

Regulatory Committee

9.00 am, Friday 15 November 2013

Present

Councillor Barrie (Convener), Blacklock (Vice Convener), Aitken, Gardner, Bill Henderson, Heslop, Lewis (substituting for Cllr Cairns), Main (substituting for Cllr Burgess) and Redpath.

1. Minutes

Decision

- 1) To approve the minute of the Regulatory Committee of 6 September 2013 as a correct record.
- 2) To approve the minutes of the Licensing Sub-Committees of 4 and 6 September, 9, 11 and 23 October 2013 as correct records.

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2. Proposed Changes to Public Entertainment Resolution

Approval was sought to undertake a statutory consultation for a draft amended Public Entertainment Resolution. The amended resolution would remove the requirement for sauna and massage premises to be licensed.

Decision

1. To approve the amended Draft Public Entertainment Resolution detailed at appendix 2 to the report by the Director of Services for Communities and to agree to commence a statutory consultation.
2. To agree that the consultation would take place between 18 November and 15 December 2013 and that a report on the matter be submitted to the Regulatory Committee.
3. To note that in line with the objective of minimising harm it, is further proposed that work be taken forward with NHS, Police and other partner agencies to provide appropriate support and assistance to anyone working within these establishments; and

4. Having regard to 3 above to request that the Director of Health and Social Care submit a report to the Corporate Policy and Strategy Committee on 21 January 2014 on any agreed proposals and an implementation plan for providing the proposed interagency support.

(Reference – report by the Director of Services for Communities, submitted.)

3. Regulatory Committee Work Plan

An update on progress with the current Regulatory Committee work plan outlined activity which would form the core of Committee business for the next twelve months. The plan addressed outstanding policy issues within the remit of the Committee.

Additionally, the work plan linked to the programme to modernise the licensing system to ensure that it would be customer focussed.

Decision

1. To note the progress made with the work plan in the last 12 months detailed at appendix 2 to the report by the director of Services for Communities.
2. To agree the amended work plan, detailed at appendix 2 to the report by the director of Service for Communitites.
3. To request members to contact the Director of Services for Communities with any suggestions for additional projects to be included in the workplan.

(Reference –report by the Director of Services for Communities, submitted)

4. Taxi Stances - Revocations, Variations and Appointment

Approval was sought to undertake a statutory consultation in regard to the revocation, variation and appointments of the taxi stances along the Edinburgh Tram Route.

Decision

1. To note the contents of the report.
2. To instruct any new stance or increase stance is advertised and consulted on as listed in Appendix 1 of the report by the director of Services for Communities and to request a report in the next cycle on any representation received.
3. To note the comments made in Appendix 2 of the report by the Director of Services for Communities and to instruct that early consultation is carried out on the potential for stances in those locations.

4. To include the stances at Haymarket station in the next taxi stance survey.
5. To request details of the level of taxi usage at Haymarket station be included in the next assessment of need to be undertaken.

(Reference – report by the Director of Services for Communities, circulated)

5. Use of CCTV in Taxi and Private Hire Cars

The Committee were asked to approve requests by taxi or private hire car licence holders to fit forward facing cameras to their vehicles subject to certain conditions.

Decision

1. To agree in principle that forward facing cameras may be installed in taxis and private hire cars on application, subject to the requirements set out in Appendix 3 to the report by the Director of Services for Communities.
2. To delegate to the Director of Services for Communities the authority to approve individual licence applications in terms of paragraph 206 and 261 of the Council's licensing conditions, to allow the installation of forward facing cameras within taxis.
3. To agree that there should be a fee of £50 per vehicle for each application to install front facing CCTV.
4. To note the information contained in the report relating to the potential use of CCTV within taxis and private hire cars for security purposes and agree to consultation taking place on this topic.
5. To instruct the Director of Services for Communities to engage in further consultation with the trade and the public on this topic and to report back to Committee within 6 months.

(Reference – report by the Director of Services for Communities, circulated)

6. Control of Advertising on Taxis – feedback on consultation

Details were provided of feedback on the recent consultation on the control of advertising on taxis as requested at a meeting of the Regulatory Committee on 1 February 2013.

Approval was sought for new licensing conditions and to withdraw previous conditions regarding the control of advertising on taxis.

Decision

1. To vary the current conditions of licence relating to the control of advertising on taxis in as detailed in Appendix 1 of the report by the Director of Services for Communities and to adopt those detailed in Appendix 2 of the report.

2. To agree that the new conditions will come into force on 1 December 2013.
3. To discharge the outstanding remit from the Regulatory Committee on 1 February 2013.

(Reference –Regulatory Committee, 1 February 2013 (item 4); report by the Director of Services for Communities, circulated)

7. Review of Approval for Private Hire Cars Modified to Carry Wheelchairs

The Director of Services for Communities outlined proposed new procedures for private hire car licence holders seeking approval to modify their vehicles to facilitate wheelchair access to the rear of the vehicle. As these proposals introduced new licensing conditions, the Council was required to consult on the matter.

Decision

To agree:

- a) Subject to consultation that any PHC modified for wheelchair users shall be required to obtain an Independent Vehicle Assessment (IVA) prior to the relevant licence being granted for that vehicle.
- b) Where the modification involves a chair lift that suitable test certificates shall be provided by the applicant.
- c) The process is only to be used for PHC's which are intended to be used for hires contracted by organisations on behalf of school children with special needs and their carers and nursing homes.
- d) The cost of obtaining these certificates for each vehicle shall be borne by the licence holder.
- e) To request the Director of Services for Communities to engage in consultation on the matter and to report back to committee on completion.

(Reference – report by the Director of Services for Communities, circulated)