



<b>Subject:</b>	The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020
<b>Date:</b>	9 <sup>th</sup> June 2020
<b>Reporting Officer:</b>	Nigel Grimshaw, Strategic Director, City and Neighbourhood Services Department
<b>Contact Officer:</b>	Damian Connolly, City Protection Manager, City and Neighbourhood Services Department

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Some time in the future</b>	<input type="checkbox"/>
<b>Never</b>	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	The purpose of this report is to advise the Committee of new enforcement powers which the Council now have under The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020.
1.2	The Councils Scheme of Delegation has been updated in include the enforcement of The Regulations
<b>2.0</b>	<b>Recommendations</b>
2.1	The Committee is asked to <ul style="list-style-type: none"><li>Note the contents of this report.</li></ul>
<b>3.0</b>	<b>Main report</b>
	<u>Key Issues</u>
3.1	The Committee will be aware that The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 were introduced by the Northern Ireland Executive on

28th March 2020. These Regulations were 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 caused by coronavirus in Northern Ireland.

- 3.2 The Regulations require the closure of certain businesses, including those selling food or drink for consumption on the premises; impose restrictions on businesses which can remain open; and impose restrictions on the movement of individuals, and gatherings of persons. The need for such restrictions must be reviewed by the Department for Health every 21 days until they are terminated.
- 3.3 PSNI had been the sole enforcing authority for all requirements of the Regulations since their introduction. However, following the decision of the NI Executive, on the 15<sup>th</sup> May the Department of Health designated District Councils, in addition to PSNI, for the enforcement of the parts of The Regulations restricting the opening of premises. Council officer's knowledge of local businesses and enforcement experience will be important to the effective enforcement of these requirements. City Protection Officers, including Environmental Health, will initially be authorised by the Director to enforce The Regulations, with the potential to extend authorisation if required to other regulatory services.
- 3.4 Councils have not been designated for the enforcement of restrictions relating to the movement of individuals and gatherings, these remain the sole responsibility of the PSNI.
- 3.5 Considering the joint enforcement responsibilities, discussions are currently ongoing with PSNI to clarify roles and arrangements for enforcement, it is anticipated that a Memorandum of Understanding will be developed between the Council and PSNI to confirm the arrangements.
- 3.6 Officers from the City Protection Service will lead on the enforcement of the Regulations on behalf of the Council. Complaints and queries relating to business closures and restrictions should be directed to the following email address: [envhealth@belfastcity.gov.uk](mailto:envhealth@belfastcity.gov.uk)
- 3.7 The service will adopt a graduated enforcement approach, seeking to advise, encourage and support compliance in line with the Councils current Regulatory and Enforcement Policy. It is expected that the vast majority of businesses will comply. However in exceptional cases should a businesses do not act responsibly and refuse to comply with the Regulations, officers will have the power to serve Fixed Penalty Notices and where necessary prohibition notices to secure compliance. The first fixed penalty notice served in

3.8	<p>a person must be £60 reduced to £30 if paid with 14 days. A second fixed penalty served on a person is £120 with subsequent fixed penalty notices doubled in value to a maximum of £960.</p> <p>A list of the businesses and venues that are required to close, and the exceptions to these requirements, can be found here: <a href="https://www.nidirect.gov.uk/articles/coronavirus-covid-19-restrictions-businesses-and-services">https://www.nidirect.gov.uk/articles/coronavirus-covid-19-restrictions-businesses-and-services</a></p>
3.9	<p><u>Financial &amp; Resource Implications</u></p> <p>Enforcement of the Regulations will be undertaken by existing staff resources and agreed budgets.</p> <p>Any income from fixed penalties can be retained by Council. Only a small amount of fixed penalty income is expected.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p>
3.10	None
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	None