

**Request for Delegated Authority Approval  
(Emergency Powers – 2020 COVID-19 Pandemic)**

*Completed form should be emailed to the Chief Executive*

<b>Directorate:</b>	Chief Executives
<b>Service:</b>	Legal & Licensing
<b>Subject:</b>	Extension of Civic Government Licences
<b>Author:</b>	Karen Briggs, Service Lead – Legal and Licensing
<b>Date of Request:</b>	22.04.2020
<b>Background:</b>	<p>Prior to the Coronavirus (Scotland) Act coming into effect, the Council took a decision to extend all Civic Government licences until 30<sup>th</sup> November 2020 in the expectation that this power would be covered in the Act. However, instead the Act has not authorised the Council to extend licences but has only permitted a three month period after the expiry of a licence during which an application for renewal may be made. This means that the Council's decision could potentially be challenged.</p>
<b>Approval Sought For:</b>	<p>The Scheme of Delegation currently provides:-</p> <p>RS63 “authority during the 2020 COVID-19 Pandemic to vary the terms and to extend any licence which would otherwise expire during the emergency to 30 November 2020”.</p> <p>Approval is sought to vary this so that this authority should be exercised only to vary the terms and to extend any licence which would otherwise expire during the emergency by 3 months.</p>
<b>Additional Information:</b>	<p>All existing civic government licence holders with licences which would otherwise have expired since the lockdown will have an extension of 3 months to their licence (at no cost to them) but will be required to lodge their application for the renewal of the licence before the end of that three month period. So long as the renewal application is lodged in time the licence holder can continue to trade as normal. This will affect mainly taxi and private hire operators and drivers but will also extend to all other civic government licence holders, many of whom are currently unable to trade but who will require to have a valid licence when the lockdown is eased.</p>

<b>Legal Implications:</b>	If the delegated power is not changed the Council's actions could potentially be challenged as being ultra vires.
<b>Procurement Implications:</b>	None
<b>Financial Implications:</b>	The Council will receive no revenue for the renewal of Civic Government applications during the 3 month extension but income would begin again in late June 2020

***Chief Executive's Office use only:***

<b>Name(s) of Elected Member(s) consulted:</b>	Douglas Campbell Philip Saxton
<b>Elected Member Feedback:</b>	
<b>Decision:</b>	Approved