

# Notice of meeting and agenda

## Regulatory Committee

**9.15 am, Friday, 24 June 2016**

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend

## Contact

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## **1. Order of business**

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- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

## **2. Declaration of interests**

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- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## **3. Deputations**

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- 3.1 If any

## **4. Minutes**

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- 4.1 Regulatory Committee of 26 April 2016 (circulated – submitted for approval as a correct record).

## **5. Work Plan and Rolling Actions Programme**

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- 5.1 Rolling Actions Programme (circulated)

## **6. Executive Decisions**

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- 6.1(a) Licensing Policy Development – Street Trading Update - report by the Executive Director of Place (circulated)
- 6.1(b) Public Spaces Protocol – Update on Progress - referral report from the Transport and Environment Committee (to follow)
- 6.2 Licensing Performance Update - report by the Executive Director of Place (circulated)
- 6.3 Taxi Examination Centre – Vehicle Inspection Pass Rates – report by the Executive Director of Place (circulated)

## **7. Routine decisions**

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- 7.1 None

## 8. Motions

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### 8.1 Age of Taxis and Private Hire Cars – Motion by Councillor Burgess.

“This Committee;

Notes that Edinburgh has a large fleet of taxis and private hire cars;

Notes that these vehicles contribute to air pollution, that air quality is poor in some areas of the City and that the age of a vehicle may be a contributory factor to the pollution it emits;

Notes that other local authorities require these vehicles to be less than a certain age, but that there is currently no limit to the age of taxis or private hire cars in Edinburgh;

Therefore calls for a report on the feasibility of introducing a maximum age limit for taxis and private hire cars in the City.”

## Kirsty-Louise Campbell

Interim Head of Strategy and Insight

## Committee Members

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Councillors Bridgman (Convener), Blacklock (Vice-Convener), Aitken, Burgess, Cairns, Doran, Heslop, Lunn and Redpath.

## Information about the Regulatory Committee

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The Regulatory Committee consists of 9 Councillors and is appointed by the City of Edinburgh Council. The Regulatory Committee usually meets every eight weeks. The Regulatory Committee usually meets in the Dean of Guild Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

## Further information

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If you have any questions about the agenda or meeting arrangements, please contact Stephen Broughton, Committee Services, City of Edinburgh Council, Waverley Court, Business Centre 2.1, 4 East Market Street Edinburgh EH8 8BG, Tel 0131 529 4261, e-mail [stephen.broughton@edinburgh.gov.uk](mailto:stephen.broughton@edinburgh.gov.uk)

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh. The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to [www.edinburgh.gov.uk/cpol](http://www.edinburgh.gov.uk/cpol).

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## Regulatory Committee

**2.00 pm, Tuesday 26 April 2016**

### Present

Councillor Bridgman (Convener), Blacklock (Vice-Convener), Aitken, Burgess, Cairns, Gardner, Heslop, Lunn and Redpath

### 1. Deputation

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The Committee agreed to hear a deputation from Jonathan Clogstoun-Willmott, British Acupuncture Council (BAcC), in regard to the Charges relating to the Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Order 2006 Petition, which had been referred to this Committee for consideration by the Petitions Committee.

The deputation advised that the BAcC were concerned that the licence to practise acupuncture in the Edinburgh area had risen 116% compared to an increase of no more than 32% for similar types of license. Mr Clogstoun-Willmott was concerned that the inspection regime did not justify the cost of the licence as the BAcC is a member of the Professional Standards Authority and as such adopt the the highest standard of health and hygiene.

The Convener thanked the deputation for his presentation and invited him to remain for the Committee's consideration of the related reports at items 2 and 3 below.

### 2. Charges relating to the Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Order 2006 – referral from the Petitions Committee

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The Petitions Committee on 3 February 2016 considered a report by the Chief Executive outlining the petition 'Charges relating to the Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Order 2006'. The Committee had agreed to refer the petition to the Regulatory Committee for consideration.

### Decision

To note the referral from the Petitions Committee.

(References – minute of the Petitions Committee 3 Februarys 2016 (item 4a); report by Interim Head of Strategy and Insight, submitted.)

### **3. Skin Piercing and Tattooing Licenses – Introduction of one year renewal application and fee**

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Businesses carrying out the activities of skin piercing and tattooing are required to be licensed in accordance with the Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Order 2006. A petition was raised which highlighted cost concerns from some members of the British Acupuncture Council (BacC). The petition had been heard at the Petition Committee on 3 February 2016, and to address the concerns of the petitioner, a review of the fee structure had taken place.

#### **Decision**

- 1) To note the content of the report by the Executive Director of Place.
- 2) To agree to introduce an annual licence renewal in respect of Skin Piercing and Tattooing licences, setting the fee at £260.
- 3) To discharge the referral from the Petitions Committee.

(References – report by the Executive Director of Place, submitted)

### **4. Minutes**

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#### **Decision**

To approve the minute of the Regulatory Committee of 1 February 2015, as a correct record.

### **5. Rolling Actions Programme**

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The Regulatory Committee Rolling Actions Programme for 3 May 2013 to 26 April 2016 was presented.

#### **Decision**

To note the Rolling Actions Programme.

(References – Act of Council No. 12 of 24 October 2013; Regulatory Committee Rolling Actions Programme – 26 April 2016, submitted)

### **6. Metal Dealer Licensing – Air Weapons and Licensing**

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An update report was provided on the impact of the scope of metal dealers licensing and licensing conditions for metal dealers resulting from changes to the Civic Government (Scotland) Act 1982.

#### **Decision**

- 1) To note the report by the Executive Director of Place.

- 2) To note that new rules for the licensing of metal dealers would take effect on 1 September 2016.
3. To authorise the Executive Director of Place to implement any changes necessary to ensure that licensees meet these new requirements

(References – report by the Executive Director of Place, submitted)

## **7. Demand for Taxis: Six Monthly Update**

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An update report was provided on the analysis of demand for taxis in the city which had been carried out by Sky High Technology Ltd in November 2015.

### **Decision**

- 1) To note the content of the report by the Executive Director of Place.
- 2) To agree the proposed action plan.
- 3) To agree proposals for future customer surveys outlined in paragraph 3.6 of the report by the Executive Director of Place.

(References - Regulatory Committee 25 September 2015 (Item 9), report by the Executive Director of Place, submitted.)

# Item 5.1 Rolling Actions Programme

## Regulatory Committee

3 May 2013 to 24 June 2016

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
1	24.07.13	Balfour Beatty Fee Structure for Holyrood Road	To instruct the Director of Services for Communities to review the HMO university fee structure and report back to the committee within six months.	Executive Director of Place	Sept 2016		Ongoing
2	20.06.14	Street Trader Licensing - Pedicabs	To complete the review of Pedicabs.	Executive Director of Place	Sept 2016		Ongoing
3	28.04.15	Private Rented Sector Enforcement Policy	To agree to consult on the use of third party reporting powers to the Private Rented Housing Panel, with a report detailing the findings of the consultation to be brought before the September 2015 Committee.	Executive Director of Place	Sept 2016	Ongoing	Ongoing

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
4	28.04.15	Private Rented Sector Enforcement Policy	Annual report on the details and statistics on the enforcement action taken by Private Rented Services.	Executive Director of Place	July 2016		Ongoing
5	23.06.15	Licensing Policy Development - Taxi and Private Hire Driver Training Update	<ol style="list-style-type: none"> <li>1. To agree to consult on the development of a fit for purpose training programme that met the needs of a modern taxi and private hire service, which would include a proposed level of training, course content and method of training delivery including bringing the training in-house.</li> <li>2. To agree to receive a further update in due course.</li> <li>3. To agree to include mental health issues in the disability awareness section of the new training.</li> </ol>	Executive Director of Place	Sept 2016		<p>Additional consultation underway.</p> <p>Future meeting with taxi trade planned.</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
6	25.09.15	Review of Late Hours Catering Policy	<ol style="list-style-type: none"> <li>1. To consult on the draft policy conditions and operating plans, in line with statutory requirements.</li> <li>2. To formally consult with the Licensing Board; and</li> <li>3. To receive a final report on the outcome of the consultation within six months.</li> </ol>	Executive Director of Place	Sept 2016		Consultation ended 31 May 2016
7	25.09.15	Update Air Weapons and Licensing (Scotland) Act 2015	To agree to update the Committee Work Plan to include additional areas of work required by the implementation of the Bill described in the report by the Acting Director of Services for Communities.	Executive Director of Place	April 2017 (depending on legislation)		Metal Dealers report April 2016

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
8	25.09.15	Licensing of Hire Vehicles Protecting Vulnerable Passengers	<p>1. To agree to consult on the proposed changes to licensing processes; namely that any applicant for taxi or private hire car driver licences who had not been resident within the UK for at least 10 years previously would be required to produce documentary evidence regarding previous offending behaviour or lack thereof; and</p> <p>2. To agree that a further report on this issue will be submitted in 12 months.</p>	Executive Director of Place	September 2016		<p>Ongoing</p> <p>UK Immigration Act 2016 received Royal Assent May 2016 and will affect this item.</p>
9	17.11.15	Public safety at sports grounds annual update 2014 - 2015	Annual Report	Executive Director of City Strategy and Economy	November 2016		Annual Report
10	17.11.15	Licensing Performance Update	The Acting Director of Place to investigate payment of licensing fees by instalments.	Executive Director of Place	June 2016		Six monthly report tabled

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
11	17.11.15	Taxi Training - Taxi Driver Topographical Assessment	To agree to monitor these changes over a six month period and to receive a committee report outlining the final policy after this period.	Executive Director of Place	Sept 2016		To be combined with item 5
12	17.11.15	Transfer of Taxi Examination Centre from Police Scotland to the City of Edinburgh Council	<ol style="list-style-type: none"> <li>1. The Acting Director of Services for Communities to submit a further report giving a more detailed breakdown of the types of faults that vehicles had failed on. The report to include information on repeat failures, and if attached to any particular operator.</li> <li>2. The Acting Director of Services for Communities to consult with the taxi trade on the findings.</li> </ol>	Executive Director of Place	June 2016		<p>Report tabled</p> <p>Consultation took place Feb 2016 and further meeting planned</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
13	01.02.16	Licensing Policy Development Street Trading Consultation Update	<ol style="list-style-type: none"> <li>1. To agree to receive a further report on issues highlighted during the consultation process.</li> <li>2. The Executive Director of Place to meet with stakeholders as soon as possible to discuss the concerns raised in the consultation prior to the proposed further report being considered by the Regulatory Committee.</li> </ol>	Executive Director of Place	June 2016		Report tabled
14	01.02.16	Policy and Code of Conduct on Public Processions	<ol style="list-style-type: none"> <li>1. To agree to consult widely on the proposed Policy and Code of Conduct on Public Processions in line with statutory requirements.</li> <li>2. To agree to consult on the Parades notification form in line with statutory requirements.</li> <li>3. To receive a further update in six months</li> </ol>	Executive Director of Place	Sept 2016		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
15	01.02.16	Access to Taxis by Customers Using Wheelchairs or Customers Accompanied by Assistance Dogs	<ol style="list-style-type: none"> <li>1. To agree the proposed actions as set out in paragraph 3.20. (November)</li> <li>2. To receive a further update in six months (August)</li> </ol>	Executive Director of Place	Sept 2016		

# Regulatory Committee

9.15am, Friday, 24 June 2016

## Licensing Policy Development – Street Trading Update

**Item number**

**Report number**

**Executive/routine**

Executive

**Wards**

All

### Executive Summary

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At the Regulatory Committee meeting on 1 February 2016 the Committee agreed to adopt new policy and conditions for street trading and market operators licensing and requested that further consultation was carried out on the use of a number of public spaces throughout the city.

This report updates Committee on the proposed Street Trading consultation in respect of the development of operating plans for the use of public realm space and the proposal to now link this, to development of the Council's Public Space Protocol.

Both the Public Space Protocol and Street Trading policy are intrinsically linked in terms of the use of the space, customer journey and officer engagement. By jointly consulting on the use of public realm space it will enable the Committee to consider its policy as part of a wider place-making role within the Council.

### Links

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**Coalition Pledges**

[P15](#) and [P28](#)

**Council Priorities**

[CP5](#)

**Single Outcome Agreement**

[SO1](#)

## Licensing Policy Development – Street Trading Consultation Update

### 1. Recommendations

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- 1.1 It is recommended that the Committee:
  - 1.1.1 notes the outcome of the progress made to date;
  - 1.1.2 agrees the further development of policy in respect of licensing of street traders and market operators is part of a wider place-making role for the Council and that the proposed consultation should be carried out in conjunction with the Public Space Protocol; and
  - 1.1.3 agrees to receive a further report on the consultation process and proposals for the use of public realm space for street trading by the end of 2016.

### 2. Background

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- 2.1 Street Trading and Market Operator are optional licensing activities within the Civic Government (Scotland) Act 1982 (see Appendix 1). The City of Edinburgh Council, by way of resolution, exercised its powers to adopt these activities in 1983 and developed a Street Trading policy.
- 2.2 The Street Trading policy creates the ability to control and manage activity and also ensures that traders operate within the same general constraints that apply to any other business, including that they comply with relevant legislation and meet the same minimum standards that any responsible business should observe.
- 2.3 The Regulatory Committee, on 16 November 2012, adopted a Work Plan which included a review of policies which are vital to ensuring the Licensing function remains fit for purpose.
- 2.4 Following a period of consultation a draft policy and conditions for street trading and market operators licensing were developed.
- 2.5 The Regulatory Committee on 1 February 2016 agreed to adopt the new policy and conditions for street trading and market operators licensing and carryout further consultation on the use of a number of public spaces throughout the city.

- 2.6 At the Transport and Environment Committee meeting on 2 June 2015 it was agreed that the development of a 'manifesto' on the use of public spaces should commence, in order to provide a clear policy statement that provides a basis for the balanced use of the city centre's civic spaces. The manifesto is now referred to as the Public Spaces Protocol (PSP).
- 2.7 During the development of the Street Trading and Market Operators Policy it has been recognised that there are significant overlaps between the two work streams.
- 2.8 Work on the development of the PSP has now commenced, and includes a wide ranging consultation and listening exercise, which began in May 2016.
- 2.9 At the Transport and Environment Committee meeting on 7 June 2016 the committee noted the progress made on the PSP and agreed the consultation approach and timetable for the development of the PSP.

### **3. Main report**

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- 3.1 Within the city centre, a large number of areas can be described as public space. The majority of these are Council owned, or in some form of public ownership. Many can easily accommodate civic uses such as newspaper stands, or licensed market stalls, however fewer of them are of a size to be suited to larger scale events, festivals or one-off activities like sporting events, rallies, races, cultural experiences or live entertainment.
- 3.2 A desk top review carried out by council officers identified that a significant number of events related directly or in-directly to street trading or market operator activity.
- 3.3 The demand for the use of public space in city centre locations is significant and no additional space has been identified that would allow for an expansion of trading nor other event based activity, therefore it is essential that control and management is maintained.
- 3.4 A protocol for public spaces is currently being developed, which will set out how a range of spaces in the city are used and the guiding principles for their use.
- 3.5 The development of policy in respect of licensing of street traders is part of a wider place-making role for the Council and any future work on the use of the public realm space for this type of activity should now be linked to the development of the PSP.
- 3.6 The PSP must be applicable to a vast range of 'events' (defined as short term or one off activities, including licensed and unlicensed activities) and seek to set standards that guide decisions on use, i.e. 'the right events, in the right place, at the right time', whilst providing for flexibility to respond to the city's evolving context. It is intended that the PSP will enhance Licensing policy and activity including street trading, markets and public entertainment.

- 3.7 The PSP is deemed necessary as we currently have a large number of pathways in which event organiser can book, rent or licence public space, and these approaches don't currently offer a coherent assessment or approach about how each space individually, or all spaces together, are being used.
- 3.8 The PSP will place customers at the centre of the process providing not only a more coherent approach for customers but a greater understanding of our approach to public realm space. To achieve this a revised application and approval process is to be developed, to help the Council take a more proactive role in the use of our public spaces. This approval process will not detract from any of the statutory requirements of the Civic Government (Scotland) Act 1982 but will provide a framework against which applications can be considered.
- 3.9 Those public spaces which will be covered by the proposed scope of the PSP, included at Appendix 2, have been the subject of an in depth study. All information on the specific physical properties of each site and their surroundings and characteristics has been collated by officers across a wide range of service areas. Whilst not exhaustive the list provides a starting point for consideration.

### **Consultation**

- 3.10 A carefully structured consultation exercise, using a combination of methodologies commenced in May 2016. The methodologies include focus group research with key stakeholder groupings, wider survey work and specific localised research for some key sites, to help elicit informed and creative thinking around the use of city centre spaces. An Equalities and Rights Impact Assessment will be used to ensure the consultation process is robust and is inclusive of all relevant stakeholder input. Survey questions have been developed to ensure they extract informative views that can be gathered and analysed, in a way that will help inform both the PSP and development of Licensing policy. The consultation timetable for the PSP is outlined in Appendix 3, and will expected to be fully complete on 6 September 2016.
- 3.11 While the consultation on the PSP is taking place a number of practical approaches to the management of three high profile public spaces are being taken forward on a trial basis.
- George Street
  - Castle Street
  - Grassmarket
- 3.12 The outcome of these trials will help inform the development of the PSP and Street Trading Policy and will be included in the report to this Committee later this year.

- 3.13 At the Regulatory Committee meeting on 1 February 2016, High Street traders advised the Committee that they were in the process of establishing a Traders Association and asked that a further consultation meeting be held with the new association. The Association is still in the early stages of development and as a result in changes in the membership of the Committee a stakeholder meeting has still to be arranged with High Street / Hunter Square traders and this will be held in addition to the proposed PSP consultation exercise.
- 3.14 The results of the consultation exercise along with proposals for the use of the public realm space is due to be completed by September 2016 and the results of this consultation and proposal will be reported back to the Regulatory Committee by the end of 2016.

#### **4. Measures of success**

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- 4.1 That the city's licensing function is modernised to ensure that it meets the needs of customers.
- 4.2 A wide ranging and clear consultation and engagement process that demonstrates customer focus and commitment to listening to all stakeholders.

#### **5. Financial impact**

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- 5.1 The Council's scale of fees for licensing applications was approved with effect from 1 April 2016. Any costs from implementing policy changes will be contained within the current ring-fenced income generated from licensing fees. There are no costs to the Council's revenue budget.

#### **6. Risk, policy, compliance and governance impact**

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- 6.1 The development of policy in respect of licensing of street traders is part of a wider place-making role for the Council. It is essential that all the strategic aims of the Council are considered and that the Street Trading policy is consistent with these.
- 6.2 Overall, the development of the PSP and Licensing policy seeks to help minimise financial and reputational risks to the Council. The Public PSP has wide policy and operational implications across many Council service areas. For these reasons a specific risk register has been produced for the development of the protocol, which is regularly updated.

## **7. Equalities impact**

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- 7.1 An ERIA has been developed for the PSP, and will be utilised, updated and referred to throughout the process of developing both this piece of work and the Street Trading and Market Operators Policy. Following consultation, the Protocol and Policy is produced and reported to Committee, any impacts, direct or otherwise, on any group of people with one or more protected characteristic, will be reported.

## **8. Sustainability impact**

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- 8.1 The proposed changes to the licensing framework and conditions should create:
- a safe, clean and well maintained environment;
  - a more attractive environment for those living, working and visiting the city;
  - an improved, more diverse, retail offer; and
  - an environment that promotes and protects the economic well being of the city.

## **9. Consultation and engagement**

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- 9.1 A carefully structured consultation exercise, using a combination of methodologies commenced in May 2016. The methodologies include focus group research with key stakeholder groupings, wider survey work and specific localised research for some key sites, to help elicit informed and creative thinking around the use of city centre spaces. An Equalities and Rights Impact Assessment will be used to ensure the consultation process is robust and is inclusive of all relevant stakeholder input.

## **10. Background reading/external references**

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- 10.1 [Central Local Development Committee – Wednesday 7 January 2004 – Item 4. Review of Street Trading Policy Report 2004](#)
- 10.2 [Regulatory Committee - Friday 4 April 2014 - Item 7.1 Licensing Policy Development Street Trading Report](#)
- 10.3 [15 November Work Plan Response – Regulatory Committee](#)
- 10.4 [City Centre Public Spaces Manifesto Update \(Report, 2 June 2015\)](#)
- 10.5 [Regulatory Committee - 2 September 2015 - Item - 6.4 Licensing Policy Development Street Trading Report](#)

- 10.6 [Regulatory Committee 1 February 2016 Licensing Policy Development -Street Trading Consultation update](#)
- 10.7 Require to add link to final T& E Report 7 June 2016

**Paul Lawrence**

Executive Director of Place

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**11. Links**

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<b>Coalition Pledges</b>	<p>P15 - Work with public organisations, the private sector and social enterprises to promote Edinburgh to investors.</p> <p>P28 - Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic well being of the city.</p>
<b>Council Priorities</b>	<p>CP5 - Business growth and investment</p>
<b>Single Outcome Agreement</b>	<p>SO1 - Edinburgh's Economy Delivers increased investment, jobs and opportunities for all.</p>
<b>Appendices</b>	<p>Appendix 1 - Statutory Background</p> <p>Appendix 2 - Public Spaces Protocol and Licensing Policy Development – Spaces identified as requiring further guidelines on use</p> <p>Appendix 3 - Public Spaces Protocol and Licensing Policy Development - Consultation Plan outline</p>

## **Appendix 1 - Statutory Background**

The Civic Government (Scotland) Act 1982 differentiates between activities which **must** be licensed (mandatory), and those which a local authority may elect to licence (optional) if it sees fit. The purpose for regulating both mandatory and optional activities is not to restrict trade or competition but to help prevent crime and disorder, ensure public safety and protect the environment. If an authority wishes to licence an optional activity it must do so by way of resolution. Both street trading and market operator licensing are optional licensing activities and the City of Edinburgh Council, exercised its powers to adopt these licensing activities in 1983.

### **Street Trading**

A licence is required for street trading by a person whether on their own account or as an employee. Street trading means doing any of the following things in a public place:

- (a) hawking, selling or offering or exposing for sale any article;
- (b) offering to carry out or carrying out for money, or money's worth, any service.

and includes doing any of these things in or from a kiosk or moveable stall not entered in the valuation roll, except where it is done in conjunction with or as part of a retail business being carried out in premises abutting the public place.

The Civic Government (Scotland) Act 1982 provides exceptions from the requirement to hold a Street Trader's licence these include:-

- (a) the sale of newspapers;
- (b) sale of milk on or on behalf of a person registered under section 1(3) of the Food Safety Act 1990;
- (c) sale of coal, coke or solid fuel;
- (d) activities in respect of which a certificate is required under the Pedlars Act 1871;
- (e) other activities in respect of which a licence is required under the Civic Government (Scotland) Act 1982; and
- (f) organising or participating in a public charitable collection;

### **Market Operator**

A licence, to be known as a "market operator's licence", shall be required for carrying on a private market.

The Act provides exceptions from the requirement to hold a market operator's licence these include:-

- (a) functions held by charitable, religious, youth, recreational, community, political or similar organisations;
- (b) markets held only for the sale of livestock, fodder or grain.

"Private market" means a market, whether covered or not, carried on by any person other than a local or public authority at which goods are offered by more than one seller for sale by retail to the public.

## Appendix 2

### Public Spaces Protocol and Licensing Policy Development – Spaces identified as requiring further guidelines on use

Public Space in Scope of Protocol currently	Ownership	Current uses (illustrative only)
Grassmarket public events space	CEC	Market operators Events Tables and Chairs areas Marches and parades Promotional activity Festival related Public Entertainment
St Andrews Square Gardens	Private, CEC lease	Seasonal licensed events Market operators Licensed bars Council sponsored projects Concerts Festival related Public Entertainment
Festival Square	Private and public	Licensed events Screenings Market operators Licensed bars Council sponsored projects Concerts Festival related
St Mary's Cathedral front		Market operators Street trading
West Parliament Square	CEC	Seasonal events Market operators Public Entertainment Festival related
Wellington Statue	CEC	Street trading Unlicensed presence, e.g. newspaper stands, armed forces promotions Promotional activity
Mount precinct and Playfair steps	CEC	Council sponsored projects Market operators Festival related

		Licensed bars Public Entertainment
Castle Street	CEC	Market operators (Licensing conditions apply) armed forces promotions Promotional activity
Princes Street	CEC	Council promoted seasonal events Promotional activity Marches and parades (Jazz Festival)
Chambers Street	CEC	Council promoted events
George Street	CEC	Seasonal events Licensed bars (seasonal) Public Entertainment
High Street	CEC	Street Trading Seasonal events Marches and parades Promotional activity Public Entertainment
Hunter Square	CEC	Temporary Street Trading Council sponsored projects Market operators Festival related Public Entertainment
Hope Street	CEC	Public Art
Shandwick	CEC	Tables and Chairs
Castle Terrace (excluding car park area)	CEC	Market operators

### Appendix 3

#### Public Spaces Protocol and Licensing Policy Development - Consultation Plan outline

Methodology / process	Purpose	Target groups	Timescale
<b>Desktop review of previous consultation</b>	To identify key themes and issues identified in previous consultations which will help inform PSP consultation themes	To cover Edinburgh People's Survey, City Centre Vision, etc	May 2016
<b>Focus Group research</b>	To allow for in-depth exploration of aspirations for public spaces with various user groups / stakeholders of public space and help refine questions for survey.	Stakeholder groups from a range of sectors / industries including Heritage, Culture / Festival, Tourism, Business and Transport  Local Representative or advocacy groups	June 2016
<b>Joint consultation</b>	To work alongside concurrent Planning consultation processes (Open Spaces Strategy and Public Realm Strategy) where these intersect with City Centre public spaces	General public  Local representative groups	May – July 2016

<b>Questionnaire and survey</b>	To allow wider public input into the key consultation themes for the use of public spaces	General public	July 2016 to early September 2016
<b>Local Stakeholder groups</b>	To test specific ideas for individual spaces	<p>Groups of interest (equalities groups, access panel, transport forum,)</p> <p>Local groups including, but not exclusively, Community Councils, Residents Groups</p> <p>City Centre Neighbourhood Partnership</p>	Mid July to early September 2016

# Regulatory Committee

9.15am, Friday, 24 June 2016

## Licensing Performance Update

**Item number**

**Report number**

**Executive/routine**

Executive

**Wards**

All

### Executive Summary

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Placing customers at the heart of the service and increasing customer satisfaction are key priorities for the Licensing Review. Publishing performance data is a key step in achieving transparency and responding to the needs of customers.

A performance framework was agreed for the Licensing Service at the Regulatory Committee's meeting in February 2015. Committee received an update in November 2015 and this report provides a further update on the performance of the Licensing Service.

Coalition Pledges

[P28](#)

Council Priorities

[CP5](#)

Single Outcome Agreement

[SO1](#)

## Licensing Performance Update

### 1. Recommendations

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- 1.1 It is recommended that Committee:
  - 1.1.1 notes the report; and
  - 1.1.2 notes progress to date against agreed performance targets.

### 2. Background

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- 2.1 A report was submitted to the Regulatory Committee's meeting of February 2015, describing an ongoing comprehensive review of the Licensing Service. Performance measures and targets for Licensing were approved at that meeting. Previously no performance measures had been in place, apart from statutory timescales for dealing with applications.
- 2.2 The software system Authority Public Protection (APP) has been in place within the Licensing Service since April 2014. Since that date: APP has provided robust management information; there has been a full review of the fees charged to applicants; and significant changes have been made to policy and service delivery.
- 2.3 The total number of licence applications dealt with by the team has increased in the last six months of 2015/16 by 11% (1176) compared to 2014/15:

October 2014 – March 2015	10434
October 2015 – March 2016	11610
April – May 2016	3782

### 3. Main report

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- 3.1 The following performance measures were agreed by Regulatory Committee on 2 February 2015:

Stretch targets were agreed against these performance indicators.

Measure	Indicator	Target
1. The total number of licence applications received	Under headings of HMO, Taxi and Civic (applications). Compared to previous years.	N/A
2. The time to complete the processing of applications	Percentage completed within 72 days using Civic, Liquor and Taxi/PHC licence types.	90% within 72 days
3. Time taken from application receipt to sending out requests for a consultation response to all services relevant to each application	Percentage completed within 7 days using the main licence types.	95% within 7 days

### Other Performance Measures

- 3.2 Other measures mirror corporate performance targets, and include front line and investigation complaints, deemed grant applications, Freedom of Information (FOI) requests received, and appeals. Further information is provided in the table at 3.5 below.

Measure	Indicator	Target
4. Service Issues:		
a) Front line complaints	Number per month dealt with within 5 working days	100%
b) Investigation complaints	Number per month dealt with within 20 working days	100%
c) Failure to complete within statutory timescales therefore application has been deemed to be granted.	Number of applications which have not been completed prior to the statutory timescale	<0.5%
d) FOIs received	Number per month dealt with within 20 working days	100%
5. Appeals	The number of requests for statement of reasons, new appeals, outstanding appeals, appeals settled and appeals lost	-

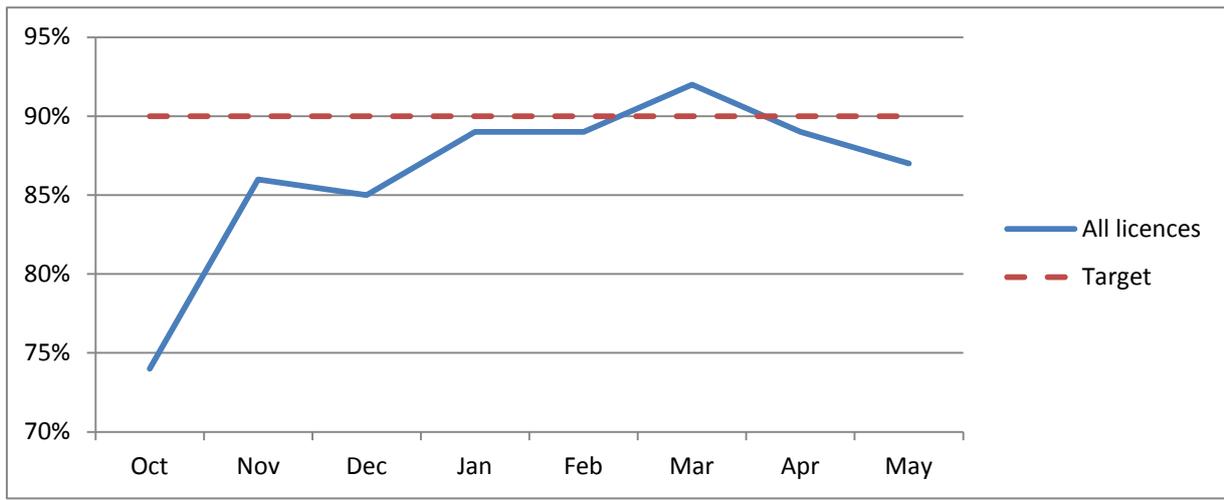
### Performance results – October 2015 to May 2016

3.3 The Licensing Service has shown consistent improvements regarding agreed performance measures, and at the end of March 2016 targets had been reached. Results dropped slightly during April and May 2016. The cause is being investigated but it appears this was due to the length of time which it took to receive responses from consultees on applications.

#### a. Applications complete within 72 days – Target 90%

Performance continues to improve, exceeding the target of 90% in several weeks in 2016.

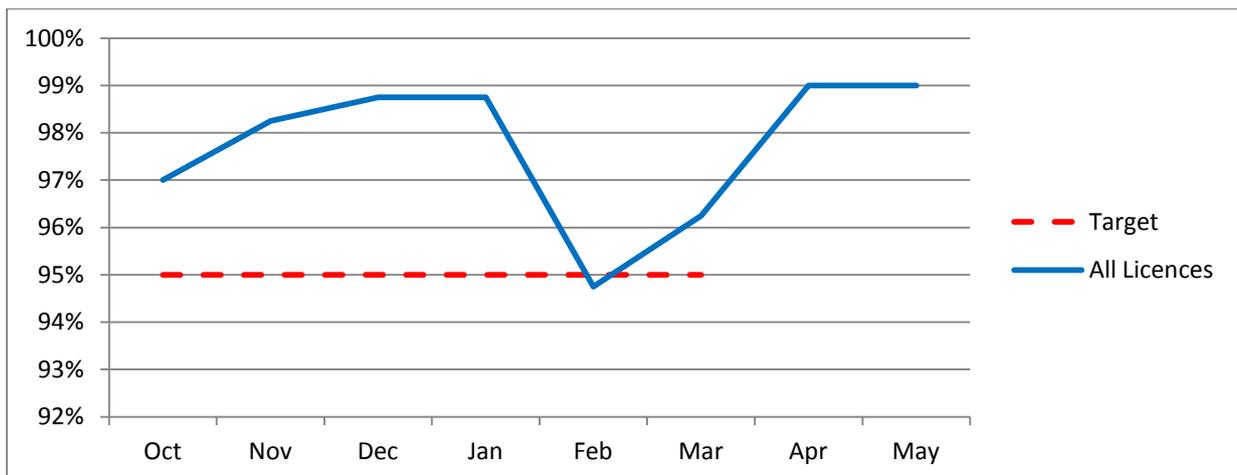
#### % applications completed within 72 Days



#### b. Consultation requests circulated within 7 days – target 95%

The target of 95% was exceeded, with the exception of February, in each month between October 2015 and the end of May 2016.

#### % requests Circulated within 7 Days



**c. Average time taken to issue licences from receipt**

This is not a specific target, but is a useful indicator. It is a measure of average time in days to deal with all applications as opposed to the target in a) above.

The current performance shows a significant improvement, with a decrease from an average of 74 days in September 2015 to 53 days in March 2016.

3.4 The following measures relate to the targets specified at 3.2 above:

Measure	Indicator	Target	Oct 15 – Mar 16
4. Service Issues:			
a) Front line complaints	No. per month dealt with within 5 working days	100%	59% (22/37) This result highlighted a system training need for staff which has now been fulfilled
b) Investigation complaints	No. per month dealt with within 20 working days	100%	80% (8/10)
c) Failure to complete within statutory timescales, therefore application deemed to be granted	No. applications which have not been completed prior to the statutory timescale	<0.5%	0.001%
d) FOIs received	No. dealt with per month within 20 working days	100%	89%
5. Appeals etc.	<ul style="list-style-type: none"> <li>• statement of reasons</li> <li>• new appeals</li> <li>• outstanding appeals</li> <li>• appeals settled</li> <li>• appeals lost</li> </ul>	<ul style="list-style-type: none"> <li>• 17</li> <li>• 2</li> <li>• 4</li> <li>• 0</li> <li>• 1</li> </ul>	

## **Performance Culture**

- 3.5 The Licensing Review has taken a number of positive steps to embed a culture of performance and continuous improvement within the Service. These include:
- Investing in front line staffing resources to process applications and answer customer queries more quickly.
  - All licence applications circulated electronically using APP rather than the previous system of paper copy circulation.
  - Increased training for entire staff group, including regular Tuesday morning staff briefings.
  - All applications checked within two days of receipt and feedback given to applicant.
  - Regular performance management meetings.
  - Performance data shared with the teams weekly.
  - Internal consultation and response now time-limited to 28 days instead of being open-ended.
  - Responses to consultation now received electronically, thereby reducing delays.
  - Increased number of staff trained in making decisions on grants of licences to reduce delay.
  - Electronic copies of licences issued to HMO customers.

## **Future improvements**

- 3.6 Further improvements to the service, aimed at increasing customer satisfaction and performance levels are planned, including the introduction of payment facilities and application submission at each of the Locality Offices in 2016. This is in direct response to customer feedback regarding a lack of payment facilities and the inconvenience of attending in person at the Customer Hub on the High Street.
- 3.7 The Channel Shift project will implement on-line application and payment facilities which will be a soft launch introduction from summer 2016 with completion by Christmas 2016.
- 3.8 The service requires to send out licences once granted. As reported above there has been a trialling system of emailing a PDF copy of the licence to the customer rather than printing licences and posting. It is planned to further expand this and customers will be offered this facility incrementally.

## **4. Measures of success**

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- 4.1 A range of performance measures are in place that improve performance and deliver excellent customer service.
- More efficient service
  - Improved response times
  - Improved customer satisfaction

## **5. Financial impact**

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- 5.1 Licensing income is monitored. The income detailed is ring-fenced for the administration of licences and does not form part of the Council's revenue budget. Periodic updates will be provided.
- 5.2 As at the end of June 2015, planned income has increased in line with increased application numbers.

## **6. Risk, policy, compliance and governance impact**

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- 6.1 The agreed reports and performance measures improve the governance of the Licensing Service; they reduce risk and improve the transparency of Service performance.

## **7. Equalities impact**

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- 7.1 The contents and recommendations neither contribute to, nor detract from, the delivery of the three Public Sector Equality Duties.
- 7.2 The contents and recommendations described in the report do not deliver any outcomes relating to the ten areas of rights, nor do they enhance or infringe them.

## **8. Sustainability impact**

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- 8.1 There is no environmental impact arising from the contents of this report.

## **9. Consultation and engagement**

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- 9.1 Not applicable.

## 10. Background reading/external references

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- 10.1 Report to Regulatory Committee – [‘Licensing Review and Performance’](#) February 2015
- 10.2 Report to Regulatory Committee – [‘Licensing Performance Update’](#) November 2015

### Paul Lawrence

Executive Director of Place

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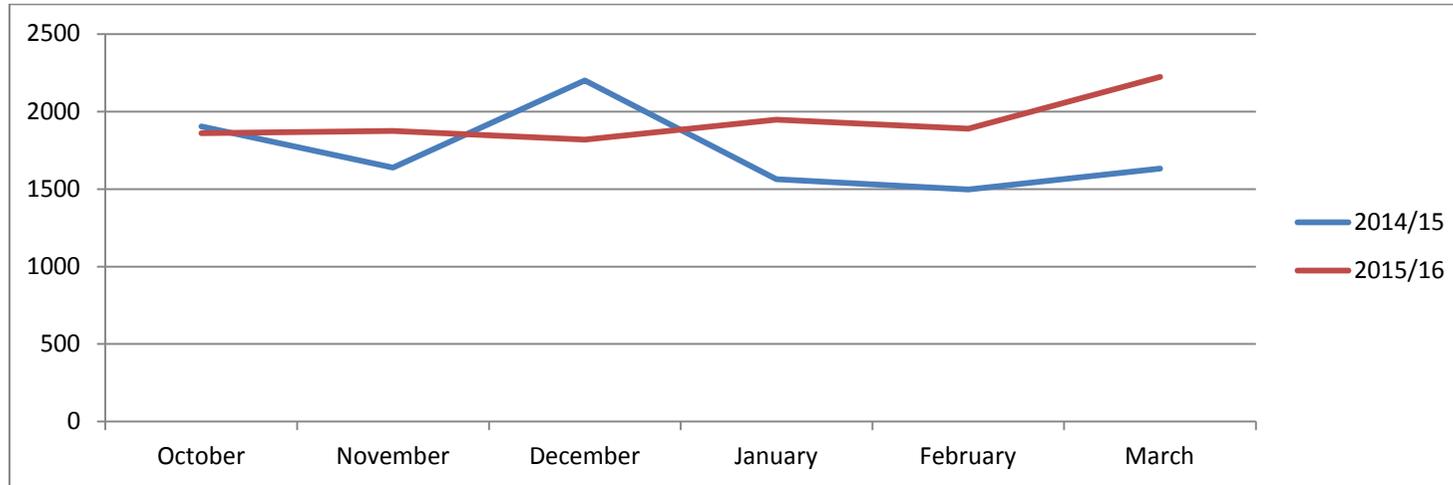
## 11. Links

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<b>Coalition Pledges</b>	P28 - Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic well being of the city
<b>Council Priorities</b>	CP5 – Business growth and investment
<b>Single Outcome Agreement</b>	SO1 - Edinburgh's Economy Delivers increased investment, jobs and opportunities for all
<b>Appendices</b>	Appendix 1 – performance measures

## Appendix 1

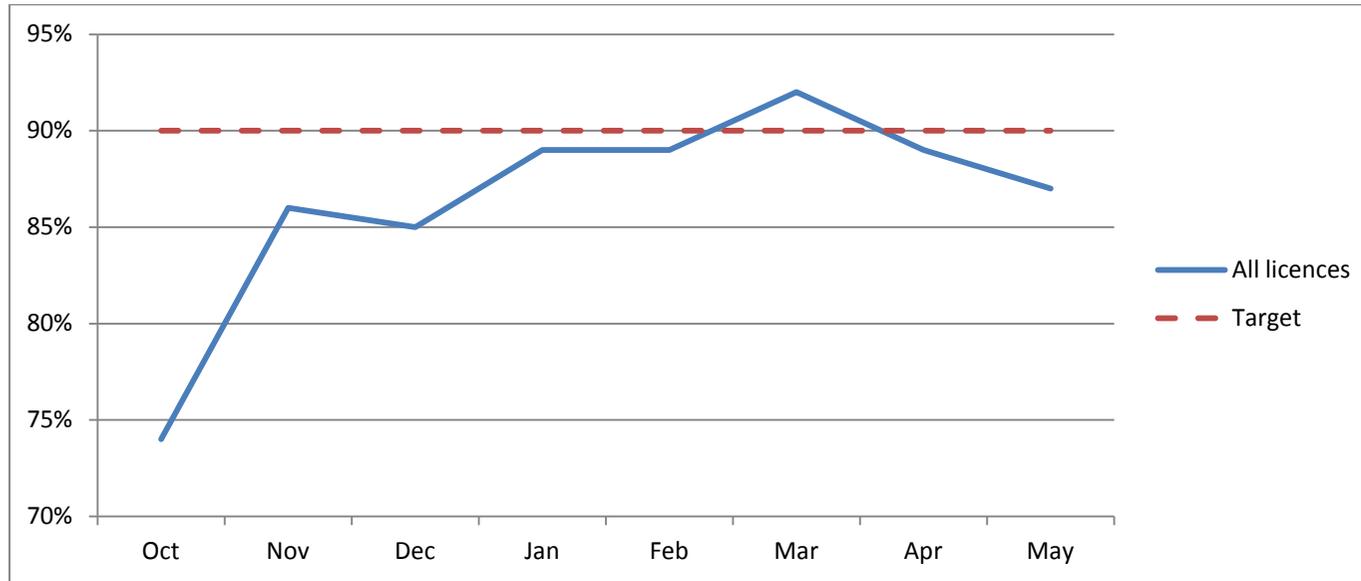
### 1. Number of licences received.



Licence totals by month showing an 11% increase on the same period in 2014/15.

<b>2014/15</b>	Oct	Nov	Dec	Jan	Feb	Mar	<b>Total</b>	<b>2015/16</b>	Oct	Nov	Dec	Jan	Feb	Mar	<b>Total</b>
<b>Civic</b>	121	118	122	285	152	230	1028	<b>Civic</b>	201	261	153	282	306	237	1440
<b>HMO</b>	614	621	1280	395	475	460	3845	<b>HMO</b>	659	576	737	748	564	752	4036
<b>Liquor/Gam</b>	554	416	443	459	369	400	2641	<b>Liquor/Gam</b>	490	502	458	410	433	543	2836
<b>Taxi</b>	614	483	356	424	501	542	2920	<b>Taxi</b>	509	536	470	507	585	691	3298
<b>Total</b>	<b>1903</b>	<b>1638</b>	<b>2201</b>	<b>1563</b>	<b>1497</b>	<b>1632</b>	<b>10434</b>	<b>Total</b>	<b>1859</b>	<b>1875</b>	<b>1818</b>	<b>1947</b>	<b>1888</b>	<b>2223</b>	<b>11610</b>

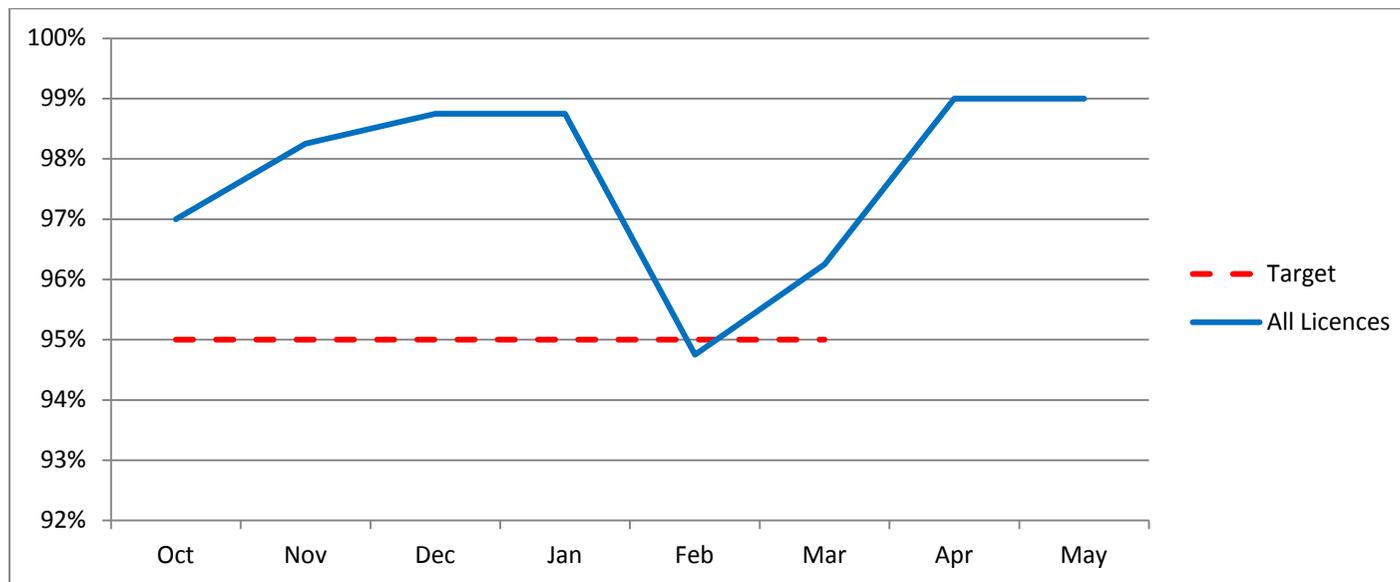
## 2. Receipt to Issue within 72 days (target 90%)



The indicator overall result shows an increase of 18% from October 2015 to March 2016.

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
<b>Civic</b>	58%	78%	72%	83%	83%	91%	85%	87%
<b>Liquor</b>	84%	89%	93%	93%	95%	99%	95%	95%
<b>Taxi</b>	81%	91%	90%	90%	90%	86%	86%	78%
<b>Average</b>	<b>74%</b>	<b>86%</b>	<b>85%</b>	<b>89%</b>	<b>89%</b>	<b>92%</b>	<b>89%</b>	<b>87%</b>

### 3. Consultation request sent within 7 days (target 95%)



	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
<b>Civic</b>	98%	97%	100%	100%	84%	86%	98%	99%
<b>HMO</b>	97%	98%	99%	100%	98%	100%	100%	96%
<b>Liquor</b>	93%	98%	96%	95%	97%	99%	99%	99%
<b>Taxi</b>	100%	100%	100%	100%	100%	100%	100%	100%
<b>Average</b>	<b>97%</b>	<b>98%</b>	<b>99%</b>	<b>99%</b>	<b>95%</b>	<b>96%</b>	<b>99%</b>	<b>99%</b>

# Regulatory Committee

9.15am, Friday, 24 June 2016

## Taxi Examination Centre – Vehicle Inspection Pass Rates.

Item number

Report number

Executive/routine

Executive

Wards

All

### Executive Summary

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This report provides the Committee with an updated performance report on pass and failure rates, and analysis of types of failure, in respect of vehicle inspections which form part of the application process for taxi and private hire car licences and renewals.

### Links

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Coalition Pledges

[P28](#)

Council Priorities

[CP5](#)

Single Outcome Agreement

[SO1](#)

## Taxi Examination Centre – Performance Update

### 1. Recommendations

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- 1.1 It is recommended that the Regulatory Committee:
  - 1.1.1 notes the content of this report;
  - 1.1.2 discharges the outstanding remit from the Regulatory Committee held on 17 November 2015 to report back to the Committee on licensing performance; and
  - 1.1.3 agrees to receive an update report in six months.

### 2. Background

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- 2.1 The Council, as the licensing authority under the Civic Government (Scotland) Act 1982, has a duty to ensure that taxis and private hire cars (PHCs) are safe, roadworthy and fit for purpose. Both taxis and PHCs are required to be inspected upon application for new licences or renewal of existing licences. New vehicles (intended to replace an existing licensed vehicle) also require to be inspected. In addition, licensed vehicles may be subject to spot checks or called in for ad-hoc inspections, as required by Police or Council Officers.
- 2.2 The testing of taxis and PHCs is carried out at the Council's test facility, the Taxi Examination Centre (TEC) operated by Fleet Services at the Murrayburn Road Council Depot. The TEC also carries out similar examination and enforcement functions for both West Lothian and Midlothian Councils.
- 2.3 The TEC was formerly managed and operated on behalf of the Council by Police Scotland and, following a decision by the Regulatory Committee at its meeting of 4 April 2014, that the service provided by the TEC would be delivered in-house, transfer of the service from Police Scotland to Fleet Services took place and was completed on 1 November 2014.
- 2.4 The Regulatory Committee received a report on 17 November 2015 which provided an update on the transfer of the function of the TEC from Police Scotland to Fleet Services, performance data for the first six months of operation and an undertaking to report back to the Committee as part of the regular licensing performance reporting.

### 3. Main report

3.1 A comparison of information on the key measures between January and June 2015 and April 2015 and March 2016, provided by the TEC, is noted in the table below. A new system was installed in January 2015 and it will take until January 2017 to provide a full year comparison.

Measure	January - June 2015	April 2015 – March 2016
Council licensed vehicles tested passing first time	66% (overall pass rate 63%)	47% (overall pass rate 62%)
Red labels issued	27	69
Red labels issued (taxis)	20	50 (as part of roadside enforcement)
Red labels issued (PHCs)	7	19 (as part of roadside enforcement)
Appointments missed	85 (4% of total appointments)	145 (3% of total appointments)
Tests abandoned due to poor vehicle condition	24 (1% of total appointments)	60 (1% of total appointments)

- The national average pass rate is currently circa 70% for Class III and IV vehicles (statistics available on DVSA website).
- 'Red labels' are prohibition notices banning the use of the vehicle for hire.
- Missed appointments resulted in 290 lost hours for the vehicle examiners.
- Abandoned tests resulted in 120 lost hours and where it related to a serious technical fault a 'Red Label' was issued.

3.2 Detailed performance data is attached at Appendix 1.

3.3 Detailed analysis of 151 failed inspections for the period November 2015 to January 2016 was carried out to provide a snapshot of the reasons for failure, results of which are attached at Appendix 2.

3.4 During the period of detailed analysis a total of 89 taxis failed inspection as follows:

- 1 fault                    31 vehicles (35%)
- 2 faults                    32 vehicles (36%)
- 3 faults                    15 vehicles (17%)
- 4 faults                    11 vehicles (12%)

- 3.5 In the period of analysis a total of 62 PHCs failed inspection as follows:
- 1 fault                    30 vehicles (48%)
  - 2 faults                    19 vehicles (31%)
  - 3 faults                    12 vehicles (19%)
  - 4 faults                    0 vehicles
- 3.6 The faults leading to a failed inspection (Appendix 2) all relate to serious defects which can create safety issues. These include defects in bodywork, driver's view, driving controls, brakes, steering, lights, tyres, exhaust, fuel and emissions, seat belts, suspension and wheels.
- 3.7 Information on the key measures previously reported to the Committee on 17 November 2015 is attached at Appendix 3. Appendix 2 includes 1 April to 31 March 2016.
- 3.8 During the period 2015/16 pressure has built up on waiting time for new vehicles to be inspected. This is as a result of:
- a high initial failure rate leading to re-inspections; and
  - an increase in the number of PHCs.
- 3.9 Measures are being taken as follows.
- Overtime to clear delays.
  - New ramp installed to improve efficiency.
  - Consideration of new operating hours.
  - Work to identify additional space capacity at the TEC to in turn, increase capacity for tests.

## **4. Measures of success**

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- 4.1 That the Council discharges its duties in terms of licensing and provides a robust and secure facility for inspecting taxis and PHCs.
- 4.2 That service users of the facility will continue to be provided with a high level of service.
- 4.3 That standards of vehicles presented for inspection can be monitored and driven up, reducing the need for vehicle retest.

## **5. Financial impact**

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- 5.1 The costs of the TEC are paid for by fees generated by taxi and PHC licence applications to the Council. West Lothian Council and Midlothian Council are charged respectively for the work undertaken on their behalf.

## **6. Risk, policy, compliance and governance impact**

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- 6.1 Taxis and PHCs are tested to MoT standard, and inspected to ensure compliance with any relevant conditions of licence.

## **7. Equalities impact**

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- 7.1 There is no equalities impact arising from this report.

## **8. Sustainability impact**

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- 8.1 The TEC is an Approved MoT Testing Centre and all licensed vehicles are tested to MOT standards, irrespective of age. This includes emissions testing where applicable, and therefore the licensed fleets between new registration and three years old are more rigorously tested and controlled than private vehicles.

## **9. Consultation and engagement**

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- 9.1 None.

## **10. Background reading/external references**

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- 10.1 Report to Regulatory Committee 17 November 2015

### **Paul Lawrence**

Executive Director of Place

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E-mail: [Andrew.mitchell@edinburgh.gov.uk](mailto:Andrew.mitchell@edinburgh.gov.uk) | Tel: 0131 469 5822

## 11. Links

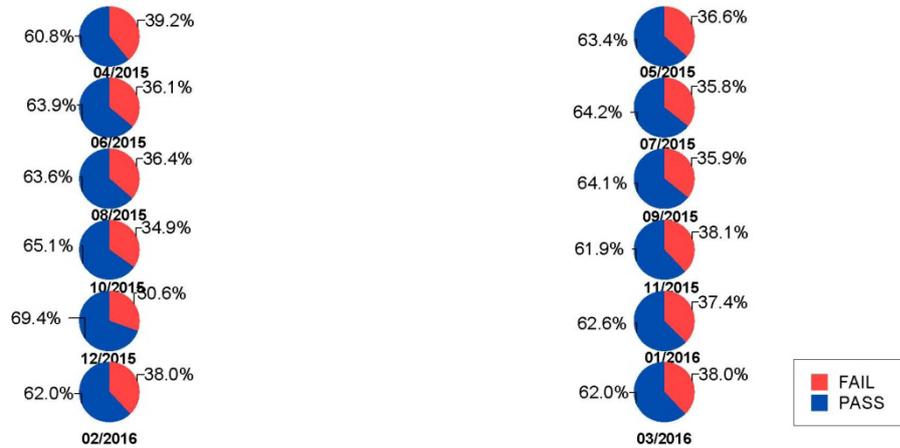
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<b>Coalition Pledges</b>	P28 – Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic well being of the city
<b>Council Priorities</b>	CP5 – Business growth and investment
<b>Single Outcome Agreement</b>	SO1 – Edinburgh’s economy delivers increased investment, jobs and opportunities for all
<b>Appendices</b>	Appendix 1 – Key Performance Indicators Report – April 2015 to March 2016 Appendix 2 – Data in respect of inspection failures by cause Appendix 3 – Information on key measures January – June 2015

# Appendix 1 – Key Performance Indicators Report April 2015 – March 2016

## Taxi Examination Centre Performance Indicators

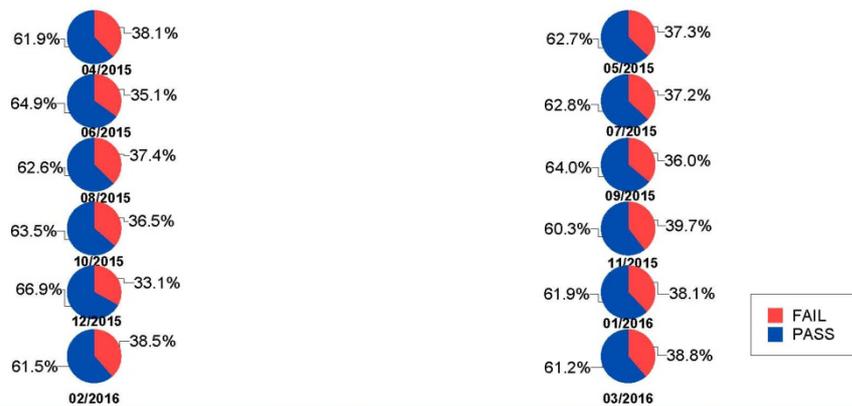
Combined Pass Rate All Authorities  
2015/16



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>FAIL</b>	39%	36%	36%	35%	36%	35%	34%	38%	30%	37%	38%	37%	<b>36%</b>
No Of Vehicles	179	148	155	173	162	143	157	168	138	148	170	185	1,926
<b>PASS</b>	60%	63%	63%	64%	63%	64%	65%	61%	69%	62%	61%	62%	<b>63%</b>
No Of Vehicles	278	256	274	310	283	255	293	273	313	248	277	302	3,362
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	<b>100%</b>
No Of Vehicles	457	404	429	483	445	398	450	441	451	396	447	487	5,288

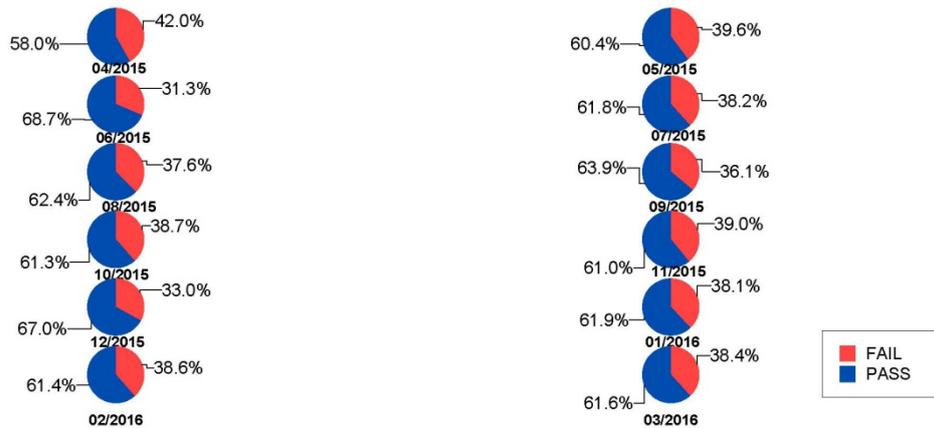
## City of Edinburgh Council

Combined Pass Rate All Vehicles



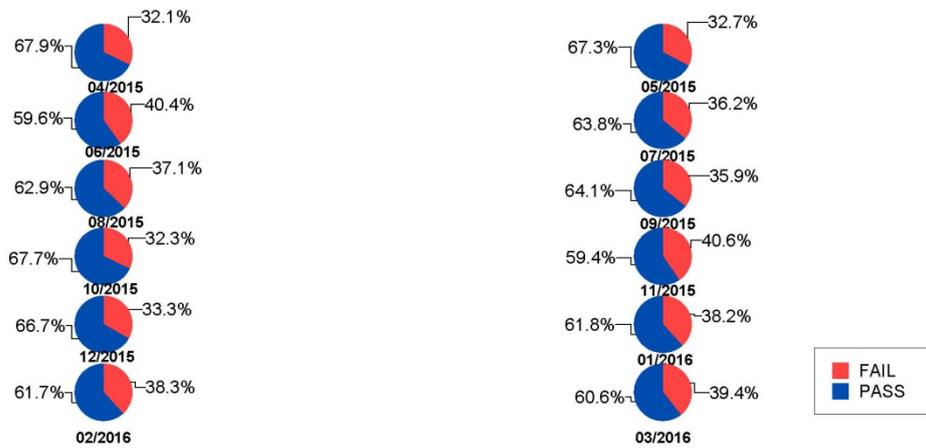
	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>FAIL</b>	38%	37%	35%	37%	37%	36%	36%	39%	33%	38%	38%	38%	<b>37%</b>
No Of Vehicles	133	120	127	144	135	108	132	131	117	119	146	163	1,575
<b>PASS</b>	61%	62%	64%	62%	62%	64%	63%	60%	66%	61%	61%	61%	<b>62%</b>
No Of Vehicles	216	202	235	243	226	192	230	199	236	193	233	257	2,662
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	<b>100%</b>
No Of Vehicles	349	322	362	387	361	300	362	330	353	312	379	420	4,237

## City of Edinburgh Council Combined Pass Rate - Taxi



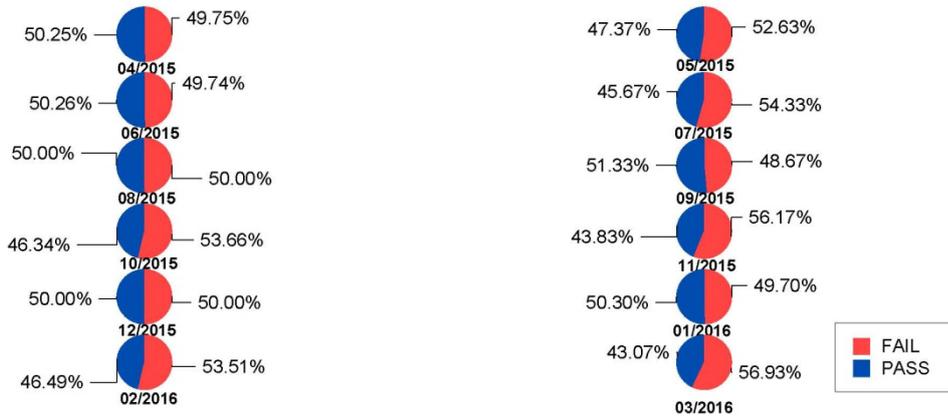
	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>FAIL</b>	41%	39%	31%	38%	37%	36%	38%	39%	32%	38%	38%	38%	<b>37%</b>
No Of Vehicles	89	84	66	76	73	56	92	73	62	67	95	94	927
<b>PASS</b>	58%	60%	68%	61%	62%	63%	61%	60%	67%	61%	61%	61%	<b>62%</b>
No Of Vehicles	123	128	145	123	121	99	146	114	126	109	151	151	1,536
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	<b>100%</b>
No Of Vehicles	212	212	211	199	194	155	238	187	188	176	246	245	2,463

## City of Edinburgh Council Combined Pass Rate - Private Hire Cars



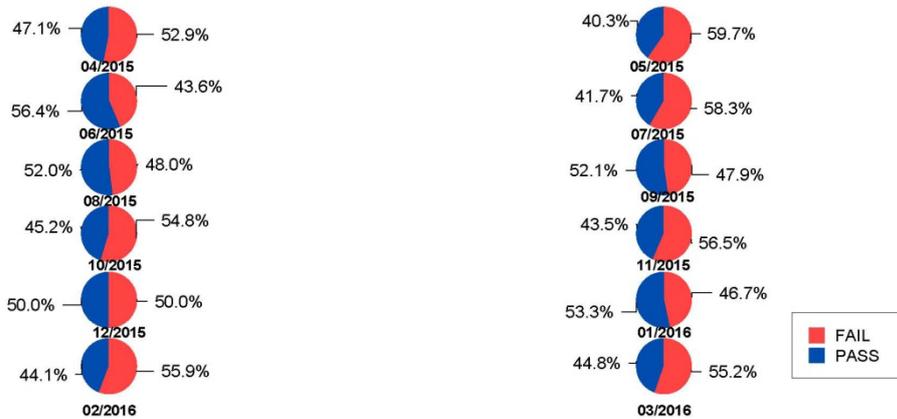
	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>FAIL</b>	32%	32%	40%	36%	37%	35%	32%	40%	33%	38%	38%	39%	<b>36%</b>
No Of Vehicles	44	36	61	68	62	52	40	58	55	52	51	69	648
<b>PASS</b>	67%	67%	59%	63%	62%	64%	67%	59%	66%	61%	61%	60%	<b>63%</b>
No Of Vehicles	93	74	90	120	105	93	84	85	110	84	82	106	1,126
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	<b>100%</b>
No Of Vehicles	137	110	151	188	167	145	124	143	165	136	133	175	1,774

## City of Edinburgh Council First Time Pass Rate - All Vehicles



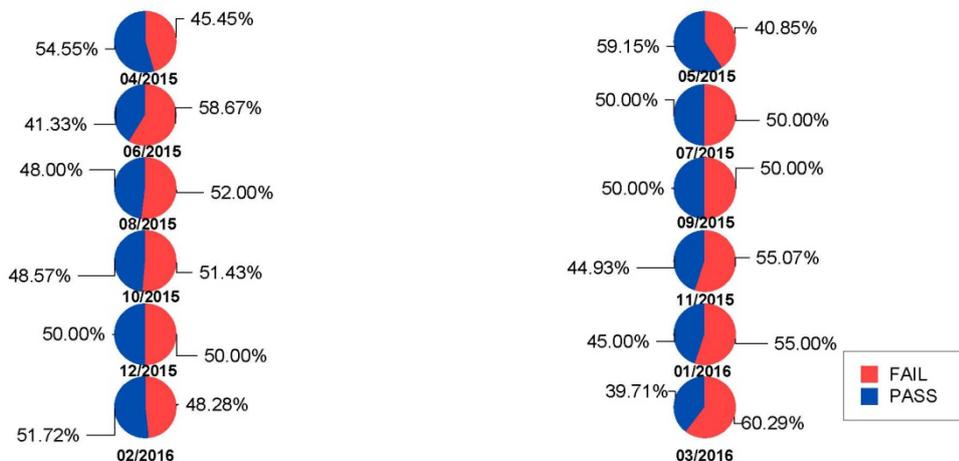
	Apr 2015	May 2015	Jun 2015	Jul 2015	Aug 2015	Sep 2015	Oct 2015	Nov 2015	Dec 2015	Jan 2016	Feb 2016	Mar 2016	Total
<b>FAIL</b>	49%	52%	49%	54%	50%	48%	53%	56%	50%	49%	53%	56%	<b>52%</b>
	99	100	95	113	88	73	110	91	74	82	99	115	1,139
<b>PASS</b>	50%	47%	50%	45%	50%	51%	46%	43%	50%	50%	46%	43%	<b>47%</b>
	100	90	96	95	88	77	95	71	74	83	86	87	1,042
<b>Total</b>	<b>100%</b>												
	199	190	191	208	176	150	205	162	148	165	185	202	2,181

## City of Edinburgh Council First Time Pass Rate - Taxi



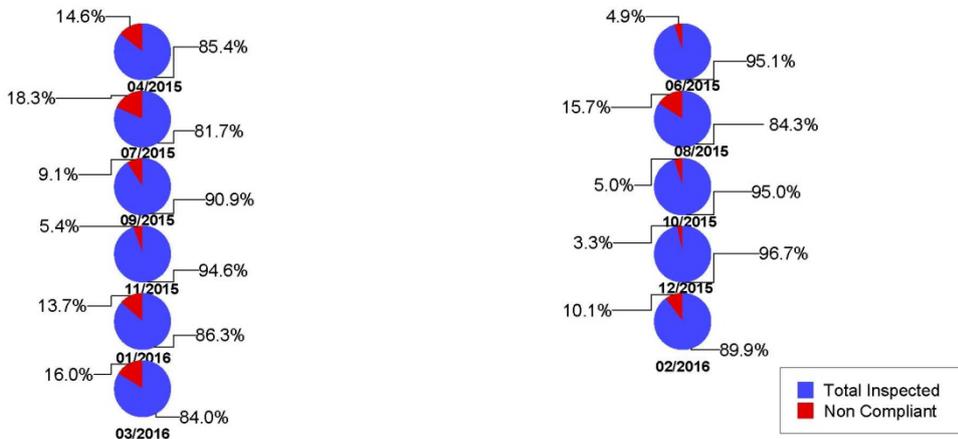
	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>FAIL</b>	52%	59%	43%	58%	48%	47%	54%	56%	50%	46%	55%	55%	<b>52%</b>
	63	71	51	63	48	45	74	52	49	49	71	74	710
<b>PASS</b>	47%	40%	56%	41%	52%	52%	45%	43%	50%	53%	44%	44%	<b>47%</b>
	56	48	66	45	52	49	61	40	49	56	56	60	638
<b>Total</b>	<b>100%</b>												
	119	119	117	108	100	94	135	92	98	105	127	134	1,348

## City of Edinburgh Council First Time Pass Rate - Private Hire Cars



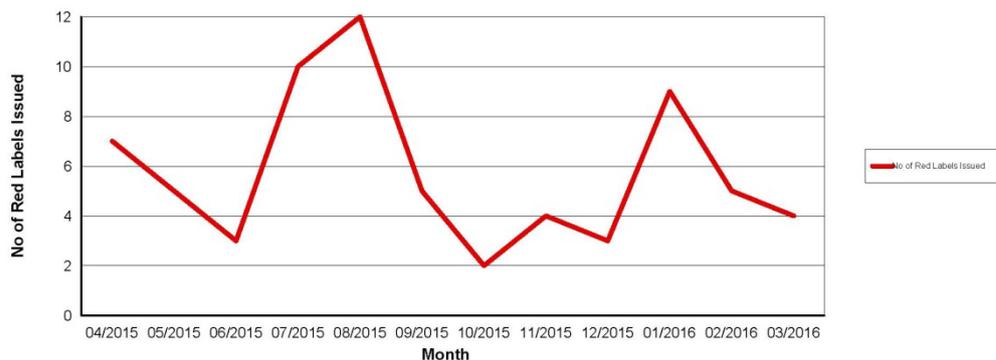
	Apr 2015	May 2015	Jun 2015	Jul 2015	Aug 2015	Sep 2015	Oct 2015	Nov 2015	Dec 2015	Jan 2016	Feb 2016	Mar 2016	Total
<b>FAIL</b>	45%	40%	58%	50%	52%	50%	51%	55%	50%	55%	48%	60%	<b>51%</b>
	35	29	44	50	39	28	36	38	25	33	28	41	426
<b>PASS</b>	54%	59%	41%	50%	48%	50%	48%	44%	50%	45%	51%	39%	<b>48%</b>
	42	42	31	50	36	28	34	31	25	27	30	27	403
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	<b>100%</b>
	77	71	75	100	75	56	70	69	50	60	58	68	829

## City of Edinburgh Council Roadside Enforcement - All Vehicles



	04/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>Total Inspected</b>	82.00	39.00	85.00	134.00	40.00	246.00	123.00	58.00	315.00	186.00	89.00	1,397.00
<b>Non Compliant</b>	14.00	2.00	19.00	25.00	4.00	13.00	7.00	2.00	50.00	21.00	17.00	174.00

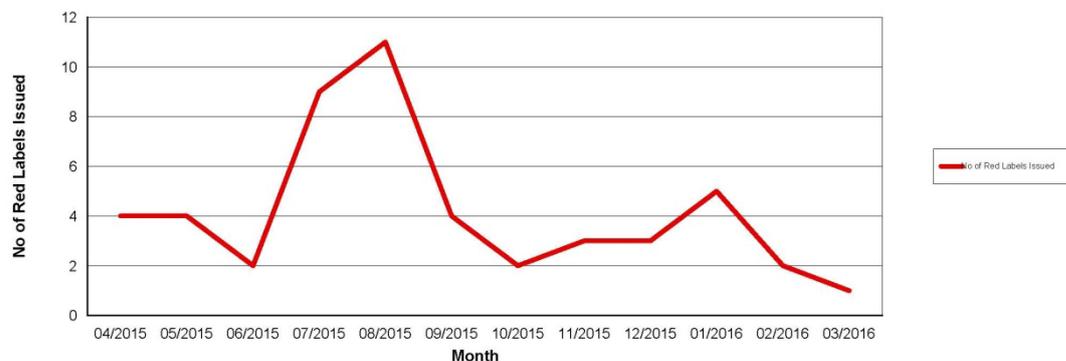
### City of Edinburgh Red Labels Issued- All Vehicles



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>Red Label Issued</b>	7	5	3	10	12	5	2	4	3	9	5	4	69
<b>Total</b>	7	5	3	10	12	5	2	4	3	9	5	4	69

Note: This report only refers to Red Labels issued as part of Enforcement or Spot Checks. Red Labels issued as part of Annual Inspections are included on the 'Fail' figures quoted under the Pass Rate KPI.

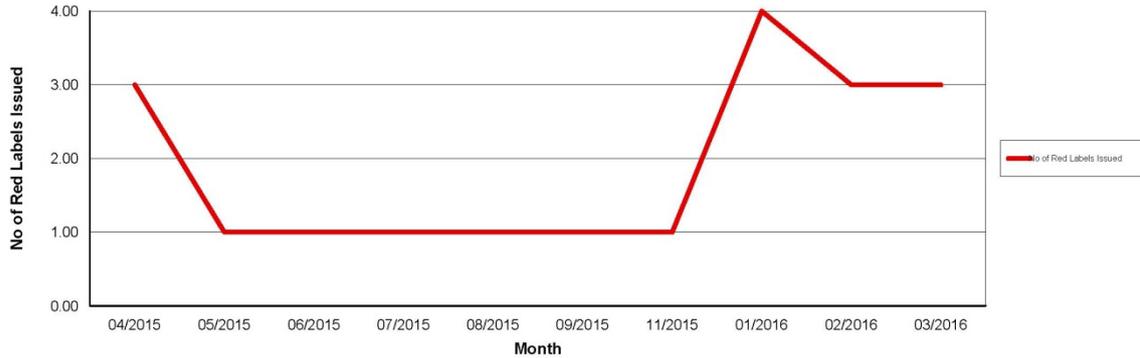
### Taxi Examination Centre Performance Indicators Red Labels Issued- Taxis



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>Red Label Issued</b>	4	4	2	9	11	4	2	3	3	5	2	1	50
<b>Total</b>	4	4	2	9	11	4	2	3	3	5	2	1	50

Note: This report only refers to Red Labels issued as part of Enforcement or Spot Checks. Red Labels issued as part of Annual Inspections are included on the 'Fail' figures quoted under the Pass Rate KPI.

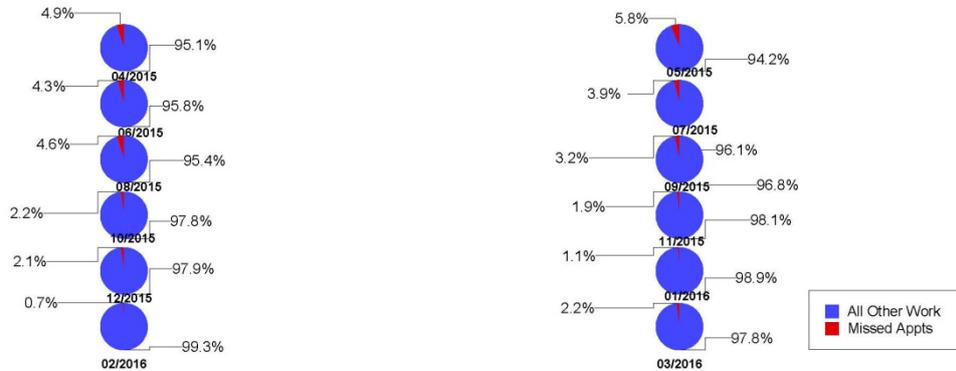
## Taxi Examination Centre Performance Indicators Red Labels Issued- Private Hire Vehicles



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
Red Label Issued	3	1	1	1	1	1	1	1	4	3	3		19
Total	3	1	1	1	1	1	1	1	4	3	3		19

Note: This report only refers to Red Labels issued as part of Enforcement or Spot Checks. Red Labels issued as part of Annual Inspections are included on the 'Fail' figures quoted under the Pass Rate KPI.

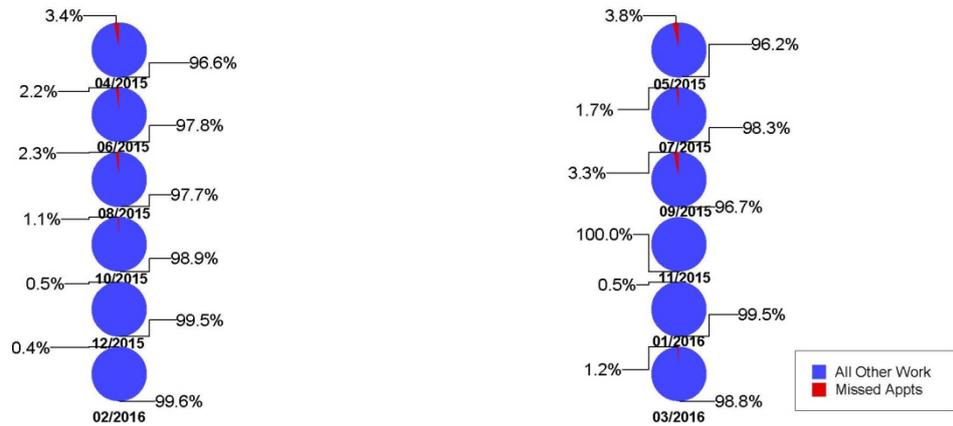
## City Of Edinburgh Council Missed Appointments - All Vehicles



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
All Other Work Hours on Vehicles	95%	94%	95%	96%	95%	96%	97%	98%	97%	98%	99%	97%	96%
Hours on Vehicles	742	684	766	844	784	664	784	708	740	700	816	872	9,104
No Of Vehicles	371	342	383	422	392	332	392	354	370	350	408	436	4,552
Missed Appts Hours Lost	4%	5%	4%	3%	4%	3%	2%	1%	2%	1%	0%	2%	3%
Hours Lost	38	42	34	34	38	22	18	14	16	8	6	20	290
No Of Vehicles	19	21	17	17	19	11	9	7	8	4	3	10	145
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	780.00	726.00	800.00	878.00	822.00	686.00	802.00	722.00	756.00	708.00	822.00	892.00	9,394.00
	390	363	400	439	411	343	401	361	378	354	411	446	4,697

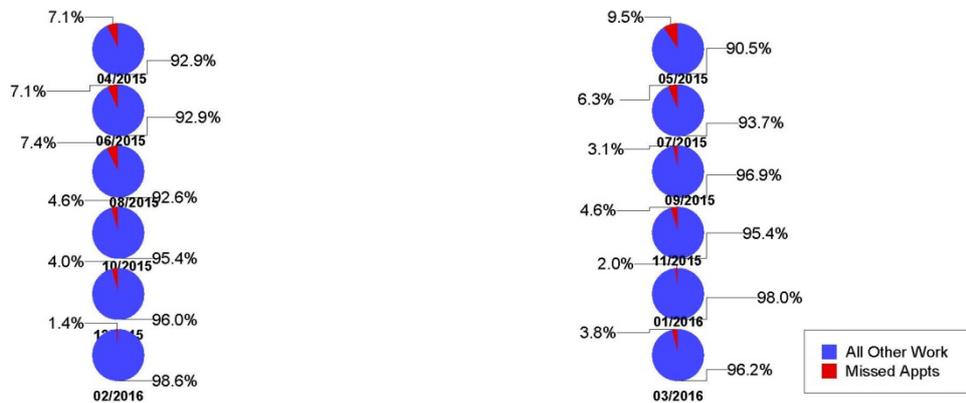
Note : Examiners currently work 37hours per week

## City of Edinburgh Council Missed Appointments - Taxis



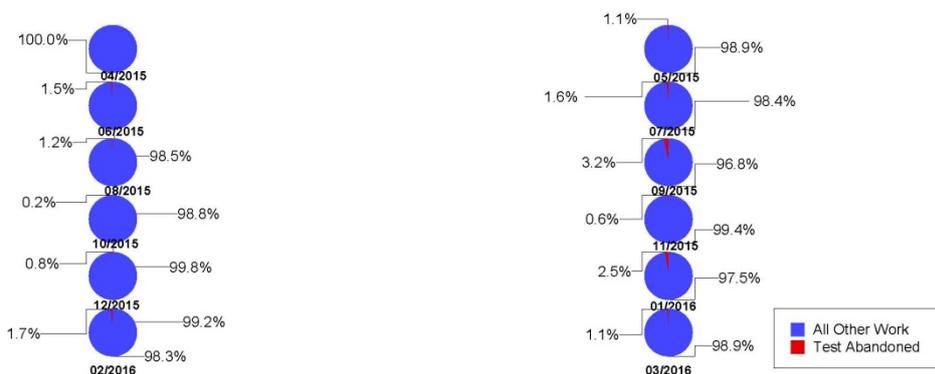
	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>All Other Work</b>	96%	96%	97%	98%	97%	96%	98%	100%	99%	99%	99%	98%	98%
<b>Hours on Vehicles</b>	456	456	450	454	432	354	534	418	408	406	536	514	5,418
<b>No Of Vehicles</b>	228	228	225	227	216	177	267	209	204	203	268	257	2,709
<b>Missed Appts</b>	3%	3%	2%	1%	2%	3%	1%	0%	0%	0%	0%	1%	1%
<b>Hours Lost</b>	16	18	10	8	10	12	6	0	2	2	2	6	92
<b>No Of Vehicles</b>	8	9	5	4	5	6	3	0	1	1	1	3	46
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	472.00	474.00	460.00	462.00	442.00	366.00	540.00	418.00	410.00	408.00	538.00	520.00	5,510.00
	236	237	230	231	221	183	270	209	205	204	269	260	2,755

## City of Edinburgh Council Missed Appointments - Private Hire Cars



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>All Other Work</b>	92%	90%	92%	93%	92%	96%	95%	95%	95%	98%	98%	96%	94%
<b>Hours on Vehicles</b>	286.00	228.00	316.00	390.00	352.00	310.00	250.00	290.00	332.00	294.00	280.00	358.00	3,686.00
<b>No Of Vehicles</b>	143	114	158	195	176	155	125	145	166	147	140	179	1,843
<b>Missed Appts</b>	7%	9%	7%	6%	7%	3%	4%	4%	4%	2%	1%	3%	5%
<b>Hours Lost</b>	22.00	24.00	24.00	26.00	28.00	10.00	12.00	14.00	14.00	6.00	4.00	14.00	198.00
<b>No Of Vehicles</b>	11	12	12	13	14	5	6	7	7	3	2	7	99
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	308.00	252.00	340.00	416.00	380.00	320.00	262.00	304.00	346.00	300.00	284.00	372.00	3,884.00
	154	126	170	208	190	160	131	152	173	150	142	186	1,942

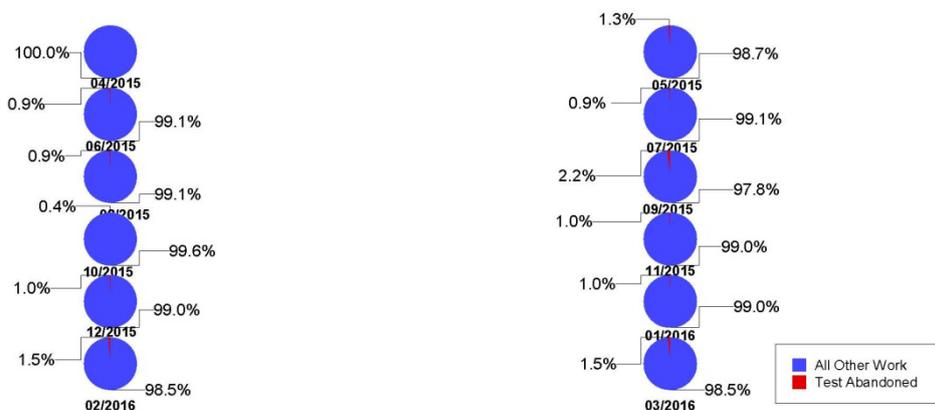
### City of Edinburgh Council Abandoned Tests - All Vehicles



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>All Other Work</b>	100%	98%	98%	98%	98%	96%	99%	99%	99%	97%	98%	98%	98%
Hours on Vehicles	780	718	788	864	812	664	800	718	750	690	808	882	9,274
No Of Vehicles	390	359	394	432	406	332	400	359	375	345	404	441	4,637
<b>Test Abandoned</b>	0%	1%	1%	1%	1%	3%	0%	0%	0%	2%	1%	1%	1%
Hours Lost	0	8	12	14	10	22	2	4	6	18	14	10	120
No Of Vehicles	0	4	6	7	5	11	1	2	3	9	7	5	60
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Hours on Vehicles	780.00	726.00	800.00	878.00	822.00	686.00	802.00	722.00	756.00	708.00	822.00	892.00	9,394.00
No Of Vehicles	390	363	400	439	411	343	401	361	378	354	411	446	4,697

Note: Tests are abandoned when a vehicle is presented in poor condition or a high number of faults identified

### City of Edinburgh Council Abandoned Tests - Taxis



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>All Other Work</b>	100%	98%	99%	99%	99%	97%	99%	99%	99%	99%	98%	98%	98%
Hours on Vehicles	472.00	468.00	456.00	458.00	438.00	358.00	538.00	414.00	406.00	404.00	530.00	512.00	5,454.00
<b>Test Abandoned</b>	0%	1%	0%	0%	0%	2%	0%	0%	0%	0%	1%	1%	1%
Hours Lost	0.00	6.00	4.00	4.00	4.00	8.00	2.00	4.00	4.00	4.00	8.00	8.00	56.00
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Hours on Vehicles	472.00	474.00	460.00	462.00	442.00	366.00	540.00	418.00	410.00	408.00	538.00	520.00	5,510.00

Note: Tests are abandoned when a vehicle is presented in poor condition or a high number of faults identified

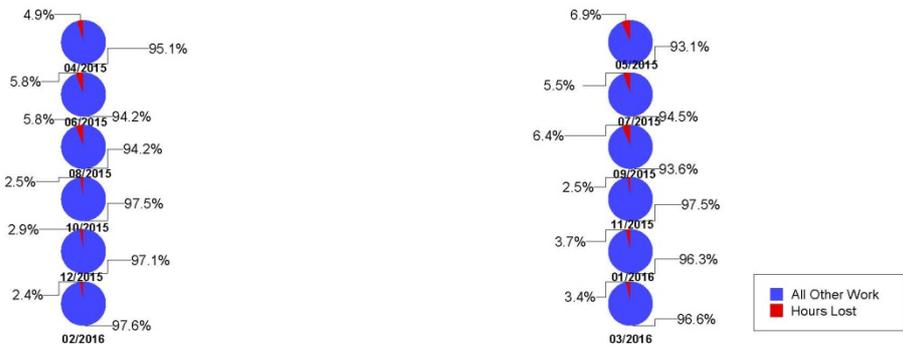
### City of Edinburgh Council Abandoned Tests - Private Hire Cars



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>All Other Work</b>	100%	99%	97%	97%	98%	95%	100%	100%	99%	95%	97%	99%	98%
Hours on Vehicles	308.00	250.00	332.00	406.00	374.00	306.00	262.00	304.00	344.00	286.00	278.00	370.00	3,820.00
No Of Vehicles	154	125	166	203	187	153	131	152	172	143	139	185	1,910
<b>Test Abandoned</b>	0%	0%	2%	2%	1%	4%	0%	0%	0%	4%	2%	0%	1%
Hours Lost	0.00	2.00	8.00	10.00	6.00	14.00	0.00	0.00	2.00	14.00	6.00	2.00	64.00
No Of Vehicles	0	1	4	5	3	7	0	0	1	7	3	1	32
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Hours on Vehicles	308.00	252.00	340.00	416.00	380.00	320.00	262.00	304.00	346.00	300.00	284.00	372.00	3,884.00
No Of Vehicles	154	126	170	208	190	160	131	152	173	150	142	186	1,942

Note: Tests are abandoned when a vehicle is presented in poor condition or a high number of faults identified

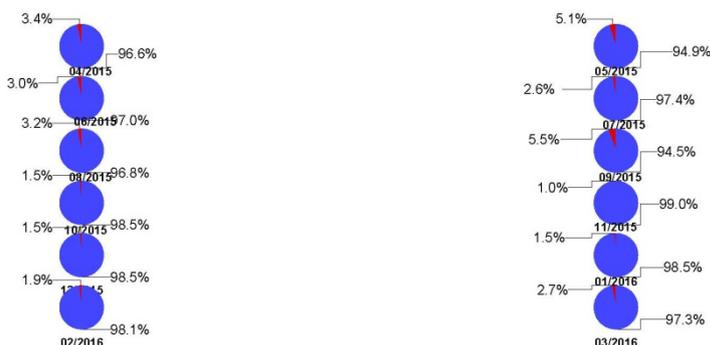
### City of Edinburgh Council Total Examiner Hours Lost - All Vehicles



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>All Other Work</b>	95%	93%	94%	94%	94%	93%	97%	97%	97%	96%	97%	96%	95%
Hours on Vehicles	742.00	676.00	754.00	830.00	774.00	642.00	782.00	704.00	734.00	682.00	802.00	862.00	8,984.00
No Of Vehicles	371	338	377	415	387	321	391	352	367	341	401	431	4,492
<b>Hours Lost</b>	4%	6%	5%	5%	5%	6%	2%	2%	2%	3%	2%	3%	4%
Hours Lost	38.00	50.00	46.00	48.00	48.00	44.00	20.00	18.00	22.00	26.00	20.00	30.00	410.00
No Of Vehicles	19	25	23	24	24	22	10	9	11	13	10	15	205
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Hours on Vehicles	780.00	726.00	800.00	878.00	822.00	686.00	802.00	722.00	756.00	708.00	822.00	892.00	9,394.00
No Of Vehicles	390	363	400	439	411	343	401	361	378	354	411	446	4,697

Note: This is the total number of hours lost and includes Hours lost from Missed Appointments and Abandoned tests. As a guide each Examiner currently works 37 hours per week.

### City of Edinburgh Council Examiner Hours Lost - Taxis



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>All Other Work</b>	96%	94%	96%	97%	96%	94%	98%	99%	98%	98%	98%	97%	97%
<b>Hours on Vehicles</b>	456.00	450.00	446.00	450.00	428.00	346.00	532.00	414.00	404.00	402.00	528.00	506.00	5,362.00
<b>No Of Vehicles</b>	228	225	223	225	214	173	266	207	202	201	264	253	2,681
<b>Hours Lost</b>	3%	5%	3%	2%	3%	5%	1%	0%	1%	1%	1%	2%	2%
	16.00	24.00	14.00	12.00	14.00	20.00	8.00	4.00	6.00	6.00	10.00	14.00	148.00
<b>No Of Vehicles</b>	8	12	7	6	7	10	4	2	3	3	5	7	74
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	472.00	474.00	460.00	462.00	442.00	366.00	540.00	418.00	410.00	408.00	538.00	520.00	5,510.00
	236	237	230	231	221	183	270	209	205	204	269	260	2,755

Note: This is the total number of hours lost and includes Hours lost from Missed Appointments and Abandoned tests. As a guide each Examiner currently works 37 hours per week.

### City of Edinburgh Council Examiner Hours Lost - Private Hire Cars



	04/2015	05/2015	06/2015	07/2015	08/2015	09/2015	10/2015	11/2015	12/2015	01/2016	02/2016	03/2016	Total
<b>All Other Work</b>	92%	89%	90%	91%	91%	92%	95%	95%	95%	93%	96%	95%	93%
<b>Hours on Vehicles</b>	286.00	226.00	308.00	380.00	346.00	296.00	250.00	290.00	330.00	280.00	274.00	356.00	3,622.00
<b>No Of Vehicles</b>	143	113	154	190	173	148	125	145	165	140	137	178	1,811
<b>Hours Lost</b>	7%	10%	9%	8%	8%	7%	4%	4%	4%	6%	3%	4%	6%
	22.00	26.00	32.00	36.00	34.00	24.00	12.00	14.00	16.00	20.00	10.00	16.00	262.00
<b>No Of Vehicles</b>	11	13	16	18	17	12	6	7	8	10	5	8	131
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	308.00	252.00	340.00	416.00	380.00	320.00	262.00	304.00	346.00	300.00	284.00	372.00	3,884.00
	154	126	170	208	190	160	131	152	173	150	142	186	1,942

Note: This is the total number of hours lost and includes Hours lost from Missed Appointments and Abandoned tests. As a guide each Examiner currently works 37 hours per week.

**Appendix 2 – Data in respect of Inspection Failures by Cause – November 2015 to January 2016**

**Taxis**

Body Work	Drivers View of The Road	Driving Controls	Brakes	Steering	Lights	Tyres	Exhaust Fuel and Emissions	Seat Belts	Suspension	Reg Plate
10	1	4	38	24	51	5	16	9	19	6

**Private Hire Cars**

Body Work	Drivers View of The Road	Driving Controls	Brakes	Steering	Lights	Tyres	Exhaust Fuel and Emissions	Seat Belts	Suspension	Reg Plate
2	1	1	17	5	31	6	8	1	28	2

### **Appendix 3 – Information on key measures January – June 2015 (as previously reported to Regulatory Committee 17 November 2015)**

- 66% of all Council licensed vehicles tested passed, compared to a 63% pass rate overall.
- A total of 27 Red Labels (prohibition notices banning the use of vehicle for hire) were issued for vehicles licensed by the Council, of which 20 related to taxis and 7 to PHCs.
- 4% of appointments for inspections were missed (85 vehicles), resulting in 168 lost hours for vehicle examiners.
- 1% of all tests for Council licensed vehicles (24 vehicles) were abandoned due to the poor condition of the vehicle.