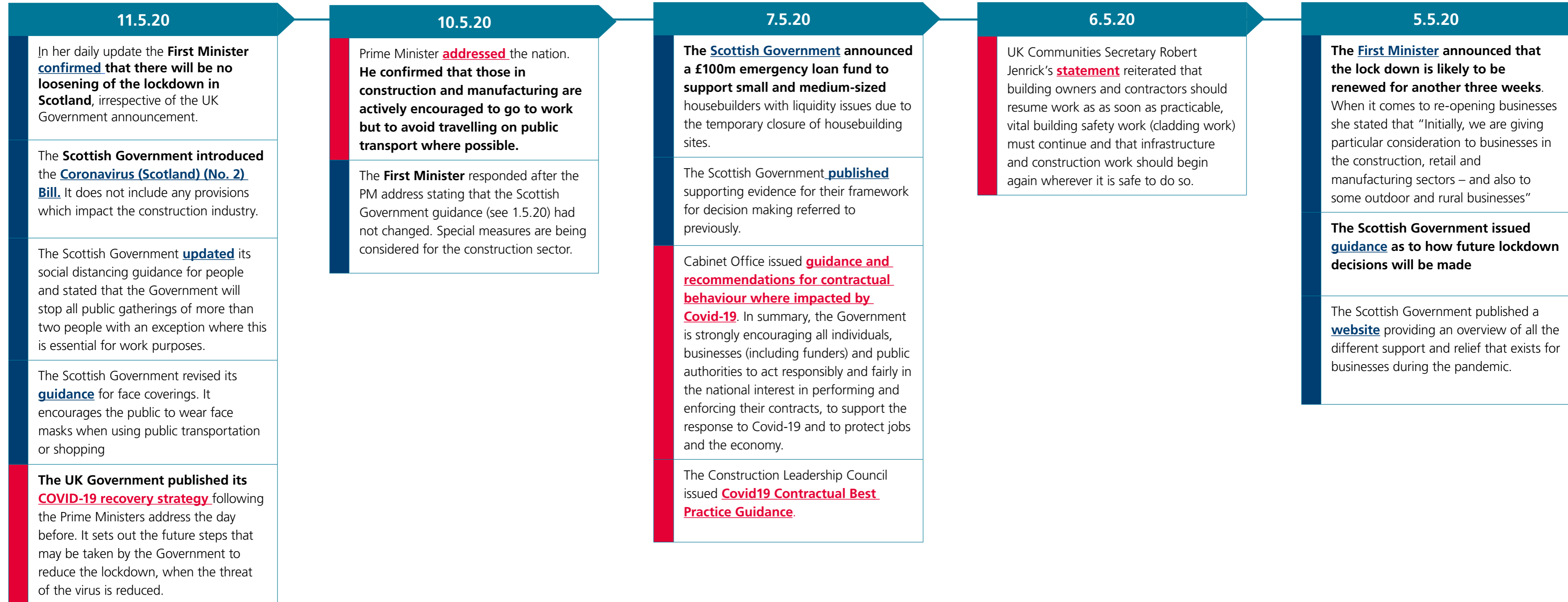


SCOTTISH COVID-19 CONSTRUCTION TIMELINE (updated to 11.5.20)

This is a summary of key Government and Industry guidelines relating to coronavirus relating to the Scottish construction industry. This includes both UK wide (**Red**) and Scotland specific measures (**Blue**). Highlighted items link to the detailed underlying statements or documents.



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C/M/S/

Law . Tax

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4.5.20

The **Bounce Back Loan Scheme (BBLs)** opened for applications:

- Businesses can borrow between £2,000 and £50,000, capped at 25% of turnover, with no fee to access the scheme
- The Government will guarantee 100% of the loan and there will not be any fees or interest to pay for the first 12 months
- Loan terms will be up to 6 years, no repayments will be due during the first 12 months
- Interest rates will be capped at 2.5% per annum
- Lenders are not permitted to take personal guarantees or recovery action over a borrower's personal assets (such as their main home or personal vehicle).

1.5.20

—The Scottish Government issued specific **construction sector guidance**. It sets out which sites are essential and which are non-essential. Non-essential service includes schools, further and higher education institutions. Non-essential sites should remain closed. There is no time frame when sites should be re-opened.

CLC **called** on industry to avoid virus-related disputes

—The CLC called for more firms to sign up to a dispute-resolution charter (**RICS Conflict Avoidance Pledge (CAP)**) drawn up by the Royal Institute of Chartered Surveyors (RICS), amid fears that shutdowns and supply problems in the coronavirus crisis will lead to a surge in contractual disagreements and damaging litigation

29.4.20

The Government announced that COVID-19 testing has been **extended** to anyone who goes into work because they cannot work from home and is showing symptoms of coronavirus. This includes construction workers, as well as people they live with who have symptoms, and there are two ways to arrange a test:

- Self-referral – enables workers and members of their households who have symptoms to book a test directly using the **online system**
- Employer referral – allows employers to refer workers for a test via a secure portal. Employers will need to obtain a login by emailing portalservicesdesk@dhsc.gov.uk with their organisation name, nature of their business, region, and names and email addresses for two users. Contractors may find it more efficient for clients already registered for their essential workers to request the test on their behalf.

The **First Minister** encouraged, in her daily announcement, for people to wear face masks when leaving their homes for essential purposes.

23.04.20

Letter from Business, Energy & Industrial Secretary Alok Sharma to Construction News reiterates that Site Operating Procedures should be followed.

22.04.20

The Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020 came into force:

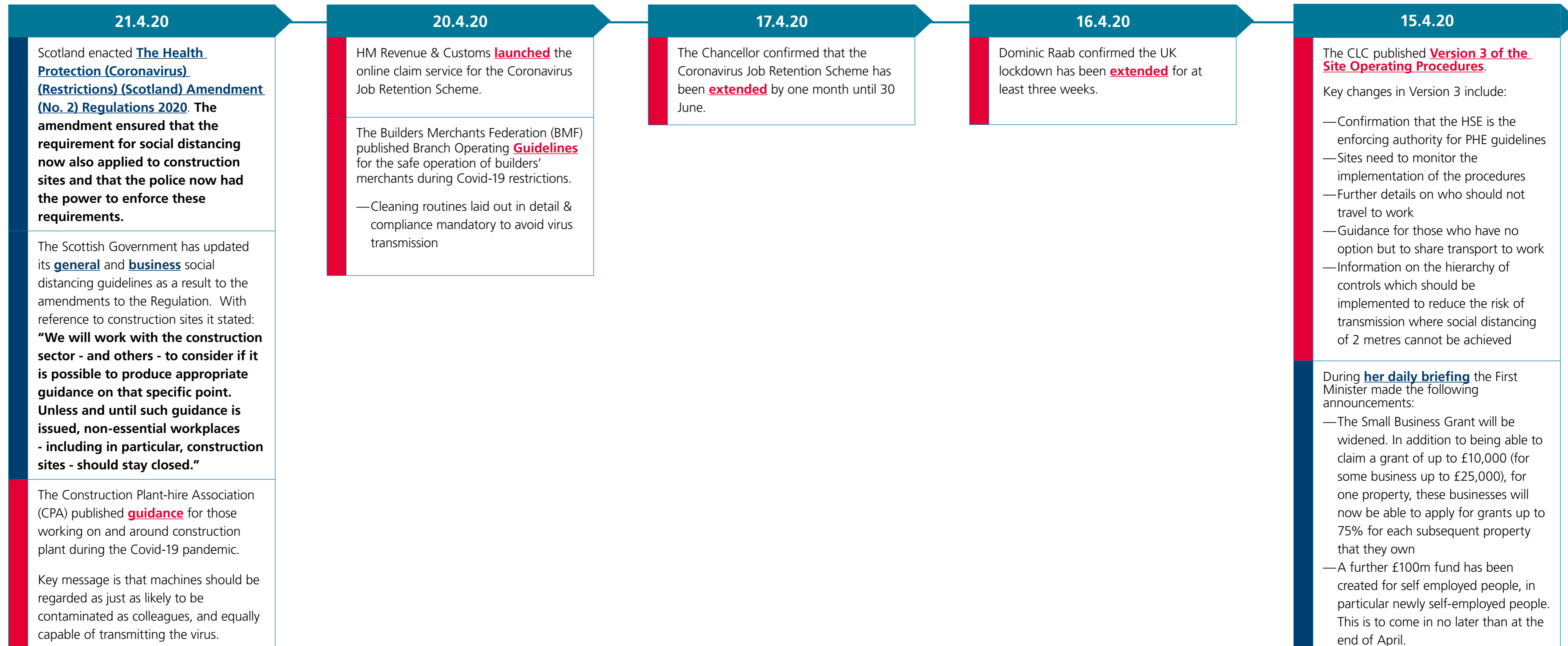
- Reason now needed to not only leave the house but also to remain outside**

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9.4.20

The Scottish Government published construction [policy note CPN 1/2020 on Construction Contracts containing general guidance for the public works projects during COVID19](#). It covers the following topics:

- Project continuity;
- Procurement;
- Common relevant provisions in construction contracts; and
- Potential COVID-19 mitigations

8.4.20

[Letter](#) from Business, Energy & Industrial Secretary Alok Sharma to manufacturing sector stated “there is no restriction on manufacturing continuing”.

The CLC issued a joint [statement](#) with the Department for Business, Energy & Industrial Strategy and the Infrastructure and Projects Authority. **The statement called for construction businesses to pay in accordance with agreed contractual terms.**

7.4.20

The UK Government issued [Guidance Notes for Construction Contracts relating to Procurement Policy Note 02/20](#) (see 20.03.20). It is addressed to the public sector contains model deeds of variation for both NEC3 and JCT standard form contracts.

Public Health England issued new [guidance on social distancing in the workplace and stated the following in relation to construction](#): “Where it is not possible to follow the social distancing guidelines in full in relation to a particular activity, consider whether that activity needs to continue for site to operate.

Where face-to-face contact is essential, keep it to 15 minutes or less wherever possible”.

6.4.20

The [Coronavirus \(Scotland\) Act 2020](#) received royal assent. The provisions most relevant for the construction industry (Schedule 7, regulations 8 to 10) extend the duration of planning permissions which would otherwise expire during the emergency period.

The Scottish Government [published more construction sector guidance](#). This guidance advises that non-essential sites should close. Essential projects include those which are for works:

- Essential to health and welfare of the country during the crisis;
- Supporting essential services;
- Carrying out essential maintenance and repair (but not improvement) of buildings including private homes and commercial properties; and
- are capable of working in a way which is fully consistent with established social distancing advice;

The guidance provides also states those sectors which are deemed non-essential to include schools, further education and early years provision, retail and warehousing, non-health related civic buildings, public realm (including but not limited to roads, footpaths, footways, cycle lanes and verges, pavements, parks and grassy areas) and justice and custodial.

6.4.20

The UK Government published [guidance on the Coronavirus Job Retention Scheme](#). In order to claim one must have:

- Created and started a PAYE payroll scheme on or before 28 February;
- Enrolled for PAYE online; and
- Have a UK bank account.

The UK Government [extended the CBILS](#) (see 23.3.20) so that all viable small businesses affected, not just those unable to secure regular commercial financing, will now be eligible should they need finance to keep operating.

The UK Government introduced [the Coronavirus Large Business Interruption Loan Scheme \(CLBILS\)](#).

The UK government will provide a guarantee of 80% to enable banks to make loans of up to £25 million to firms with an annual turnover between £45 million and £500 million. The loans will be at a commercial rate of interest.

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4.4.20

The [Scottish Government published guidance: Business and Social Distancing Guidance](#). This includes a definition of “Essential Services”

3.4.20

Scottish Chief Planner [published update on planning procedures during COVID 19](#). It stated that they will continue their operation during the emergency period. The following changes will be introduced:

- Pre-application consultation requirement on major developments will be suspended (separate legislation will be introduced)
- Durations of planning applications will be extended under the Coronavirus (Scotland) Bill
- Documents for public inspection will be published online, where possible. Again, see the Coronavirus (Scotland) Bill.

The [Coronavirus Act 2020 \(Commencement No. 1\) \(Scotland\) Regulations 2020](#) was passed. It brings into force sections 16 and 17 of the Act, “Duty of local authority to assess needs” and “section 16: further provisions”.

2.4.20

Site Operating Procedures – Version 2 was published and withdrawn. Version 1 to continue to apply.

1.4.20

Letter sent from Construction Leadership Council (CLC) to the Prime Minister to demand the following:

- Suspending PAYE and CIS tax due to HMRC in April and May
- Deferring/cancelling Apprenticeship Levy payments due for duration of the crisis
- Encouraging all public sector clients, regulated utilities and firms in the private sector working on public infrastructure to expedite cashflow through the supply chain
- Support for Directors of micro-businesses
- Retention release
- Extend the £25k SME business continuity grants scheme to the construction sector

31.3.20

Letter issued from Business, Energy & Industrial Secretary Alok Sharma to construction industry stating:

- Construction workers can continue to work
- Follow the CLC Site Operating Procedures when doing so. (see 23.3.20)

UK Government issued Guidance “Remediation and COVID-19: Building Safety update:

- It reiterates that building sites for remediation works do not have to close, so work can continue if it is done safely.

During her daily update **the First Minister restated that in her view non-essential construction sites should remain closed.**

The Coronavirus (Scotland) Bill 2020 introduced into Scottish parliament. It provides for:

- A ban on evictions
- Protection for debtors
- The basic functioning for the criminal justice system by allowing trials via video links
- Amends licensing laws
- Changes application deadlines for public bodies.

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30.3.20

The Scottish Government **amended building standards** (the Building (Scotland) Act 2003 and the Building (Scotland) Regulations 2004):

- It abolished the limitations around the temporary buildings to be erected to build extensions for hospitals
- There is also **guidance** for local council to allow more leeway when issuing completion certificates. It allows for photos, videos and other remote means to review a building instead of physically having to be there.

CLC issued **advice** on how to safely temporarily shut down a construction sites. It reiterates that there is currently no law requiring a contractor to do so.

29.3.20

The Cabinet Office issued updated **"Guidance: Staying at home and away from others (social distancing)"**

Where people are working onsite employers should ensure that employees are able to follow Public Health England **guidelines** including, where possible, **maintaining a 2 meters distance from others**, and washing their hands with soap and water often for at least 20 seconds (or using hand sanitiser gel if soap and water is not available).

27.3.20

The Scottish Government issued **Guidance: "Staying at home and away from others (social distancing)". It sets out the guidelines for working during the lock down and re-iterates that construction sites, "unless it is essential construction (such as a hospital) should close unless and until we can all be clear how operations can be undertaken safely."**

Where people are onsite employers should ensure that employees are able to follow NHS Inform and Scottish Government guidance including, where possible, maintaining a 2 meters distance from others, and washing their hands with soap and water often for at least 20 seconds (or using hand sanitiser gel if soap and water is not available).

26.3.20

The **Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020** came into force. These introduced measures including:

- People to remain in their homes and only leave for essential business (such as to obtain basic necessities, take exercise and travel for the purposes of work where it is not reasonably possible for that person to work from home.
 - Restaurants and all types of leisure sites and businesses, pubs, bars, theatres, gyms, etc. to close
 - Listed businesses (e.g. supermarkets, builders merchants) that remain open are required to implement 2m distancing
 - Contravening these measures is a criminal offence leading to a fine. This applies to individuals and officers of a body corporate.
- Note: None of these measures directly restrict work on construction sites

26.3.20

UK Cabinet Office issued **Model Interim Payment Terms** to supplement earlier guidance on supplier relief

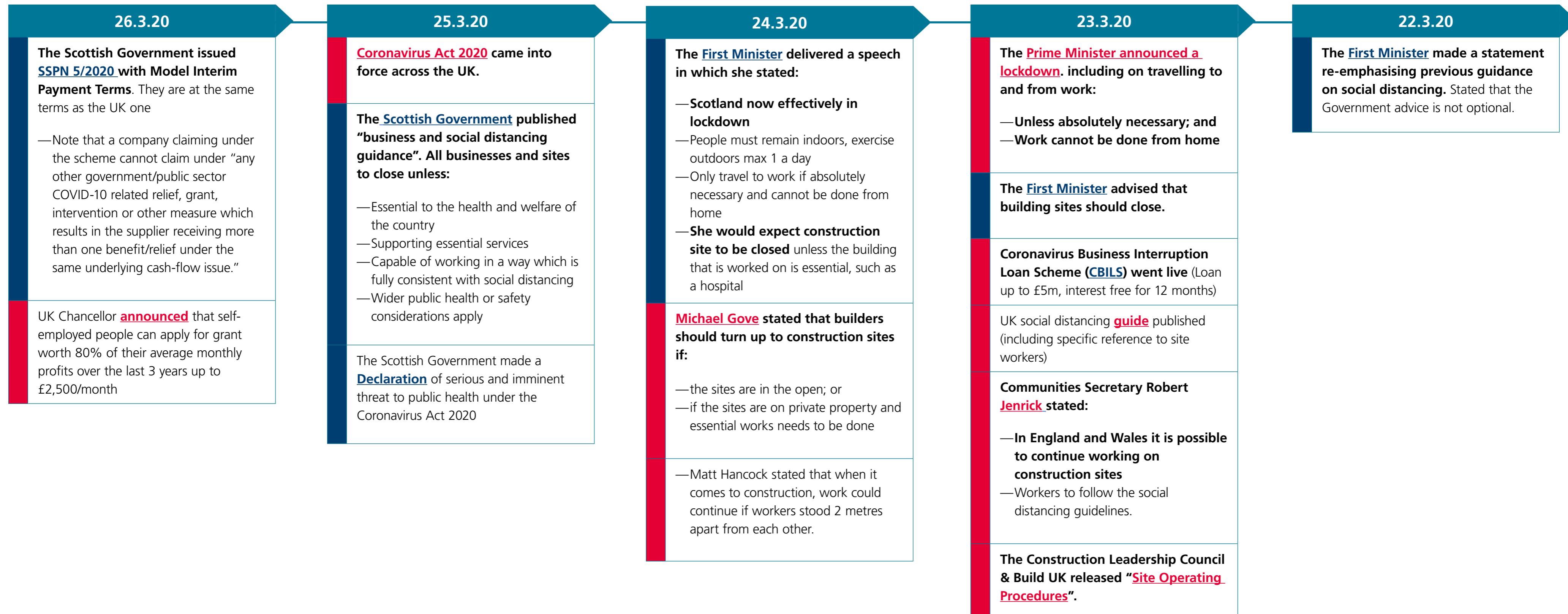
- Note that a company claiming under the scheme cannot claim under "any other government/public sector COVID-10 related relief, grant, intervention or other measure which results in the supplier receiving more than one benefit/relief under the same underlying cash-flow issue."

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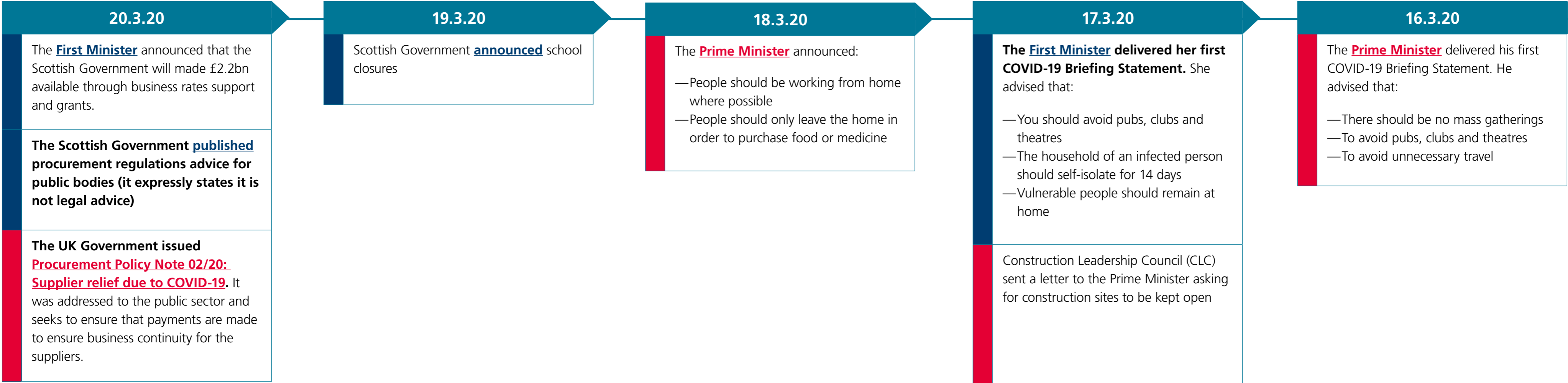
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