

## **PUBLIC HEALTH PROTECTION (CORONAVIRUS) REGULATIONS 2020**

### **Direction by the Council of Ministers under Regulation 30**

#### **relating to closure of premises**

#### **Part 1 – Closure Direction**

1. This Closure Direction is made by the Council of Ministers in accordance with Regulation 30 of the Public Health Protection (Coronavirus) Regulations 2020 (“the Regulations”).
2. In making this Closure Direction, the Council of Ministers has had regard to the need to ensure that members of the public have access to essential public services and goods and to advice given by the Director of Public Health.
3. This Direction and the prohibitions, requirements or restrictions set out herein shall be in operation from 00:01 on 3<sup>rd</sup> March 2021 and will remain in force until 00:01 on 24<sup>th</sup> March 2021.

#### **Part 2 – Premises to which this Closure Direction relates**

4. This Closure Direction relates to all premises, namely any indoor or outdoor place to which a person has access (other than the person’s principal home) whether on payment or otherwise and includes any premises used wholly or mainly for business or other commercial purposes and any moveable structure and vehicle)<sup>1</sup>
5. Premises which are more particularly described in the first column of the table in the Schedule (“the Affected Premises”) shall be permitted to remain open subject to any qualifying conditions on opening the Affected Premises and the conduct within or concerning the operation of the Affected Premises as set out in the second column of that table.
6. Where the Affected Premises are permitted to open, or continue to open or operate subject to compliance with any qualified conditions under this Closure Direction, or any other Direction made under the Regulations, every person responsible for, or who owns or operates or otherwise occupies the premises shall:-
  - a. adhere to the terms of the Regulations and any Direction(s) made under the Regulations which may apply to the premises;

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<sup>1</sup> Definition of “premises” is as set out in regulation 27 of the Public Health Protection (Coronavirus) Regulations 2020 (SD 2020-0551)

- b. ensure that all employees who are able to do so, work from home and that the number of people at the premises is minimised;
  - c. maintain and, as far as possible, ensure others at the premises maintain appropriate social distancing, and ensure that adequate hygiene measures including face coverings or other PPE are put in place and used at all times where reasonably practicable;
  - d. adopt any measures reasonably practicable to reduce the risk of a person being infected or contaminated with coronavirus as a result of attendance at or on the premises or from any contact with any staff or persons present at or on those premises;
  - e. have regard to any current recommendations or guidance published by or on behalf of the Director of Public Health, Cabinet Office or the Department for Enterprise in relation to the operation of business premises including working remotely/online where possible;
  - f. Subject to the provisions in paragraphs a - e above, where any premises are not permitted to open and remain closed or under this Closure Direction, a minimum number of staff to maintain essential operations, or to prepare the business for re-opening in line with any Government directions, shall be permitted to attend the premises.
7. Any person working outdoors at or from Affected Premises where that business is permitted to remain open in accordance with this Closure Direction shall continue to be permitted to work outdoors or from the Affected Premises as applicable.

### **Part 3 – Definitions**

- (a) “vulnerable adult” or a “vulnerable child” is a reference to a person whose ability to protect himself or herself from physical or psychological harm is significantly impaired through physical or mental disability or illness or condition, through intellectual, physiological or psychiatric impairment, through age or otherwise.

**Signed: WILL GREENHOW** \_\_\_\_\_

**Chief Secretary on behalf of the Council of Ministers**

**Date: 2 March 2021**

**Time: 22:45**

## SCHEDULE

### Affected Premises

The Affected Premises are listed in the first column of the table below and shall be permitted to remain open in accordance with this Closure Direction subject to:

- (1) the qualified opening conditions set out in the second column of the table below;
- (2) all risk mitigation measures set out in paragraph 6 of this Closure Direction ("risk mitigation measures"); and
- (3) contactless collection or delivery of goods or services (if applicable to the operation of the Affected Premises) wherever possible;
- (4) Where a premises is not listed below it is closed to the public, save for where staff are permitted to attend in accordance with paragraph 6 f. of this Closure Direction.

<b>Affected Premises</b>	<b>Qualified opening conditions</b>
Outdoor leisure, exercise and recreation	Outdoor venues only permitted to open (including but not limited to parks, public spaces, reservoirs, plantations, forests, outdoor heritage sites, and for example perimeter raceway of the NSC where such venues are used for the purpose of exercise which is not prohibited under any other Regulation or Direction and where such venues are not enclosed or containing play or other exercise equipment which shall remain closed
Funeral homes and parlours	Open with mitigations in place to limit visits to one household at a time.
Places of worship	Open for the purposes of live streaming, recording or broadcasting worship services or holding a funeral as permitted by any Direction or Exception under the Regulations. Open for the purposes of installing equipment for the live streaming, recording or broadcast of worship services.
Restaurants, Cafes and Public houses, clubs and nightclubs, and food retailers or purveyors with seating for customers, off-licensed premises with customer seating and any other on-licensed premises ("Hospitality Premises")	Open only to providing for sale of food or refreshments (including liquor) by a contactless take-away or delivery service from the Hospitality Premises
Tourist Premises, within the meaning of and registered under the Tourist Act 1975 and including hotels and hostels	Open only for the purpose of provision of accommodation and other critical services (which may include catering where such service is provided on a contactless delivery basis to a room or unit of accommodation) for the purposes of accommodation of a person who has been directed to self-isolate in accordance with the Regulations or is

	residing in a hotel or hostel in accordance with the provisions of Regulation 26D
Essential premises including retail and wholesale premises for the provisions of essential food and groceries ("Essential Premises")	Open only for the retail sale of food and groceries and any items purchased must be consumed off the premises. Non-essential goods may be sold in Essential Premises on the same conditions as apply to Non-Essential Premises (below)
Non-Essential premises (including all professional offices, businesses, retail and wholesale premises (not selling essential food, fuel or groceries) to which a person may have access in the normal course of business not listed in this Schedule))	Offices owned occupied or operated by a Government Department, Statutory Board or Office or other premises which require the attendance of on-Island essential workers, where such office is providing critical national infrastructure or a key public service and in accordance with Regulation 26C no Closure Direction may close such premises, including transport and ports. On-Island essential workers are set out in the Annex to this Closure Direction. Non-essential premises which are closed may deliver goods or offer a pre-booked contactless collection service, providing they minimise any public access to the premises
Construction, building or maintenance sites including any premises where trade or occupational services are performed ("Work Sites") and installation, inspection and maintenance of critical national infrastructure	Persons may carry out work on Work Sites provided that - <ul style="list-style-type: none"> <li>(1) such work is undertaken – <ul style="list-style-type: none"> <li>(a) wholly outdoors; or</li> <li>(b) in any indoor premises which are part of the Work Site, which are unoccupied by all persons ordinarily working or living there and the tradesperson is working alone, or where working with other persons, working with full mitigations in place following clear risk assessments which must be undertaken;</li> </ul> </li> <li>(2) where work is required to a dwelling where persons are in occupation, that only work which is essential or emergency work which is necessary for the preservation of life and property is carried out;</li> <li>(3) where work is required to a dwelling where a person is shielding (including a person subject to a Direction given under the Regulations or clinical advice to self-isolate or is a vulnerable adult or vulnerable child as defined in the Regulations), that only work which is essential or emergency work which is</li> </ul>

	<p>necessary for the preservation of life and property is carried out; and</p> <p>(4) any guidance issued and published on <a href="http://www.gov.im">www.gov.im</a> is followed in respect of each manner of work undertaken and in particular to follow social distancing and guidance on face coverings where work is carried out under paragraph (2) and (3) above</p>
Premises owned, occupied or operated by a Government Department, Statutory Board or Office or other premises providing critical national infrastructure or a key public service	Open where there is a requirement for attendance of on-Island essential workers and maintenance of essential operations
Pet Grooming Services	Open only for animal welfare purposes, where the care is the subject of veterinary oversight or a recommended care programme
Libraries	Libraries in Educational Institutions or healthcare settings may remain open where those premises remain open in accordance with the Regulations or any other Closure Direction issued under the Regulations. Libraries may remain open only to provide on-line lending services , and always where risk mitigation measures can be maintained
Vehicle Showrooms	Open only for the retail sale of vehicles by contactless or remote/online viewing. No admission to indoor premises to the general public
Garden Centres	Non-essential items may be provided for sale and delivered to a person's home or by a pre-booked contactless collection provided that the owner or occupier of the premises minimises public access to the premises
Professional practices including legal, accounting, financial, insurance, estate agency and banks or banking services	
Chemist and pharmacy premises including retail and prescription medicines	
Fuel premises including retail and wholesale domestic and transport fuel suppliers	
Storage and distribution facilities including containers, warehousing or other storage and distribution facilities	
Taxi and private hire premises	
Launderettes and dry cleaners	
Public toilets	
Information and communication technology premises	

Merchant suppliers including builders merchants, agricultural supplies, pet foodstuffs, food merchants or wholesalers	Open only for the retail of such supplies to trades persons permitted to be open and only for contactless collection or delivery
Veterinary surgeries	Open for the purposes of emergency care only
Primary healthcare provider premises including general practitioner surgeries, dentists, opticians, physiotherapists	Subject to any directions, notices, guidance or other requirements issued by the healthcare provider, the Department of Health and Social Care, or the Director of Public Health
Vehicle services including garages, vehicle servicing, bicycle retailers and service centre premises	
Manufacturing and engineering premises, including agricultural premises, farms and fisheries, and forestry operations	Forestry operations must be the forestry operations of the Department of Environment Food and Agriculture and linked to timber production
Animal welfare facilities, where the care is the subject of veterinary oversight or a recommended care programme	
Civic amenity sites	Open only for the purposes of deposit of waste or recyclable materials, all re-use or collection centres must remain closed.
Bring banks	For the purpose of the deposit and collection of recyclable materials

## ANNEX

<b>Work Sector</b>	<b>If your work is critical to the COVID-19 response, or you work in one of the critical sectors listed below, and you cannot keep your child safe at home then your children will be prioritised for education provision</b>
<b>Health and social care</b>	This includes but is not limited to doctors, nurses, midwives, paramedics, social workers, care workers, and other frontline health and social care staff including volunteers; the support and specialist staff required to maintain the Island's health and social care sector; those working as part of the health and social care supply chain, including producers and distributors of medicines and medical and personal protective equipment.
<b>Education and childcare</b>	This includes childcare, support and teaching staff, social workers and those specialist education professionals who must remain active during the COVID-19 response to deliver this approach.
<b>Key public services</b>	This includes those essential to the running of the justice system, religious staff, charities and workers delivering key frontline services, those responsible for the management of the deceased, and journalists and broadcasters who are providing public service broadcasting.
<b>Local and national government</b>	This only includes those administrative occupations essential to the effective delivery of the COVID-19 response, or delivering essential public services, such as the payment of benefits, including in government agencies and arm's length bodies.
<b>Food and other necessary goods</b>	This includes those involved in food production, processing, distribution, sale and delivery, as well as those essential to the provision of other key goods (for example hygienic and veterinary medicines).
<b>Public safety and national security</b>	This includes police and support staff, contractor and (those critical to the delivery of key defence and national security outputs and essential to the response to the COVID-19 pandemic), fire and rescue service employees (including support staff), those maintaining border security, prison and probation staff.
<b>Transport</b>	This includes those who will keep the air, water, road and freight transport modes operating during the COVID-19 response, including those working on transport systems through which supply chains pass.

<b>Utilities, communication and financial services</b>	This includes staff needed for essential financial services provision (including but not limited to workers in banks, building societies and financial market infrastructure), the oil, gas, electricity and water sectors (including sewerage), information technology and data infrastructure sector and primary industry supplies to continue during the COVID-19 response, as well as key staff working in the telecommunications sector (including but not limited to network operations, manufacturing and engineering, call centre staff, IT and data infrastructure, 999 and 111 critical services), postal services and delivery, payments providers and waste disposal sectors.
<b>Miscellaneous Services</b>	This includes those that are required for essential commercial cleaning staff who are deployed in any of the working areas of the categories listed above in order to allow them to function.
<b>General Guidance</b>	If workers think they fall within the critical categories above, they should confirm with their employer that, based on their business continuity arrangements, their specific role is necessary for the continuation of this essential public service.