

Changes to Civic Government licensing in terms of the *Coronavirus (Scotland) Act 2020*

Due to the Coronavirus pandemic, the Scottish Government has introduced some changes to the licensing process which mainly relate to the extension of timescales. The attention of licence holders and applicants is drawn to these changes which are set out below. If you have any queries, please do not hesitate to contact the licensing section either by e-mail at licensing@argyll-bute.gov.uk or by phone on 01546 604128.

These changes will affect those making applications for licences for:

- Boat hire
- Booking office
- Metal dealer
- Knife dealer
- Late hours catering
- Market operator
- Private hire operator
- Private hire driver
- Taxi operator
- Taxi driver
- Public entertainment
- Second hand goods dealers
- Street trader
- Tattooing and skin piercing
- Window cleaner

Period to determine applications extended

The period for reaching a final decision on an application has been extended from 6 to 9 months. The 3 month consideration period for applications remains in place. This means the total period now for reaching final decision is a year.

The time limit for applying to the sheriff for an extension of that time has similarly been extended from 6 months to within the 9 month period.

If the licensing authority fails to reach a final decision on an application before the expiry of the 9 month period, or such other period as specified by the sheriff then the licence will be deemed to be granted.

Process for dealing with applications.

- **Advertising** - Where the licensing authority is required to give public notice of an application – this currently only applies to knife dealers licence applications - the licensing authority can now advertise the application by publication on the licensing authority website. Previously any such application had to be advertised in a newspaper circulating in the area. That option is still available.

In terms of the Council's processes, notices of applications will not be displayed at the Area Offices/Headquarters but can be viewed on the Council's webpage: <https://www.argyll-bute.gov.uk/register-civic-government-applications>

- **Applications for renewal made after the expiry of the existing licence** - On good cause being shown, the licensing authority may deem an application for renewal of a licence made up to 3 months after the expiry of the licence to be an application made before the expiry of the licence. The time limit was previously 28 days.
- **Variation, suspension and revocation of licences in terms of para 10** – This has been amended so that the licensing authority do not require to invite the Police and Fire Authority (if relevant) to attend the hearing.
- **Surrender of licences** - The time limit for returning a licence when it has been revoked, suspended or varied has been extended from 7 days to 14 days. If it cannot be returned within the 14 day period because of a reason relating to coronavirus it must be delivered as soon as reasonably practicable thereafter.
- **The period for giving reasons of any decision** - This has been extended from 10 to 15 days. If the licensing authority cannot give the reasons because of reason relating to coronavirus ,it must notify the person who made the request that there will be a delay and give the reasons as soon as reasonably practicable after that period.