



Ref: CCC/ECDC/DN1

Date of issue: 1st April 2021

DIRECTION (PUBLIC OUTDOOR PLACES)

THE HEALTH PROTECTION (CORONAVIRUS, RESTRICTIONS) (ENGLAND) (NO. 3) REGULATIONS 2020 (No.2020/750)^{1&2}, REGULATION 6(1)

1. Cambridgeshire County Council (“the Authority”), in exercise of the powers conferred by regulation 6(1) of the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020² (“the No. 3 Regulations”), gives the following direction in relation to public outdoor places.
2. The Authority considers that the following conditions are met:
 - a. that giving this direction responds to a serious and imminent threat to public health.
 - b. that 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; and
 - c. that the prohibitions, requirements or restrictions imposed by this direction are a proportionate means of achieving that purpose.³
3. Before giving this Direction, the Authority has had regard to:
 - a) any advice given to it by its Director of Public Health and

¹ SI 2020/750 accessed at <https://www.legislation.gov.uk/ukxi/2020/750/contents/made>; guidance on local authority powers at: <https://www.gov.uk/government/publications/local-authority-powers-to-impose-restrictions-under-coronavirus-regulations/local-authority-powers-to-impose-restrictions-health-protection-coronavirus-restrictions-england-no3-regulations-2020>

² In this Direction, any reference to a regulation is a reference to a regulation of the Health Protection (Coronavirus Restriction) (No. 3) (England) 2020 (S.I. 2020/750).

³ See regulation 2(1).

- b) the need to ensure that members of the public have access to essential public services and goods (including whether the individual premises forms part of essential infrastructure)
4. The Authority will take reasonable steps to give advance notice of this direction to *any person who owns, occupies or who is responsible for any land or premises in a public outdoor space to which the direction relates*], further to Regulation 6(4) of the No.3 Regulations.

DIRECTION

Person and public outdoor place

5. This Direction is given in respect of:

Footpaths closures along the river Ouse and all publicly accessible river banks within the area subject to this Direction

Location – Adjoining West Bank

(North to South)

Littleport Footpath 11

Ely Footpath 50

Ely Footpath 49

Location - West Bank

Littleport Footpath 21

Ely Footpath 15

Location - East Bank (North to South)

Littleport Footpath 22

Ely Footpath 16

Ely Footpath 15

Location – Queen Adelaide (Prickwillow Road to Station Road)

Ely Footpath 13

Ely Footpath 43

Road Closures to include pedestrian access, bridleway and all publicly accessible river banks within the area subject to this Direction

Queen Adelaide Way, Ely - Station Road to Prickwillow Road

Old Bank, Prickwillow - Queen Adelaide to southern link road with Putney Hill Road

Thistle Corner, Ely - Monarch Way to Ely Road

Ely Road, Queen Adelaide - Thistle Corner to Queen Adelaide Way

Prickwillow Road, Queen Adelaide - Queen Adelaide Way to Ely Road

Ely Road, Prickwillow - Prickwillow Road to Main Street

Padnal Bank, Queen Adelaide - Prickwillow Road to Branch Bank

Branch Bank, Littleport - Padnal Bank to New River Bank

New River Bank, Littleport - Branch Bank to Lynn Road

Victoria Street, Littleport - Padnal to Branch Bank

Hawkins Road, Littleport - Branch Bank to Cross Drove
Cross Drove, Littleport - Hawkins Drove to Mildenhall Road

The attached maps in Annex A show the details of the road and footpath closures.

Closure of areas of riverbanks (and river) under the Environment Agency ownership

Refer to Annex B for detailed maps showing hatched areas of footpaths, riverbanks and river covered by this Direction.

Directed actions.

6. This Direction
 - a. Prohibits the use/entry of the Place(s) for *-Pedestrian and vehicular access; [and]*
 - b. Prohibits or restricts the entry/access to the Place(s) in relation to: Pedestrian and vehicular access; [and⁴]
 - c. Secures restrictions in relation to the Place(s): No access to pedestrians along the footpaths. No access to pedestrians or vehicles on the roads.

Timing and duration of direction

- 7 Any actions required to put into effect the restrictions set out in paragraph 6 must be undertaken by 12.00pm 4th April 2021 *when the prohibition, requirement or restriction comes into effect*. The restrictions set out in paragraph 6 have effect until 18.30 pm 4th April 2021 and no later.

Grounds for Direction

- 8 This Direction is given on the basis that: The Boat Race, which is to take place on the River Ouse, starting at Queen Adelaide Bridge and finishing at Victoria Bridge, Littleport has been classed as an Elite race, a prerequisite of the Return to Domestic Competition is that it must take place behind closed doors with no spectators. The distance of the course is 4.89 km and there are public footpaths on each side of the river and Branch Bank road that runs the length of the river on which the race is to take place, vehicular traffic and pedestrian access on the roads and pedestrians on footpaths should be restricted to facilitate the event to take place behind closed doors.

Historically, The Boat Race attracts large crowds of an estimated 250,000 at the river side when it takes place on the Thames. As the Boat race is due to take place on 4th April the first Bank Holiday weekend when the restrictions of lockdown are eased, it is anticipated that residents and people from further afield will travel and want to take the opportunity to see this historic event and attempt to view the boat race from the public footpaths and bridges. Due to the location and access to the footpaths, it will be difficult to police sufficient crowd

control, therefore increasing the chances of government guidelines being ignored and the possible transmission of COVID-19.

The case rates are declining across Cambridgeshire. The decline in incidence was assisted by the impacts of the national lockdown which restricted the community's movements; meaning there was an element of control over the potential numbers attending. The recent return of schools and other easing of restrictions are bound to have an impact on transmissions rates. The government's roadmap out of lockdown will allow groups of 6 people or 2 households to meet outside from 29th March, increasing the risk of crowds gathering around the river. After the 29th March some restrictions on formally organised outdoor sporting activities will also be eased. Whilst the vaccination programme in the UK is proving successful so far, there will still be most of the population unvaccinated and the risk of other variants, although relatively low numbers, is still of major public health concern.

Consequences of not meeting the requirements of the Direction.

9 There may be consequences if this Direction is not complied with. For example, the Authority may issue a Prohibition Notice⁵ or Fixed Penalty Notice⁶ against you or may commence criminal proceedings against you.

10 A person commits an offence if, without reasonable excuse, the person:⁷

- Being a person who owns, occupies or is responsible for land in the Place[s] contravenes a direction under regulation 6(1); or
- obstructs a person carrying out a function under the No. 3 Regulations, including any local authority designated officer under regulation 12 or a constable.

Such an offence is punishable on summary conviction by an unlimited fine.

Appeals/representations

11. If you believe that this Direction should not have been issued, and/or it contains incorrect information, please inform the specified point of contact set out below, setting out your reason(s).

12. You have a right to appeal against this Direction to a magistrates' court by way of complaint for an order.⁸ There is a time limit of 28 days for appealing against this Direction, starting from the date on which the direction was issued (see 'Date of issue' at the top of this direction).

⁵ See regulation 12(2) of the No. 3 Regulations.

⁶ See regulation 14(1) of the No. 3 Regulations.

⁷ See regulation 13(1) of the No. 3 Regulations.

⁸ See regulation 6(5)(a) of the No. 3 Regulations.

13. Please note this direction will be reviewed by the Authority at least once every seven days. The Authority will decide whether regulation 2(1) continues to be met, or whether to revoke this Direction (or revoke and replace it with another direction).⁹
14. If the Authority reviews the direction and decides to uphold it (makes a 'review determination'), then the 28-day time period for appealing this Direction will start from the date of that review determination.
15. You also have the right to make representations to the Secretary of State about this Direction.¹⁰ The same 28-day time limit applies to making representations: you have 28 days from the date this Direction was issued to make representations or, where there has been a review and the Authority decides to uphold the direction, 28 days from the date of that review determination. The Secretary of State must consider any such representations as soon as is reasonably practicable and decide whether it would be appropriate to exercise the Secretary of State's powers set out in regulation 3 of the No. 3 Regulations. The Secretary of State may direct the Authority to revoke this Direction, or revoke and replace this Direction. The Secretary of State must provide written reasons for the decision to the person who made the representations and to the Authority.
16. In making any representations to the Secretary of State about this Direction, the recipient of the Direction should do this via NHS Test and Trace, with representations emailed to directionnotification@dhsc.gov.uk. This should include:
 - a. The name of the Authority.
 - b. The reference [CCC/ECDC/DN1] listed at the top of this Direction.
 - c. An explanation as to how you have been impacted by the Direction and your relationship to the Place[s], such as whether you are the owner, occupier or is responsible for land or premises in the Place[s].
 - d. An explanation of the basis upon which the Direction should not have been made and was or is not appropriate, with reference to the conditions set out in Regulation 2(1).
 - e. Any evidence which supports this contention; and
 - f. What action you would like to be taken.
17. You are still required to comply with this direction pending the outcome of any appeal to the magistrates' court or representations to the Secretary of State.
18. You may wish to obtain independent legal advice should you seek to pursue an appeal.

⁹ If this direction was made pursuant to a direction of the Secretary of State under regulation 3 of the No 3 Regulations, a summons is to be issued to both the Secretary of State and the local authority.

¹⁰ See regulation 6(5)(b) of the No. 3 Regulations.

Additional powers and requirements that accompany this Direction.

Publication

19. This Direction (and notice of revocation of this direction) is published on the Authority’s website as required by the No. 3 Regulations¹¹

[Highway events - Cambridgeshire County Council](#)

20. This Direction may also be published in such manner as the Authority considers appropriate to bring it to the attention of other persons who may be affected by it.

The direction will also be published on East Cambridgeshire website

[East Cambridgeshire District Council | \(eastcambs.gov.uk\)](#)

Notification

21. The Authority is required to notify any local authority, district council whose area is adjacent to the initiating authority’s area of this Direction (and any revocation of the Direction) by the No. 3 Regulations¹².

22. The Authority is required to notify the Secretary of State as soon as reasonably practicable after the Direction is given.



Signed..... Date.....1/4/2021

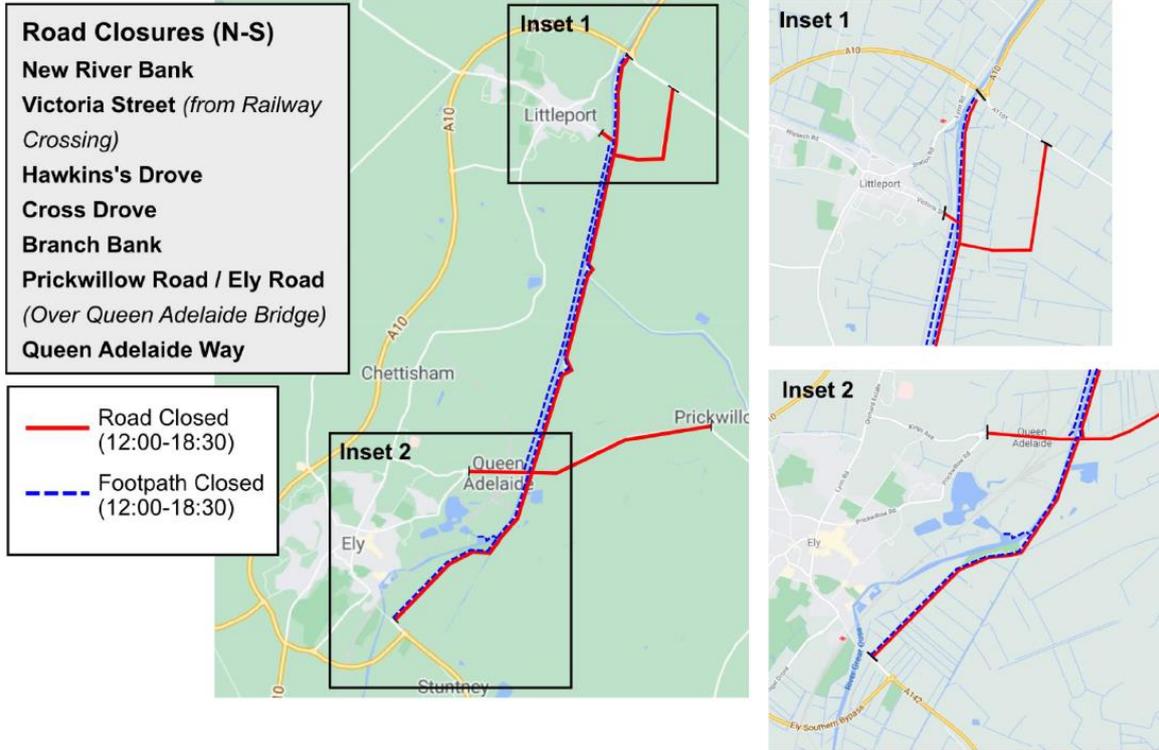
**Gillian Beasley
Chief Executive
Cambridgeshire County Council and Peterborough City Council**

¹¹ See Regulation 10(2)(a) of the No. 3 Regulations.

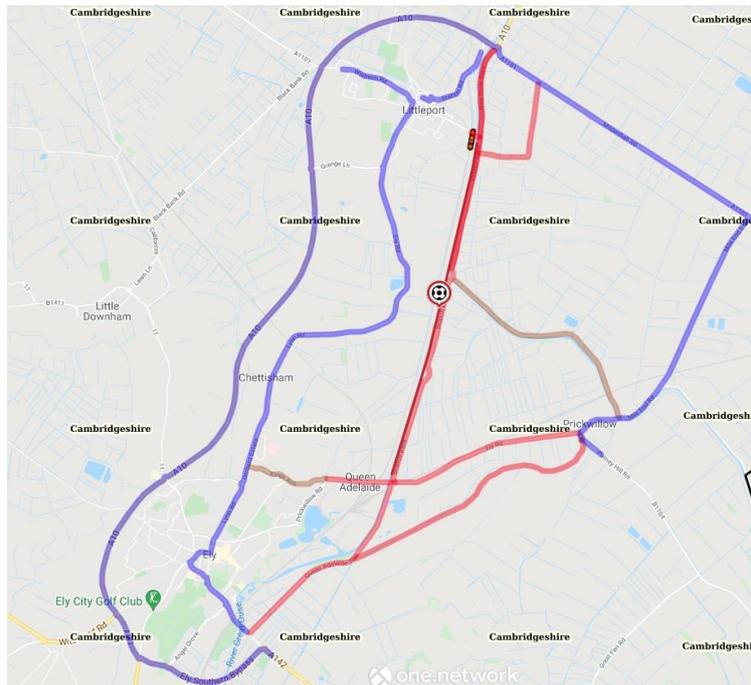
¹² See Regulation 11(1)(a) – (d) of the No. 3 Regulations.

Annex A: Map of road and footpath closures and diversion routes

Road & Footpath Closures – Sunday 4th April 2021 (12:00 – 18:30)

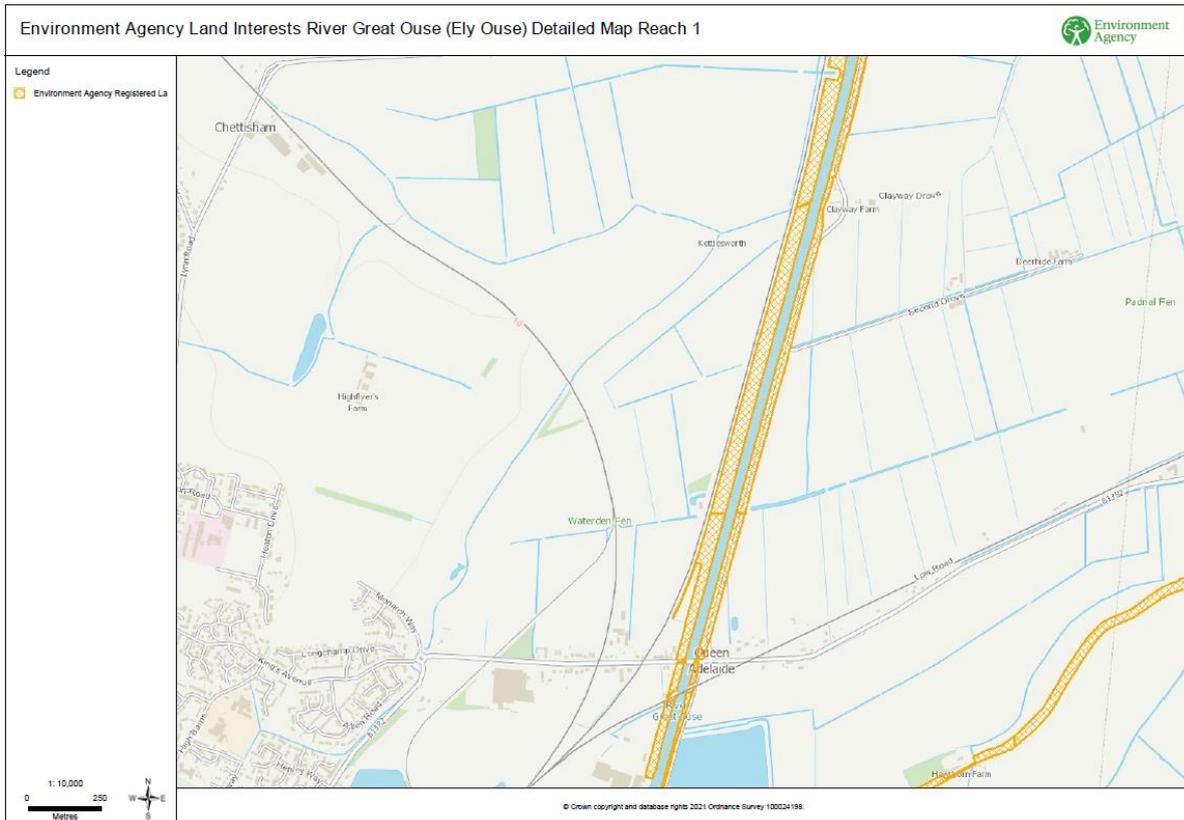


Map of road and footpath closures



Map of road closure and diversion routes

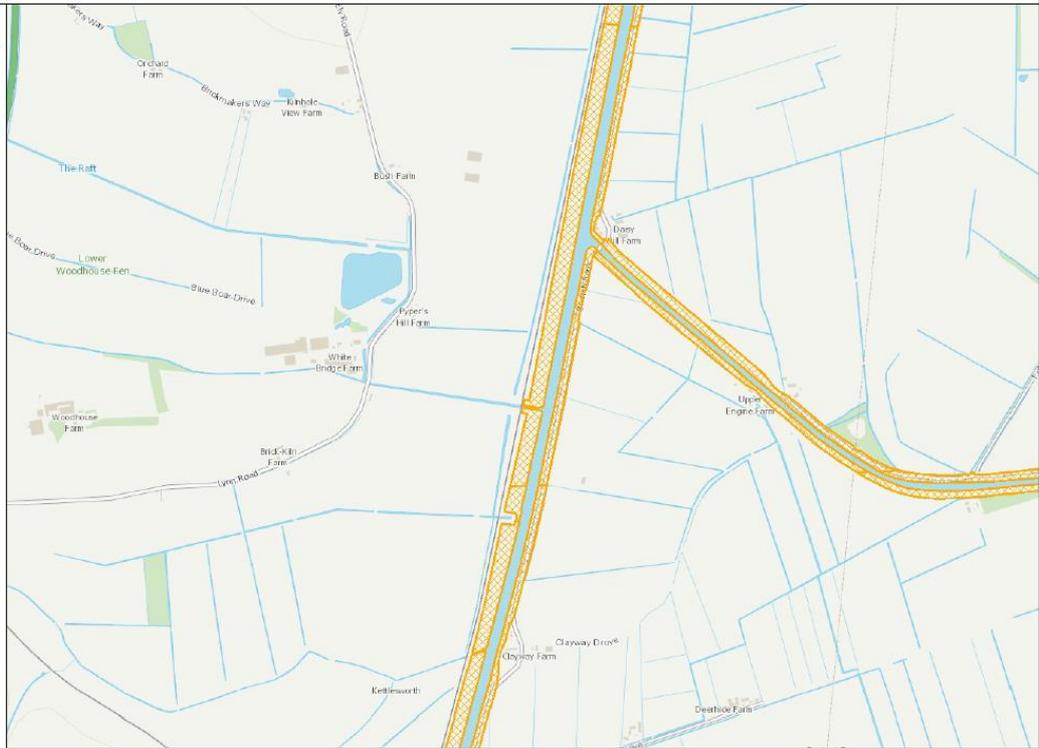
Annex B: Environment Agency - riverbanks and river in respect of the Direction



Environment Agency Land Interests River Great Ouse (Ely Ouse) Detailed Map Reach 2



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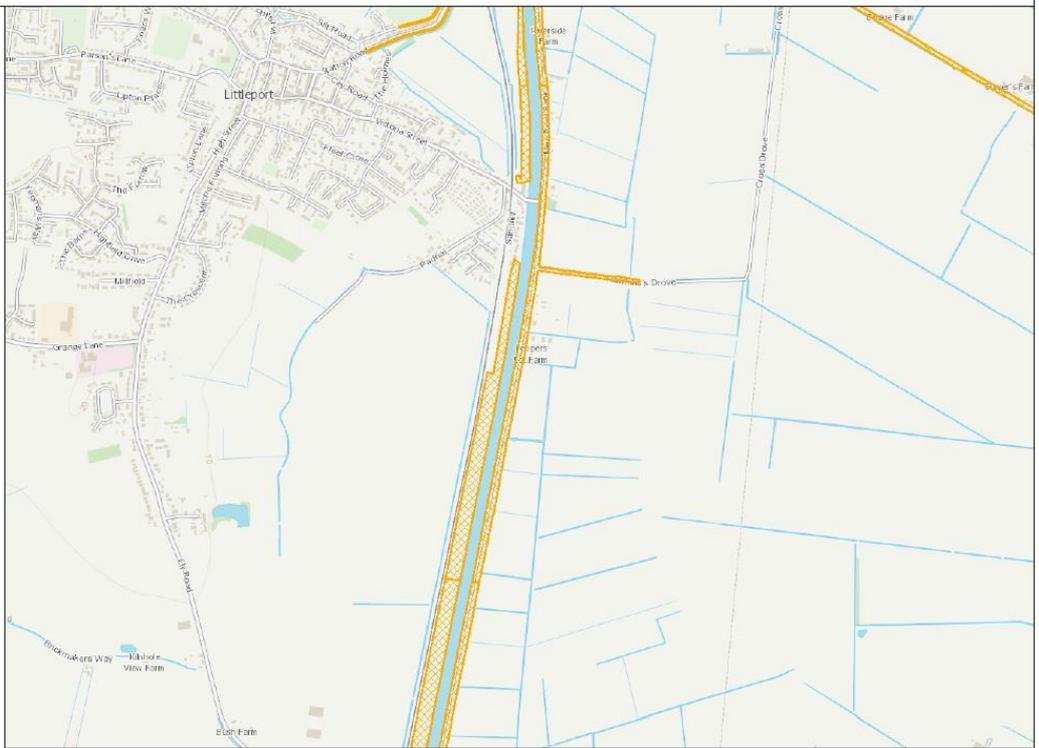


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Environment Agency Land Interests River Great Ouse (Ely Ouse) Detailed Map Reach 3



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