

This Statutory Instrument corrects errors in S.I. 2020/1103, S.I. 2020/1104 and S.I. 2020/1105 and is being issued free of charge to all known recipients of those Statutory Instruments.

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. 1154

PUBLIC HEALTH, ENGLAND

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

Made - - - - at 12.30 p.m. on
22nd October 2020
Laid before Parliament at 3.00 p.m. on 22nd
October 2020
Coming into force in accordance with regulation 1

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) (Medium) (England) Regulations 2020⁽²⁾, the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020⁽³⁾ and the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020⁽⁴⁾ 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.

(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14).
(2) S.I. 2020/1103.
(3) S.I. 2020/1104, amended by S.I. 2020/1128 and 1131.
(4) S.I. 2020/1105, amended by S.I. 2020/1128 and 1131.

Citation and commencement

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

(2) The following provisions come into force on 24th October 2020—

- (a) regulation 3(3)(a), (e), (f) and (g);
- (b) regulation 4(5)(b);
- (c) regulation 4(6)(a), (b) and (c);
- (d) regulation 4(6)(e), for the purpose of inserting paragraph 4 into Schedule 2A of the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020.

(3) All other provisions in these Regulations come into force on 23rd October 2020.

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

2. In Schedule 1 to the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020—

- (a) in paragraph 5(4), after “3(3)” insert “and 3(17)(b)”;
- (b) in paragraph 8(3), at the end insert “and no part of that place is in the excluded area for the purposes of regulation 3(2)(b) (see regulation 3(3))”;
- (c) in paragraph 9, after sub-paragraph (4) insert—
 - “(5) For the purposes of this Part of this Schedule, premises are in the Tier 1 area if—
 - (a) any part of the premises is in the Tier 1 area, and
 - (b) no part of the premises is in the excluded area for the purposes of regulation 3(2)(b) (see regulation 3(3)).”;
- (d) in paragraph 12, after sub-paragraph (4) insert—
 - “(5) For the purposes of this Part of this Schedule, premises are in the Tier 1 area if—
 - (a) any part of the premises is in the Tier 1 area, and
 - (b) no part of the premises is in the excluded area for the purposes of regulation 3(2)(b).”.

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

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

(2) In Schedule 1—

- (a) in paragraph 8(5)(b), for “the purposes of paragraph 5(3)” substitute “all other purposes”;
- (b) in paragraph 11, at the end of sub-paragraph (3), insert “and no part of that place is in the area that is the Tier 3 area for the purposes of the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020”;
- (c) in paragraph 12, after sub-paragraph (4) insert—
 - “(5) For the purposes of this Part of this Schedule, premises are in the Tier 2 area if—
 - (a) any part of the premises is in the Tier 2 area, and

- (b) no part of the premises is in the area that is the Tier 3 area for the purposes of the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020.”;
- (d) in paragraph 15, after sub-paragraph (4) insert—
 - “(5) For the purposes of this Part of this Schedule, premises are in the Tier 2 area if—
 - (a) any part of the premises is in the Tier 2 area, and
 - (b) no part of the premises is in the area that is the Tier 3 area for the purposes of the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020.”.
- (3) In Schedule 2—
 - (a) before “Cheshire” insert—
 - “*Berkshire*
Slough Borough Council”;
 - (b) in the entry for “The Common Council of the City of London”, at the end, insert “in respect of the City of London”;
 - (c) after the entry for “The Common Council of the City of London”, insert—
 - “the Sub-Treasurer of the Inner Temple, in respect of the Inner Temple and the Under Treasurer of the Middle Temple, in respect of the Middle Temple”;
 - (d) omit “Greater Manchester” and the entries from “Bolton Metropolitan Borough Council” to “Wigan Metropolitan Borough Council” under it;
 - (e) omit “South Yorkshire” and the entries from “Barnsley Metropolitan Borough Council” to “Sheffield City Council” under it;
 - (f) before “Surrey”, insert—
 - “*Staffordshire*
Stoke-on-Trent City Council”;
 - (g) after “Birmingham City Council”, insert—
 - “Coventry City Council”.
- (4) In Schedule 3, in paragraph 5 after sub-paragraph (1), insert—
 - “(1A) Despite the amendments of the Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020 made by paragraph 3, those Regulations continue in force as they had effect immediately before 14th October 2020 in relation to any offence committed under those Regulations before that date.”.

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

- 4.—(1) The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 are amended as follows.
- (2) In regulation 2(1), in the appropriate place, insert—
 - ““elite sportsperson” has the meaning given in paragraph 12(10) of Schedule 1;”.
 - (3) In regulation 9(1)—
 - (a) after “Schedule 2”, insert “, and any provision in Schedule 2A which relates to the area referred to in that entry”;
 - (b) for the existing reference to “that entry”, substitute “the entry in Schedule 2”.

- (4) In Schedule 1—
- (a) in paragraph 7(8), for “does” substitute “do”;
 - (b) in paragraph 13, after sub-paragraph (4) insert—
 - “(5) For the purposes of this Part of this Schedule, premises are in the Tier 3 area if any part of the premises is in the Tier 3 area.”;
 - (c) in paragraph 16, in sub-paragraphs (1) and (2), for “paragraph”, each time it occurs, substitute “sub-paragraph”.
- (5) In Schedule 2—
- (a) before “Lancashire”, insert—
 - “*Greater Manchester*
 - Bolton Metropolitan Borough Council
 - Bury Metropolitan Borough Council
 - Manchester City Council
 - Oldham Metropolitan Borough Council
 - Rochdale Borough Council
 - Salford City Council
 - Stockport Metropolitan Borough Council
 - Tameside Metropolitan Borough Council
 - Trafford Metropolitan Borough Council
 - Wigan Metropolitan Borough Council”;
 - (b) after “Wirral Metropolitan Borough Council”, insert—
 - “*South Yorkshire*
 - Barnsley Metropolitan Borough Council
 - Doncaster Council
 - Rotherham Metropolitan Borough Council
 - Sheffield City Council”.
- (6) In Schedule 2A—
- (a) renumber paragraph 1 as 1(1);
 - (b) in sub-paragraph (1) as so renumbered—
 - (i) in the opening words, for “paragraph” substitute “sub-paragraph”;
 - (ii) after paragraph (b), insert—
 - “(ba) soft play areas and soft play centres.”;
 - (iii) omit paragraphs (c) and (d);
 - (c) after sub-paragraph (1), insert—
 - “(2) Paragraph 17(1) of Schedule 1 and sub-paragraph (1)(ba) do not prevent the use of soft play areas by persons with a disability within the meaning of paragraph 11(4) of Schedule 1.”;
 - (d) in paragraph 2(1)—
 - (i) in the opening words, for “paragraph” substitute “sub-paragraph”;
 - (ii) in paragraph (d), after “areas”, insert “and soft play centres”;

(e) after paragraph 2, insert—

“Greater Manchester

3.—(1) The businesses and services in this sub-paragraph are restricted businesses and restricted services in those areas listed in Schedule 2 in relation to Greater Manchester—

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

(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.

South Yorkshire

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

- (a) betting shops and adult gaming centres;
- (b) casinos;
- (c) soft play areas and soft play centres.

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

At 12.30 p.m. on 22nd October 2020

Matt Hancock
Secretary of State
Department of Health and Social Care

Status: *This is the original version (as it was originally made).*

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

No impact assessment has been prepared for these Regulations.