



Ministry of Housing,  
Communities &  
Local Government

Leaders and Chief Executives  
All Councils in England

**Rt Hon Robert Jenrick MP**

*Secretary of State for Housing, Communities,  
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**Ministry of Housing, Communities and Local  
Government**

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20 November 2020

Dear Colleagues,

## **NEW LOCAL AUTHORITY ENFORCEMENT POWERS**

I would like to thank you for your efforts throughout the second set of national restrictive measures, in both reducing the incidence of COVID-19 in your areas and delivering support to your communities to mitigate its impacts. I am writing to provide further information on the new enforcement powers we intend to introduce to support you in your vital compliance and enforcement work. These changes have been developed in response to feedback from local authorities, and it is hoped that they will help support efficient and proportionate action where it is needed.

Subject to Parliament's approval, we intend to introduce these changes to be in force when the national intervention ends, on 2 December.

I am keen that you have early sight of the proposals to ensure you have the greatest amount of time to prepare. Engagement with local authorities will continue next week to provide further detail on these proposals.

First, we will publish refreshed guidance for The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 ("the No.3 Regulations"). This guidance will provide best practice examples and set out more clearly how local authorities can make most effective use of their powers of direction under these regulations. This guidance will be published to coincide with the revisions coming into force, outlined below.

Second, we will amend the No.3 Regulations, to broaden the requirement for a local authority to have regard to any advice from its Director of Public Health to also include advice from a registered public health consultant.

Third, we will give powers to local authorities to issue improvement and restriction notices to premises that are not complying with COVID-secure regulations. Where these notices are breached, penalties will apply.

These provisions will be accompanied by safeguards, such as an appeal route for businesses.

My department has been working closely with local authorities throughout the coronavirus response and will continue to do so for the winter period. I want to thank all those local authorities that have worked with us to help inform the new enforcement powers, particularly those who are part of my department's Compliance Working Group.

You will all be aware that we are moving to a critical phase in tackling the virus. While huge progress has been made, we know that restrictions and COVID-secure measures will need to remain in place, and that there will need to be compliance with these measures as we look to winter and Christmas. As local authorities, your roles in ensuring your communities follow the rules is vital, and I hope that these additional tools will assist you in this work.

A handwritten signature in black ink that reads "Robert Jenrick." The signature is written in a cursive style and is enclosed within a thin black rectangular border.

**RT HON ROBERT JENRICK MP**