

Scottish Lockdown 16 January 2021

With the announcement of strengthening the current lockdown measures from Saturday 16 January 2021 the Scottish Government has produced clear guidance on the current lockdown which can be found at

<https://www.gov.scot/news/strengthening-lockdown-restrictions/>

I have heard that we can no longer trade using click and collect?

That is partly correct. The Scottish Government has tightened restrictions on trade in order to better control the current outbreak. The Regulations coming into force from 16 January prevent all but 'permitted collection services' from trading using click and collect.

Permitted collection services can only be provided by

- baby equipment shops,
- book shops,
- clothing shops,
- electrical goods shops, including repair shops,
- footwear shops,
- garden centres and plant nurseries,
- homeware shops,
- key cutting shops,
- libraries, and
- shoe repair shops,

Any collections must be made by staggered appointment, with where reasonably practicable a gap between each appointment and access to the premises is given only to the extent necessary to provide the service

Does this mean we have to stop all trading?

No. Petrol stations, car repair and MOT services, bicycle shops as well as taxi or vehicle hire businesses remain excluded from any requirement to close. Provided these businesses are operated in a Covid secure fashion they can continue to trade.

There are changes to the way any outdoor motor vehicle lot can continue trade. Whilst there are further restrictions, they are permitted to open to the extent necessary to enable

- the collection of a vehicle that has been purchased, or
- the delivery or collection of a vehicle for the purposes of a repair, MOT or service

Furthermore, members can continue to trade using click and deliver services for any goods services ordered:

- i) through a website, or otherwise by on-line communication;
- ii) by telephone, including by Text Message; or
- iii) by post

Given the increase in police powers as well as the increased rhetoric regarding unnecessary travel, auction houses and motor dealers should consider whether delivery is a more sustainable business model.

Further Information

The Scottish Government guidance can be found at;

<https://www.gov.scot/news/strengthening-lockdown-restrictions/>

Details of the Regulations can be found at

[The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 12\) Regulations 2021](#)

[The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Regulations 2020](#)

Conclusion

It is important to note that the legal situation is still in flux and we have seen increase enforcement activity in all home nations. Members need to continue to review what risks they wish to take as well as the steps that can be taken to mitigate any risks to staff and customers. Whilst these Regulations have minimal effect on petrol stations, car repairs, MOT services and outdoor car lots, they do have significant effect on the ability of members of the public to travel and restrict indoor car showrooms and auction houses.

The Regulations continue to allow businesses to provide goods and services at a distance. However, where businesses wish to offer vehicles at a distance, it is vital that they fully understand the implications of distance sales, including any cooling off periods as appropriate.

Should you have any questions, please do not hesitate to call the Member Helpline on 0845 305 42 30.