- (b) on land which satisfies the condition in paragraph (2).

(2) Land satisfies this condition if it is a public outdoor place, which is not—

- (a) operated by a business, a charitable, benevolent or philanthropic institution or a public body as a visitor attraction, or
- (b) part of premises used for the operation of a business, charitable, benevolent or philanthropic institution or a public body.

(3) This paragraph applies where—

- (a) the gathering has been organised by a business, a charitable, benevolent or philanthropic institution, a public body, or a political body, and—
 - (i) the person responsible for organising the gathering (“the gathering organiser”) has carried out a risk assessment which would satisfy the requirements of regulation 3 of the Management of Health and Safety at Work Regulations 1999, whether or not the gathering organiser is subject to those Regulations, and
 - (ii) the gathering organiser has taken all reasonable measures to limit the risk of transmission of the coronavirus, taking into account the risk assessment carried out under paragraph (i);
- (b) the person concerned is an elite sportsperson, the coach of an elite sportsperson, or (in the case of an elite sportsperson who is a child), the parent of an elite sportsperson, and the gathering is necessary for training or competition;
- (c) the gathering is reasonably necessary—
 - (i) for work purposes, or for the provision of voluntary or charitable services,
 - (ii) for the purposes of education or training,

- (iii) for the purposes of childcare provided by a person registered under Part 3 of the Childcare Act 2006, or as part of supervised activities provided for children,
 - (iv) to provide emergency assistance, or
 - (v) to enable one or more persons in the gathering to avoid injury or illness or to escape a risk of harm;
 - (d) the person concerned is fulfilling a legal obligation.
- (4) During the emergency period, no person may participate in a gathering in the protected area which—
- (a) consists of more than thirty persons,
 - (b) takes place indoors, and
 - (c) would be a gathering of a kind mentioned in section 63(1) of the Criminal Justice and Public Order Act 1994 if it took place on land in the open air.
- (5) In determining whether all reasonable measures have been taken to limit the risk of transmission of the coronavirus for the purposes of paragraph (3)(a)(ii), any guidance issued by the government relevant to the gathering in question must be taken into account.
- (6) For the purposes of this regulation—
- (a) a “charitable, benevolent or philanthropic institution” means—
 - (i) a charity, or
 - (ii) an institution, other than a charity, established for charitable, benevolent or philanthropic purposes;
 - (b) “gathering” has the same meaning as in regulation 4, and a gathering is in the protected area if any part of the place where it takes place is in the protected area;
 - (c) a place is indoors if it would be considered to be enclosed or substantially enclosed for the purposes of section 2 of the Health Act 2006, under the Smoke-free (Premises and Enforcement) Regulations 2006;
 - (d) “political body” means—
 - (i) a political party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000, or
 - (ii) a political campaigning organisation within the meaning of regulation 2 of the Health and Social Care (Financial Assistance) Regulations 2009;
 - (e) “vessel” means any ship, boat, barge, lighter or raft and any other description of craft, whether used in navigation or not, but does not include government vessels.”.
- (3) In regulation 5—
- (a) in paragraph (1) for “or 4” substitute “, 4 or 4B”;
 - (b) in paragraph (3), after “4” insert “or 4B”;
 - (c) in paragraph (5), after “4” insert “or 4B”;
 - (d) in paragraph (6), after “4” insert “or 4B”;
 - (e) in paragraph (7), after “4” insert “or 4B”.
- (4) In regulation 6(1), after “4” insert “, 4B”.