

## 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 and Licensing
<b>Subject:</b>	Extension of Civic Government Licences
<b>Author:</b>	Karen Briggs, Service Lead – Legal and Licensing
<b>Date of Request:</b>	15.07.2020
<b>Background:</b>	<p>During the coronavirus pandemic a decision was taken to extend all civic government licences by 3 months. Also licence conditions for taxi and private hire vehicles were varied to allow an additional three months for an annual inspection.</p> <p>These extensions, particularly in relation to taxi and private hire vehicles were granted in the knowledge that the DVLA had granted an extension to MOT certificates so that any MOT certificates due to expire between 30 March 2020 and 31 July 2020 were given a six-month extension.</p> <p>The DVLA has now advised that the extension to MOTs will not apply to any vehicles whose MOT is due to expire on or after 1st August 2020. Since the MOT forms an integral part of a new application or a renewal of a taxi or private hire vehicle licence, and of every annual inspection, vehicles which would have been due to have an annual inspection or renewal in August this year will now require a MOT in August and therefore the benefit of the three-month exemption will be negated.</p> <p>Also, at the onset of lockdown, not all of the staff from the Licensing section were able to work from home and it was difficult to process applications. However, this situation has now been resolved and staff are able to work remotely and take payments by phone so that applications can be processed. In addition, the garage which carries out the testing, Arnold Clark was closed, but it has since reopened.</p> <p>It is proposed that the three-month extension to all civic government licences ceases as of 31st July.</p>

<p><b>Approval Sought For:</b></p>	<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”. This was varied to 3 months in April 2020.</p> <p>Approval is sought to vary this authority so that no extensions are granted to civic government licences which expire on or after 1<sup>st</sup> August 2020. Similarly, the variation to existing licences conditions which permitted an additional three months before an annual inspection was required should also be rescinded. This will bring a consistent approach to all applications for renewal, rather than having a two tier system where some licence holders have a 3 month extension but others do not benefit from this.</p>
<p><b>Additional Information:</b></p>	<p>The issue regarding MOTs affects only taxi and private hire vehicles, but it is proposed that the ending of the extension affects all civic government licences, as otherwise there would be confusion over which licences were extended.</p> <p><b>16-Jul-20: Query from Cllr Saxton:</b></p> <p>Just for some clarity regarding licences, is it the DVLA or SG rescinding the decision that licences MOTs are required from the 1st August, or just the local Authority (SAC),</p> <p>I was under the impression this was a national decision through the UK government that from March you have 6 Months before you require an MOT.</p> <p>And licences for Taxis, pubs etc was also 6 Months so some clarity would be helpful.</p> <p><b>16-Jul-20: Feedback from Morag:</b></p> <p>In March the DVLA advised that the MOT expiry date for vehicles would be extended by 6 months if it was due due between 30 March 2020 and 31 July 2020.</p> <p>However it has now confirmed by the DVLA that MOTs due on after 1st August will not be extended and vehicles must be tested as normal as MOT stations are now open. This is a DVLA decision not a SAC decision.</p> <p>The extension to Civic Government licences was granted by SAC for 3 months on a rolling basis but we are now suggesting that the 3 month extension should now stop as there would be confusion over dates as MOTs as part of the annual inspections/renewals will be required from 1st August. Additionally we are now in a position to process applications which we not in March when the lockdown commenced.</p>
<p><b>Legal Implications:</b></p>	<p>None</p>

<b>Procurement Implications:</b>	None
<b>Financial Implications:</b>	Applications will be charged as normal and revenue to Licensing will increase to closer to pre-pandemic levels

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<b>Name(s) of Elected Member(s) consulted:</b>	Peter Henderson, Philip Saxton
<b>Elected Member Feedback:</b>	<b>Cllr Saxton:</b> I am happy with the explanation and agree the request, I think that the additional information will be helpful if any constituents ask
<b>Decision:</b>	Approved