
STATUTORY INSTRUMENTS

2020 No. 1105

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

PART 3

Enforcement

Enforcement of restrictions and requirements

- 4.—(1) A relevant person may take such action as is necessary to enforce any Tier 3 restriction.
- (2) A relevant person may give a prohibition notice to a person if the relevant person reasonably believes that—
- (a) the person is contravening a Tier 3 restriction imposed by Part 2 of Schedule 1, and
 - (b) it is necessary and proportionate to give the prohibition notice for the purpose of preventing that person from continuing to contravene the restriction.
- (3) Where a relevant person considers that a number of people are gathered together in contravention of the Tier 3 restriction imposed by paragraph 1 or 2 of Schedule 1, the relevant person may—
- (a) direct the gathering to disperse,
 - (b) direct any person in the gathering to return to the place where they are living, or
 - (c) remove any person from the gathering.
- (4) A relevant person exercising the power in paragraph (3)(c) to remove a person from a gathering may use reasonable force, if necessary, in exercise of the power.
- (5) Where a person who is in a gathering in contravention of the Tier 3 restriction imposed by paragraph 1 or 2 of Schedule 1 is a child accompanied by an individual who has responsibility for the child—
- (a) the relevant person may direct the individual to take the child to the place where the child is living, and
 - (b) that individual must, so far as reasonably practicable, ensure that the child complies with any direction or instruction given by the relevant person to the child.
- (6) Where a relevant person has reasonable grounds to believe that a child is repeatedly failing to comply with the Tier 3 restriction imposed by paragraph 1 or 2 of Schedule 1, the relevant person may direct any individual who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with the restriction.
- (7) A relevant person may exercise a power under paragraph (3), (5) or (6) only if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with the Tier 3 restriction imposed by paragraph 1 or 2 of Schedule 1.
- (8) A relevant person exercising a power under paragraph (3), (5) or (6) may give the person concerned any reasonable instructions the relevant person considers to be necessary.

- (9) For the purposes of this regulation—
- (a) an individual has responsibility for a child if the individual—
 - (i) has custody or charge of the child for the time being, or
 - (ii) has parental responsibility for the child;
 - (b) “relevant person” means—
 - (i) a constable,
 - (ii) a police community support officer,
 - (iii) subject to paragraph (10), a person designated by a local authority for the purposes of this regulation, or
 - (iv) a person designated by the Secretary of State for the purposes of this regulation.
- (10) A local authority may designate a person for the purposes of this regulation only in relation to a Tier 3 restriction imposed by Part 2 of Schedule 1.