



DPH ASSESSMENT

Pantiles Market – Tunbridge Wells 19 December to 20 December 2020

The DPH is an officer who can recommend the issue of a Direction under The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 (“the Regulations”) which came into force on 18th July 2020.

Contact person:	Stephen D Cochrane stephen.cochrane@kent.gov.uk stephencochrane@nhs.net	Telephone number:	07961352234
Advising officer	The designated officer(s) who advised the Director of Public Health is <i>Stephen D Cochrane Specialist in Public Health (Registration Number UKPHR 336)</i>		
Legal powers	The Regulations give the power to the local authority to issue a Direction if the authority considers that the following conditions are met— <ul style="list-style-type: none"> a) that giving such a direction responds to a serious and imminent threat to public health, b) that the direction is necessary for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus in the local authority's area, and c) that the prohibitions, requirements or restrictions imposed by the direction are a proportionate means of achieving that purpose. 		
	<p>I have read the advice and report of the designated officer, Stephen D Cochrane which is reflected in the following sections of my assessment. I have also considered the provisions within the regulations and advise accordingly to assist the Cabinet Member in taking a view as to whether to issue a direction.</p> <p>The rates of Covid-19 in the Tunbridge Wells Borough, currently 306.6 cases per 100,000 (seven day rolling rate up to 12th December 2020). The rate in this borough is increasing at for all age groups and case positivity rate is above above 5% and rising (currently 9%) and over 360 cases confirmed in the last seven days</p> <p>The event organiser has worked closely with local authority and Public Health staff to introduce appropriate conditions for this outdoor event to take place in a Covid secure manner.</p> <p>Given the intended size of the market, it is anticipated that significant numbers of people may attend and that it is therefore critically important that those measures introduced to prevent spread of the virus are fully and effectively enforced and that formal enforcement powwrs are available to support the organisers and marshals if</p>		

	<p>required.</p> <p>I recommend to the Council that a Direction Notice be served on this market to placing requirements on its operation and that those requirements are that a one-way flow of people through the market is established, that the wearing of face masks in the confines of the market is strongly encouraged and that the flow of people is maintained with there being no loitering or congregating into groups.</p>
<p>Reasons for the advice</p>	<p>Please include a brief statement of the reasons for the decision:</p> <p>The advising officer considers that the following conditions required under the Regulations are met—</p> <p>1: This direction responds to a serious and imminent threat to public health;</p> <p>The market event proposed is in an area of increasing disease prevalence within a recently confirmed tier 3 restrictions area. There is believed to be a new variant of the virus which may be transmitted more freely.</p> <p>Whilst this is an outdoor event which, if properly managed, could be undertaken with limited risk, it is necessary to put in place the proper infrastructure to be able to formally enforce the safety provisions which have been developed by the organiser to manage the risk.</p> <p>2: This direction is necessary for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus in the Authority's area;</p> <p>The direction is necessary to provide the proper support to the organisers and their staff in running a safe event along the lines that they have developed working alongside various officials. Without this direction there would, in my view, be insufficient powers and support to the organisers available to enforce the requirements for the safe and effective operation of the event.</p> <p>3: The prohibitions, requirements or restrictions imposed by this direction are a proportionate means of achieving that purpose</p> <p>The market organiser has indicated that he not only consents to this direction but, in fact, welcomes it as being the appropriate means of providing formal enforcement support should matters approach the point where the safety measures he has developed and introduced look like they are not being adopted by visitors and participants.</p> <p>This direction seeks only to put in place the formal infrastructure to support the organiser in delivering the safeguards he has put in place. It is being done with him, not to him.</p>

<p>Equalities assessment</p>	<p>Kent County Council already have data on diversity which has informed the assessment of impact on protected characteristics in the Tunbridge Wells area by any direction, and also have considered the local contextual community factors which may interact and adversely impinge on any population protected characteristics.</p>			
<p>Details of consultation and DPH advice</p>	<p>Tunbridge Wells Borough Council – Chief Executive, Environmental Health and safer neighbourhoods. Kent County Council – Trading Standards, Kent Resilience Team, Public Health Directorate (Strategic Commissioning), Kent PH Observatory, Multi Agency Information Cell (MAIC) Market organiser – Julian Leefe-Griffiths</p>			
<p>Affected wards/areas</p>	<p>The Pantiles, Royal Tunbridge Wells, within the Tunbridge Wells Borough Council area</p>			
<p>Approval of Advice</p>	<p>Authorised PH adviser¹ Andrew Scott-Clark</p> <table border="1" data-bbox="427 1167 1503 1397"> <tr> <td data-bbox="427 1167 1198 1397"> <p>Signature (<i>can be electronic</i>)</p>  </td> <td data-bbox="1198 1167 1503 1397"> <p>Date</p> <p>18/12/2020</p> </td> </tr> </table>		<p>Signature (<i>can be electronic</i>)</p> 	<p>Date</p> <p>18/12/2020</p>
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