

Notice of meeting and agenda

Regulatory Committee

10.00 am, Monday, 19 September 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

- 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

- 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

- 3.1 If any

4. Minutes

- 4.1 Regulatory Committee of 24 June 2016 (circulated – submitted for approval as a correct record).

5. Work Plan and Rolling Actions Programme

- 5.1 Rolling Actions Programme (circulated)

6. Executive Decisions

- 6.1 Demand for Taxis: Six Monthly Update - report by the Executive Director of Place (circulated)
- 6.2 Proposed Fees Structures for House In Multiple Occupation Licences - report by the Head of Housing & Regulatory Services (circulated)
- 6.3 Licensing Policy Development - Taxi and Private Hire Driver Training Consultation Update – report by the Head of Housing & Regulatory Services (circulated)
- 6.4 Licensing Policy Development - Late Hours Catering Consultation – report by the Head of Housing & Regulatory Services (circulated)
- 6.5 Production of Criminal Records and Evidence of Right to Work in the UK by Taxi & PHC Driver's License Applicants – report by the Head of Housing & Regulatory Services (circulated)

7. Routine decisions

- 7.1 Response to Consultation: Impact of Modern Technology on Taxi and Private Hire Car Licensing – report by the Executive Director of Place (circulated)

8. Motions

- 9.1 If any

Kirsty-Louise Campbell

Interim Head of Strategy and Insight

Committee Members

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

Information about the Regulatory Committee

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

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

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.

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Regulatory Committee

9.15 am, Friday 24 June 2016

Present

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

1. Minutes

Decision

To approve the minute of the Regulatory Committee of 26 April 2016 as a correct record.

2. Rolling Actions Programme

The Regulatory Committee Rolling Actions Programme for 3 May 2013 to 24 June 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 – 24 June 2016, submitted)

3. Licensing Policy Development – Street Trading Update

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.

Details were provided 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.

Decision

- 1) To note the outcome of the progress made to date;
- 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
- 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.

(References – Regulatory Committee 1 February 2016 (item 1); report by the Executive Director of Place, submitted)

4. Public Spaces Protocol – Update on Progress

The Transport and Environment Committee on 7 June 2016 considered a report by the Executive Director of Place regarding the development of a ‘manifesto’ on the use of public spaces.

The Committee agreed to refer the report to the Regulatory Committee for information.

Decision

To note the report.

(References – Transport and Environment Committee 7 June 2016 (Item 14), report by the Interim Head of Strategy and Insight, submitted.)

5. Licensing Performance Update

A performance framework was agreed for the Licensing Service at the Regulatory Committee’s meeting in February 2015.

Details were provided on the performance of the Licensing Service for the period October 2015 to May 2016

Decision

To note the report and the progress to date against agreed performance targets.

References – Regulatory Committee 1 February 2016 (item 7); report by the Executive Director of Place, submitted)

6. Taxi Examination Centre – Vehicle Inspection Pass Rates

An analysis was provided 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.

Decision

- 1) To note the report;
- 2) To discharge the outstanding remit from the Regulatory Committee held on 17 November 2015 to report back to the Committee on licensing performance; and
- 3) Agrees to receive an update report in six months.

References – Regulatory Committee 17 November 2015 (item 6); report by the Executive Director of Place, submitted)

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

The following motion by Councillor Burgess was submitted in terms of Standing Order 16:

“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.”

Decision

To approve the motion by Councillor Burgess

Item 5.1 Rolling Actions Programme

Regulatory Committee

3 May 2013 to 19 September 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	Feb 2017		Report submitted Sept 2016
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	Feb 2017	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	Nov 2016		Ongoing
5	23.06.15	Licensing Policy Development - Taxi and Private Hire Driver Training Update	<ol style="list-style-type: none"> 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. 2. To agree to receive a further update in due course. 3. To agree to include mental health issues in the disability awareness section of the new training. 	Executive Director of Place	Nov 2016		<p>Meeting with taxi trade complete July 2016.</p> <p>Report submitted Sept 2016</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"> 1. To consult on the draft policy conditions and operating plans, in line with statutory requirements. 2. To formally consult with the Licensing Board; and 3. To receive a final report on the outcome of the consultation within six months. 	Executive Director of Place	Sept 2016		Report submitted Sept 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)		Awaiting next amendment

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	<ol style="list-style-type: none"> 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 2. To agree that a further report on this issue will be submitted in 12 months. 	Executive Director of Place	September 2016		Report submitted Sept 2016
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	<p>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.</p> <p>2. The Acting Director of Services for Communities to consult with the taxi trade on the findings.</p>	Executive Director of Place	June 2016	June 2016	Update and discharge

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"> 1. To agree to receive a further report on issues highlighted during the consultation process. 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. 	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"> 1. To agree to consult widely on the proposed Policy and Code of Conduct on Public Processions in line with statutory requirements. 2. To agree to consult on the Parades notification form in line with statutory requirements. 3. To receive a further update in six months 	Executive Director of Place	Sept 2016		Consultation underway

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"> 1. To agree the proposed actions as set out in paragraph 3.20. (November) 2. To receive a further update in six months (August) 	Executive Director of Place	Sept 2016		
16	24.06.16	Licensing Performance Update	<ol style="list-style-type: none"> 1. To receive a further update report in six months 2. The next update report to include information on late applications submitted 3. The Executive Director of Place to provide information to members on any instances of verbal abuse to staff and action taken since the policy was introduced. 	Executive Director of Place	Feb 2017		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
17	24.06.16	Taxi Examination Centre – Vehicle Inspection Pass Rates	<p>1. To receive an update report in six months:</p> <p>(i) providing figures for the number of missed appointments in a year highlighting peaks and troughs in the year</p> <p>(i) proposals for the introduction of a fee being charged for missed appointments;</p> <p>(ii) other measures that could be brought in to mitigate the vehicle examiners time lost due to missed appointments.</p> <p>(iii) details of the type of faults identified by the examiners to be reported back to the Regulatory Committee</p>	Executive Director of Place	Feb 2017		
18	24.06.16	Age of Taxis and Private Hire Cars – Motion by Councillor Burgess	1. To receive a report in November 2016.		Nov 2016		

Regulatory Committee

10.00am, Monday, 19 September 2016

Demand for Taxis: Six Monthly Update

Item number	6.1
Report number	
Executive	
Wards	All

Executive summary

This report provides the six monthly update on analysis of demand for taxis in the city. The report provides the Committee with the most recent analysis of demand, carried out by Sky High Technology Ltd in February and March 2016.

Links

Coalition pledges	P28
Council priorities	CP8
Single Outcome Agreement	SO1

Demand for Taxis: Six Monthly Update

Recommendations

It is recommended that the Committee:

- 1.1 notes this report;
- 1.2 agrees that there is currently no evidence of significant unmet taxi demand and therefore maintains the limit of 1316 on the number of taxis licensed in the city; and
- 1.3 agrees to use this survey as the basis for determining demand in any future applications for a taxi licence.

Background

- 2.1 The Council has a policy of limiting the number of taxi licences issued within the city, utilising the powers available to it under Section 10 (3) of the Civic Government (Scotland) Act 1982. This power can only be used if the Council is satisfied that there is no 'significant unmet demand' for taxis. The Council is required to keep this position under regular review.
- 2.2 At its meeting on 3 May 2013, the Regulatory Committee agreed to the conclusions of a full demand survey carried out by Halcrow Ltd. Additionally, the Committee agreed to commission consultants to review the provision of taxis within the city at regular intervals, and specifically to identify whether there is any 'significant unmet demand' for taxis.
- 2.3 Sky High Technology Ltd was commissioned to undertake this work. The research findings are reported to Committee at six monthly intervals. The most recent research took place in February and March 2016 and forms the basis of this report. Appendix 1 shows a summary analysis of the Sky High Technology Ltd report and Appendix 2 shows the full report from Sky High Technology Ltd.

Main report

- 3.1 The Council acts as a Licensing Authority for the purpose of licensing taxis within the city. The Council has adopted a policy of limiting the number of taxi licences issued where there is no evidence of significant unmet demand. All applications for taxi licences are currently referred to the Licensing Sub-Committee for a hearing and decision.

- 3.2 The policy of restricting the number of taxi licences within the city attracts considerable debate. One view, generally held by taxi licence holders, is strongly in favour of retaining the restriction on licence numbers, on the grounds that too many taxis would harm the taxi trade in general by reducing the business available to each taxi. Some individuals have argued that the policy is a restraint on trade, and seek the removal of the restriction. Typically those applicants include people who do not currently have a taxi licence, but wish to obtain one, or licensed taxi drivers who wish to operate their own taxi as opposed to driving shifts in taxis licensed by others.
- 3.3 The restriction policy has not been successfully legally challenged since 2011. The Council's policy was challenged in the form of appeals to the Sheriff against decisions of the Licensing Sub-Committee to refuse certain applications for taxi licences. Importantly, the Sheriffs' decisions made it clear that, in order to maintain a restriction, the Council must regularly inform itself on provision, and specifically on whether there is any unmet demand.
- 3.4 The Scottish Government has issued guidance for licensing authorities which operate a limitation policy. The guidance clearly indicates that the level of unmet demand must be kept under regular review. The guidance also makes clear that authorities should consider any evidence of 'peak demand' and consider the impact of this when considering whether there is 'significant unmet demand'. Examples of 'peak demand' may be after pubs and clubs close at weekends. The guidance also makes clear that peak demand should not be considered in isolation, but balanced against the full range of data.
- 3.5 The Sky High Technology Ltd research provides the Committee with an up to date review of the level of demand for taxis in the city. If accepted by the Committee, this will form the basis on which individual licences would be considered. Research to update the position with regard to unmet demand will continue to be carried out every six months.
- 3.6 Survey results were last reported to the Committee in April 2016, based on data from November 2015. The survey on which this report is based was carried out in February and March 2016.
- 3.7 The survey includes the monitoring of periods of peak demand, e.g. after midnight and, in particular, late nights on Fridays and Saturdays. The Sky High Technology Ltd report shows that overall there is no evidence of significant unmet demand. Waiting time for taxis was lower than that reported in the last survey, although it should be noted that this may be due to the fact that the monitoring period for the previous report included weekends during the pre-Christmas shopping period.
- 3.8 Booking office data was requested from three major Edinburgh taxi companies:
- One company reported that 90% of pre-booked taxis arrive within one minute and 97% within five minutes of the booking time, and 96% arrive within 10 minutes of an ad hoc telephone request.

- One company reported that just under 90% of jobs are accepted by drivers within 15 minutes of a booking being made.
 - If further booking office data is received before the Committee meeting it will be presented.
- 3.9 The results of the latest observations show a small improvement in response times from those last reported to the Committee (April 2016). There is no evidence which would demonstrate that there is any 'hidden' taxi demand which is being met by current increases in the number of private hire cars (PHCs). The number of licensed PHCs had remained fairly stable in the three year period to April 2015. There are currently 1,302 PHCs licensed in the city and this is an increase on the total of 1,030 reported in April 2016. There are currently no powers to limit the number of PHCs. Officers are preparing tender documentation for the next full taxi demand survey. This will include asking researchers to investigate whether there is any evidence that increased number of PHCs has in any way affected the demand placed on the taxi fleet.
- 3.10 The Council has received no complaints about the availability of taxis within the city since the Committee last considered this issue. No complaints about the number of taxis have been raised with the Council by the hospitality or business communities.
- 3.11 Members are asked to note that at this time 1,316 licences have been issued, and thus if the Committee agrees to maintain the limit at 1,316 there are no licences available.

Measures of success

- 4.1 That the city has sufficient taxis to meet the customer demand placed upon the fleet.

Financial impact

- 5.1 The Council's scale of fees for licensing applications was approved with effect from 1 April 2016.
- 5.2 The cost of the survey was contained within the Civic Government (Scotland) Act 1982 licensing budget and was previously reported to Committee.

Risk, policy, compliance and governance impact

- 6.1 This regular monitoring is necessary to allow the Committee the option to maintain its policy of limiting the number of taxis.

- 6.2 There is a risk that unsuccessful individual applications for taxi licences may be appealed to the sheriff. The research described in this report reduces the risk to the Council from any challenge to the current limitation policy.

Equalities impact

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

Sustainability impact

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

Consultation and engagement

- 9.1 This is the final interim survey under the current contract with Sky High Technology Ltd. The procurement process is underway for further regular six monthly surveys to be carried out on the Council's behalf.

Background reading / external references

[Report to Regulatory Committee 26 April 2016](#)

Paul Lawrence

Executive Director of Place

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Links

Coalition pledges	P28 - Work with public organisations, the private sector and social enterprise to promote Edinburgh to investors
Council priorities	CP8 – a vibrant, sustainable local economy
Single Outcome Agreement	SO1 - Edinburgh's Economy Delivers increased investment, jobs and opportunities for all
Appendices	Appendix 1: Summary analysis of Sky High Technology Ltd data (February and March 2016) Appendix 2: Sky High Technology Ltd - Edinburgh Report on taxi rank observations (February and March 2016)

Appendix 1

TAXI MONITORING REPORT ANALYSIS

Assessment of Current Demand for Taxi Services in Edinburgh – February and March 2016

This report has been prepared on behalf of the Director of Place to assist members of the Licensing Sub-Committee in relation to applications for new taxi licences which may be considered at any meeting on or after 19 September 2016.

Stance observations indicate that there is no significant unmet demand for taxi services at this time.

Background

1. In April 2013, Halcrow Group Limited, transportation consultants, was commissioned to carry out surveys on the demand for taxi services in the city. Halcrow reported on taxi rank observations, interviews and surveys conducted with passengers between February and March 2013. Halcrow concluded there was no unmet demand at that time.
2. The conclusions of the Halcrow report were accepted by the Council's Regulatory Committee on 3 May 2013. Large scale surveys by consultants such as Halcrow are obtained approximately every three years.
3. To provide information on taxi demand between the large scale surveys, interim taxi rank observation surveys are carried out by Sky High Technology Ltd.

Stance Observation Survey

4. Sky High Technology Ltd provided the results of taxi rank surveys which were carried out at least twice at each location in Feb/March 2016. A selection of representative ranks was observed on different days and at different times. The 18 ranks selected for observation for both periods are broken down into 13 located within or immediately around the city centre, and five being located outwith the city centre.

A total of 1,177 passengers were observed from the 18 ranks monitored. The ranks observed had 1,682 taxis waiting over the observation periods.

5. There are currently 82 taxi stances located throughout the city with a combined capacity for 293 waiting taxis. The stances observed make up 22% of the overall stances within the city.
6. The latest stance observations indicate that, at individual stances, passenger waiting times varied from an average low of 0 seconds to an average high of 1

minute 19 seconds. An overall average waiting time taken from observations of all stances was 20 seconds.

Table 1 - Hires

Observation period	No. passengers	Total no. taxis available for hire	Percentage taxis hired by passengers.
Feb/March 2016	1177	1682	70%

Table 2 - Wait times

Observation period	No. passengers	Average recorded taxi wait for hire	Average passenger wait time across all observed ranks	Longest average passenger wait at any specific rank
Feb/March 2016	1177	00:09:27	00:00:20	00:01:19

Additional Information

- Between the last interim demand survey being carried out in September 2015 and this latest observation period in February and March 2016, no complaints concerning a lack of taxis in the city were received by the Council.

Conclusions

- The stance observations indicate that most passengers at ranks were able to obtain a taxi immediately. The overall average time that a passenger, had to wait was 20 seconds.
- Passengers were generally able to obtain a taxi at the ranks observed in less than one minute.

The only recorded exception was as follows (average passenger waiting time):

- Wester Hailes 1 minute 19 seconds

- Notwithstanding the average waiting times reported in paragraph 6, evidence of 'peak demand' in the form of longer waiting times was recorded at certain times, mainly at weekends:
 - High Street (Tuesday 27 February 2016)
Between 2 and 4 a.m. the average passenger wait time was 3 minutes 53 seconds.
This result compares to an average wait time at that stance of 46 seconds for all passengers observed.

- Lothian Road (Saturday 5 March 2016)
Between 3 and 5am the average passenger wait time was 1 minute 53 seconds.
This compares to an average wait at that stance of 22 seconds for all passengers observed.
- Wester Hailes:
Between 4 and 6pm on Thursday 27 February 2016 the average passenger wait time was 2 minutes 29 seconds, and between 4 and 6pm on Saturday 1 March 2016 the average passenger wait time was 2 minutes 35 seconds.
This compares to an average wait at that stance of 1 minute 19 seconds for all passengers observed.

11. Councils are permitted to take a broad view of the demand for taxis over the week. The information in paragraphs 6 to 9 needs to be balanced against the information in paragraph 10 with respect to 'peak demand'.

Therefore, taking into account the information provided by Sky High Technology Ltd, it has been concluded that there is no evidence of significant unmet demand for taxi services at this time.

Appendix 2

Site Number	Period	Street	Day	Date	Survey Hours	Total Taxis	Average Taxi Waiting Time	Total Passengers	Average Passenger Waiting Time
1	1	Castle Street	Thursday	12 Mar 16	12:00-14:00	27	00:13:44	17	00:00:00
1	2	Castle Street	Saturday	3 Mar 16	12:00-14:00	22	00:16:21	12	00:00:08
2	1	Cluncy Avenue	Thursday	3 Mar 16	16:00-18:00	1	N/a	1	00:00:00
2	2	Cluncy Avenue	Saturday	5 Mar 16	16:00-18:00	1	N/a	0	N/a
3	1	Dundas Street	Thursday	3 Mar 16	12:00-14:00	58	00:13:19	27	00:00:00
3	2	Dundas Street	Friday	11 Mar 16	16:00-18:00	72	00:05:03	46	00:00:04
3	3	Dundas Street	Saturday	12 Mar 16	12:00-14:00	35	00:14:15	9	00:00:00
3	4	Dundas Street	Saturday	12 Mar 16	16:00-18:00	29	00:06:37	18	00:00:00
4	1	Frederick Street	Friday	4 Mar 16	12:00-14:00	26	00:19:55	12	00:00:00
4	2	Frederick Street	Friday	4 Mar 16	21:00-23:00	48	00:08:26	34	00:00:03
5	1	Grassmarket	Tuesday	12 Mar 16	00:00-02:00	11	00:01:35	8	00:00:41
5	2	Grassmarket	Saturday	8 Mar 16	12:00-14:00	11	00:14:17	3	00:00:09
6	1	Grosvenor Street	Wednesday	12 Mar 16	00:00-02:00	1	N/a	0	N/a
6	2	Grosvenor Street	Saturday	2 Mar 16	16:00-18:00	5	00:03:08	4	00:00:00
7	1	Hanover Street	Friday	4 Mar 16	16:00-18:00	59	00:05:56	46	00:00:08
7	2	Hanover Street	Saturday	12 Mar 16	12:00-14:00	36	00:12:46	29	00:00:02
8	1	High Street	Tuesday	27 Feb 16	02:00-04:00	163	00:01:48	153	00:03:53
8	2	High Street	Wednesday	27 Feb 16	16:00-18:00	61	00:07:01	45	00:00:01
8	3	High Street	Friday	1 Mar 16	16:00-18:00	38	00:04:53	26	00:00:28
8	4	High Street	Friday	2 Mar 16	12:00-14:00	31	00:18:00	15	00:00:04
8	5	High Street	Saturday	4 Mar 16	12:00-14:00	32	00:09:05	20	00:00:01
8	6	High Street	Saturday	4 Mar 16	16:00-18:00	46	00:04:33	38	00:00:12
9	1	Holyrood Road	Wednesday	2 Mar 16	12:00-14:00	13	00:10:01	6	00:00:00
9	2	Holyrood Road	Saturday	12 Mar 16	16:00-18:00	6	00:06:24	3	00:00:00
10	1	Little France	Wednesday	27 Feb 16	16:00-18:00	22	00:17:09	8	00:00:00
10	2	Little France	Saturday	2 Mar 16	12:00-14:00	37	00:18:55	19	00:00:00
11	1	Lothian Road	Friday	12 Mar 16	02:00-04:00	83	00:03:48	58	00:00:14

11	2	Lothian Road	Friday	8 Mar 16	03:00-05:00	8	00:03:09	4	00:00:03
11	3	Lothian Road	Saturday	2 Mar 16	12:00-14:00	58	00:13:57	31	00:00:01
11	4	Lothian Road	Tuesday	4 Mar 16	12:00-14:00	45	00:20:40	24	00:00:01
11	5	Lothian Road	Wednesday	4 Mar 16	16:00-18:00	82	00:07:34	64	00:00:01
11	6	Lothian Road	Saturday	5 Mar 16	03:00-05:00	50	00:01:34	37	00:01:53
12	1	Morningside Road	Wednesday	27 Feb 16	16:00-18:00	7	00:11:34	6	00:00:04
12	2	Morningside Road	Saturday	2 Mar 16	12:00-14:00	10	00:20:47	4	00:00:00
13	1	Morrison Street	Friday	12 Mar 16	00:00-02:00	1	N/a	0	N/a
13	2	Morrison Street	Saturday	4 Mar 16	12:00-14:00	12	00:05:51	5	00:00:12
14	1	Nicolson Street	Thursday	27 Feb 16	00:00-02:00	1	N/a	0	N/a
14	2	Nicolson Street	Saturday	3 Mar 16	16:00-18:00	6	00:05:20	4	00:00:03
15	1	Queensferry Street	Monday	12 Mar 16	21:00-23:00	6	00:00:44	3	00:00:00
15	2	Queensferry Street	Saturday	7 Mar 16	16:00-18:00	26	00:07:27	10	00:00:17
16	1	Rutland Street	Monday	27 Feb 16	02:00-04:00	24	00:03:11	19	00:01:20
16	2	Rutland Street	Tuesday	27 Feb 16	12:00-14:00	29	00:10:20	24	00:00:12
16	3	Rutland Street	Saturday	29 Feb 16	16:00-18:00	26	00:09:04	21	00:00:00
16	4	Rutland Street	Saturday	1 Mar 16	16:00-18:00	20	00:13:48	13	00:00:12
17	1	Waverley Bridge	Monday	12 Mar 16	02:00-04:00	14	00:12:53	13	00:00:06
17	2	Waverley Bridge	Friday	12 Mar 16	21:00-23:00	59	00:09:36	51	00:00:00
17	3	Waverley Bridge	Saturday	4 Mar 16	16:00-18:00	94	00:05:11	87	00:00:00
17	4	Waverley Bridge	Saturday	7 Mar 16	16:00-18:00	58	00:06:22	47	00:00:01
18	1	Wester Hailes	Tuesday	27 Feb 16	12:00-14:00	17	00:07:54	16	00:00:13
18	2	Wester Hailes	Thursday	27 Feb 16	16:00-18:00	20	00:07:35	11	00:02:29
18	3	Wester Hailes	Saturday	1 Mar 16	16:00-18:00	12	00:04:34	9	00:02:36
18	4	Wester Hailes	Saturday	3 Mar 16	12:00-14:00	23	00:18:11	17	00:00:00
						1682	00:09:27	1177	00:00:20

Regulatory Committee

10.00am, Monday, 19 September 2016

Proposed Fee Structure for Houses in Multiple Occupation Licences

Item number	6.2
Report number	
Executive/routine	
Wards	All Wards

Executive Summary

This report asks for Committee approval for a proposed fee structure and public consultation for Houses in Multiple Occupation Licences. The new fee structure reflects changes in the growth of larger shared accommodation properties and rationalises the current fee structures into a single transparent fee structure.

Links

Coalition Pledges	P13
Council Priorities	CO16, CO21, CO23
Single Outcome Agreement	SO4

Proposed Fee Structure for Houses in Multiple Occupation Licences

1. Recommendations

It is recommended that the Committee:

- 1.1 notes the content of the report and the proposed changes to the fee structure;
- 1.2 agrees to carry out a consultation exercise;
- 1.3 agrees to receive a final report on the outcome of the consultation as set out in paragraphs 3.19 – 3.20; and
- 1.4 discharges the outstanding remit from the Regulatory Committee on 24 July 2013.

2. Background

- 2.1 The Council is required to license Houses in Multiple Occupation (HMO), where three or more individuals or families live in a property. The Council charges a fee to cover the costs of operating and enforcing the licensing scheme. The current fee structure is included in Appendix 1.
- 2.2 The current HMO Licence fee structure was last modified in 2006. The fees have since remained largely unchanged, with minor adjustments made in line with inflation in 2014 and 2016.
- 2.3 There has been significant change in the HMO market, particularly with respect to conversions of existing property to increase capacity and the growth of purpose-built student accommodation operated on a commercial basis.
- 2.4 The current fee structure varies with the size of the HMO which is being licensed, and is currently capped at five occupiers and above. Since 2012 the proportion of licensed HMOs that are larger than five occupiers has increased by 3%, and now accounts for 10% of the total number of licensed HMOs.
- 2.5 In addition, in line with other local authorities, discounts are given to HMO properties that are operated by named educational institutions. With increasing complexity regarding the way in which this type of accommodation is funded (e.g. property now owned and managed by financial institutions or commercial operators and run in partnership with educational institutions), the discount structure needs to be re-examined.

3. Main report

Basic fee Structure

- 3.1 This report seeks approval to consult with relevant stakeholders on the proposed changes to the fee structure for HMO licences.
- 3.2 The current licence fee structure differentiates between new applications and circumstances where an applicant already holds a current licence for the property. Subsequent applications are commonly referred to as 'renewals'. The fee for a new property reflects the additional inspection costs associated with a first time application. A second or subsequent application, where no changes are made to the existing licensed property, attracts a discount. It is proposed to retain a discount.
- 3.3 The Council also offers a discount for flatted accommodation where the flat is in the same stair, identical in layout (including rotated layouts), and the same ownership to one for which the full fee is paid. Such identical footprint and mirror images can be assessed quickly, having assessed the master, and it is also proposed to retain a discount in these circumstances.
- 3.4 The proposed fee structure identifies a number of new criteria against which an application will be considered, in which the scale of the fee difference will change to reflect the level of work involved. It is proposed to retain discounts for renewal and premises with an identical layout.

Fee based on number of occupants

- 3.5 The current fee structure was historically based on the size of the property, with the upper band being five occupiers and over. This banding aligns with existing planning regulations, which require the applicant to obtain a 'change of use' certificate to accommodate more than five occupiers.
- 3.6 However the HMO market has changed significantly, with HMO properties in the 'five occupants and over' band making up 10% of licensed properties. While there are some efficiencies when officers inspect a larger property, inspection of a property with 100 occupiers takes considerably more time than a property with five occupiers, although both currently attract the same fee.
- 3.7 Larger properties typically require a significant amount of consultation both prior to and after the HMO application has been submitted, which is currently not covered in the current top fee band. In effect the Council is providing a free consultancy service prior to an application being made.
- 3.8 It is therefore proposed to add a band from six to 10 occupiers and 11+ occupiers. The width of these bands reflects the efficiencies of inspecting large properties, and will cover the majority of normal residential property enlarged by an extension or attic conversion.

- 3.9 Fees for properties with 11+ occupiers will consist of a flat fee plus an additional charge for up to every additional 10 occupiers (e.g. 21-30, 31-40 etc). A discount will still be available where identical footprint or charitable status applies

Accommodation for students /homeless hostels

- 3.10 Currently educational institutions have access to a separate fee table approved by the Regulatory Committee in October 2006 (Appendix 2), which is in effect a discount on the standard fees.
- 3.11 It is proposed that where the applicant is a registered charity with the Scottish Charity Regulator and linked to homeless accommodation and/or owned and managed by an Educational institution itself, they are given a percentage discount on their fee. The rationalisation of the fee structure will provide clarity on who is eligible for the discount, and will allow charities that provide HMO accommodation to people escaping domestic abuse, or provide homeless accommodation, to benefit from the same lower fees. These fees have not increased since 2006 and will therefore be reviewed to address inflation costs.

Period of licence

- 3.12 The Licensing of Houses in Multiple Occupation Statutory Guidance for Scottish Local Authorities suggests that “general practice should be that licences are granted for a three year period, with licences of a shorter duration being granted where the authority is satisfied that justification for a shorter period exists.”
- 3.13 The existing fee structure only allows for the grant of an annual licence. In line with the statutory guidance it is proposed to introduce a new three year licence category.
- 3.14 It is proposed that a three year licence would be only be considered for suitable properties. This would be determined by using a risk based assessment process, taking into account previous monitoring and inspection visits, complaints and enforcement issues. Properties that would be considered suitable for a three year licence would include new build student accommodation.
- 3.15 The Council has to balance the cost of licences to customers with the cost of administration, public safety and enforcement activity to protect the rights of the occupiers, to ensure public confidence in the regime, and to ensure that responsible HMO owners are not put at a disadvantage.
- 3.16 The Provisions of Services Regulations 2009 require that fees charged in relation to a licensing regime must be reasonable and proportionate to, but not exceed, the cost of all procedures required to carry out this function.
- 3.17 The cost associated with the introduction of a three year licence will be balanced against reduced administration, public safety and enforcement activity.
- 3.18 As some operators, including charities, may see an increase in their operating costs, it is not proposed to remove the option to apply for an annual licence. This will allow applicants an opportunity to budget accordingly.
- 3.19 A summary of proposed changes to the fee structure is included at Appendix 3.

- 3.20 Following approval of the proposed fee structure, a carefully structured consultation exercise, using a combination of methodologies, will be undertaken. This will include the wider business and residential communities, relevant partners and agencies.
- 3.21 It is intended to report back on the outcome of the consultation within six months. A final report will then be prepared for consideration by the Regulatory Committee

4. Measures of success

- 4.1 That the city's licensing function is modernised to ensure that it meets the needs of customers and residents.
- 4.2 A wide-ranging and clear consultation and engagement process that demonstrates customer focus and commitment to listening to all stakeholders.
- 4.3 That the fee levels work on a cost recovery model, and as such should not be subsidised by other Council budgets.
- 4.4 That the fee structure remains effective and transparent and costs within the system are minimised.

5. Financial impact

- 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
- 5.2 The measures outlined in this report will match expenditure on licensing costs to the level of income generated.

6. Risk, policy, compliance and governance impact

- 6.1 The main items of legislation that constrain how the Council can set its fees are the Housing (Scotland) Act 2006 and The Provision of Services Regulations 2009.
- 6.2 The 2006 Act allows Scottish Ministers to set regulations on how fees are to be arrived at, maximum fee levels, etc. To date no such regulations have been made. Statutory guidance has been issued by the Scottish Government under the 2006 Act, which provides an overview of what is considered to be appropriate when setting fees. The proposed HMO licensing fee structure is in line with this guidance.
- 6.3 HMO licensing schemes are a type of authorisation scheme defined by the 2009 Act and thus subject to regulation under the Act. The main obligation the 2009 Act places on the Council in relation to fees is that "charges ... must be reasonable and proportionate to the cost of the procedures and formalities under the scheme".

7. Equalities impact

- 7.1 An Equality and Rights Impact Assessment was carried out prior to the enactment of the Private Rented Housing (Scotland) Act 2011 and at that time found there were no equalities issues. It is proposed to carry out a further assessment as part of the consultation process and any impacts, direct or otherwise, on any group of people with one or more protected characteristics, will be reported.

8. Sustainability impact

- 8.1 The effects of this report in relation to the three elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties have been considered, and the outcomes are summarised at 8.3 below.
- 8.2 The proposals in this report will help to achieve a sustainable Edinburgh by ensuring that there is shared accommodation, which is safe and well managed, to meet the housing demands of the residents of Edinburgh.
- 8.3 The proposals in this report will reduce carbon emissions, because having shared accommodation that works allows people to live near to place of work or study reducing the need to travel.

9. Consultation and engagement

- 9.1 A carefully structured consultation exercise, using a combination of methodologies, will be undertaken. 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.
- 9.2 An Equalities and Rights Impact Assessment will be used to ensure that the consultation process is robust and is inclusive of all relevant stakeholder input.

10. Background reading/external references

- 10.1 [The Provision of Services Regulations 2009](#)
- 10.2 [Housing \(Scotland\) Act 2006](#)
- 10.3 [Licensing of Houses in Multiple Occupation Statutory Guidance for Scottish Local Authorities](#)

Susan Mooney

Head of Housing & Regulatory Services

Contact: Andrew Mitchell, Regulatory Services Manager

11. Links

Coalition Pledges	P13 Enforce tenancy agreements (council and private landlord) with a view to ensuring tenants and landlords fulfil their good conduct responsibilities.
Council Priorities	CO16 Well-housed – People live in a good quality home that is affordable and meets their needs in a well managed Neighbourhood. CO21 Safe – Residents, visitors and businesses feel that Edinburgh is a safe city. CO23 Well engaged and well informed – Communities and individuals are empowered and supported to improve local outcomes and foster a sense of community.
Single Outcome Agreement	SO4 Edinburgh's communities are safer and have improved physical and social fabric
Appendices	Appendix 1- Houses of Multiple Occupation: Fees charged between 2007 and 2017 Appendix 2 - Regulatory Committee - Licensing of Houses in Multiple Occupation - Review of Application Fees for University Accommodation - October 2006 Appendix 3- Summary of Proposed Changes to HMO licensing fee structure

Appendix 1 - HOUSE IN MULTIPLE OCCUPATION: Fees charged between 2007 - 2017

Category	Duration	2007/2014	2014/2016	2016/2017
5 or 5+ persons (new)	1 year	£585	£602	£627
5 or 5+ persons (Subsequent / renewal)	1 year	£410	£422	£440
4 persons (new)	1 year	£545	£561	£584
4 persons (Subsequent / renewal)	1 year	£370	£381	£397
3 persons (new)	1 year	£505	£520	£542
3 persons (Subsequent / renewal)	1 year	£330	£339	£353
identical footprint / mirror image (new/ Subsequent / renewal)	1 year	£50	£51	£53

Licensing of Houses in Multiple Occupation – Review of Application Fees for University Accommodation

Regulatory Committee

13 October 2006

Purpose of report

- 1 To request the Committee to adopt a revised application fee structure to be applied for the year 2006/07 in respect of applications for House in Multiple Occupation (HMC) licences made by universities.

Main report

- 2 The Universities of Edinburgh, Napier, Queen Margaret and Heriot Watt and Jewell and Esk Valley College operate large premises that require HMO licences. On 17 August 2001 the Regulatory Committee agreed that the renewal fees for these HMO licences should be assessed on an individually negotiated basis.
- 3 Following a review of fees charged previously and an assessment of the HMO licensing workload it is proposed that a fee table, as set out below, be agreed and that application fees payable by the universities should be calculated on the basis of their property portfolios with reference to the fee table. This fee table is based on fee calculations agreed previously with University of Edinburgh with the addition of a 2.5% increase for the year 2006/07.

HALLS OF RESIDENCE	£369.00
FLATS (Per block)	
Blocks with less than 20 flats	£738.00
Blocks with 20 – 49 flats	£1,107.00
Blocks with 50+ flats	£1,476.00

- 4 The Committee is requested to set the application fees for the year 2006/2007. It is recommended that the appropriate fees for each university are calculated on the basis of the table set out in paragraph 3 above. Applying this fee table the fees payable by each university for the year 2006/2007 would be as follows:

University of Edinburgh	£31 365.00
Napier University	£12 546.00
Queen Margaret University	£3 690.00
Heriot Watt	£6 273.00
Jewell and Esk Valley College	£369.00

Recommendation

That the Committee approve the fee table detailed in paragraph 3 and the fees as set out in paragraph 4 above to take effect on applications for HMO license received on or after 1 April 2006.

Jim Inch
Director of corporate Services

Appendices	None
Contact/tel/Email	Robert Millar, Principal Solicitor, 0131-529-4150
Wards affected	City Wide
Background Papers	None

APPENDIX A

Proposed Licensing Fee Structure University Owned and Long Lease Property

Fees

Halls of Residence

Pollock Site

	Number of Students
Baird House	167
Chancellors Court (Replaced Brewster & Crown)	154
Ewing House	161
Grant House	195
Holland House Annex	20
Holland House A&B blocks	172
Holland House C&D blocks	173
Lee House	167
Masson House	133
Salisbury Green House	49
Turner House	203

Halls of Residence
14x£360 £5040

Off Site

David Horn House 40/46 Craigmillar Park Edinburgh	39
Kitchener House 6 Gordon Terrace Edinburgh	55
Richmond Place 7 Richmond Place Edinburgh	235

Flats

Blocks with less than 20 flats

	Breakdown of Flat Sizes
Blackwood Cresc/Causewayside	15 flats 11x5 4x4
Mayfield Road	7 flats 1x3 6x5
West Mains Road	13 flats 1x2 12x10
12 Buccleuch Street	7 flats 1xF 2x2 3x3 1x5
16 Bristo Plae	6 flats 3xC 3x3
19 Bristo Place	8 flats 1xF 2x1 1x2 4x3
17 Teviot Place	6 flats 6x3

Less than 20 flats it block

7x£720 £5040

Blocks with 20-49 flats

1-3 College Wynd	20 flats 1x3 14x4 4x5 1x6
Crown Commissioners	40 flats 1xC 3xF 11x2 7x3 15x4 1x6 2x7
Darroch Court	39 flats 1x1 7x3 31x5
East Newington Place	24 flats 6x3 16x4 2x5
Hermits Croft	24 flats 24x5
Kincailds Court	41 flats 10x12 23x5 2x3 3x4 1xC
Morgan Court	23 flats 2x1 10x3 1x4 10x5
New Arthur Place	27 flats 1x2 1x3 15x4 10x5
Nicolson Street/South College Street	42 flats 4x1 11x2 15x3 10x4 2x6
Robertsons Close	43 flats 1x3 14x4 12x5 15x6
Sciennes 1	33 flats 1x3 22x4 3x5 7x6
South Clerk Street	26 flats 16x4 8x6 2x5
Warrender Park Crescent	38 flats 5x3 11x4 22x5
Warrender Park Road	22 flats 1x3 6x4 9x5 6x6
West Nicolson Street	21 flats 3xC 4xF 2x2 2x3 9x4 1x5
Fraser Court	35 flats 3x3 34x3 3x3 x32

Blocks with 20-49 in Block

16x£1080 £17280

Blocks with 50+ flats

Myines Court#	60flats 8x1 11xC 8x2 13x3 8x4 12x5
Sciennes 2	50flats 3x3 34x4 10x5 3x6

Blocks with 50+flats

2x£1440 £2880

Total

£30240

#Myines Court has previously been Licensed as a Hall of Residence given its configuration we believe this to have been incorrect.

Appendix 3 - Proposed Changes to House in Multiple Occupation Licence Fee Structure

Renewal and New Applications

Current	Proposed
Lower fees where applicant holds a current HMO licence for the property (renewal application) vs. a new application to reflect differing inspection costs.	A lower fee will continue to apply.

HMO licence fee bands

Current Band	Proposed Band
3 Occupiers	3 Occupiers
4 Occupiers	4 Occupiers
5+ Occupiers	5 Occupiers
	6 -10 Occupiers
	11 - 20 Occupiers*
	* thereafter in addition to this fee a further fee applies for every 10 occupiers or less (e.g. 21-30 , 31-40 etc.)

Discounts

Current Discount	Proposed Discount
Mirror Image / Identical Footprint	Reduced discount based on requirement for full inspection by 2 council officers and officer from the Fire and Rescue Service, for properties in the same stair, ownership.
N/A	Percentage discount for charity register with The Scottish Charity Regulator (OSCR) and linked to homeless accommodation.
Named educational institutions use fee table as set out in October 2006	Percentage discount for charity registered with The Scottish Charity Regulator (OSCR) and owned and managed by an educational institution

Regulatory Committee

10:00am, Monday, 19 September 2016

Licensing Policy Development - Taxi and Private Hire Driver Training Consultation Update

Item number	6.3
Report number	
Executive/routine	
Wards	All

Executive Summary

This report updates the Committee on the outcome of further consultation on taxi and private hire driver training which ran from 8 March until 18 April 2016.

It is proposed that the Council adopts a new training programme linked to a qualification for all taxi and private hire car (PHC) drivers including a requirement to complete refresher training every three years. The course content would be owned by the City of Edinburgh Council and accredited at Level 2 Certificate by City and Guilds.

It is proposed that the City of Edinburgh Council will deliver the training.

The proposed training would initially be offered to all new PHC drivers on a voluntary basis and would be made compulsory on the commencement of the Air Weapons and Licensing (Scotland) Act 2015 training provision.

Under these proposals all new taxi and PHC drivers (subject to the change in legislation) would be required to gain a qualification prior to the grant of a licence, and all existing drivers will also be required to attend training with the option of gaining a qualification or relevant accreditation.

Links

Coalition Pledges	P15 & P28
Council Priorities	CO8
Single Outcome Agreement	SO1

Licensing Policy Development - Taxi and Private Hire Driver Training Consultation Update

1. Recommendations

It is recommended that the Committee:

- 1.1 notes the proposals to change current licensing conditions for PHC drivers to introduce compulsory training for PHC drivers when legislation permits, and meantime to introduce it on a voluntary basis;
- 1.2 notes the proposals to adopt a compulsory training programme for all new taxi and PHC drivers with a requirement to gain a qualification prior to the grant of a licence;
- 1.3 notes the proposals to adopt a new training programme for all existing taxi and PHC drivers, on completion of which they may sit an assessment formally recognising their achievement;
- 1.4 notes the proposals that all taxi and PHC drivers will be required to complete refresher training every three years;
- 1.5 notes the proposals that the training should be delivered in-house; and
- 1.6 refers this report to a meeting with the Hire Car Consultation Group and agrees to receive a further report which will include the outcome of this meeting.

2. Background

- 2.1 The City of Edinburgh Council exercised its powers to license taxis and PHCs in 1983. The Civic Government (Scotland) Act 1982 ('the Act') creates a two tier licensing regime, where a taxi may pick up passengers in a public place without a prior booking, and a Private Hire Car (PHC) must be pre-booked. In general terms, whilst the fare paying passenger may see differences in vehicle design, livery and booking conditions across the two services, in reality their expectation is fundamentally one of a contractual agreement between themselves and a suitably trained and regulated 'driver'.
- 2.2 Section 13(5) of the Act allows a Licensing Authority to require an applicant for a Taxi Driver's Licence to take a test of knowledge of the area to which the licence relates, the layout of the roads in that area, and such other matters relating to the operation of a taxi as the authority considers desirable.

- 2.3 The last review of training was subject of a report to the Regulatory Committee on 14 December 2007.
- 2.4 The 'Scottish Government, Taxi and Private Hire Car licensing: Best Practice guidance for Licensing Authorities, second edition April 2012' highlights at paragraph 8.11 "A number of Scottish licensing authorities have, or are developing requirements for taxi drivers which require to be met at first grant of a licence or at renewal. Such training typically covers matters such as customer care, disability awareness, managing conflict, road safety etc. The Scottish Government commends as best practice the importance of such vocational training for drivers and would encourage authorities to adopt a positive approach to vocational training. The Scottish Government would commend as best practice any conditions of licence that seek to raise standards within the taxi and private hire care trades".
- 2.5 There is currently no compulsory training requirement for PHC drivers. To become a PHC driver the applicant needs only to be vetted by the Police and to pass a medical examination.
- 2.6 There are currently 1,316 licensed taxis in Edinburgh operated by approximately 3,456 taxi drivers, and 1,302 PHCs operated by approximately 1,875 PHC drivers.
- 2.7 The proposal to introduce a new programme for taxi and PHC driver training was presented to the Regulatory Committee on 23 June 2015, when it was agreed that a full consultation should be carried out.
- 2.8 The initial consultation (see Appendix 4) ran from 29 October until 15 December 2015. Analysis of this initial consultation identified that very few responses had been received from taxi/PHC users.
- 2.9 The Convenor of the Regulatory Committee, concerned that the views of taxi/PHC users may not be fully represented, asked for a further period of consultation, using the same questionnaire, with this group. As a result a further period of consultation ran from 8 March until 18 April 2016

3. Main report

Context

Complaints

- 3.1 The taxi and private hire trade are vitally important to the economic and social well being of the City of Edinburgh. For visitors to the city a taxi or PHC driver will often be the first point of contact they have while many permanent residents of the city, particularly disabled people, depend on the provision of high quality taxi and private hire services to sustain and enhance their quality of life.
- 3.2 As reported to the Regulatory Committee on 2 February 2016, there have been a growing number of complaints from the taxi trade about the current taxi training course content, delivery, effectiveness, and post-course reinforcement. An initial examination of cost, quality, relevance and effectiveness of taxi driver training was

carried out. This highlighted a number of concerns around the current training structure, course content and delivery of training

The report also identified that there has been an increase year on year in the number of complaints against the trade (Appendix 1). Between 2012 and 2015 the level of complaints more than doubled. This is despite the fact that the number of taxis and private hire drivers licensed has remained fairly static over the same period of time. Accordingly on average 1-2 customers on a daily basis are unhappy at the level of service they received which reflects not only on the trade but the city as a whole.

	Complaints	PHC Drivers	Taxi Drivers
2012	270	1455	3724
2013	437	1447	3776
2014	493	1448	3608
2015	550	1475	3543
2016 (Jan – Aug)	387	1875	3546

- 3.3 A number of recurring complaint themes were identified during this period. The main areas of complaint are:
- a) breaches of licensing conditions;
 - b) road traffic offences;
 - c) failure to provide assistance to customers, particularly customers with disabilities;
 - d) rude and aggressive behaviour;
 - e) conduct whilst driving a taxi and conflict with other road users; and
 - f) routes taken by drivers.
- 3.4 Information on the type of complaint has been recorded since the start of 2016 as detailed in Appendix 1.
- 3.5 Members of the taxi and private hire trade have regularly made the point that the level of complaints received by the Council is relatively low as a proportion of the number of journeys made each year. However, a significant number of complaints are not reported to the Council, instead being reported directly to the taxi and private hire companies, which then deal with issues internally through their own disciplinary committees. The trade considers this information be to be commercially sensitive.
- 3.6 As a result the Council will be unaware of many of these complaints unless the complainant also contacts the Council or Police Scotland about the issue. This prevents the Council from addressing complaints in a proportionate and consistent manner.
- 3.7 As shown in appendix 1 the level of complaint made against Taxi drivers is a minimum of two times higher than that of PHC drivers.

- 3.8 This growing number of complaints has resulted in both taxi and PHC drivers appearing more regularly before the Licensing-Sub Committee. It is apparent that the majority of drivers appearing before the Committee are unaware of their obligations in respect of legislation and licensing conditions.
- 3.9 In addition to the level of complaints, the condition of vehicles also remains of concern, with over 50% of vehicles currently failing the vehicle examination on first inspection. The condition of fitness of both taxi and PHC cars are detailed in the City of Edinburgh Licensing Conditions. A breach of condition is a criminal offence and could lead to suspension of a licence.

Taxi Examination Centre – Vehicle Inspection Pass Rates

- 3.10 As previously reported to the Committee on 24 June 2016, a number of concerns have been identified regarding the number of vehicles which fail their annual inspection and road-side enforcement checks (Appendix 2).
- 3.11 Both taxi and PHC vehicles are examined in respect of roadworthiness and licensing conditions with over half of both vehicles failing their test at the first attempt. Professional drivers should be fully aware of the importance and standards required to maintain taxi and PHC vehicles, however the current level of failure is above that of the national average and reinforces the need for refresher training.
- 3.12 The additional costs associated with the failure to present vehicles for examination due to vehicle defects, abandoned tests and the number of additional tests following failure of a vehicle examination is significant.
- 3.13 At the Regulatory Committee meeting on 24 June 2016, Council officers were asked to report on potential solutions to the unacceptably high failure rate. Training will provide an opportunity to address some of the Committee's concerns, and will provide an opportunity to reinforce licensing conditions.

Training

- 3.14 Training and refresher training is considered to be essential in most professions where the safety of the public is in the hands of professional drivers. Continuous professional development is a proven method of improving standards and demonstrating professional competence. Currently once drivers are licensed as either Taxi or PHC drivers there is no requirement to undertake any further training nor is there a mechanism that creates an environment where drivers can update their knowledge of legislation, licensing conditions or skills.
- 3.15 Training for both taxi and PHC drivers would provide the Council with an opportunity to reinforce licensing requirements, conditions, changes in legislation and policy, and would address public safety concerns. This should ultimately improve the quality of the service provided, reduce the level of complaints, and improve the quality of the taxi and PHC fleet and overall standards befitting a capital city.
- 3.16 Training and refresher will also provide the Council with additional options to address any concerns regarding driver conduct and behaviour.

3.17 Whilst there are differences in the operation of the taxi and PHC trade in general terms this is of little concern to the fare paying passenger whose expectations are of a high standard of customer care, a safe and comfortable journey. To achieve a consistent standard of service it is essential that both the taxi and PHC trade receive the same level of training.

Consultation

3.18 The consultation aimed to achieve a greater understanding both of the needs of the taxi/PHC trade and of taxi/PHC users, in order to inform any decision.

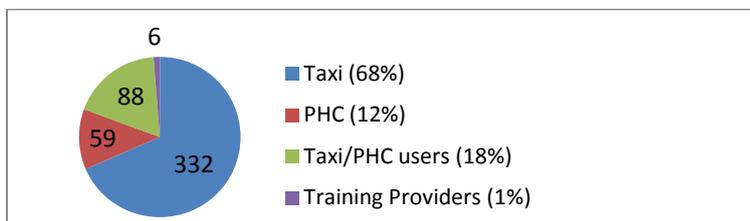
3.19 The consultation asked for views on a number of specific issues regarding both training and refresher training, including the introduction of a recognised qualification and course content.

3.20 There were a total of 485 responses submitted to the Council Consultation Hub survey (see Appendix 5 and 6). A number of the respondents did not answer all of the questions. In addition to the online survey a further seven written responses were also received (see Appendix 7).

3.21 The responders were subdivided into four distinct groups: Taxi (drivers and operators); PHC (drivers and operators); training providers and taxi users.

3.22 Of the 485 responses:

- 332 responses were received from Taxi (drivers and operators) (68%)
- 59 responses were received from PHC (drivers and operators) (12%)
- 88 responses were received from Taxi users (18%)
- 6 responses were received from training providers (1%)



The results of the consultation are attached as Appendices 5-7

Consultation Responses

3.23 There were a total of 485 responses submitted to the Council Consultation Hub survey. The majority of the responses came from members of the trade. 68% were received from the taxi trade and a further 18% from the PHC trade, together making up a total of 80% of overall respondents.

3.24 The written comments linked to the online questions (Appendix 7) provide additional information, much of which highlights the merits of training.

Introduction of a recognised qualification for Taxi Drivers

3.25 The consultation asked for views on the introduction of a recognised training qualification for taxi drivers.

- 3.26 60% of the overall respondents were opposed to the introduction of a mandatory training qualification with 49% strongly opposed. This was mainly due to the responses received from members of the taxi trade which was the largest group of respondents to this question (71%). 67% of this group were opposed to a training qualification, with 56% strongly opposed.
- 3.27 32% of the overall respondents supported a training qualification, with 21% strongly supporting it. 24% of the taxi trade respondents supported the qualification with 13% of this group strongly supporting it. 54% of the Taxi users that responded supported the introduction of the qualification.
- 3.28 Many of the written comments also highlight the merits of training.

Introduction of a recognised qualification for PHC Drivers

- 3.29 The consultation asked for views on the introduction of a recognised training qualification for PHC drivers.
- 3.30 45% of the overall respondents were opposed to the introduction of a training qualification, with 37% strongly opposed. Members of the taxi trade again formed the largest group of respondents to this question (65%). 47% of this group were opposed to a training qualification.
- 3.31 Only 14% of the overall responses were received from the PHC trade with no strong view expressed for or against training with 45% opposed to a training qualification and 49% supporting its introduction.
- 3.32 Of the overall respondents, 44% supported the training qualification with 31% strongly supporting it.
- 3.33 Many of the written comments also highlight the merits of training.
- 3.34 In the event that a training qualification was only adopted for PHC drivers this would in effect make them more qualified than taxi drivers.

Requirement to complete a qualification prior to the grant of a licence

- 3.35 Currently only taxi drivers are required to complete a modular based training course. Prior to the grant of the licence drivers must complete the topographical assessment; wheelchair access and disability awareness; and Licensing conditions and Road Safety issues. The remaining modules: First Aid assistance; and handling conflict and stress; must then be completed within six months of the grant of the licence.
- 3.36 The consultation asked for views on the completion of training qualification for both taxi and PHC drivers prior to the grant of a licence.
- 3.37 No strong view was expressed on the requirement to complete a training qualification prior to the grant of a licence. Of the overall responses received, 18% agree and 38% strongly agree, meaning that a total of 56% agree that training for taxi drivers should be completed prior to the grant of a licence. 14% agree and 41% strongly agree, meaning that a total of 55% agree that training for PHC and taxi drivers should be completed prior to the grant of a licence.

Refresher Training

- 3.38 The consultation asked for views on the completion of refresher training every three years.
- 3.39 There was very little support for refresher training, with 78% of the over all response opposed to any additional training.
- 3.40 Members of the taxi trade were again the largest group of respondents to this question, with 68% of the overall responses, 90% of which were opposed to refresher training.
- 3.41 Members of the PHC trade who responded - 12% of overall responses - felt less strongly, with only 57% being opposed to refresher training.
- 3.42 52% of Taxi users and training providers who responded, supported refresher training.
- 3.43 Written comments attached to the on-line survey were mixed, but many identified the merits of refresher training as an opportunity to gain some insight to changes to legislation and conditions.

Training Provision / Course content

- 3.44 The consultation asked for views on proposed course content, i.e.
- topographical assessment;
 - licensing conditions and road safety issues;
 - first aid training (awareness and qualification);
 - customer care;
 - wheelchair access and disability awareness;
 - handling conflict and stress;
 - English language assessment;
 - local conditions and issues specific to Edinburgh.
- 3.45 Respondents were asked to indicate which subjects should be included in any future training provision.

Topographical assessment

- 3.46 Currently only taxi drivers are required to complete a topographical assessment as part of the application process for drivers. Respondents were asked to indicate if this should continue for taxi driver and be extended to PHC drivers.
- 3.47 Of the responses received 268 respondents indicated that that topographical assessment for taxi drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 70% of the overall responses.

- 3.48 Of the responses received 197 respondents indicated that that Topographical assessment for PHC drivers should be included. Members of the taxi trade were again the largest group of respondents to this question, with 61% of the overall responses. Only 13 % of the PHC trade who responded were supportive of its introduction.
- 3.49 It is not proposed to change the requirement for all taxi driver's to demonstrate their topographical knowledge of the City. The importance of a topographical assessment for all taxi drivers remains paramount to ensure that drivers are familiar with the local topography, road names and places of interest etc. especially where tourists or visitors to the city use taxis. The standard of assessment in Edinburgh requires detailed knowledge, and the test is considered reasonable having regard to the great annual influx of visitors to the city.
- 3.50 Topographical training is currently provided by a number of independent traders, who deliver training over a number of months, it is not proposed to change the existing training arrangement.
- 3.51 However, it is proposed that the current topographical assessment, excluding training, would become part of the City and Guilds examination process, and therefore the actual assessment would open to the same level of scrutiny.
- 3.52 It is not proposed to introduce a topographical assessment for PHC drivers at this time.

Licensing conditions and road safety issues

- 3.53 Of the responses received 261 respondents indicated that that Licensing conditions and road safety issues - for taxi drivers should be included. Members of the taxi trade were again the largest group of respondents to this question, with 70% of the overall responses.
- 3.54 Of the responses received 265 respondents indicated that that Licensing conditions and road safety issues - for PHC drivers should be included. Members of the taxi trade were again the largest group of respondents to this question, with 65% of the overall responses. Only 13% of the PHC trade who responded were supportive of its introduction.

Customer care

- 3.55 Of the responses received 241 respondents indicated that that Customer care for taxi drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 68% of the overall responses.
- 3.56 Of the responses received 231 respondents indicated that that Customer care for PHC drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 63% of the overall responses. Only 16% of the PHC trade who responded were supportive of its introduction.

Wheelchair access and disability awareness

3.57 Of the responses received 285 respondents indicated that that Wheelchair access and disability awareness - for taxi drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 71% of the overall responses.

Of the responses received 202 respondents indicated that that Wheelchair access and disability awareness - for PHC drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 64% of the overall responses. Only 9% of the PHC trade who responded were supportive of its introduction.

3.58 Written comments highlighted a need to expand training beyond that of wheelchair access and a requirement to place for greater emphasis on the need for disability awareness.

3.59 The growing number of complaints regarding wheelchair access and issues around disability would appear to support this.

Handling conflict and Stress

3.60 Of the responses received 218 respondents indicated that that Handling conflict and stress for taxi drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 63% of the overall responses.

3.61 Of the responses received 202 respondents indicated that that Handling conflict and stress for PHC drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 57% of the overall responses. Only 16% of the PHC trade who responded were supportive of its introduction.

Local conditions and issues specific to Edinburgh.

3.62 Of the responses received 235 respondents indicated that that Local conditions and issues specific to Edinburgh - for taxi drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 67% of the overall responses.

3.63 Of the responses received 223 respondents indicated that that Local conditions and issues specific to Edinburgh for PHC drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 63% of the overall responses. Only 15% of the PHC trade who responded were supportive of its introduction.

English language assessment

3.64 Of the responses received 253 respondents indicated that that English language assessment for taxi drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 72% of the overall responses.

3.65 Of the responses received 277 respondents indicated that that English language assessment for PHC drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 69% of the overall

responses. Only 14% of the PHC trade who responded were supportive of its introduction.

- 3.66 There was strong support for the introduction of an English language test for all new drivers.
- 3.67 Rather than introducing a test for all drivers at this stage, it is proposed that all training and assessment is carried out in English. Once rolled out to all drivers the introduction of training will address these concerns, as drivers will be required to understand and speak English in order to engage with the training process. This approach is considered to be more proportionate than introducing an English assessment for all drivers.

First aid training (awareness & qualification)

- 3.68 Of the responses received 222 respondents (46% of the overall respondents) indicated that that First aid training (awareness) for taxi drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 68% of the overall responses to this question. Only 31% of the overall taxi trade respondents supported its introduction.
- 3.69 Of the responses received 198 respondents (41% of the overall respondents) indicated that that First aid training (awareness) for PHC drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 62% of the overall responses. Whilst 15% of the PHC trade who responded to this question were supportive of its introduction, only 6% of the overall responses were supportive.
- 3.70 Of the responses received 129 respondents (28% of the overall respondents) indicated that that First aid training (qualification) - for taxi drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 84% of the overall responses. Only 17% of the overall taxi trade respondents supported its introduction.
- 3.71 Of the responses received 122 respondents (25% of the overall respondents) indicated that that First aid training (qualification) for PHC drivers should be included. Members of the taxi trade were again the largest group of respondents to this question with 79% of the overall responses. Only 2% of the PHC trade who responded were supportive of its introduction.
- 3.72 Taxi users provided 18% of the overall responses to the online survey. Of those responses 53% supported a First aid training (qualification) or taxi drivers; 83% supported First aid training (awareness) for taxi drivers; 48% supported First aid training (qualification) for PHC drivers; and 75% First aid training (awareness) for PHC drivers
- 3.73 In addition to the online survey, many of the written comments also highlight the merits of training.
- 3.74 Trade associations have raised concerns about the introduction of a first aid qualification, highlighting that “the administering of first aid or medical procedures is a matter for the trained medical professionals.... The effecting of medical

procedures at any level risks the incurrence of liability for which taxi drivers are neither required to be insured, nor for which they are insured”.

- 3.75 By undertaking relevant awareness training, drivers will be better equipped to assess risk and provide appropriate assistance to passengers in an emergency situation, where necessary, and will be less likely to put either themselves or passengers at risk. The choice to assist passengers will always be at the discretion of the driver.
- 3.76 It is therefore proposed to introduce first aid awareness training, leaving an option to consider a full qualification in the future. Training will be designed to reflect the needs of the trade to assist members to make an informed decision in the event of an emergency. It is hoped that this approach will alleviate any concerns that members of the trade may have in this regard.

Other areas of training that were identified during the consultation.

- 3.77 A number of the written responses indicated that there would be merit in providing training on the issues of vulnerable adults and children.
- 3.78 This was previously identified by council officers and was the subject of a report to the Regulatory Committee on 25 September 2015 on the Licensing of Hire Vehicles: Protecting Vulnerable Adults.
- 3.79 It is proposed that this would be included in any future training provision.

Taxi and PHC Course Content and Training Qualification proposals

- 3.80 Other council areas in Scotland e.g. Dundee have already introduced formal training qualifications. Qualifications for taxi drivers have been widely used in England and Wales for a number of years. Incorporating pathways to qualifications within the required training for drivers would provide a route to improve standards within the industry in Scotland. This would be in line with the Scottish Government’s ‘Taxi and Private Hire Car Licensing: Best Practice Guidance for Licensing Authorities’, which commends as best practice the importance of vocational training for drivers and encourages authorities to adopt a positive approach to vocational training.
- 3.81 It is proposed that the Council adopts the ‘Introduction to the Role of Professional Taxi and PHC Driver’ and adds local course content relevant to the Edinburgh taxi and private hire trade, as detailed in Appendix 3. The course content would be owned by the City of Edinburgh Council and accredited at Level 2 Certificate by City and Guilds.

The course modules will include both updated and new training material:

- a) passenger assistance (updated) and disability awareness (new);
- b) road and passenger safety (new);
- c) first aid awareness (new);
- d) local licensing conditions (updated) and legislation framework (new); and
- e) professional customer service (updated).

In line with City and Guilds standards, all trainers will require a relevant training qualification.

Training for all new taxi and PHC drivers

- 3.82 It is proposed that all new taxi and PHC drivers will be required to complete the new training qualification and examination prior to the grant of a licence.
- 3.83 The training requirements and content for PHC drivers would mirror that of taxi drivers, with the exception of the requirement to complete a topographical assessment.
- 3.84 The training would initially be offered to all new PHC drivers on a voluntary basis, and would be made compulsory on the commencement of the training provisions within the Air Weapons and Licensing (Scotland) Act 2015.

Training of existing drivers

- 3.85 It is proposed that all existing drivers will also have to complete the full training course. Although it will not be compulsory, they will have the option of taking the examination at the end of the course. It is hoped that drivers will welcome the opportunity to gain a professional qualification, but it is recognised that not all drivers will want to be qualified.
- 3.86 Training would be managed on a rolling basis over a three year period.
- 3.87 Where an existing driver has allowed their licence to lapse (with any subsequent application therefore being treated as a new application), the Licensing Service will not require the driver to repeat the training or the topographical test, provided that not more than three years has elapsed from the date the previous training or topographical test was completed. If a driver has not previously gained a qualification this will normally be a requirement of the new application process.

Training Delivery

- 3.88 It is proposed that training will be delivered 'in house' by Council staff with a background in licensing these vehicles and drivers. Delivering training 'in house' would allow the Council to tailor the course content to address localised practice, Council policy, and Council conditions.
- 3.89 The Licensing Service became an accredited City and Guilds training centre in July 2015. Training would be completed at the City of Edinburgh Council Risk Factory, a purpose built training facility with classrooms and practical training area.
- 3.90 The training is vocational and the format will take into consideration applicants who may be unfamiliar with a written /multiple choice exam process.
- 3.91 Training will be tailored to facilitate flexible learning, offering a variety of options for when training can be undertaken.
- 3.92 The course will consist of 3 x 7 hour sessions with trainers. Training would be delivered over three days either as:
 - a) 3 consecutive days
 - b) 3 days over 3 weeks (1 day each week)

c) 3 days over 3 months (1 day each month)

3.93 Training for existing drivers would be avoided in the months of August and December, however courses would be available on demand and for all new drivers

Refresher training

3.94 Training is currently 'one off' in nature. Drivers complete the course only once in their career, and are not required to undertake refresher training which could provide a framework for continuous improvement. There is currently no mechanism to update drivers with any changes to legislation, licensing conditions or customer service issues. Drivers licensed before 2003 were not required to complete training and currently there is no mechanism to address this.

3.95 It is proposed to introduce mandatory refresher training, which would allow the Council to modernise the current system, provide an opportunity to provide updates on any changes to legislation or conditions, allow for recertification of a first aid qualification if necessary, and address areas of concern including complaints.

3.96 Refresher training courses would be of one day's duration, with the option of a final multiple choice style examination being available for drivers who want to demonstrate their ongoing continuous professional development.

Benefits

3.97 High quality taxi and private hire car services play an essential part in local transport networks, providing an invaluable service for both residents and visitors to Scotland. To meet the needs of customers and communities, the operation of the taxi and private hire car trades must reflect an appropriate standard.

3.98 A revised training package will have significant benefits, not just for drivers but also for the taxi and PHC trade, taxi and PHC operators, the Council, and most importantly the public.

3.99 The benefits will provide an opportunity to:

- a) raise standards and improve quality of service;
- b) increase customer satisfaction, reduce the number of complaints and liabilities;
- c) engage in learning and obtain a recognised qualification;
- d) create a locally licensed service which achieves nationally recognised standards;
- e) address any changes to legislation or licensing conditions;
- f) attract new people into the trade, offering a career path which promotes continuous professional development; and
- g) create a service within the city that truly reflects its capital city status.

Next Steps

3.100 The Hire Car Consultation Group met on 6 July 2016. During the meeting it was agreed that the group would be provided with details of the outcome of the

consultation and training proposals prior to a final decision being reached by the Regulatory Committee.

3.101 The Hire Car Consultation Group is due to meet on 4 October 2016, when the content of the report and training proposals will be discussed.

Following consultation with the Hire Car Consultation Group, officers will bring a further report back to the Committee.

Summary of proposals

3.102 It is proposed that:-

- a) There is no change to the current practice of requiring Taxi drivers to pass a topographical assessment prior to the grant of a licence. This assessment will not be extended to PHC drivers at this time;
- b) the current topographical assessment, excluding training, should become part of the City and Guilds examination / assessment process;
- c) all drivers will be required to understand and speak English in order to engage with the training process. This will negate the requirement to introduce a separate English assessment;
- d) the Council adopts the 'Introduction to the Role of Professional Taxi and PHC Driver' and adds local course content relevant to the Edinburgh taxi and private hire trade, as detailed in Appendix 3;
- e) future training provision will include a module on first aid awareness training. Training will be designed to reflect the needs of the trade to assist them to make an informed decision in the event of an emergency;
- f) future training provision will include a module on Protecting Vulnerable Adults.
- g) all new taxi and PHC drivers will be required to complete the new training qualification and examination prior to the grant of a licence;
- h) training will initially be offered to all new PHC drivers on a voluntary basis and this would be made compulsory on the commencement of the Air Weapons and Licensing (Scotland) Act 2015 training provision;
- i) all existing drivers will also have to complete the full training course within a three year period. They will have the option of taking the examination at the end of the course although this will not be compulsory;
- j) where an existing driver has allowed their licence to lapse (with any subsequent application therefore being treated as a new application) the Licensing Service will not require the driver to repeat the training or the topographical test, provided not more than three years has elapsed from the date the previous training or topographical test was completed. If a driver has not previously gained a qualification it will normally be a requirement of the new application process;

- k) refresher training will be introduced, which would allow the Council to modernise the current system and provide an opportunity for updates on any changes to legislation or conditions;
- l) refresher training courses will be of one day's duration, with the option of a final multiple choice style examination being available for drivers who want to demonstrate their ongoing continuous professional development; and
- m) training will be delivered 'in house' by Council staff having a background in licensing these vehicles and drivers.

4. Measures of success

- 4.1 A wide ranging and clear consultation and engagement process that demonstrates customer focus and commitment to listening to all stakeholders.
- 4.2 That the standard of taxi and PHC drivers is elevated to a level that is expected in a capital city, delivering improvements that create:
 - a) safe and efficient transport options for residents and visitors alike;
 - b) a fleet of professional drivers working throughout the city;
 - c) an improved and standardised working environment for all drivers; and
 - d) a recognised transferrable, vocational qualification which will be available for all drivers.

5. Financial impact

- 5.1 None arising directly from this report. 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.
- 5.2 The cost of training will be in addition to the existing licensing fees and any income generated will be used to offset the cost of the licensing system. There are no costs to the Council's revenue budget
- 5.3 Costs and proposed fees will be presented to a committee as part of the further report following consultation with the Hire Car Consultation Group.

6. Risk, policy, compliance and governance impact

- 6.1 The development of policy in respect of the licensing of taxi and PHC drivers is part of a wider policy-making role for the Council. It is essential that all the strategic aims of the Council are considered and that the Taxi Licensing Policy is consistent with these.
- 6.2 There is a risk that any decision to introduce training and or refresher training for existing drivers could be subject to legal challenge and may be appealed to the Sheriff. The Council has obtained legal opinion on the issues identified during the consultation period which would mitigate this risk.

- 6.3 It is intended that the revised training conditions will strengthen the Council's position in the event of a legal challenge against the introduction of training for existing drivers.

7. Equalities impact

- 7.1 An ERIA has been developed and following consultation any impacts, direct or otherwise, on any group of people with one or more protected characteristic, will be reported to the Committee.

8. Sustainability impact

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

9. Consultation and engagement

- 9.1 Initial consultation commenced on 29 October and finished on 15 December 2015. A further consultation period ran from 8 March until 18 April 2016, which was designed to gauge the views of taxi and PHC users. Details of the consultation are detailed in Appendix 4.
- 9.2 In line with statutory requirements the consultation included the wider business and residential community, relevant partners and agencies. This took the form of an online questionnaire, as detailed in Appendix 5, which was published on the Council Website. A number of written responses and comments were also received as detailed in Appendices 6-7.
- 9.4 The consultation was designed to assess the understanding of the effects of the approach on different user groups to allow an informed decision on suitable changes to be made.
- 9.5 The content of the report will be shared with the Hire Car Consultation Group which is due to meet on 4 October 2016.

10. Background reading/external references

[Taxi and Private Hire Car Licensing: Best Practice Guidance for Licensing Authorities, Second edition April 2012](#)

[Regulatory Committee Report 2 February 2015 - Licensing Policy Development - Taxi and Private Hire Driver Training](#)

[Regulatory Committee Report 25 September 2015 - Licensing of Hire Vehicles: Protecting Vulnerable Passengers](#)

[Regulatory Committee Report 24 June 2016 - Taxi Examination Centre: Vehicle Inspection Pass Rates](#)

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11. Links

Coalition Pledges	<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>
Council Priorities	<p>CO8 - Edinburgh's economy creates and sustains job opportunities.</p>
Single Outcome Agreement	<p>SO1 - Edinburgh's Economy Delivers increased investment, jobs and opportunities for all.</p>
Appendices	<p>Appendix 1 : Taxi and PHC Complaints</p> <p>Appendix 2: Taxi Examination Centre Vehicle Inspection Pass Rates</p> <p>Appendix 3: Proposed Taxi & PHC Training course content</p> <p>Appendix 4: Questionnaire</p> <p>Appendix 5: Questionnaire responses</p> <p>Appendix 6: Questionnaire written responses</p> <p>Appendix 7: Written Letters of response</p>

Appendix 1 - Taxi / PHC Complaints

	2012	2013	2014			2015			
			Taxi	PHC	Total	Taxi	PHC	Other	Total
Jan	19	26	25	12	37	34	5	1	40
Feb	25	42	28	8	36	27	2	0	29
March	23	38	17	14	31	32	13	4	49
April	15	36	34	5	39	26	9	1	36
May	30	48	27	14	41	36	15	4	55
June	24	35	29	22	51	42	8	1	51
July	23	38	31	11	42	38	12	0	50
Aug	24	38	36	16	52	53	19	0	72
Sept	21	35	24	11	35	31	19	0	50
Oct	22	29	24	14	38	29	11	5	45
Nov	22	34	40	18	58	23	5	6	34
Dec	22	38	25	8	33	26	10	3	39
Total	270	437	340	153	493	319	92	11	550

* 2012/2013 break down of complaints for taxi / PHC vehicles is not available

Further analysis of the individual complaints is required. This could provide greater detail about the nature and type of complaints which could also be used to inform training requirements.

2016 Taxi & PHC complaints				
	Miscellaneous	PHC	Taxi	Total
Driving Manner		37	46	83
Aggressive Behaviour		12	41	53
Seagulling		10		10
Sexual				
Disability			10	11
Cyclist		2	10	12
Greenways		2		2
Smoking			1	1
Customer Service		5	4	9
Condition of Vehicle		7	2	9
Illegal Parking		8	17	25
Over Charging / Routes		7	6	13
Mobile Phone Use				
Miscellaneous	1	12	17	30
Live complaints	120	3	1	124
Fare Refused			5	8
Total	131	105	151	387

(The figures detailed in red are still being investigated)

APPENDIX 2 - Taxi Examination Centre Vehicle Inspection Pass Rates

A comparison of information on the key measures between January - June 2015 and April 2015 - March 2016, provided by the Taxi Examination Centre (TEC), is noted in the table below. A new system was installed in January 2015 and it will take until January 2017 for data to enable 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 these related to a serious technical fault a 'red label' was issued.

Detailed analysis of 151 failed inspections for the period November 2015 to January 2016 was carried out in order to provide a snapshot of the reasons for failure.

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%)

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

Appendix 3 - Proposed training course content

Health and safety in the taxi and private hire work

- Know how to ensure health and safety when working in the taxi and private hire sector
- Understand how to prevent and protect driver and customers from potential hazards and risks
- Understand how to respond to an emergency or incident when driving a taxi or private hire vehicle
- Understand how to respond to a range of accidents and first aid emergencies when driving a taxi or private hire vehicle

Road safety when driving passengers in a taxi or private hire vehicle

- Understand factors that can affect a driver's judgement and concentration
- Know how to transport customers in a safe and comfortable manner.

Professional customer service in the taxi and private hire industry

- Understand the importance of providing a professional service in a competitive passenger transport market
- Understand how to deliver quality customer service to all sections of the community
- Know how to work and communicate effectively.

Taxi and private hire vehicle maintenance and safety inspections

- Know how to prepare and clean the vehicle in preparation for fare paying passengers
- Know how to undertake a regular inspection regime to maintain the safety and efficiency of the licensed vehicle and to ensure it meets legal requirements.
- Know how to monitor vehicle systems between service intervals and inspections.
- Understand the requirements, conditions and management of operating forward facing and Internal security cameras

The regulatory framework of the taxi and private hire industry

- Understand how to meet the requirements to hold and retain a licence to drive and work within the taxi and private hire industry
- Know the requirements of the licensing authority in relation to taxi or private hire vehicles
- Know how to work within the regulatory framework for carrying passengers for hire and reward
- Know how to discharge the duties and responsibilities of a licensed operator
- Licensing Conditions and Legislative requirements
- Enforcement

Taxi and private hire services for passengers who require assistance

- Understand anti-discriminatory legislation

- Understand how to recognise when passengers require assistance
- Understand how to provide an appropriate service for customers who may experience difficulties in using taxis and private hire vehicles
- Know how to provide safe wheelchair assistance to customers who require transfer to an accessible vehicle
- Understand how to provide an appropriate service for customers who have assistance dogs
- Understand the role and requirements associated with of Exemption Certificates

Routes and fares in the taxi and private hire vehicle industries

- Know how to use map reading and navigational tools
- Know rules, safety measures and restrictions related to picking up and setting down passengers
- Know how to accurately charge out a fare for transporting passengers within a hire and reward system

Transporting of parcels, luggage and other items in the taxi and private hire industries

- Understand how to accept and load parcels, luggage and other items for transporting
- Know how to carry out lost property checks and take the appropriate steps to source the owner

Transporting of children and young persons by taxi or private hire vehicle

- Understand the role of the driver in ensuring that the vehicle and its ancillary components are fit for purpose
- Understand how to safely pick up and transport children and young persons to a destination point where they can be safely handed over to an authorised person
- Understand the role of the drivers in preventing Child Sexual Exploitation and protection of Vulnerable adults



Taxi and Private Hire Car Driver Qualification

Overview

Currently the City of Edinburgh Council requires taxi drivers to undertake the following before a Licence is granted:

- A topographical assessment of their knowledge of the layouts of roads and area to which their licence relates to.
- Tests on other matters relating to the operation of a taxi that the Council, as the licensing authority, considers desirable.

A change in legislation which is due to take effect in 2016 now allows the council to extend training to Private Hire car drivers.

The Council is now proposing to introduce a **training qualification** <http://www.cityandguilds.com/qualifications-and-apprenticeships/logistics/taxis/7552-introduction-to-the-role-of-the-professional-taxi-and-private-hire-driver#tab=information&acc=level/2> for both taxi and private hire drivers in Edinburgh, which will improve standards across the industry. Qualifications for taxi drivers have been widely used in England and Wales for a number of years.

The Council welcomes your views on the new proposals and on developing future training provision for the city's taxi and private hire car drivers.

Information about the proposed training qualification

The Council intends to introduce a training qualification for both taxi and private hire drivers in Edinburgh. It is proposed that the **'Introduction to the Role of Professional Taxi and Private Hire Driver' course** <http://www.cityandguilds.com/qualifications-and-apprenticeships/logistics/taxis/7552-introduction-to-the-role-of-the-professional-taxi-and-private-hire-driver#tab=information&acc=level/2> is adopted, which is accredited by City and Guilds at a Level 2 Certificate. This would allow the city's taxi and private hire car trade to gain a recognised qualification; and would also contribute to drivers' professional development and further education.

The course content would be owned by the City of Edinburgh Council, and local course content relevant to the Edinburgh taxi and private hire trade would also be added.

The full training qualification would be delivered over three consecutive days, with practical assessment and a final multiple choice style examination.

Mandatory refresher training would also be introduced. Refresher training would be delivered over one day with a final multiple choice style exam, and would be completed at the time of licence renewal every three years. This would allow the Council to address any changes to practice policy and legislation, allow for recertification of first aid qualifications and address any issues identified in respect of customer feedback.

In addition, the current topographical format for taxi drivers will be strengthened and underpinned by the recognised qualification.

1 What is your email address?

This is optional, but if you enter your email address then you will be able to return to edit your consultation at any time until you submit it. You will also receive an acknowledgement email when you complete the consultation.

Email

2 In what capacity are you responding to this survey?

Please select all that apply

- Taxi Driver Private Hire Driver Taxi Vehicle Owner Private Hire Car Owner
 Taxi / PHC Association Training Provider Business Member of the public Other (Please state)

Survey questions

3 To what extent do you support or oppose the Council's proposal to introduce a recognised qualification?

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose
For taxi drivers <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
For private hire car drivers <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4 Below is a list of suggested course content. Please tick the relevant box for each of the subjects if you think it should be included as part of the qualification.

	Yes, this should be included in the course content for taxi drivers	Yes, this should be included in the course content for private hire car drivers
Topographical assessment (knowledge test of road layouts and local area)	<input type="checkbox"/>	<input type="checkbox"/>
Licensing conditions and road safety issues	<input type="checkbox"/>	<input type="checkbox"/>
First aid training (awareness)	<input type="checkbox"/>	<input type="checkbox"/>
First aid training (qualification)	<input type="checkbox"/>	<input type="checkbox"/>
Customer care	<input type="checkbox"/>	<input type="checkbox"/>
Wheelchair access and disability awareness	<input type="checkbox"/>	<input type="checkbox"/>
Handling conflict and stress	<input type="checkbox"/>	<input type="checkbox"/>
English language assessment	<input type="checkbox"/>	<input type="checkbox"/>
Local conditions and issues specific to Edinburgh	<input type="checkbox"/>	<input type="checkbox"/>

5 Please use the space below for any comments on the proposed course content, or for suggestions on any other modules you think drivers would benefit from.

6 To what extent do you agree or disagree with the following statements?

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
The training qualification should be completed before a Taxi Driver Licence is granted. <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The training qualification should be completed before a Private Hire Car Driver Licence is granted. <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

7 Do you agree that refresher training should be completed every three years?

Please select only one item

Yes No

8 Please use the space below for any other comments or suggestions about the proposed qualification for taxi and private hire car drivers.

Appendix 5 – Consultation Questionnaire responses

Blue = number of responses in each category

Driver Qualifications

Do you support or oppose the Council's proposal to introduce a recognised qualification For taxi drivers										
	Other		PHC		Taxi		Training Provider		Total	
Strongly oppose	6%	28	3%	12	40%	182	0%	1	49%	223
Oppose	2%	8	1%	4	9%	40			11%	52
Neither support nor oppose	1%	5	1%	3	6%	27			8%	35
Support	2%	8	2%	8	8%	35	0%	1	11%	52
Strongly support	8%	37	3%	13	9%	43	1%	3	21%	96
Response Totals	19%	86	9%	49	71%	327	1%	5		458

Do you support or oppose the Council's proposal to introduce a recognised qualification For PHC drivers										
	Other		PHC		Taxi		Training Provider		Total	
Strongly oppose	7%	28	4%	16	26%	107	0%	1	37%	152
Oppose	1%	6	2%	9	5%	21			8%	36
Neither support nor oppose	0%	2	1%	4	9%	38			11%	44
Support	1%	6	3%	12	8%	33	0%	1	13%	52
Strongly support	10%	40	4%	16	17%	69	1%	3	31%	128
Response Totals	20%	82	14%	57	65%	268	1%	5		412

The training qualification should be completed before a Taxi Driver Licence is granted.										
	Other		PHC		Taxi		Training Provider		Total	
Strongly disagree	4%	20	3%	14	20%	92	0%	1	28%	127
Disagree	2%	8	0%	1	5%	23	0%		7%	32
Neither agree nor disagree	1%	5	1%	6	6%	28	0%	1	9%	40
Agree	2%	10	2%	11	13%	59	0%	1	18%	81
Strongly agree	9%	40	4%	18	25%	114	1%	3	38%	175
Response Totals	18%	83	11%	50	69%	316	1%	6		455

The training qualification should be completed before a Private Hire Car Driver Licence is granted.										
	Other		PHC		Taxi		Training Provider		Total	
Strongly disagree	5%	22	4%	17	17%	74	0%	1	26%	114
Disagree	2%	7	1%	4	5%	21	0		7%	32
Neither agree nor disagree	1%	3	2%	7	10%	42	0%	1	12%	53
Agree	2%	7	3%	14	9%	41	0%	1	14%	63
Strongly agree	10%	44	3%	15	27%	117	1%	1	41%	179
Response Totals	19%	83	13%	57	67%	295	1%	6		441

Refresher Training

Refresher training should be completed every three years										
	Other		PHC		Taxi		Training Provider		Total	
No	9%	43	7%	34	62%	299	0%	2	78%	378
Yes	8%	40	5%	23	6%	28	1%	4	20%	95
Not Answered	1%	5	0%	2	1%	5	0%		2%	12
Response Totals	18%	88	12%	59	68%	332	1%	6		485

Course Content

First aid training (awareness) - for taxi drivers										
	Others		PHC		Taxi		Training Provider		Total responses	
Yes	22%	49	9%	21	68%	150	1%	2		222

First aid training (awareness) - for private hire car drivers										
	Others		PHC		Taxi		Training Provider		Total responses	
Yes	22%	44	15%	29	62%	123	1%	2		198

First aid training (Qualification) - for taxi drivers										
	Others		PHC		Taxi		Training Provider		Total responses	
	24%	31	9%	11	65%	84	2%	3		129

First aid training (Qualification) - for private hire car drivers										
	Others		PHC		Taxi		Training Provider		Total responses	
Yes	22%	27	11%	13	65%	79	2%	3		122

Topographical assessment - for taxi drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	19%	50	9%	25	70%	188	2%	5	268

Topographical assessment - for private hire car drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	23%	46	13%	26	61%	121	4	2%	197

Licensing conditions and road safety issues - for taxi drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	20%	52	8%	22	70%	182	2%	5	261

Licensing conditions and road safety issues - for private hire car drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	20%	52	13%	36	65%	172	2%	5	265

Customer care - for taxi drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	20%	47	10%	24	68%	165	2%	5	241

Customer Care - for private hire car drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	19%	44	16%	37	63%	145	2%	5	231

Wheelchair access and disability awareness - for taxi drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	19%	54	8%	24	71%	202	2%	5	285

Wheelchair access and disability awareness - for private hire car drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	25%	51	9%	17	64%	129	1%	2	202

Handling conflict and stress - for taxi drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	24%	52	11%	23	63%	138	2%	5%	218

Handling conflict and stress - for private hire car drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	24%	48	16%	33	57%	116	2%	5	202

English language assessment - for taxi drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	16%	41	10%	25	72%	182	2%	5	253

English language assessment - for private hire car drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	15%	42	14%	38	69%	192	2%	5	277

Local conditions and issues specific to Edinburgh - for taxi drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	20%	48	10%	24	67%	158	2%	5	235

Local conditions and issues specific to Edinburgh - for private hire car drivers									
	Others		PHC		Taxi		Training Provider		Total responses
Yes	20%	45	15%	33	63%	140	2%	5	223

Appendix 6 Questionnaire – Written Responses

Please use the space below for any comments on the proposed course content, or for suggestions on any other modules you think drivers would benefit from.
You do not need a qualification to drive a taxi.
Taxi driver behaviour is often pretty appalling. Just because someone has a driving licence doesn't make them a good person to be in charge of a wheel. I'd be keen to see driving competencies assessed, especially relating to pedestrians and cyclists.
Advanced driving courses for taxi drivers
English language assessment must be a priority along with customer care, All passenger carrying vehicles Taxi and/or Ph vehicles should isolate the driver thus improving driver and customer safety.
It is essential that drivers know how to assist and support people with disabilities including, but not exclusively, wheelchair users.
A driving standards test should also be added.
The courses shouldn't have to be paid by the license holders or drivers but by the council
Having no insurance cover means first aid training is an un-necessary addition
Current setup is fine as is.
Basic Maths and English.
personal fitness and wellbeing
Specific content about keeping vulnerable users safe would be good, particularly cyclists. I get sick of taxis ignoring advance stop lines, U-turning suddenly in front of me, or otherwise making me feel unsafe as a cyclist. In contrast, Lothian Buses give cycle-specific to training to their drivers and they're now some of the best drivers on the road!
Regarding topographical assessment, I don't believe this is relevant in a day when GPS navigation is the norm. My feeling is that drivers can pick up local routes and sensible shortcuts while on the job without needing to be tested in advance, since the GPS will always get them there. I'd rather the course content focus on road safety and customer care etc.
A good understanding of English
Black cab drivers should be made aware of the road traffic regulations specifically in relation to road signs and not parking/waiting outwith the limits of duly designated taxi ranks.
Cycling awareness. Black cabs are usually ok. But private hire drivers can be rude dangerous and threatening.
I have sat and passed all my modules I DO THINK that ALL drivers who have not sat modules previously should now sit them,
It must be remembered that a private hire driver is just any old Tom Dick or Harry driving a car. The

<p>possess no relevant qualification other than a drivers licence, yet are allowed to pretend to be a qualified taxi driver.</p> <p>Until a private hire driver has completed a FULL topographical assessment, then no additional qualifications should be afforded to them, blurring the lines of distiction (beteen taxis and PH) further in the eyes of the law and public.</p> <p>I'll quote Lord Borthwick from the House of Lords last month....."With the knowledge, we have a wonderful system for weeding out the chancers, crooks and con artists".</p> <p>This sums up the importance of getting the RIGHT people into the job, and i feel that the council has a duty of care to protect this system. Not to bring PH up to the same level via the back door.</p>
<p>Cycle-awareness training would be useful too.</p>
<p>The black cab trade already has a topographical qualification which takes a lot of studying to complete and pass. It is essential to keep a difference between black cabs and phc - there is a lot of pride in the black cab trade that we have qualified to do our job and we do our job well. PHC are not the same thing, do not incur the same costs to keep on the road and if the council make the qualifications equal, the city will soon be without black cabs. Who is going to fund a £40,000 plus cab when they can put a £4000 car on the road, make the same money and have less overheads? To see no more black cabs would be a loss to the city - not least for the tourists who love to have their photos taken with their black cab.</p>
<p>I have to travel in a car as taxi isn't an option for getting into. This said, I deserve just a professional service for my money as anyone getting into a proper taxi.</p>
<p>I think that the DVLA, DWP & HMRC should be consulted with every applicant to help combat drivers claiming unemployment or any benefit from the British government while they hold an Edinburgh Taxi or PHC driving licence.</p>
<p>If taxi drivers have to endure a mind numbing and patronising course of modules, what gives the right that PHC drivers miss out?</p>
<p>as I am aware a taxi driver (black cab)has already completed a topographical assessment of their knowledge of Edinburgh therefore he or she is already qualified and should not be asked to resit the new form of that(this equates to asking as school teacher to resit their degree) unless of course this whole proposal is based on new taxi or phc driver your proposal is not clear!!</p>
<p>Seriously, who made these proposals up? Its actually insulting. On the first aid training , whether qualified or not, there would be no way on earth I would attempt anything with any member of the public. I am not a paramedic.</p>
<p>Native Scot whose first language is English and have already covered all the above suggestions in pre-existing courses run by the council. Appears to be another money making scam targeting hard working people, who are struggling to make a living as it is - completely unnecessary.</p>
<p>I've several times been driven by private hire drivers who were clearly so tired that they were nearly asleep. I also have a friend who once worked as such a driver and it was clear that long hours were common, in a financially unrewarding job - in his case the company knowingly employed too many drivers for the work available. The drivers paid either a fixed weekly fee or a percentage of their weekly income to the company who owned the cars, so the company got paid even if there was nothing left over for the drivers themselves. I've gone back to using black cabs because their drivers</p>

<p>seem safer; the higher cost is offset by the black cabs' drivers knowledge and shorter routes than the PH drivers just following a satnav. I do think that there needs to be better licencing of the PH companies though, to limit the number of drivers competing for a fixed income stream.</p>
<p>The above content can only improve the current service private hire drivers offer. Hopefully this would also put PHC drivers on a more level playing field with the Taxi Drivers. I also believe that after having driven a private hire taxi for 1 year now that this would be extremely welcomed by the public.</p>
<p>This is typical council interference and some bloody genius trying to justify their existence. It's not enough to have a brief with a good knowledge of Edinburgh now you want us to have university degrees. If you can't come up with something helpful to the taxi trade leave well alone.</p>
<p>This is typical council interference and some bloody genius trying to justify their existence. It's not enough to have a brief with a good knowledge of Edinburgh now you want us to have university degrees. If you can't come up with something helpful to the taxi trade leave well alone.</p>
<p>Taxi drivers have already done this training</p>
<p>I agree that that both Taxi and PHC drivers should do all these ONCE! before being issued their badge. I have done all of these and before I received my Taxi badge. There are many drivers that have not done the latter at all. They should not need to refresh these with exception of perhaps the first-aid. However, this should be very basic.</p>
<p>As private hire driver/owner my main concern would be any cost to attain this qualification</p>
<p>Private hire should have to sit some type of city knowledge test.</p>
<p>As a black cab driver I have already studied and passed all of the above at considerable cost to myself!</p>
<p>Not related to course content. PHC should be allowed to utilise roads currently restricted to Taxis and Buses. Cutting down on journey times. Introduce a fee to allow access to such roads.Fee should be levied to Taxis and PHC.</p>
<p>if you want to treat private hire drivers as the same as taxi drivers or class us as professional drivers with a qualification then surely WE SHOULD BE ABLE TO USE THE BUS LANES JUST LIKE GLASGOW ,ABERDEEN AND LIKE MOST CITYS IN THE UK</p>
<p>tourist sites and historic places</p>
<p>It's another step closer to saloon cars Picking up on the streets of edinburgh This will be disastrous for the public</p>
<p>black taxi driver none already paid for modules and just another way to get money out of us in this day of declining ranks and trade</p>
<p>black taxi driver none already paid for modules and just another way to get money out of us in this day of declining ranks and trade</p>
<p>Private hire drivers should be subject to the same testing, module completion and costs as taxi</p>

drivers.
<p>Taxi or Private Hire drivers should not have to complete any of this course. It is not done for any other self employed occupation. First Aid would be dealt with by the people who are qualified to do this. If a taxi driver feels they want to do first aid or handling conflict situations then they can do this outwith the taxi trade as a course at college. I also work in the care sector so I would not want to duplicate any courses I am doing through my current profession and take time off work to do this through the council. This course is not done by any other self employed profession in Edinburgh. If it does go ahead then the council should pay for the course and pay a reasonable fee to all attendees like other companies pay their employees. When I attend a course I am paid a 9-5 rate. Also, there are people who renew licences every three years like I do but do not work in the trade therefore exemptions should apply until they are actually in the trade. Its like having a doormans licence but it doesn't mean you will work asa doorman much. I would also hope this is not another money making scheme made up by the council??? I totally disagree with the course, it is discrimination against taxi and private hire drivers.</p>
<p>Both Taxi drivers and phc drivers should have have PVG. This is a requirement the council demands for its own taxi contract. Surely the general public should be afforded the same level of protection and as it would be wholly funded by the licence holder there can be no argument against this as protection of the public should be the councils main concern.</p>
<p>Some basic knowledge of Edinburgh's history, its buildings, its great historical people, etc. As a current driver, it's not uncommon to be asked what something is - and it's a great feeling when you know the answer and the passenger is grateful too.</p>
<p>As a current taxi driver I feel angered that the council would want to introduce a NEW training qualification. I already passed a topographical test and sat and passed all the extra "common sense" modules required of me. I also have HIGHER English and Communications level 4 in my list of qualifications. My "local knowledge" keeps me abreast of conditions and issues relating to Edinburgh.</p>
<p>Tourist places of interest and hotel locations</p>
<p>Have concerns that a formal First Aid Qualification may leave the driver open to prosecution after administering first aid. Customer Care would be a welcome addition but just because someone attends a course on customer care does not necessarily mean that it will be put into practice, I would like to see random checks with " Mystery passengers " evaluating all drivers as to their standard of competence and suitability.</p>
<p>This is long overdue BUT should not be yet another way of CEC ripping off drivers while being afraid of Racist / pc labels. YOU have let Edinburgh down badlytopographical knowledge is not enough History and venues most be known and the ability to speak English and be able to understand locals even when they are drunk. Being charged £60 for modules when I already have advanced first aid certificate and more again when I know how to change a wheel, put me off getting black ticket . Sat Nav is NOT enough Its not racist to exclude those who rely on such IF they cant even speak enough english to get correct address (EG Cockburn St or Coburg st) (kemps corner or Smokey Braeare not on sat nav.as such) (Bottom shop is a pub not no 18) thats only a few examples get rid of the trash and let local drivers compete fairly Deal with Glasgow mafia Any non Scots need full background checks not just british PNC but access to their country of origins records or no ticket. Im a retired cop and am fed up apologising for events that friends/ passengers etc should not have been presented with just because CEC are NOT protecting people of Edinburgh</p>

<p>this is another example of a money making venture by the council," Teaching your grandmother how to suck eggs!" springs to mind. why should I need to qualify to do something i've been doing well for many years??</p> <p>If this scheme is introduced it should be on a voluntary basis and aimed at those with no previous experience and not for existing licence holders who will no doubt have to give up time and money to "qualify" to do something they are already proficient at.</p>
<p>Please do not lump phc drivers in with Taxi Drivers, they are not taxi drivers.</p>
<p>A basic knowledge of vehicle maintenance would help all drivers.</p>
<p>Black cab drivers already have wheelchair training and are generally aware of licensing and road safety issues, but may require some training on courtesy , manners and dress.</p>
<p>Further modules are not necessary as the public and other members of the taxi community will soon make it clear if drivers are unable to provide a good service with the result that unsuitable drivers will not be employed by owners and not used by the public.</p>
<p>A qualification to drive a customer from point a to point b is not needed. This will be another added expense and additional time for drivers to not be working enlarging the cost even more.</p>
<p>As a taxi driver I have completed training in all of the above topics but feel it would be to the benefit of the taxi trade to adopt these topics to PHC licence holders. I don't feel there would be a whole lot of benefit subjecting drivers to undertake more training or refresher courses after they have initially passed the topography exam.</p>
<p>The present modules are sufficient . Most of the above are already part of new driver training.</p>
<p>General vehicle awareness ie daily, weekly checks (oil/water etc)</p>
<p>strongly disagree with any first aid training, thats what emergency services are for.</p>
<p>I have 26 years experience, what exactly are you going to teach me? Not a thing. What are you going to charge me? Lots no doubt. Yet another ludicrous Council Decision.</p>
<p>I think any potential drivers should sit a recognized driving test both on theory and practical ability. Also a thorough written English exam and basic arithmetic examination also</p>
<p>More on disability and elderly issues. Also Edinburgh and scottish history</p>
<p>It is important that drivers are made aware of the importance of customer care, especially those involved with dealing with visitors to our City. I am delighted to see that a vocational qualification is being considered. Perhaps simple book keeping could be added?</p>
<p>Taxi drivers already have a qualification. They have all sat the knowledge test and had wheelchair training. The more recent drivers have had to train on other courses through Edinburgh college. The</p>

only one I would agree with is drivers ability to speak english.
Its about time we were ALL on an even playing field
Every private hire drier should have street hotel and attraction knowledge because edinburgh is a popular tourist denstination for foreigners and 40% off private hire drivers ask customers for direction or using GPS if £5 end up with £20 that is extremely expensive drivers should know their routes.
Edinburgh black cab drivers, have already sat relevant tests and are fully qualified. However, PHc drivers are not qualified, some can not speak English, and are abusing the regulations, picking up in the street, and using bus lanes to mention only a few. The black cab business is hard enough without, council making it even harder. We have lost the majority of our trade to the PHC companies, who are employing untrained, drivers. Its only a matter of time before someone is seriously abused by the lack regulations they are allowed to adhear to.
I see no need for such a qualification.
taxi drivers already do a topographical exam, and already do their 5 modules at a considerable cost to the driver, in time and money, when the private hire driver hasn,t and clearly is therefore at a lower standard, It would therefore make more sense to raise the level of education of the private hire. and for Edinburgh council to stop using black cab drivers as a cash cow.
brief holders already have to sit a topographical test. Private hire licenses are granted without drivers requiring to learn any of the street knowledge. So a course for private hire drivers should be necessary.
Customer service Arithmetic test
The recognised entry level English language qualification for basic course of study is currently IELTS 5.5. I believe this is the standard you should adopt
There are many men and women who have been driving a taxi for numerous years and managed to do it without a compulsory attendance at Edinburgh College who no doubt will be charging the council vast amounts of money to 'facilitate' this so called qualification. The course will no doubt be delivered by someone who has never driven a taxi or had experience working with the sometimes not too sober public. Yes they will have all the theories about how to do it no doubt gleaned from academic papers. A bit insulting to those drivers who have years of real experience.
Before I can make comment whether I agree or oppose regarding the above I would require more information, e.g As an existing black/cab taxi driver who studied hard to pass the current topographical test and at a considerable expense appears to now have been a waste of time. Will the private hire car driver who takes this test subsequently be allowed to rank and pick up in the street as per black cab taxis? How much is this going to cost the current hard pressed drivers? Please also take on board the taxi industry in Edinburgh is already demorolised and struggling to make a living wage and unfortunetley I am reluctant to add the council are unable to provide the black cab taxis a decent rank particularly at the Waverley station we have been in this wholly unsuitable temporary rank since last June. I would seek the current conditions to be pulled up to a reasonable standard before the council embark on new ones. I really wonder if it is about increasing the councils coffers and squeezing more money out

of easy target taxi drivers. However, I would appreciate more information in order for me to give a fully informed opinion.
As a taxi driver we have already completed all of the above
As a taxi driver we have already completed all of the above at great expense
Topographical is a difficult test in the first instance. It's unrealistic to expect all drivers to retain this full knowledge without electronic assistance. Council staff require IT to enable them to undertake their job so Sat-navs should be accepted.
Unbelievable waste of time and stressful
The topographical is too hard to retain everything. Most drivers use sat nav and this is fine.
Qualified Taxi drivers at present have to pass a topographical test to gain their licence (at LARGE expense) to then ask them to do the same again, presumably at a cost is unfair, however PH drivers do no such thing at present so it would not hurt them to do the test
Basic knowledge of car. ie when tyres need checked. windscreen wipers. steering. lights functioning etc
It should only be applicable to new taxi drivers
None it's a preposterous suggestion.
English language assessment should be made much harder.
I think that Private hire car drivers should have to do the same topographical test with the same degree of difficulty as taxi drivers and not any easier. All drivers both taxi and p.h.c. should have to speak and write fluent English. If any of the above are not done properly then it's a pointless exercise. I think what the council are proposing is a very good idea as the level of service can only get better. This will be better for the public and especially visitors to the city. This should have happened a long time ago.
New drivers should be advised of Edinburgh's unique road systems ie Cowgate restrictions etc
I strongly suggest a course on taxi etiquette, ie. picking up too close to the ranks, pulling in front of other drivers to pick up fares. Also private hire cars offering fixed fares from the street, which I realise we can't stop, but the police and the council can.
Taxi drivers already complete all this to hold a brief PHC do not, very unfair term to compete in the supply of services
As a Taxi Driver/Owner who passed his Topographical Test and completed the Taxi Driver Skills Development Programme in 2003, I commend the Council on deciding to give the training that we taxi drivers complete a more formal recognised qualification. However, it is disappointing that it has taken the Council this long to reach this decision. I personally do not think that the Topographical exam should be included in the City and Guilds

<p>certificate. Please see Section 8 below for my reason. The examination process should be continued in its present format with the Topographical exam being a separate part of the testing procedure.</p>
<p>The courses taxi drivers had to pass are suffice, I just passed in November 2014 and can't recall an English language assessment, I think this is an important one to help with communication. Etween taxi driver and customer.</p>
<p>Edinburghs taxi drivers are already trained to a high standard through the current topographical test and modules required. Those of us working within a radio company have our committees making sure a high standard of service is maintained. For these reasons I oppose introduction of the new scheme.</p>
<p>Only when a candidate is applying to first become a taxi driver should a course be attended. Private hires are as the name suggests private and should be offered no formal training just extensive background checks and obviously a language check.</p>
<p>Only a taxi driver should be put through any training and this should only be before the granting of their taxi drivers licence. Private hires as the name suggests are private and should only be subject to full background checks and a language check.</p>
<p>Private hire should sit a topographical course as they don't know one side of Edinburgh to the other. I would welcome a refresh course on some things for taxi drivers like first aid but I find it outrageous to even think of asking a brief holder to resit a test. I spent a fortune passing my exam and attended courses at Telford college</p>
<p>to study for the topographical test is already difficult and should give any apploicant enough knowledge unless this has changed since I was tested 20yrs ago. The test is difficult enough without making it more difficult</p>
<p>I would suggest that new entrants to the trade might benefit from the new course. English language assessment is key to this qualification, I've heard stories from passengers who have been in PHC vehicles and the driver cannot communicate with them.</p>
<p>content is fine but PHC do not need to sit a topographical test, there must a clear difference between a Taxi and a PHC.</p>
<p>the course should help private hire follow the rules.they are picking up from the street on a regular basis and also using bus lanes and turning where its for buses,taxis and cycles only.so fed up with them doing this and getting away with it,seems there's two sets of rules.why would anyone want to train to become a black cab driver when its cheaper,can do what you want,where you want and when you want with a private hire licence!!</p>
<p>the ones I have ticked is enough</p>
<p>I think on a day to day basis working as a black cab driver is all the knowledge we need after we have passed the knowledge test</p>
<p>As can be seen above I have discriminated course content between taxi and phc as I believe phc should not be on equal par with taxis. If this ever became the case we would have far too many taxis to be viable.</p>

I don't think drivers would benefit from any of it
I agree to the test but as for a topographic style test it would need to be different for phc as they have to use different routes due to not being able to use bus lanes and other right and left turns that black cabs can do so the test would need to be different
I strongly disagree with the refresher training after doing this job for nearly ten years I believe the knowledge I have is extremely good and learn more every day in the job this is another money making exercise for the council we pay enough money out each year running a taxi and with constant rising cost by the council is totally unfair the price of a new vehicle is extremely high along with high day to day running cost the last thing we need is this most taxi drivers have an excellent knowledge and most of us have extremely high standards thanks
Any private hire that have held badge for less than 5 consecutive years should be tested
First aid awareness should be mandatory for all in public transport. Remember many taxi drivers including myself are part time, and part time is more common amongst private hire. Whilst it might sound desirable to standardise on expertise and assess that, in practical terms introducing expensive training may reduce the number of part time drivers that think the additional outlay is worthwhile, and could easily reduce that number of cars available to the public.
Taxi driver and phc drivers should ALWAYS be able to speak English, write it and understand it. The amount of complaints I get about drivers who can not speak English is unbelievable!! I don't know why they are given licenses.
for the safety of the public all drivers for public service vehicles should have disclosure
First aid awareness is sufficient. A qualification could leave drivers open to criticism, scrutiny or litigation should someone become ill in the cab and the driver is perceived to have made a wrong decision. The topographical test should apply only to taxi drivers. This longstanding arrangement maintains the distinction between Taxi drivers and PHC drivers and the difference in service provided.
Has anyone from the council attended any of the current modules to assess if they are relevant at all?
It's the private hire that's the problem they don't know where they're going not the taxi drivers
Edinburgh already has the best taxi service in Scotland this is just a waste of time and money as qualification gained will be of no use to drivers, just another way of making money from cab trade.
I think another aspect should be added onto training curriculum which is Hate Crime awareness. This is the most crucial to both taxi and phc drivers, they often face harassment & assault linked to racial elements on it. Such crime considered by police as 'petty crime' or 'taxi runaway'/ minor incidents. More people from diverse community are working in this trade. Most of the drivers have no or limited knowledge on reporting such vicious crime. This issue must be added onto training as a module.
I feel any short course like this is limited in the depth of knowledge it can impart and therefore only the most critical areas should be concentrated upon to make best use of teaching time. Having taken the college course required in addition to the topographical test approx. 12 years ago, I would question the efficacy of subjects like 'Customer Care' given the short teaching time available. More in-depth instruction on advanced driving techniques, for example, might prove more relevant and a

better use of time and resources.
Taxi Drivers already pass the topographical test and the series of tests and workshops at Edinburgh College at their own significant expense. It is appropriate for PHV drivers to be brought up to speed on this and have some testing before taking part in the role, but another similar course on top of this looks like another way to generate money from the current taxi and PHV drivers.
general health issues ie. diabetes epikesy
I am a fully briefed taxi driver who now drives a private hire vehicle. I went through the topographical test, and six modules 13 years ago to obtain my brief. I strongly object to any more training, but I feel the private hire licencee would benefit from this training.
Criminal convictions should be checked and circumstances
all taxi drivers have a passed all relevant courses and from being on the streets everyday have a vast knowledge. so therefore no need for resits of tests and modules
There is already enough rules & regs which are policed by the relevant authorities . These proposals just seem to want to introduce schemes that are basically common sense and certain areas will only become more apparent through experience in doing the job. By introducing extreme training courses will only aid in putting people of joining the taxi trade, especially the Hackney trade. The cost of Hackney vehicles is already beginning to hit the trade as emissions controls by councils will make almost impossible to make a living. Health and Safety gone mad is how I would describe it.
I have been involved in the taxi trade since 1992 and I am a british pakistani, and have to say that the trade is now a disgrace due to the influx of foreign drivers who some don't even know what street they live in. thier pigeion english is a disgrace and some have difficulty understanding their passengers. please don't see me as racist or prejudice because I am not and am asian myself, but unfortunately you need to be told the way it is. The problem we have at the moment is the influx of foreign drivers, then there are taxi schools like "learn Taxi" who boast that they will learn you the taxi course in your preferred language whether you know or understand english or not is not a problem as they have interpreters in all languages. These types of taxi schools should not be allowed to operate as they are lowering the standards of drivers and any taxi school should be licensed or regulated. taxi drivers are ambassadors for edinburgh and for a lot of visitors probably the first point of contact when visitors arrive in the city. here is a true incident that i have encountered, a visitor hired a cab at the taxi rank at the airport, and firstly the driver did not know or understand the name of the hotel the visitor was going to(caledonian waldorf astoria), the driver approached me as i was the 2nd cab in the rank, i had to physically get out the cab and ask his passengers, i told this driver it was the old caledonian on princess st, this foreign driver then asked me if i knew the postcode so he can put it in his sat nav. Anyone can study theory of bits of paper but like any trade when it comes to practical hands on experience the foreign drivers are lost. There should be a extremely very hard and stringent english test accompanied with a small practical driving test, only then will you get the cream of the cream taxi drivers in edinburgh. the taxi trade is becoming a disgrace and it won't be long before the majority of drivers will be foreigners, and we will have scenarios like they do in huddersfield or bradford etc...etc...were 85% are foreign drivers. If it was me running the show i would have clauses for example: you would have to be in britain for a minimum of 10 years before you could apply for a license. have a extremely hard english test, orally, theory and practical with a 99% pass. the topographical test should also be a 99% pass. A small strict driving test also with a 99% pass. this would allow and keep the high standards of edinburgh taxis, especially as a capital city, we must

<p>not let the standard drop, which it is as i am sure you will be getting a lot of complaints about foreign drivers. I am willing to come into your office and express my concerns in details if so required. thank you.</p>
<p>the topographical testing should not be compulsory for private hire , unless we bring in a single tier licensing system. also the wheelchair access content should only apply to private hire where a vehicle is fully wheelchair accessible.</p>
<p>Exams should be fair and marks given for knowing where streets are.</p>
<p>Testing their attitude to vulnerable road users would be beneficial, however difficult that may be in practice. Including a module for them to become a vulnerable road user would be ideal - they could be taken on a led cycle in the city centre, or visually and mobility impaired (appropriate glasses and harnesses are available to do this) and challenged with crossing Princes Street and side streets repeatedly!</p>
<p>More thorough checks on private hire drivers as some do not speak very good English and have limited knowledge of the streets in the city and surrounding area. All taxi drivers have had to study to pass the knowledge test.</p>
<p>topographical tests have already been completed by taxi drivers an therefore unnecessary, most of the other training modules have also been covered but a refresher course would help to keep these issues to the forefront of your mind.</p>
<p>Awareness of more vulnerable road users such as cyclists and pedestrians</p>
<p>Other modules to benefit from would be basic book keeping, basic vehicle maintenance/checks</p>
<p>Would also hope that a disclosure Scotland certificate should be included in these requirements</p>
<p>I cannot tick any of the boxes above with only a title to judge each area on. I have completed modules previously and found them to have little relevance to real life situations while driving a taxi. Level 2 of C. & G. course linked to has absolutely zero information on what the course entails?</p>
<p>Taxi drivers are currently not required to have any advanced driver training, nor restrictions on time spent working. Other professional drivers are subject to these conditions, especially those who are responsible for carrying passengers. This seems to be an anomaly.</p>
<p>as far as I am aware all new tai drivers have to undergo most of the above courses before they can drive a cab anyway as opposed to phc who only have to pay a fee for their license</p>
<p>The current requirements for Taxi Drivers to gain a Licence is very high - the topographical test is very thorough and can not be passed by anything other than hard work and study. I do not feel there is any requirement at all for this to be added to- to be able to pass the current 90% pass mark is qualification enough, no formal piece of paper will change that.</p>
<p>Most of the above was covered in the modules taxi drivers had to complete when they first become taxi drivers. These modules were expensive and time consuming. I think it would be very unfair to ask taxi drivers to go through all that again. In my opinion the best training is the "on the job training" which taxi drivers receive daily.</p>

Black cab drivers already done all above. But yes it could be for private hire may be, some people who already driving more than ten years it is very unfair to put them again in test .
No benefit to taxi drivers..just another financial burden put upon us.
As part of the initial brief to qualify as a taxi driver we already have to do the above compulsory courses which I might add are not all value for money. Many individuals that decide to study for the taxi brief are coming from other business areas with already extensive life skills and knowledge that is more than needed for this new role. It would appear to me that there is nothing for us to gain from having to 're- do these courses however the council once again benefits financially at our expense. I cannot really comment on PHC however I do believe a stronger test of an individuals understanding and ability to speak English, both taxi and PHC should be implemented. Also I can see the advantage of these courses for an individual who has never worked in any other environment or has been only in this environment for the last say 20 years as I believe they will be lacking in certain social skills - like wise if several complaints should be received regarding an individuals behaviour.
Dress code.
MONEY MAKING EXERCISE
Fitness health module
I suggest all drivers to pass the topographical test prior to the issue of a licence, once you have passed you do not have to sit another test of this manner.
Modules are at present more than adequate for Hackney black cab taxi drivers. To drive in the city of Edinburgh. As regards private hire drivers and vehicles they are and should be totally separate from my licence so why propose the same qualifications
I spent a lot of time, effort, and money passing my taxi exam, and I completed all 5 modules , it was a very stressful time for me and I was extremely proud when I passed, and I felt I had really achieved something good and worthwhile. I was extremely relieved as well , I am now very concerned about the thought of having to go through all that again. now I am very worried about my future and the future of the trade I am in. I thought that what I had done was a recognised qualification. I do think a refresher on fist aid is a very good idea and welcome it.
Have had licence 24 years and seriously believe that this is not necessary as if implemented along with many other drivers will not renew licence when it comes into effect.
First and foremost we are cabbies who taxi people from A-B What happens if we administer first aid after being at one of your modules and it goes completely wrong? Who will be accountable ??
Topographical test for phc is neither necessary or appropriate. Unsure of first aid training in this age of blame culture should go wrong
I have been a taxi driver over 26 years and everyday I work I'm learning on the job new streets etc so in my view as a taxi driver having to resist topographical test seems harsh the same with customer service again in all my time I am not aware of any passenger having cause to complain any problem

has been sorted at time as for first aid I'm not interested in being able to administer any I would immediately call emergency services and allow professionals to deal particularly in the current climate of everyone looking to sue whoever
I do not think this course is a requirement. As a qualified taxi driver having passed your topographical test you have the knowledge of getting the customer, from a - b. You have already passed your driving test, which again qualifies you to get the customer from destination A - B. Everyday on the job is additional training. The modules in place now by the council are adequate to cover any additional circumstances that may arise during a routine days work, in a black hackney cab.
i have had my taxi driver licence for 26 years i have been implementing all the things you want to include in your training i dont think there is problem with your idea but it should be restricted to phc driver as the dont have to pass anything including your worthwhile moduls that any new taxi driver has to pass to become a qualified driver
no need for either as taxi drivers have already passed a topographical test and relevant college modules
I assume English language assessment is for foreign nationals only. Strongly emphasise dress code practice
I do not think a topographical test should be in the City & Guilds as a 50% pass is only required. In what other job environment would this apply?
A city and guilds qualification does not seem necessary.
A stringent topographical exam is already undertaken by anyone wishing to become an Edinburgh taxi driver. After successfully completing this, they then complete wheelchair training. Working full time taxi drivers increase their knowledge of streets, places of interest and customer service. This qualification (brief) distinguishes taxi drivers from phv. I personally feel the need for repeat exams is an unnecessary waste of time and money.
I have already passed a very intense exam. I should not have to sit another test. Do lawyers have to resit their exams every 3 years?. Do bankers?. This is no more than a money making exercise.
But not for current drivers or for continuous assessment
As a black cab driver for 29 years I have to say the proposed course would be of no use to me or any other cab drivers I know , I feel it would be a waste of time and money as I assume we would also be charged (bit of a revenue raiser by the look of it) .
Disability equality training needs to address the booking process so that wheelchair users are not left stranded when a driver decides not to show up or drives off before the client reaches the vehicle.
As I do not approve of the course or any course other than what is already in place I cannot agree or disagree to proposed content. The current Test should still be managed by the Police.
I have ticked the strongly oppose box because it seems that the current system works well and extra course requirements are unnecessary and will discourage new entrants to the Taxi and PHC trade and place a further financial and commitment to time burden on all drivers. The distinction should be kept between Taxi and PHC licence's in regards to the topographical test especially. My main concern is

<p>that if CEC do introduce a proposed refresher course every 3 years it will add add an unreasonable level of stress to the role due to days off the the road and extra financial cost to the driver. No other licensing authority in the world requires drivers to undergo a topographical refresher test every 3 years and it could be seen as simple revenue raising if this was imposed on Edinburgh Taxi drivers.</p>
<p>Some form of assessment on literacy and numeracy might be useful.</p>
<p>I do not believe that a formal qualification is required over and above that already in place and so I have not ticked any course content question</p>
<p>Taxi drivers of black cabs have already proved themselves worthy by passing the knowledge test.</p>
<p>I truly don't believe that courses make a difference in daily duties of a taxi driver. I believe that hands on experience is far more valuable as there are never 2 days the same. If courses are to be run, then I think that refresher courses in First Aid and wheelchair access and disability awareness are more relevant, although having held my Taxi Licence for 14 years, I have never had the need to use First Aid. I strongly do believe that drivers should have a good knowledge of the English language.</p>
<p>Ive been a taxi driver for about 11 years. Every journey is a refresher course, on a daily basis I do wheelchair handling and deal with customers on a daily basis in different ways. To me you are going to be a financial burden, discourage future drivers from joining the trade, absolutely unnecessary, its more unnecessary funds for the CEC. I have already carried out the above mentioned modules. People who need to carry out these modules are PHC drivers. We are already professional in what we do. In the 11 years being a taxi driver I have never had one complaint about me, so I don't need further education, never mind a college certificate. So no thanks I feel this would be a financial burden and could result in unemployment in the future and force drivers out the taxi trade.</p>
<p>Current "Claim Culture" raises questions as to the inclusion of any First Aid training. It would leave Taxi Owners/Drivers open to possible legal action.</p>
<p>Private Hire drivers should be at the same level as black cab drivers</p>
<p>I have already completed the previous modules (at a cost of approx.£400) + the topographical course which was run independent of the council.The modules were very similar or the same as those above. The only courses I have found to be of any benefit to actually doing the job were the Topographical, Licencing Conditions and Road Safety and Wheelchair Access and Disability Awareness. I would like to stress because of the current claim culture I would not be happy carrying out first aid on any passenger even though I have completed both the councils first aid module and a more intensive 3 day first aid course. The experience I have gained in previous/current posts and in driving the Taxi has proved far more valuable than the other modules which have proved to be of no value whatsoever. I think you should also take into account the majority of Taxi Drivers have had previous careers and already have far higher qualifications than a City & Guilds Part 2.</p>
<p>A refresher in First Aid is the only one that I would benefit from and should be paid for by CEC. Customer care for me would be a total waste of money as I have worked with the public all my life and as for conflict or stress, I did this 8 years ago, which at the time I thought was common sense so once again a waste of money!!! I think there has to be a distinction between public and private hire, however I think the English Language should be essential for any driver.</p>
<p>I believe the current format works some of it should be expanded to encompass private hire.</p>

<p>A recognised qualification is only worth the fees and time spent if the qualification is respected, transportable and will create career and earnings advancement.</p> <p>This course offers nothing that the current Edinburgh College course does for new entrants and indeed it offers less. The description of the modules is very vague.</p> <p>For instance - No mention of disabled awareness training that Edinburgh Taxi Drivers already lead the country in.</p> <p>- Vehicle maintenance - trainee taxi drivers need to know how to do the "Morning Check" but maintenance should be done by a qualified mechanic not a trainee taxi driver.</p> <p>First aid training should only be advice on whether to stop the taxi and call an ambulance or drive the passenger to A&E, driver could be sued for giving the wrong first aid.</p>
<p>Why does a taxi or PHC driver require first aid, training or awareness?</p> <p>If you compare passenger numbers to a bus driver they are significantly lower. To my knowledge bus drivers are not mandated to carry out first aid training. Administering first aid is a personal choice and in my opinion should be left to the professionals.</p>
<p>I firmly believe that a formal first aid qualification should form part of any C&G level 2 award (in relation to all taxi drivers). It is well known that drivers may be subjected to late night anti-social behaviour which may see them come into some form of contact with someone who requires first aid. My main concern however, is if the driver has passengers in the category (children, vulnerable, elderly, disability) as part of a contract or a one off job, then I would expect that driver to have some form of first aid training. I would suggest that the driver has a 'duty of care' to any passenger.</p>
<p>Role playing and using real life people and there ailments to aid with the instruction as well as using the individual from the course.</p>
<p>The biggest accessibility barrier is cost. Most disabled people who cannot access buses cannot afford taxis in Edinburgh even with a taxi card</p>
<p>Disability awareness is great but you should really be looking at Disability Equality Training. There is a large difference.</p>
<p>Specifically address wheelchair access, so that drivers are able and confident to use the equipment.</p>
<p>My only concern is in relation to the overall course duration and the rigidity of delivery over three consecutive days.</p>
<p>The most important modules should most certainly be related to road layouts, first aid and wheelchair access. I find it less important how meticulous the driver's English is as long as they can communicate. More important are issues related to the job. Btw, I am sure that any driver who manages to sit through a course like this hold enough knowledge of the language to do the job.</p>
<p>Dementia awareness and dealing with elderly clients. Also disability awareness should not just be about people in wheelchairs, many people with mobility issues and visual impairment have difficulty getting in and out of vehicles.</p>
<p>We believe it is crucial that all taxi drivers have training in wheelchair access and disability awareness. A member of our board who is in a wheelchair has had a number of difficulties using taxis in Edinburgh.</p> <p>We think there should be a requirement to ensure that ramps are in working order and that this is</p>

assessed regularly. There also needs to be an appreciation that it can take people with disabilities longer to get out to the taxi and out from the taxi once they have reached their destination. We want equality of access for everyone who uses a wheelchair and we think that adding a module on wheelchair access and general disability awareness would be a useful step forward to making taxis and private hires in Edinburgh more inclusive.

As a disabled taxi user the 'Wheelchair access and disability awareness' is by far the most important. Course content should be developed in partnership with disability charities such as: Capability Scotland, Inclusion Scotland, and Euan's Guide.

Training on disability issues should:

- Firstly, encourage drivers to ask disabled passengers how they can best assist them as needs can differ. If a carer is present, always speak to the disabled person directly.
- Explain how to safely assist disabled passengers to access a taxi, secure different types (manual/electric) and sizes of wheelchair and fasten seatbelt.
- Make clear that no disabled passenger should feel be made to feel like they are trouble, a hassle or a burden to a driver simply because they are in a wheelchair. As somebody who has experienced the huffs, puffs, sighs and rolls of the eyes I can tell you it feels utterly horrendous.
- State categorically that refusing to pick up a passenger simply because they are disabled is completely unacceptable. For example, on multiple occasions I have tried to hail a cab but drivers have driven by after seeing I am in a wheelchair. All passengers should be treated equally.

Please use the space below for any other comments or suggestions about the proposed qualification for taxi and private hire car drivers.
Unfair idea.
I think safety is the key aspect as having used private hire cars their driving skills can be a bit erratic.
Taxis and private car hire cars should be properly regulated with appropriate qualifications, and drivers should attend training and development courses as a matter of course. I strongly support the proposals to introduce a mandatory qualification before drivers are considered for taxi and private hire roles.
Taxi driver vehicles should not be more than 5 years old either. Clean and tidy.
The proposed qualification should only be for New to the trade taxi drivers, a taxi driver builds up the knowledge on a day to day basis, many cabbies work for a co-operative taxi company in Edinburgh, this type of cab company have sufficient guidelines and rules of association that promote most of what the new qualification is about. The same can't be said in the Ph trade, companies are not member owned, Ph drivers come and go, they mainly work part time hours, I'd like them to be Re-tested every 3 years. Where a Taxi drivers knowledge grows over time I doubt the same can be said for Ph drivers.
Whenever a license renewal is applied for, a topographical exam should be sat each time
The refresher course is not needed when the skills are being used on a day to day basis
Just another heavy expense for already stretched taxi drivers
Agree that the standards of taxi and private hire drivers in the city needs to improve as we are the first and last tourists see. the condition of our dress and cleanliness of the trade is important to prove we are better than the rest of the world and set a standard.
First aid should be tested annually.
I agree that enough training should be passed before either groups are let loose on the public. I don't agree with refresher courses. Instead of complaints or issues are raised regarding a drivers ability then further assessment could be looked at. I think it is unfair to make decisions that effect people's livelihoods with out proper cause.
age and health including complacent re licencing should be avoided
I'm only tentatively in support of this as I'm unsure of the exact problem that it's solving. Given that the course will cost money to setup and administer, not to mention take up drivers' time, I think it's important that the purpose of the course is clear and that you determine what metrics you can track to ensure that the course is successful and having the intended effect (e.g. reduced complaints, fewer accidents, etc.). There's no point in a course if it doesn't achieve anything.
A complete waste of time and money, both which, the driver will lose.
All drivers, particularly black cab ones, should be medically assessed in regards to loading wheelchairs.

far too many of them appear to have exemptions from this aspect. If they can drive a taxi then they can load/unload a wheelchair.
Ensure that there is focus in driving skills and sharing roadspace especially with cyclists.
If it is your intention to treat PH drivers the same as taxi drivers then they should also benefit from the use of bus lanes and other road use that is afforded to taxi but not PH drivers, until this is the case then you should put a stop to this. Will Uber drivers also be part of this ???
I do believe a 1 day refresher course once every 3 years would be off use at it would bring everyone up to date with any new laws or legislation, AS LONG AS THE COUNCIL KEEPS THE PRICE DOWN TO A MINIMUM FEE,,
I totally disagree with what you are proposing, how can you have a taxi driver and private hire driver with the same qualification. The council should ask itself, if it wants to keep the black cab trade. Because what you are proposing is the first stages of deregularisation.
Existing taxi drivers should not have to complete such training unless deemed necessary on an individual basis, eg. a complaint or serious accident. Sufficient time should also be given to complete without suspension of licence.
I think it is a fantastic idea and can only improve the service and make it more professional. On the downside I think the training and refresher courses will push the price of fares up even further than the now extortionate prices we pay.
Course fees should be funded by CEC and not the individual since licence fees are already too expensive.
I do not feel it is necessary to put existing taxi drivers through the course as the experience they have gained doing their jobs should be sufficient! However i feel it may be beneficial for new and existing phc drivers to complete the course.
<ol style="list-style-type: none"> 1. Is this qualification for new drivers only? 2. I presume the topographical test remain with taxi drivers only? 3. I agree with the increase in new builds throughout edinburgh and surrounding area that a further test may be introduced for taxi drivers although every 3 years seems too frequent. 4. Private hire should pass a basic topographical test.
This looks to me that its another money making scheme from a hard up council. Taxi driver fees are astronomical as it is. I agree these standards should be kept up but you learn on the road. Not on a course at the council.
Phc should sit the same test as taxi drivers but 50% would be a pass
I think if anyone is on report for an offense worthy of retraining then perhaps it is justifiable to use a retraining course in this manner. A black cab driver who has never been reported is clearly doing a good job and is already able to handle the conflicts they may face, the traffic and so on. The real problem now is treating black cabs and phc as equals when there are clearly differences in things like testing standards and overheads is very unfair. I would like to see the reconsideration of Uber being licensed in the city as their drivers have not necessarily done any sort of training or had

disclosures issued. The green light has been given for people to travel in unlicensed unregistered-with-the-council cars...
I'm still not keen on waving a private car down in the street. I would like to see more COUNCIL branding on these cars to show that they are Edinburgh safe.
A refresher course every 3 years would only make things worse for the Taxi Examiners office and a complete waste of time & money. Once any applicant has passed his taxi brief test and gets behind the wheel of his friends taxi for the very first time, this is when he really starts to learn the streets. Once he has this first-hand knowledge, it would be very hard for anyone to forget.
The Taxi topographical exam is harder than expected now. We need more Taxi Drivers!
as I am aware a taxi driver(black cab)has already completed a topographical assessment of their knowledge of Edinburgh therefore he or she is already qualified and should not be asked to resit the new form of that(this equates to asking a school teacher to resit their degree) unless of course this whole proposal is based on new taxi or phc driver if this is the case then your proposal is not clear!!
I wish the council would stop trying to think garbage up so they can justify their jobs. What correspondence has there been with trade representatives? This council should be putting their efforts into championing the taxi service Edinburgh currently receives and having a seriously good long hard look at what is about to happen to the trade with several Apps and Uber which contribute nothing and possibly are illegal.
As a taxi driver, this has already been covered in pre-existing courses. Have worked as a taxi driver for 10 years and can only see this as a money making scam by the council to charge me more money for superfluous courses that are not required. This won't only penalise existing drivers through course fees but also force them to take time off work in order to complete them.
The requirement for this qualification will tend, I hope, to reduce the number of - shall I say - dodgy characters using PH work as a temporary fill-in between other jobs, and make those who do stick at it more professional. There might be a problem for such drivers finding the cost of qualifying before getting work, though. Maybe if you're rolling this scheme out the companies need short-term loans to allow them to get their current drivers qualified?
I now know from experience that the service provided by the PHC business is not perfect and I believe these measures would go some way to improving this.
As a black taxi owner and with taxi repayments and radio fees to be paid, my worry is that after 15 years of driving i'll have my licence withheld if i was to fail test. which would leave me financially ruined.
I am a black cab driver with over 8 years experience I completed numerous modules as well as the knowledge before I was issued with my license I do not think it is fair to now be asking qualified taxi drivers to start studying all over again. I will be consulting my lawyer if the council try to force me to take all these tests all over again and again and again.
As someone who has invested heavily into purchasing a phc. The reason I never went down the taxi route was due to not being able to recall street routes without actually driving them. Occasionally I use google and sat nav as well as sometime i need a visual reminder of the destination.

<p>Otherwise i would be a black cab owner. Should a knowledge test be brought in and should i fail do I then no longer have a business?</p>
<p>Another proposed costly exercise from people with an agenda for making a simple job overly complex. Please come up with something that will assist the drivers rather than building empires.</p>
<p>Another proposed costly exercise from people with an agenda for making a simple job overly complex. Please come up with something that will assist the drivers rather than building empires.</p>
<p>I have spent a great deal of money gaining the latter tests at college and the city chambers and there should/will be grandfather rights to all who have done these all ready, if not this will be seen as a money making racket. The need for a first-aid certificate should only be minimal, perhaps a half day every three years.</p>
<p>As someone who is new to the taxi trade, I feel that the councils current modules should be strengthened and are very good and informative . I already have enough qualifications and spent over a year studying for my topographical exam. Private hire drivers should all also have to do some type of studying and modules.</p>
<p>Is this not just another way to get money out of taxi drivers? License fee's are already over priced!!! The course's that are already compulsory are a complete waste of money in my opinion, apart from the wheelchair access module and the topographical test.</p>
<p>I am of the opinion that this whole idea is irrelevant and would serve no purpose to taxi/private hire drivers already carrying out that role. It may serve purpose to those coming into the role. The current complaints procedure is robust enough to deal appropriately with drivers who are failing in their basic responsibilities. I have noted that no costs for this have been given and I would be interested to know if the council will provide this training free of charge or if it will be seen as a money making exercise.</p>
<p>I do not think it should be necessary for PHC drivers with 10 years of experience as we are not always in the city centre.</p>
<p>if you want to treat private hire drivers as the same as taxi drivers or class us as professional drivers with a qualification then surely WE SHOULD BE ABLE TO USE THE BUS LANES JUST LIKE GLASGOW ,ABERDEEN AND LIKE MOST CITYS IN THE UK</p>
<p>dress code should be adopted by all drivers smart not jeans trainers and tee shirt</p>
<p>I have been a private hire driver for the past 20 years and have always felt second best to black taxis.We don't get the same concessions or benefits ie access to bus lanes taxi ranks or pick up in the street.So why should we sit a test or do modules that would not benefit us in our job as a Ph driver.The only people that will benefit will be the council by charging us for this "so called qualification".</p>
<p>If you want edinburgh to be awash with substandard dangerous Vehicles it's a good idea.</p>
<p>No one should have to do a course or lose their position of being self employed or earning money because they don't complete a first aid course for example. It should be a taxi drivers choice if they want to do first aid not the councils. Working in the care sector as I do, you can have wheelchair training but all wheelchairs are different and are suited to the individual in it. This is why taxi drivers are vulnerable and have back injuries in later life, they are not able to assess what they can push up a ramp or what posture they should be undertaking, taxi drivers are just expected to do it as part of</p>

<p>their job. If a private hire driver/taxi driver decides they want to work for the council using Edinburgh Council transport escorting people with learning difficulties or disabilities then they would be required to have wheel chair training and any other training required. Private Hire Vehicles are not equipped for wheelchair users therefore why should training be required. Taxi drivers currently have to go through training</p>
<p>The problem may be that the taxi business level of professionalism varies. The main companies City Cabs and Central Radio Taxis are well run and drivers must comply with the company rules for dress code and customer care. These are taken seriously. They both have a internal discipline that is fair but incredibly strict with a no nonsense approach.</p>
<p>Is this proposal another council money making exercise?</p>
<p>I think the Topographical test needs to be brought into both Private and Taxi drivers. The test though needs to be fairer to the majority who cannot memory recall all the streets and roads in test mode. Edinburgh residents in particular may well know exactly where to go but struggle to learn the many obscure streets than are on the current test. Modern technology voice activated Google maps and sat navs are used by all Private drivers currently and many Taxi drivers use them also for although they have done the test (memorised test questions only) they do not know many other places. Glasgow i understand uses Multi choice questions which to me seems a fairer way of doing this exam. A potential driver may well know the answer to a question but juts need a little help to get their , multi-choice certainly would enable this to be achieved for both private and Taxi.</p>
<p>There should be no need for refresher training, unless legislation was changed significantly. Would these changes then allow PHC Drivers the same rights as taxi drivers when dealing with dedicated taxi / bus lanes (when carrying passengers - to minimise congestion, and benefit the paying passengers)?</p>
<p>PHC background / PNC checks overdue potential drivers from other countries MUST be able to prove history admit any previous convictions (including "spent") so their suitability can be assessed without fear of CEC being called racist (I preferred being patriotic) (eg being Scots and supporting Scots drivers ,doesnt mean Im anti English) Before targetting drivers CEC and Police have to address Glasgow mafia control of PHC firms and actually deal with it not just acknowledge its existence</p>
<p>phc drivers are NOT taxi drivers and you owe it to the public to make this clear. Next time you read "taxi driver raped girl" it will almost certainly be a phc driver, let the public know this.</p>
<p>The Council charges a considerable fee to renew a license, any refresher training would appear to be yet another way to increase C.E.C.'s revenue from people who are self-employed..... I am not sure that this is fair, have had a "brief" for years; how can you move the goalposts and expect me to stump-up fees to give you additional revenues ? With the advent of apps like GETT and Uber, I feel that you are increasing the pressure on existing drivers. Your public statements almost always mention the quality of the fleet and the drivers within Edinburgh; I would contend that this is in spite of, rather than because of, the actions of C.E.C.. Rather than imposition, a real consultation with drivers is required, and I mean drivers, not just the usual few blawhards !</p>
<p>I have observed that a large majority of private hire drivers are foreign and that they have little knowledge of the city or in some cases little knowledge of our culture,values and language.Therefore,I do think that a proper qualification in these cases appropriate along with a THOROUGH criminal background check before being allowed to sit the qualification.</p>

I think the customer care part of the training should include advice on how to dress. The radio companies have corporate workwear but some of the street car drivers are a disgrace. This is the black cabs I am talking about. We are ambassadors for our city and should be smart at all times.
I strongly oppose this proposal. It is no more than another opportunity for the council to attempt to raise money from the taxi trade.
from a personnel point, this is a complete waste of time for me. what could I possibly learn on a course that I haven't learnt in 23 years driving on Edinburgh roads. It reminds me of the European cpc course for heavy goods drivers. who pays for this course ? certainly not the council, this will be passed on to the taxi driver. sorry but this sounds like another unnecessary expense.
It appears to be another interference in the running of the taxi trade by the council without it being necessary. Another expense to both the individual and to the council for no benefit.
Referring to point 6, I understand that currently training is given before a taxi drivers licence is issued.
Possibly introduce for new drivers only and existing drivers with over 5 years experience need not take part. I myself have nearly 20 years full time experience would disagree with 3 yearly assessments
I think that after three failed attempts to gain the qualification any further attempt should not be permitted within one year.
I believe the present taxi test and modules are sufficient. To ask someone who has been driving a black cab for maybe 15 plus years to do these tests is surely not right. These ideas should be implemented for only new drivers who wish to enter the trade who will know exactly what is required before they make the commitment. Also to ask a taxi driver/owner to take three days off when it is already difficult to make a living, and without putting in 50 plus hours a week is just not workable. Not to mention vehicle payments etc. I myself cannot take time away from my school contract duties working with disabled children. All of the above should be part of new driver training only.
The three year refresher course with a test at the end of the one day training would add stress to the individual driver to pass the test very three years to maintain their livelihood. I believe that while drivers should have refresher courses every three years they should not have to sit a test at the completion and that the three year course be used as a refresher only.
A days refresher course, at the taxi drivers expense,? after 30 years of driving you think i need a refresher course.
Too be honest i think the council is about 10 years too late with this. The council have been issuing phc badges to people that have not got a clue where they are going in and around Edinburgh, also a vast majority of them speak poor english. Its not fair on our own citizen that have to pay good money to get into a phc then to be taken a joy ride the long way and get over charged . How are police Scotland to do a disclosure Scotland on a person that has come from a country with poor records on there people, there's no way of checking but the council still issue there badge and there free to pick up who they like ? surley this is WRONG.
As per my comment above, Just a money making exercise made up by someone with little or no

<p>experience in the real life of being a Taxi driver. PHC drivers need some education, But City and Guilds qualifications are not the answer.</p>
<p>I would also like to see far more in depth back ground checks carried out going back at least ten years on future applicants and if this is not available no licence for Taxi or PHC should be granted this I think would be better protection for the public</p>
<p>I do not think it is practical to have a refresher training ,As organising would be hard on both sides. May be every 10 years! An enhanced first aid instruction as I think we will be used by the nhs more like in England.</p>
<p>Not just give out phc licence to any person who apply as some of the drivers don't speak English and have to ask customer where that are going and is embarrassing for customers and drivers who know where going and have put in years in phc trade .</p>
<p>I am all for a test being imposed on private hire drivers before they are granted a licence. The ability to speak English and understand clearly is also something which I feel is a necessity for all drivers for the customers sake and to protect the reputation of their professionalism not to mention the trust in British taxi drivers held by both nationals and tourists alike. I do not believe it would be fair however, to undermine the qualification already held by cab drivers who are currently working in hackney cabs as they have already been tested and trained to a high standard and should not have to repeat this. If a new title of qualification is introduced for private hire drivers and hackney drivers alike, following training and examination, then this should be awarded automatically to existing hackney drivers who are already working professionally. It has not been made clear as to wether existing hackney drivers would be expected to retrain and this has been unsettling for myself and my colleagues. I feel that clarification of this is necessary as the letter issued to us has created a feeling of uncertainty and unrest.</p>
<p>In the first few months of obtaining a licence the driver needs time to establish their business and get a handle on just what they job involves, how they will operate and try to make some money. I started in May and am only now getting a full understanding of all that is involved. I am not sure of the numbers involved in the training and how long the training takes but would suggest the driver is given time to gain the qualification, perhaps within a year of being granted a Licence. Also, hopefully, the training will be provided when things are slack and not in the busy Summer months! Finally how much will this all cost?</p>
<p>These courses will make no difference to taxi/phc drivers who already behave in a manner which brings the trade down. I refer to the slovenly dressed. The ones who couldn't care less about passenger service and the ones who's language in the ranks is shocking, especially within earshot of passengers. Isn't it about time the cab inspectors put their foot down with regard to the drivers I describe.</p>
<p>Its about time we were ALL on an even playing field</p>
<p>Good for maintaining knowledge</p>
<p>Why not introduce a topographical test for PHC drivers.</p>

<p>The introduction of the topographical test for phc drivers is long overdue and if only one proposal is approved it should be this one. In my 27 years driving a black cab I have heard some real horror stories from my passengers in relation to phc. I have met many people who refuse to use phc and a lot of females who are particularly concerned about using phc when they are on their own, they feel much safer in a black cab as they know the drivers have been fully vetted and have the 'knowledge' so will take the best route. A single female does not want to have confrontation with a driver late at night over the route taken and the resulting cost. And now phc are operating from the airport it is even more important they sit the topographical test. They are the first contact, let's make sure it is a good one. Visitors arriving in any city in most cases do not know the best routes. I have taken visitors to the airport for half the price it cost them on the inward journey. I kid you not. It is also very important that a driver is able to speak and understand the English language. More and more drivers coming into the trade do not have English as their first language and many communication problems occur as to destination and the passenger's requirements etc.</p>
<p>Should just be for new drivers only</p>
<p>I like the idea of a taxi qualification as long as it's worthwhile and not just a box ticking exercise by the council. I sat all the modules and apart from the wheelchair course I felt that they had no benefit to me whatsoever. If there's to be a qualification it should be something that helps improve the standard of the service we provide.</p>
<p>A proposed qualification in taxi or PHC driving may be of interest to some full time drivers who intend working in the trade for evermore. However, many of the drivers are part time and have full time jobs elsewhere and just dont have the time, or the enthusiasm, to do a City Guilds in taxi driving, likewise, with any proposed re training after 3 years. I am a part time taxi driver and taxi owner and I have no interest in gaining a City and Guilds certificate in taxi driving, even more so if there is a cost involved. For years the taxi trade has faced ever decreased earnings and this looks set to get worse with Uber, so I cant imagine a City and Guilds qualification in taxi driving would do anything other than scare off would be drivers and taxi drivers (not PHC) have always been very hard to come by. Both trades need a lot of part time drivers, to cover shifts 24/7. Would you invest a lot of your time and money to get a city and guilds in taxi driving that noone would want, to enter a trade on a part time basis (or full time), with an uncertain future and less earnings year on year??? I wouldn't. And we don't want to frighten off the drivers already in the trade by introducing training that may make them leave the taxi trade altogether. Yes, some training is required for PHC drivers.</p>
<p>A course on taxi driving is not necessary. Its a simple job and definitely does not require a city and guilds qualification. A topographical test should be essential for both taxi and private hire drivers. Knowing your way around the town would be helpful for the job. but the other aspects of the proposed test including customer service and coping with the daily stresses are gleaned from experience. no class teaching these things will make any difference to a driver. the benefits of a course would be next to minimal. It sounds like another cost to taxi drivers. Costs are escalating beyond control as things are. This qualification wont contribute to drivers development and further education. There is no development in this job. its a dead end job with rapidly reduced wages.</p>
<p>Smart dress when driving ie uniform + badge must be worn at all times.</p>
<p>I cannot believe this Council has nothing better to do than come up with another hair brained scheme. First aid. If I were a driver I would seriously think about another career.</p>
<p>Maybe first aid and anger management</p>

First aid and anger management
Topographical is a difficult test in the first instance. It's unrealistic to expect all drivers to retain this full knowledge without electronic assistance. Council staff require IT to enable them to undertake their job so Sat-navs should be accepted. What other CEC license requires persistent testing? This should not be ongoing it should be at the introduction or done on-line, similar to CECil training for Council staff.
Waste of time and expense.
Really is this the councils attempts to raise revenue. Leave the hard working drivers alone, it's not easy learning for this job and they don't need the added stress.
The topographical is too hard to retain everything. Most drivers use sat nav and this is acceptable. Some refresher training on customer care and first aid along with handling dangerous encounters may be beneficial, but not knowing every street from memory when all business use prompts and computers so should taxi drivers be able to.
This is people's livelihoods. Maybe an online refresher but not classes.
I put no for the refresher training. I would have put yes if there is no cost to the Qualified Driver
Once licence granted drivers would have a year to complete coursrs
that all people who deal with the public are trained up to the same level. it is an uneven playing field where ANYONE can driver a phc and only know where they are going because of the use of onboard devices that are not always accurate. Another all drivers MUST produce NI NUMBER AND AUTHENTICATED PROOF THAT IT IS THEIR NI NUMBER
Whilst I agree that there should be refresher training every three years I don't think it should be as comprehensive as the initial training.
Will uber drivers have to do this course.
Edinburgh has a qualification which all taxi drivers must pass with a very high pass score. A C+G qualification would a wast of time and money, and I am very surprised as a member of C+G, would have any thing to do with it. As it would only be relevant in Edinburgh and not a national qualification. Taxi drivers who have currently been working for a number of years with out complaints should be given the qualification under grandfathers rights.
Refresher courses should be undertaken every 3 years on first aid training and on conflict and stress only as techniques on those subjects change on a regular basis. It is not necessary to do refresher training on for example the topographical test or wheel chair as individual training is done every time you drive a taxi.

I and other black cab taxi drivers are unhappy at the council extending the training to Private Hire drivers. It personally took me many years to gain my taxi license through studying and training yet it appears that there is no difference between us now. They freely get away with picking up customers on the street or doing airport fares without being reprimanded for doing so. This also appears to be a new money making scheme for the council.

I would say that in London, black cab drivers are respected and appreciated. I wish we could have the similar in Edinburgh.

Finally with respect to Private Hire drivers and following this training, will they:

- 1, Have to complete disclosure forms like we do?
- 2, Have on street checks like we do?
- 3, Be told that they will lose their license in they park on the street like we are?
- 4, Be Police checked like we are?

You are not clear in your approach to this subject is this for new drivers...bearing in mind that present drivers already hold a certificate in geography of the City.....extras to that qualification I can support...But existing taxi drivers qualification should not be ignored....

Consideration should be given to the fact that persons who hold a taxi drivers license have already undergone the topographical test and the necessary modules at Telford. Private Hire will be moving to the UBER application soon so will not be required to undergo any of the above. Taxi Drivers may follow their lead leading if the proposals are adopted leading to a decline in the whole standard of services in Edinburgh. Council revenues would decline sharply.

We in the trade pride ourselves in the level of service given to the people of Edinburgh and its visitors. We are constantly asked by the public why there is such a lack of taxis on the road at busy times. The truth of the matter is that we have more than enough cars to service a place the size of Edinburgh, but with little or no back up from the council or the police in matters of driver and public safety, it is little wonder that drivers do not want to work the busy shifts. If the proposal to give such wide measures to private hire cars goes ahead, then I see the flood gates opening to the extent that they(private hire) will think that if they have to sit the topographical test, then they should have the same rights as taxi drivers. In my opinion, a huge mistake. This is the one and only time that the City of Edinburgh council have the chance to listen to the trade and not ride roughshod over us as is the norm of late, (Uber Gett Taxi) a good example.

taxi drivers already pass the suggested tests and if they are to offer the same service then so should PHC, no harm in a small refresher course but not the full thing

As a full time owner - Taxi Driver for over 16 years I truly believe that this is just another money making exercise that the council have come up with. We already have to pay for increase in fares we also have to pay for 2 examinations at test date. www must be have disclosure Scotland certificate, all the above I feel is victimisation against taxi owners. The council have already increased the modules that taxi drivers must sit before becoming licensed taxi drivers to six modules instead of three.

All drivers, both Black Cab and Private Hire, have to understand that they are customer service agents, first and foremost, with an overriding priority to provide the public with a first class experience, including safety, comfort and professionalism, encouraging tourists to revisit the city, and residents to feel both safe and proud of the service the industry provides.

As a Taxi Driver/Owner who passed his Topographical Test and completed the Taxi Driver Skills Development Programme in 2003, I commend the Council on deciding to give the training that we taxi drivers complete a more formal recognised qualification. However, it is disappointing that it has

taken the Council this long to reach this decision. At the time of attending my modules at the then Telford College, I asked if I would receive a formal qualification and was told that I wouldn't but it would be recognised by City of Edinburgh Council and would allow me to operate as a Taxi Driver/Owner. I believe that the Council should waive any charge to existing holders of the Taxi Driver Skills Development Programme if they are required to attend the proposed 3 day training programme followed by a day sitting the multiple choice exam. Alternatively, the Council should invite the City and Guilds Examining Board in to assess the existing modules and those who have already completed this course should be awarded a conversion City and Guilds certificate.

As for attending a 3-yearly refresher course/exam - I think that this is impractical, unnecessary and simply a money making opportunity on the part of the Council. However, a refresher course/exam should be enforced for a number of reasons as follows:

1. Taxi/PHC drivers should be reassessed/examined if there have been complaint(s) to the Taxi Examination Centre or CEC Licensing Office regarding the behaviour or competence of a driver. For example, reports by passengers of abuse/aggression/bad language from drivers should warrant a re-sitting of the course/exam.
2. Vehicles that are reported to be in a poor state of repair/dirty/driven dangerously should mean a resit by drivers.
3. My biggest issue that I have is the number of drivers who refuse to take wheelchair assisted passengers. These drivers shouldn't just be tested they should have their licence suspended. Drivers who claim a bad back and apply for a Wheelchair Exemption Certificate should attend a medical at their own expense before being given a certificate.

With regard to the Topographical test, this should remain separate from the proposed "Introduction to the role of Professional Taxi and Private Hire Driver" course. And again as above, a resit of the exam should ONLY be enforced in the event of repeated complaints by passengers against a driver for incorrect, excessively long journeys or for taking a dangerous/risky route likely to endanger the life of the passenger.

As to whether a PHC driver should also sit the Topographical exam, I am not so sure. There are, indeed, a number of PHC drivers who, even with a GPS, cannot find their way around Edinburgh. However, I think that CEC should be wary about enforcing the test for PHC drivers as it may find very few would be able to pass it meaning a vast reduction in the number of drivers available to meet demand.

Comprehension of the English language should also be tested. However, this would need to be a verbal exam and NOT a written exam or a multiple choice exam. Most complaints from passengers are about the driver (quite often not British) not understanding, or choosing not to understand.

However, in summary, I think that a formally recognised qualification is a good idea but not at additional expense for drivers who have already completed the very requirements laid down by the Council.

I completely disagree with these new tests or courses, I've been a taxi driver for the last year and everyday you learn a new Street or a new Road opens up or a new estate is built, you learn these as you go like any job your always learning, there is totally no need what so ever to make us sit a test, take 3 days off our work and probably pay through the nose for the course, these courses may put future taxi drivers of the idea of becoming a taxi driver, I paid just short of £1000 for my models and taxi school etc to become a driver a lot of people might not have this money It unfair to keep targeting taxi drivers - we worked hard and studied hard to pass our topographical test I believe we have done our part. You might find if you keep pushing us we will all become uber drivers and a great service like the black taxi cabs will soon decrease to little numbers

The topographical test has a very high pass mark ,once passed you learn more whilst driving ,another test is unnecessary

First aid courses SHOULD be offered and a refresher course offered

The suggestion that I could afford to take 3 days consecutively off for a course is frankly ridiculous

The present system is adequate and should be left alone.
Taxi drivers are among the worst drivers out there, they do dangerous U-turns, drive aggressively and basically ignore the rules of the road. They often spill out of their taxi bays and double park etc. Introducing this is great, but for taxi drivers who constantly offend will they receive fines, lose their licence etc?
Your needing to get a test for the private hire not the public hire these private hire guys now a days haven't a clue the look at sat navs. It's the private hire that are letting the city down the tests and qualifications that the black cab guys Go through is enough. I studied for months payed out a fortune to the council already to gain my brief. The private hire fill in a couple forms get there picture took and off the go how is that fare on me. I had at one stage a bank loan out for £73000 pound yes £73000 pounds so that I could have my own taxi in Edinburgh. It's the private hire that needs sorting out not the taxi drivers that have briefs already.
The knowledge grows with experience it does not need to be tested every three years as it tested every day,also adding more expense to the job will drive people out of the trade . A situation has already reached a cost of insustainability and hardship for drivers and their families.
I have been a taxi driver for 27 years after passing the edinburgh knowledge test. I was proud then and still am proud to be a cabbie. On the way i have learned how to deal with all situations and problems that have come my way. I come from edinburgh so i dont have learn the lingo. I can do wheelchair jobs with ease without being shown how. I think in every job we have stress but learn how to dwal with it but we are all different. I think first aid would be a good thing for everyone to learn in every job. I would not like to have to sit a test and dont think i should as i said with experience comes knowledge and that goes for all jobs. Also our costs are going up all the time and this is just anorher. We need to keep the difference between taxis and private hire so i dont agree they take a test like the taxi drivers. Also i believe there is fewer people taking the taxi test. We have had an first class taxi service in edinburgh for many years now but if you dont look after it i fear you may lose it and standards wil fall because people will not be ableto afford the expence that comes with being an edinburgh cabbie
There is no need to retest as drivers keep learning anyway. There are always new places and changes to pubs names and other establishments to keep drivers on their toes. Doing the job is a constant refresher course and so drivers should not need to be tested after their intial tests.
As a taxi driver who obtained his taxi licence in 2003 I received training in all the suggested modules and passed them before my licence was granted. I have now driven a taxi in the city full time for the last 11/12 years and have never had one complaint with regard to wheelchair use or any other aspect of the service I provide. While I agree with the need for training and qualifications initially,I think refresher training every three years is totally unnecessary.
Is the Council going to pay for the course and for loss of earnings? If I give first aid to someone and something goes wrong because of my action who is responsible? If taxi drivers and PHC drivers are going through the same course does it mean that PHC drivers become taxi drivers? I sat a stringent test to become a Taxi Driver and have provided this daily service to the public of Edinburgh for the last 19 years. I therefore cannot comprehend the reason behind obtaining a Citizens & Guild Level 2 which allows me to do the work I am already doing.

<p>All of this will no doubt come at a cost to drivers and an increase in licensing fees. The trade is hard enough with new entrants to the market place such as Gett and Uber. The council has reduced the price of PHC licences(no doubt to assist Uber with their recruitment drive) so no doubt other fees will go up to cover the costs. this is undesirable among the trade.</p>
<p>I feel very strongly that this qualification proposal should not be introduced. As a full brief holder I have already proven myself to practise my trade and have already complete the modules that are being suggested in this consultation at great expense to myself not only from my pocket but from personal time with my family. I also believe that our knowledge grows through time and experience. I do not feel the need to put PHC through such training either as I feel if they are committed to providing this service to the public then the door is open for them to train to become full brief holders. I feel this would just undermine the hard work and time existing brief holders have put into their chosen careers.</p>
<p>I have been a taxi driver for over 20 years , my ability to serve the public well has been an ongoing lesson throughout these 20 years , There is absolutely no reason that I should sit a topographical test every 3 years , this would seem that yet again the council are actively seeking ways to increase the revenue stream from the Taxi industry , in a time where we taxi owners are faced with increased competition and an increase in the costs of both buying and maintaining a vehicle whilst our earnings fail to keep up pace with these increases , I find it ludicrous that the Council could consider dipping further into our pockets to take what little is left.</p> <p>I strongly urge the Council to shelve this plan of a retest every 3 years.</p>
<p>A refresher course is not needed, your longevity as a driver garners experience of the streets, routes, establishments and how to deal with the public.</p>
<p>this is yet another way for the council to get money from drivers, while at the same time flooding the market with private hire licences. it seems the folk doing the right thing, doing the training and passing the test are punished for it whereas basically anyone can get a private hire licence. they get the same meter rates and never have to handle wheelchair fares either. if these folk want to drive a taxi, they should take the test like everyone else. the council should be enforcing the law concerning private hire picking up on the street when they're not allowed to, they're breaking the law and should be clamped down on.</p>
<p>this suggested course looks like an excercise for the council licence board to make money from already qualified experienced drivers. Most taxi drivers come to the trade with a lot of life experience from various jobs and trades they are not fresh faced school kids needing training</p>
<p>As a taxi driver licence holder for over 16 years I do not feel that a 3 day course plus refresher courses would enhance the service I currently provide. It could be argued that my experience (along with many others within the trade) would far outweigh the course content and possibly be greater than any lecturer employed to deliver the course.</p> <p>In addition, the cost of such a course, at a time when it is becoming increasingly difficult to make a living in the taxi trade, would be an extremely hard pill to swallow, not to mention the three days of non-earning that must also be taken into account.</p> <p>Taxi driving is not the trade it was many years ago and the number of new entrants into the trade is decreasing year on year. Introducing even more barriers to entry may leave the trade with a shortage of drivers.</p> <p>Whilst I agree with the current topographical test (and the other modules currently required) for new entrant taxi drivers I do not think that long term established drivers should have to complete exams on a retrospective basis.</p>

we all learn more after years of driving and the standard of knowledge in the taxi trade of the black cabs is exceptional .the public know that they will get taken door to door and not worry about the driver not knowing how to get there or knowing where the place is
this is yet an other money making scheme for the council we have enough outlay as it is with out making us lose more working days for something that we learn every day while working .WE have all the knowledge we need to do our job professionally .
As you drive on the streets of Edinburgh, your knowledge increases. The refresher course is a waste of time
Edinburgh probably has one of the best, if not thee best taxi service in the UK. "If it's not broke, why fix it?" Cost, more than anything, will put newcomers off entering the trade and refreshers will put older drivers off staying in the trade, thus diminishing the present level of service, as it is years experience on the road that makes a good taxi driver not repetitive testing. THE BIGGEST QUESTION, HOWEVER, HAS TO BE WHAT BENEFIT WOULD BE GAINED FROM A COURSE THAT LASTS ONLY THREE DAYS?
I think there should be some type of driving test incorporated in test
This would just be another scam to extort cash from drivers , who Tbh don't earn a lot these days . The cost of an annual can test is extortionate
Please remember knowledge required to drive a taxi is largely experienced based rather than class taught. Far more important I would suggest are the health aspects of the job first aid as mentioned in your survey and I am amazed that you do not mention medical assessments for drivers on a regular basis. In the light of the bin lorry tragedy in Glasgow I would have thought safety of passengers and public should come before trying to generate additional work for council trainers and licencing staff. I am all for making the trade safer but against reducing services by passing additional expense onto licence holders who may decide it just isn't worth continuing. If you were proposing regular medical assessments and first aid awareness at licence renewal I'd be all for it as these would bring obvious benefits to all.
i strongly disagree with the refresher test, not because i don't think id pass (i know the streets a huge amount more now than i did when i passed my test) but because i assume i would have to pay another bill to continue my job. when the trade is being diluted more and more by Americans writing a tiny bit code for an app, then launching here and working without meters contributing nothing to the local economy.
I find the attitude of black taxi drivers towards PHC drivers old fashioned and arrogant. It needs to change and so maybe this may help. Also if we are made to take examinations we should be allowed to use bus lanes as we are doing the same job as the black taxis anyway. Passengers should not be made to pay more or wait longer. Can this be considered.
as long as the taxi driver is actively working they shouldn't need a refresher course
drivers doing the work on a regular basis should not need training.
To my knowledge a large number of PHC drivers go down that route because for one reason or another they are unable to sit or pass the topographical test set out by the cab office. Public taxi

<p>drivers have studied and passed this test along with the other modules. And most of them have years of experience on Edinburgh's roads to further enhance their knowledge. A scaled down simpler test for PHC licenses I could agree with. But I think refresher courses for the Public drivers would be a waste of time and money. Although, I do think refresher courses (voluntary) on first aid and customer care would benefit some people.</p>
<p>I think a big issue with the PHC drivers is the communication barrier with the drivers not being able to speak or understand the English language. All drivers should be made to sit a test to ensure they can provide a public service, far too many passengers complain that the drivers can't understand them and it's difficult to explain where they want to go.</p> <p>I would also like to add that PHC drivers should be allowed to use bus lanes & Princess Street as we are also providing a public service the same as buses and Taxi's.</p>
<p>Continuous professional development for taxi drivers and owners will raise the standards of professionalism if it is perceived by them to protect and improve the trade and their livelihood. If it is applied in such a way as to be cost prohibitive for drivers, or diminish the distinction between Taxi's and PHC's it may well discourage drivers from renewing their licence or discourage potential new drivers from applying for a licence.</p>
<p>Possibly first aid awareness, but not at drivers expense. Having gone through the five modules just over three years ago I can safely say I learnt nothing apart from the wheelchair training.</p>
<p>Studying for the topographical test is enough to ensure Taxi drivers have a sound knowledge of the city which is what the majority of the public want. The public do not care if we have been on courses to handle certain situations that are unlikely to ever occur.</p> <p>PHC have no need for a topographical test as all work is pre-booked giving the driver advanced information of his destination so no on the spot knowledge is required. If forced to do this test PHC drivers will feel they have the same rights to pick up off the street as public hire taxis. I witness many PHC sitting at the back of taxi ranks already most days if no taxis are on the rank hoping for an illegal pick up but move on as soon as a black cab pulls on to the rank.</p> <p>A clear definition has to be maintained between both types of vehicle to ensure the public knows what level of service they can expect from each type of transport.</p>
<p>The taxi drivers go through enough to get their licence. Months and months of study it's the private hire that need looking at they don't know one street to the next.</p>
<p>Taxi drivers have already spent a lot of time and put a lot of effort into passing current knowledge test any further knowledge required will come doing the job from day to day these refresher courses are simply not required</p>
<ul style="list-style-type: none"> - My proposal is to train driver on Hate Crime along with other modules. - Equality monitoring is essential to identify ethnic background and protected characteristics of the drivers. It will be of help to plan or implement any future policy. - PCO should
<p>I would be concerned if any new course was in addition to the existing course with an additional burden of fees upon applicants. However, I would support replacing any current course modules with more relevant, updated content. I would also agree a 3-yearly refresher course/exam makes sense providing costs to applicants are minimised. This is important as my experience of the job (Hackney cab driver) in recent years is that it has become harder to make a living, whether for reasons of competition or wider economic conditions. When finances are already squeezed, it would be greatly appreciated if our licencing authority takes this into account when considering changes to existing arrangements.</p> <p>Thank you.</p>

<p>I don't see the need for a refresher course every 3 years or at all for that matter. I have been a Taxi driver for a number of years now and have gained all my experiences by doing just that I fail to see what a refresher course is going to teach me what I already know.</p> <p>Adding extra costs to what is already an expensive trade to try and get a profession in may put potential taxi drivers off applying for a license therefore slowing down the process of new drivers coming through. The topographical test that any potential taxi driver needs to pass before receiving their license is very difficult however it's very worthwhile cause as it prepares you for the job in hand. This is why I don't think there's a need for PHC drivers to have a topographical test because they have to be prebooked which allows them to work out their route before they head off on their job and the public know what both types of transport offer.</p>
<p>Any further costs/training on top of what's already in place to become a taxi driver could potentially put new drivers from starting a career within the profession. It's already very difficult to pass what is an exceedingly hard topographical test and costly module's without the added worry about costs and tests every 3 years. I fail to see what a refresher course is going to teach me when the best experience is to drive on the streets pretty much 24/7. You learn the quickest routes which are ever changing in Edinburgh along with how to deal with difficult customers/situations by simply being in the taxi and dealing with what comes your way. Sitting in a room every 3 years going over what I already know would be a waste of valuable time effort and money in my opinion.</p>
<p>I wholeheartedly support the topographical assessment for both taxi drivers and private hire drivers. I also think it must be mandatory for anyone seeking to join a profession which is providing a service to the public to be able to speak English. While I acknowledge that there might be some benefit in initial training, it would be unfair to have a refresher course every three years. It is hard enough to make a decent living with all the competition now in place without the Council trying to find new ways for taxi drivers to lose a day's wages, the cost of the cab rental and also, probably, to foot the cost of a course.</p>
<p>Having been at a taxi driver since 1988, and having had no complaints made about me, and handling people that are drunk and abusive I feel I have gained the experience in dealing with these situations without the need for a qualification, it would also include an additional expense and there appears to be no mention of the cost of the course, also there would be 3 days of lost earnings. If the course was to be mandatory it should apply to new licence applications.</p>
<p>Once you've passed all the training and begun driving there should be no need to ever update anything because you only really start learning and accumulating knowledge once you're a working cabbie. After a few years of going out every day and doing the business for hours on end, every cabbie in Edinburgh should be able to be more up to date with the business of driving a cab in the city than any person sitting at a desk in some council classroom, and the only reason to make any REFRESHER training mandatory is just a way for the council to make money. It's a bit like passing your driving test. We all know that new drivers only really start learning to be good drivers AFTER they've passed the test.</p>
<p>phc have always had the option to get a full taxi licence if they wanted to do so some do some don't they have their own reasons for doing so or not I also think that Edinburgh has a fleet of taxi drivers that do the city proud and any refresher training should only be done if a driver is up on a complaint</p>
<p>It may have been relevant to introduce training a few years back (which the council has done) but the Council really needs to think about this carefully. There is now further increased competition (with Gett Taxi and Uber now in Edinburgh) and it is therefore increasingly harder to make a decent wage. The number of hours taxi drivers have to work to make a living wage is ridiculous; some younger drivers have to work seven days a week. The hurdles and the increased competition can only prove a disincentive to attracting people into the taxi trade. This can only have a detrimental effect to the</p>

service that can be provided. It is all very well having the best trained drivers in the UK but if the numbers aren't there to provide a service it will be the Council that gets the backlash from the public. Now with this latest proposal to have a refresher course there is another hurdle to get over, not to mention the loss of a day's wages, cab rental and, probably, the cost of paying for the course. Furthermore, I am not aware of any other organisation where employees have to undergo refresher training every three years - it is unfair to single out the taxi trade and it smacks of overkill. I am totally against this proposal and the Council should give the points I have raised serious consideration in their deliberations.

Bring PHV testing and standards up to the level of Taxi driver testing.
More tests are not needed on top of the testing a licensed taxi driver must already complete at significant personal cost.

Before completing the details of the questionnaire, can you clarify the following points.

1. Does the 3 day initial training apply to existing drivers, and consequently, what financial effect will that have on individual drivers losing 3 days income and presumably having to pay a fee to the council for that privilege.
2. Would the PHC drivers topography test be to the same standard as the Hackney drivers test.
3. Does this mean that licensed PHC vehicles and drivers are recognised as part of the public transport system, and as such, should be allowed to use bus lanes etc., as is currently available to Hackneys.
4. References are made to disabled persons and access for disabled. Is there an expectation that PHC vehicles may need to be adapted to permit disabled access.

Regards. Bob Noble.

As a taxi driver of 15 years that does an average of 60 hours a week to be taken off the road & put in a classroom for 3 days is an expense & an inconvenience to myself.

I think new drivers should do a topographical test & I don't really care about phc drivers because they are private cars & not taxis .

Edinburgh is a challenging city to drive in & has lots of changes & as a full time cabbie I can keep up to date with the daily changes & try & provide the best service I can at all times while acting responsibly . The black cab trade in Edinburgh does try to keep high standards.

I think it is an unnecesay qualification, I do school runs only and require a phc licence and plate for my work but would never drive for hire, therefore I think for people like me it is unacceptable to be asked to sit this test as it is totally unrequired. In Edinburgh the system we have seems to work fine the taxi driver are all required to sit the "knowledge" before they can ply for hire, this test gives them the priviledge of being able to pick up of the streets. PHC driver do not therefore ned to be pre-booked this differentiates between the two and has work well for year the old adage springs to mind if its not broke don't try to fix it. I also think this would saturate the market as to drivers wanting jobs in hackney cars unless they still need to sit current test, For older people that do this job part-time to top up otherwise poor pensions and to make ends meet they would probably give up rather than have to take exams at the later stage of life. Foreigner also would find this difficult. OH!!!!!! I can see that unemployment que growing

I have yet to meet a member of the public/taxi user who is the least bit interested in whether a taxi driver has any qualification, other than having passed the topographical knowledge and is capable of taking them safely and efficiently to their destination.

BEFORE introducing a qualification which does nothing more than make the council appear to be doing something and improving the service to the public, the council should be acrually enforcing the current legislation and ensuring the public are receiving the service which the council claims they are

providing for the public already.
I dont think there should be a refresher course for taxi drivers that have already passed the test . They have already learnt the streets and do the job on a daily basis. Perhaps you could annually print off any new streets .
There needs to be a public awareness campaign to ensure that they understand that a qualified driver cane trusted. Possibly by use of a charter mark or similar
I feel that taxi driver brief holders have worked well after doing there topographical test and modules, but I feel the phc licencee would benefit from additional training.
I do not agree with the refresher training at all. Taxi Drivers have already completed and paid for the topographical assessment and modules. To have to pay every three years will amount to a small fortune. For me personally, this would also land at the same time as my cab test, which is a very costly experience. If there is an issue with specific drivers having complaints being brought against them, then I would support and agree with the refresher course. Having held my brief for 11 years and never had any complaints lodged against me I am quite offended that the council should want to continually test my knowledge. If the council thinks the present system is no good then by all means change it, but when you have already passed an exam then why should you have to sit the same again?
all taxi drivers have a passed all relevant courses and from being on the streets everyday have a vast knowledge. so therefore no need for resits of tests and modules
Please let common sense prevail. Police our already suitable rules & regs properly instead of introducing a system that is only being introduced to tick boxes in relation to procedures being followed & revenue collection through unjust & unfair means
I have been involved in the taxi trade since 1992 and I am a british pakistani, and have to say that the trade is now a disgrace due to the influx of foreign drivers who some don't even know what street they live in. their pigeion english is a disgrace and some have difficulty understanding their passengers. please don't see me as racist or prejudice because I am not and am asian myself, but unfortunately you need to be told the way it is. The problem we have at the moment is the influx of foreign drivers, then there are taxi schools like "learn Taxi" who boast that they will learn you the taxi course in your preferred language whether you know or understand english or not is not a problem as they have interpreters in all languages. These types of taxi schools should not be allowed to operate as they are lowering the standards of drivers and any taxi school should be licensed or regulated. taxi drivers are ambassadors for edinburgh and for a lot of visitors probably the first point of contact when visitors arrive in the city. here is a true incident that i have encountered, a visitor hired a cab at the taxi rank at the airport, and firstly the driver did not know or understand the name of the hotel the visitor was going to(caledonian waldorf astoria), the driver approached me as i was the 2nd cab in the rank, i had to physically get out the cab and ask his passengers, i told this driver it was the old caledonian on princess st, this foreign driver then asked me if i knew the postcode so he can put it in his sat nav. Anyone can study theory of bits of paper but like any trade when it comes to practical hands on experience the foreign drivers are lost. There should be a extremely very hard and stringent english test accompanied with a small practical driving test, only then will you get the cream of the cream taxi drivers in edinburgh. the taxi trade is becoming a disgrace and it won't be long before the majority of drivers will be foreigners, and we will have scenarios like they do in huddersfield or bradford etc...etc...were 85% are foreign drivers. If it was me running the show i would have clauses for example:

<p>you would have to be in Britain for a minimum of 10 years before you could apply for a license. have an extremely hard English test, orally, theory and practical with a 99% pass. the topographical test should also be a 99% pass. A small strict driving test also with a 99% pass. this would allow and keep the high standards of Edinburgh taxis, especially as a capital city, we must not let the standard drop, which it is as I am sure you will be getting a lot of complaints about foreign drivers.</p> <p>I am willing to come into your office and express my concerns in detail if so required.</p> <p>thank you</p>
<p>As a taxi driver you learn as you go. It took me almost a year to become a Cabbie. I take pride in knowing where streets and the like are. If I get stuck I can easily find out where the location is. It is impossible to know every pub/hotel/school/consulate/street/high riser/golf course/police station etc but I like to think I know the majority of Edinburgh. I certainly don't need the council to tell me. I can do that myself. Is this just another fee to add to the already considerable fees we already incur from a cash-strapped council.?</p>
<p>Currently all LGV drivers must undergo 35 hours of refresher training DCPC which I have done, this course was a complete waste of time as I did not take anything away from the course which I already knew. Thus if you introduce this refresher training again 99% of drivers won't take anything away from this course. Any training should be done to new drivers only.</p>
<p>Whilst regular refresher training should be included, the need for a refresher should be also triggered whenever a driver has committed a road traffic offense, or when they have a specified number of complaints logged against them.</p> <p>Requiring a full first aid qualification seems excessive, given the proximity to emergency services within the city, however first aid awareness seems appropriate (to cover basic life support whilst awaiting emergency services).</p> <p>I see little difference required between the two classes of drivers, however with the availability of satellite navigation systems, topographical knowledge of the city seems to be less relevant - for prebooked private hires, the sat nav may be programmed in advance, however a taxi can be hailed on demand, so the driver should not need to spend time programming a device prior to setting off. Overall this is to be welcomed - I had assumed that such professional drivers already were tested on these matters and am glad to see that being put in place.</p>
<p>I agree with point 7 above but only if this training is given free of charge. It would be yet another outlay that we can little afford to pay for along with all other costs involved with owning and running a taxi. It would also mean 3 days of not earning at all !!!!!! However the company radio fees, road tax, insurance, vehicle payments etc are all still payable whether you are working or not. How would we be recompensed for this???</p>
<p>As a small business owner (6 private hire cars) I believe these proposals are another blow to us, currently it's difficult enough to recruit new drivers and now it'll be even harder, the Council should rather think about limiting the number of private hire cars as recent drop in licensing fees led to the massive increase in number of new private hire vehicles on the road, making it even more difficult for drivers to earn a wage.</p>
<p>Does this qualification then entitle private hire taxis the right to use greenways ?!?!?</p>
<p>Currently taxi drivers have to sit a topographical test and five modules which seems adequate and no</p>

<p>need to change. It really is the private car driver that needs addressing even some basic modules to bring this up to a reasonable standard</p>
<p>Would also hope that a disclosure Scotland certificate should be included in these requirements , this should also be included in new taxi drivers license .</p>
<p>I repeat, you have not provided enough information of what would be included in the course to allow an informed opinion to be formed. One example of where existing training is completely useless is when a passenger aggressively refuses to pay. There is absolutely no point contacting the police as taught, as if they do attend it will be an hour or more after calling them, if at all. Taxi drivers are referred to as no.2 I have been told by a close friend who is a long serving police officer. Prostitutes are no.1. On one occasion when a passenger threatened to stab me I was told by the police that did eventually respond that "it took longer to attend because a knife was involved so they would not attend until they had enough bodies". I could go on about other parts of training but the expression "those that can do, those that can't teach" sums it up.</p>
<p>An advanced driving skills qualification would be desirable. What would be essential however is additional training in driving around vulnerable road users (cyclists, pedestrians, horses).</p>
<p>I would like to know that if any new proposals are approved would there be any cost to taxi drivers or would the cost of renewing their license cover any courses that they we would have to take before renewal is granted?.i think the course on language would certainly help for better customer relations on the p.h.c side as I get told on occasions from passengers who have had communication problems in the past. I don't think it is needed on the cab side as I have never heard of any problems in this instance.as for the proposal on the topographical assessment this would just be a complete waste of time for tai drivers as they know Edinburgh inside due to the difficulty of the topographical test anyway also from a personal point of view as I have worked both sides there is a big gap in the difficulty of the 2 jobs and some drivers might think it is to hard.</p>
<p>As stated above- taxi drivers are subject to an extremely thorough test to gain the Edinburgh licence and adding to that is not necessary. PHC is a completely different job and everyday you see drivers who, quite frankly, make you wonder if they have driving licences, let alone have any idea of the best route for a journey for a fee paying passenger! English language tests should be compulsory to all, that's a given but the 90% pass mark reired for a Taxi Driver is qualification enough, alongside the module requirement from the council. No additional training required.</p>
<p>In my mind resitting the topographical test every three years is not required as knowledge will be gained whilst on the road. My worry is the following:</p> <ol style="list-style-type: none"> 1. These tests turn into revenue raising schemes for the council 2. There is a further muddying of the waters in regard to the differences between taxi and private hire drivers. 3. What happens if driver fails test? Taxis are very expensive to put on the road and having no income coming in could prove catastrophic re capital repayments / mortgage payments,
<p>I feel that the costs involved are unfair to black cab drivers, no to mention that its getting harder to make a living, with so many private hire drivers on the road, costs already for renewing license, price of diesel, rental. Now uber granted a licence to operate in the city. Feel a cabbies topographical</p>

<p>knowledge improves after every shift and experience also. Feel renewing the test every three years would be another expense inflicted on rental drivers</p>
<p>The whole thing sounds like a waste of time and money to me. I went to taxi college for about 10 months to become a taxi driver. I also completed all the college modules. To be asked to go through it all again just to obtain a "qualification" seems ridiculous. The black cab trade in Edinburgh has very high standards as far as I'm aware and forcing drivers to undertake these qualifications would feel like a slap in the face and possibly lead to drivers leaving the trade and any future drivers not bothering to become a taxi driver.</p>
<p>This is just wastage of money I stress on improve the already courses, because these courses need improvement.</p>
<p>This seems plausible for new drivers into the trade, but after 19 years of driving myself, I think having a college professor or such like telling me how to react as a professional taxi driver is not just a waste of resources but of my time as well. I think this applies to another half of all taxi drivers.</p>
<p>As I said in box 5 it is of no benefit to taxi drivers, only another money making scheme to put another financial burden on the taxi drivers. The English course for PHC is a necessity.</p>
<p>Please refer to previous comments - don't want to bore you! However thank you for asking for our feedback, much appreciated.</p>
<p>They should be kept separate at all times .</p>
<p>have been driving taxi`s in Edinburgh now for 25 years and do not think refresher training is needed and would be a waste of money and think the present standards and training is adequate</p>
<p>Money making exercise</p>
<p>Having just acquired all my modules and passing my topographical test I feel the process was perfectly adequate to prepare me for driving a taxi and providing the public with a good service that they expect to receive from Edinburgh black cabs. I feel this new qualification could act as a further barrier for new drivers entering the black cab trade. And place more financial burdens on drivers that are currently not needed. Especially three year refresher courses. Being a regular user of black cabs I have never had a problem with the quality of service provided by the driver.</p>
<p>Possibly monitor each driver by contacting there employer every 3 years.</p>
<p>I disagree I pay out a lot of money annually to keep my cab on the road and feel we do not need a refresher course for taxi drivers .</p>
<p>There is a distinction between black PUBLIC hire taxis and PRIVATE regular car hires. Private hire cars CAN NOT be hailed on the road and there is a reason for that. They should not be put to tests as they are not professional taxi drivers. Come to think of it, the existence of private hire car with a TAXI meter should be illegal! Refresh test of taxi drivers? We are on the road every day, there would not be a problem for taxi drivers to pass the refresh test, only problem is it will be a day lost and money paid for nothing.</p>

<p>on gaining a licence you then build up more knowledge of the job over the years.re the first aid,you are leaving us wide open to potential lawsuits if we do some thing wrong.</p>
<p>Taxi drivers already complete all the modules and topographical test prior to receiving licence. This is specific to black taxis and should remain so. This is appropriate to the service provided by black taxis and irrelevant as far as private hire vehicles go</p>
<p>I feel the current model is correct and that private hire cars are as the name suggests a private hire so therefore have no need to have the topographical test as a barrier. I also strongly disagree with the suggestion of continuous assesment as this would put another barrier in way of retaining drivers.</p>
<p>regarding question 6, I have already passed my topographical exam and completed all 5 modules. but as I have already stated above I would welcome a refresher course / training in first aid. I very much feel that I am a professional taxi driver and feel that this would demean what I have achieved. I am very worried for my future and the future of my trade. The feedback I get from the public is that they are very happy with the service that my colleagues and myself provide in a very professional manner.</p>
<p>There is a need for Taxi Driver topographical knowledge due to the instant nature of route/destination decision making in street picks which is not required by PHC who have to time to plan routes and destination knowledge. Wheelchair access again is not required by PHC as they aren't licensed to carry wheelchair passengers. These 2 clear distinctions show that the requirements for Taxi Driver and PHC are different and should be treated as such - a 'one size fits all' approach is inappropriate. I am also concerned that the requirement for a qualification will discourage new entrants to Taxi and PHC driving due to costs of such courses and study/attendance time involved to to complete them.</p>
<p>There should be no requirement for taxi drivers to take this course as we have already shown that we know Edinburgh well enough. With everyday that your working your knowledge grows. Why should we have to incur more costs for something we know already ?</p>
<p>during recession i took time out and took HGV licence . That industry introduced CPC training as an extra burden to drivers similair to what you propose .The result was many drivers did not do cpc and left a massive hole in the industry . Enter into this nonsense at your own peril as it has already been proved a waste of good drivers . I for one amongst others on inception of this will let my licence lapse never to return.</p>
<p>Another money grabbing exercise by Edinburgh council on the taxis and private hire cars of Edinburgh. We are already charged £275 for an annual inspection, an exuberant amount for a glorified mot. (normal price £50.).If EDC are paying for the proposed ideas then carry on. if not leave us all alone to carry on trying to scrape a living, with far too many vehicles trying trying to get a fare in the city. Rant over!</p>
<p>I think sitting the topographical test is more than enough to become a taxi driver. People study the streets, hospitals,areas etc at chosen night school classes for weeks, months even years to get the pass mark required to become a Cabbie in Edinburgh. Getting the "brief "is only the beginning, once you are out there working the streets, that's when you start to gain the knowledge of Edinburgh in earnest. In my opinion there is nothing a refresher course every three years is going to benifit myself in any way. I only see as a means of taking MORE money from the taxi drivers and owners in of Edinburgh.</p>

<p>As for private hire in Edinburgh I don't think they should be sitting tests because the "knowledge "is what makes the MASSIVE difference between private hire and an Edinburgh taxi license operators. We pride ourselves in offering a first class service to the people and visitors of Edinburgh based on the fact we have done the hard work to gain our own qualification in the taxi knowledge and that is a major fact between the two .</p>
<p>daily work for a taxi driver is more valuable than any training as in every sector of work. I think this is another way to make money on a regular basis. There also needs to be a distinction between taxi drivers and private hire drivers as in every major city private hire drivers use this a means of passing tests to become taxi drivers. These ideas the council propose, however wrong, seem to benefit only the council and perhaps private hire firms, of which I hope Steve Cardownie is no longer sitting on the board or at least no way involved in this consultation.</p>
<p>Phc topographical knowledge is not necessary as they must only get hires from their radio company, therefore they can check their maps before the journey commences</p>
<p>The qualification is of no use after you leave the taxi trade just another way to get extra money</p>
<p>The current system for taxi drivers in my opinion is sufficient and any refresher training should only be given as and when circumstances dictate for example a driver is regularly reported for customer service issues etc. As for private hire it is my opinion that they should not sit the topographical test as this is the main difference between taxi drivers and them, after all they use bus and taxi lanes drive through bus and taxi gates fly pick up (which is illegal) make use of taxi ranks and do you know what very little if anything is done about it I would be interested what the cost is to the operator and if you intend to pay loss of earnings for the time you expect me to sit in a class room rather than out working. I would also ask what profit the Council will make from this proposal I look forward to your reply by Email</p>
<p>why ???/...who will it benefit ?..who is running the course ?..how much is it going to cost ?how much is the guy running it getting ?..how many years driving a cab does he have under his belt ?..I've been driving for 27 years on night shift dealing with all sections of the public ...do I now need some qualification ???/...This is only window dressing ,,and considering how long it takes the council to send out my brief ..I think any they should concentrate on speeding things up internally .As for PHC...? they are not allowed to pick up of the streets (stealing my work)?.. will this qualification prevent that from happening ?..I doubt it ?.if I attend some one with my 'first aid ' and they die... will I be sued ..??/.. As I have stated this serves no purpose for anyone but the council (coz it likes to think it has covered everything ..and the person getting £40k a year to run it)...for the taxi driver it is a pointless exercise ..the customer is not getting a 'better ' service ..In truth if you want a 'better ' service then get rid of 'sat/nav'only then will you would see the 'real ' cab drivers ...and not some lazy ' I will follow the directions on the screen ' idiot....And if the council wants to save a lot of hassle in cabs ?.. then introduce a £10 money up front charge as soon as a customer enters a cab ,,NOW))).. the cab driver is getting paid ..he is only getting hailed by fares with cash (no runners),,,this will prevent about 90% of all the hassle in a cab ..its worth thinking about ..but you would have to a cab driver to see how good that would be)))..ta</p>
<p>Distinction between Black Cabs and Private hire should remain. This will only serve to blur the lines between them. Additional refresher course's will add financial burden to cabbies who are in the best position to further their own training through work in practice not in a classroom</p>

<p>I strongly oppose any kind of course and city and guilds certificate for taxi drivers. I've never heard so much nonsense in all my life , I had to check the calendar to make sure it wasn't the 1st of April. The only thing a good taxi driver needs is experience and that's gained through time , not a qualification. Also , taxi drivers and private hire are different and, should remain that way. All it would do is cause inconvenience and unnecessary expense for nothing. I am 53 years old and a qualified electronics engineer and have driven a taxi for 14 years. I don't think a City and Guilds taxi driver certificate is going to enhance my cv.</p>
<p>We bare enough costs without meaningless additional outlays PHC must comply with the current learning courses already available</p>
<p>The taxi test is a complete topographical knowledge of Edinburgh and once completed including wheelchair training etc is all that is needed, As a council worker once you have learned something do you want to go back at learn it again. I do not want my time wasted. It sounds like a way for the council to create jobs and income at the expense of taxi drivers.</p>
<p>As I have my taxi license, I have already completed courses in first aid, customer care, wheelchair training. I strongly disagree with current license holders having to go through this process again as I am dealing with these topics on a regular basis. I presume that there will be an additional cost for this qualification and that financially this will be extra costs for taxi drivers who have recently seen a huge increase in the yearly taxi examination costs.</p>
<p>Private hire car drivers should have all the modules that taxi drivers have and no need for a topographical test every three years.</p>
<p>As a part time taxi driver, the added cost of more training to gain a license would put me of continuing with this type of work.</p>
<p>After 17 years as a black Hackney driver and lived in Edinburgh all my life. I think it would be ludicrous to ask me to A. To complete a referresher coarse every three years. It would be like asking to refresh there driving licence every three years (have i forgot how to drive) As far as your city and guilds idea , I did that when I was sixteen and it took me four years . I have the qualification If I wanted to back to my trade would I have to re do my qualification ? Don't think so !!! Same as anyone with a degree 20 years ago would they have to redo there degree every 3 years ? Don't think so. Does a doctor, lawyer, vet, judge or any anther professional have to REFRESH every 3years NO !!!!!!! Every day I work I learn more and more . I certainly don't need a refresh or city &guilds .So I'm totally against it .</p>
<p>Same comments for previous questions</p>
<p>Would it really matter what taxi drivers think ? , as Council do what Council wants to do, regardless of a public consultation. Its a waste of time.You would think that taxi driver views would be cosidered but you have a habit of ignoring common sense. Topography exam is relevant to becoming a taxi driver, but every 3 years ? Thats just to collect more fees. Perhaps you should look at your own staff in the hub. A little retraining there would not go a miss. Cheers.</p>

I cannot speak for the PH trade but the taxi trade operates with many part-time drivers, who are essential to maintaining the city's taxi fleet and providing a public service on a 24/7 basis. I believe this proposed qualification, not to mention the inevitable associated costs (including ongoing costs, it would appear) would be a key barrier to any new drivers looking to enter the trade, thus denying it of the very people it needs to sustain itself.

Universal feedback from taxi trade colleagues suggests that competition has increased inexorably in the past few years (more PH, trams and apps such as Uber and Get Taxi) and as a result driver's incomes, particularly on day shift, have suffered as a result. Adding costs is, in my opinion, not a way to continue to make an increasingly under pressure taxi trade attractive to prospective drivers. Further, adding an ongoing reassessment basis to taxi driving is seen by many colleagues as a threat to continued employment, bearing in mind that almost all drivers are self-employed. If they fail any reassessment, what happens to their future income? And with many drivers having been in the trade for many years, it is the only employment option available to them.

I simply don't see how making people hold a qualification makes them any better equipped to provide a service to the public. Within the trade there are company committees constantly driving the customer service message, which isn't lost on drivers as competition increases.

On another point, by introducing the same qualification for both taxi drivers and PH drivers the boundary between a taxi driver and a PH driver is equalised. That then raises the question of whether PH drivers should have access to the existing rank provision, which many taxi drivers believe to already be less than what is needed, and the remaining bus lanes still operating restrictions. Finally, many drivers, both taxi and PH, have expressed opinion that they believe this is simply a revenue-generating exercise for C.E.C and are deeply sceptical of it on that basis alone. Putting further financial and qualification barriers in front of people in a business that is getting harder to sustain income-wise isn't a good idea, in my opinion.

I believe I have already got a profession qualification as I sat my "brief" 19yrs ago, so the above is based on new drivers.

Edinburgh has a very professional fleet of Black cab drivers and a two tier system work well at present, I know of lots of people that have benefited from driving PHC as a means of income when for various reasons they were unable to do so in their chosen professions (injury, pay offs, going bust) etc etc whether short, medium or indeed long term.

Speaking from experience sitting the exam was the easy part, you learn your "trade" when you start working and as Edinburgh develops and expands and therefore see no need to re-test every three years when we do it so well every day, also more unnecessary costs, we really don't need another CEC cost but that is a different argument for a different day.

Do you feel you would benefit in a refresher course every three years in what you do daily at a cost to you?

Taxi drivers and private hire should be qualified before they start but the private hire standards should not be as high as the taxi drivers so it should not be too great a barrier so it does not stop too many from starting as we need drivers joining the industry. Refresher training for everyone is unnecessary bureaucracy. Updates can be sent to drivers. If it is felt that some drivers are not good enough then a universal test could be taken and drivers who fail should be given the training.

Strick vetting for both

There is a distinction between taxi and private hire and the public acknowledge this. As far as customer care is concerned being given a member of company deals with this issue. Knowledge of streets and addresses is proven in topographical test and further enhanced on every shift so a qualification would not change that. Three days off work would cost me in excess of £600 excluding cost of course for no gain to me. I feel it is proposed as a money making scheme for the council only

<p>Considering the difference between the requirements of vehicles and operating conditions of taxi and phc why make qualifications of equal nature. As a taxi licence holder for thirteen years I consider myself to be increasingly experienced with a high degree of proficiency that can only be increased by continually working the streets of the city, not by listening in a classroom environment as a refresher course.</p>
<p>I do not feel it necessary to resit topographical test every 3 years. In no other profession is the main subject retested and under a City & Guilds only a 50% pass rate is required. Whereas at the moment a 92% pass is required.</p>
<p>In Short If this proposed qualification/module is made statutory it will only put off any potential taxi drivers. Most drivers enter the trade via part time working and then may consider making it a career.. This Qualification quite simply will be seen as a barrier to many to enter the trade. Also it is off paramount importance that the public know the difference between Taxi Driver and Private Hire Driver this qualification will just cloud the issue even more. Thank You Peter Mack</p>
<p>I think most taxi driving skills are gained through experience i believe that a lot of it like most things is common sense,i agree initially there should be a course and an exam, taxi drivers have a license and a badge that suggests they are fully qualified and have did all the necessary modules and safety courses a refresher course sounds like a good idea but not for the sake of creating revenue for the council</p>
<p>I feel that the status quo regarding taxi driver training is more than adequate. If there are any issues regarding taxi drivers and them not fulfilling their job requirements, there is a complaints procedure which a passenger can access, whether it's through the taxi firm that the driver is a member of or the council directly. Taxi drivers on the whole, work in a professional manner so to then put ALL taxi drivers through a refresher course is unfair. Taxi drivers that have not fulfilled their professional remit are dealt with individually and adequately by either their Company or the Cab Office, therefore, to introduce this proposal would be nothing more than a money making exercise by The City of Edinburgh council. I will also add that I feel that more training/courses should be introduced for Private Hire drivers.</p>
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<p>The nature of the job is relevant to anything proposed, and training, as such, is in my view, not necessary if the job is done well.</p>
<p>I feel there is no need for it. Edinburgh already has a renowned and dedicated professions fleet of taxi</p>

drivers.
I am concerned that this is simply yet another layer of bureaucracy for the taxi trade to contend with along with its attendant costs. The taxi test is difficult and is more than adequate to equip those passing it to provide a first class service to customers. All of the additional stuff is unnecessary adding little to the skills needed to do the job properly. With Edinburghs already sorry financial state, it beggars belief that the Council should be even considering bringing in yet more paper work which, while costing the taxi trade more, will undoubtedly carry Council running costs which will have to be borne by the hard pressed Council Tax payer.
I completed the course run by the Council several years ago. It was a shambles. 1.The first aid element of the course was dangerous and a disgrace. 2.Stress management was pointless, taught by a tutor who had no idea how to handle the stress of our job. 3.After ten years driving a taxi in Edinburgh I could write a book on local issues, many of which are caused by the City of Edinburgh Council in their unwillingness to listen to their own electorate, instead using "consultations" to justify pursuing their own agendas. 4.Customer care? We are the Councils customers, do the Council care? 5.Topographical assessment, after ten years driving a taxi how can that be considered necessary. I regard this as an unnecessary interference and a cash grab. If I am forced onto this course, I will reclaim a full refund for any element of the course I deem to be substandard. Given the previous course I passed and the terrible state Edinburgh College is in, that could be the whole lot. This is an interference and a cash grab. I also dislike being put into the same bracket as another trade, which this Council has failed to enforce it's own regulations on for a number of years. I have for some time considered placing some appropriate FOI requests. The course will only encourage me to move forward on this course of action. In short, this is an unnecessary expense for what I expect to be a poor course providing little in the way of value for the paying public. No Thank You.
Revenue raiser . I know money is tight in C.e.c but it's also hard in the cab trade and we should not be used as a cash cow.
Drivers should be aware of the accessible access points to the city's major destinations. For example, not all drivers I have encountered (I am a wheelchair user) are aware of the drop off / pick up point for Waverley Station in Carlton Road.
Taxi drivers currently have to pass courses on all of the proposed new qualification. I am aware that the requirements for Private Hire drivers is much less, due to the pre booking rules. Having driven taxis for about 10 years I can see no benefit to myself in these proposals, and no doubt there will be additional expense for unnecessary courses. I also think this will discourage new drivers from coming into the trade, especially Private Hire. It may also lead to existing drivers leaving the trade at a time when it can be difficult enough to get drivers to cover shifts.
I have a number of concerns regarding the implementing of a new taxi qualification i) Rarely have I heard of anyone choosing to enter the taxi trade as a preferred career decision, rather drivers tend to find themselves in a desperate situation were circumstances dictate that they find an alternative means of employment or ways to supplement income. By trying to introduce this qualification you will remove a means for people to QUICKLY change professions or dynamically adapt to changes in their circumstances. Is what we are trying to achieve create obstacles in the way of

people trying to support themselves?

ii) By introducing a topological test for private hire , you will blur the lines between what is a taxi or private hire driver. If they have similar qualifications then will be increasingly difficult to differentiate between the two types of drivers. Traditionally private hire could be seen as a half way house between a professional driver and the general public, with anyone wanting to go on to a full taxi license able to do so knowing that they were accruing the required topological knowledge whilst in similar employment.

iii) having the qualification be continually updated every 3 years seems like an unnecessary expense as

1) the topological knowledge will improve with experience not diminish

2)any updates to procedure can be just as efficiently sent out to drivers via email. In the 19 years I have been driving there has not been a case I can recall could not have been resolved in this manner Overall the proposed taxi /private hire qualification seems a totally unnecessary block to speedy entry to yours David Wilson

This is an insult to already qualified taxi drivers who studied hard for their Brief and can operate a taxi service without the use of sat nav. This proposal strongly smells of a money making scheme. The current test is monitored by the Police and should remain so. Colleges will be under pressure to produce figures so unfortunately the standard will inevitably be dropped to accommodate their existence. This has to be compared to any exam pass be it a degree or other. When a pass is gained they are NOT asked to refresh their qualification every so often. ARE YOU? If you have a desire to tighten the rules for private hire then feel free but leave the legitimate taxi trade alone. We provide a safe and excellent service for Edinburgh and its visitors so to add extra cost and time to us which most of us can ill afford, then it is nothing short of yet another scandal. It will definitely result in some of the current drivers leaving the trade as it will be too costly and time consuming for covering something they already have.

As a black cab taxi driver I studied hard and passed brief some years ago to gain a job. My concern is with the refreshing course before license renewal, what happens if for whatever reason you fail the assessment (some people go blank under pressure) could our license be revoked? We already work tirelessly to offer a service and time is hard to get for study and courses, I feel getting the brief is more than substantial for taxi drivers. I can't comment to much on Private hire although they may benefit from some sort of qualification. If there are regular complaints against specific drivers then perhaps they should be put through these channels but dont agree with it being brought in across the board. I hope the council listen to our concerns and don't force this onto us. Thank you

The current system works well and and a course is not needed in my opinion. Most taxi drivers already work 12 hour shifts for a minimum 5 day week. A course will discourage new drivers and make the role more expensive and time consuming for existing drivers. This could be a problem with the introduction of Uber etc.

If the CEC really do require safe, reliable taxis which can be hailed in the street and convey wheelchair and special needs clients?...I would recommend sticking with the current system as it works well.

The negative nature of my responses will have been noted. It is not, however, that I am against such a qualification but that the intention appears to be that such should be compulsory. As a National Tutor with Unite, (as well as holding a CEC Taxi Brief) I have taught on the Dundee equivalent of what is here proposed (as well as being an Assessor and Internal Verifier) and can tell you that, as an educator, compulsion to learn and absorb information, developing attitudes and skills is about the worst way of doing things.

I have witnessed experienced taxi drivers become completely demoralised with the whole VQ process when, if the qualification had been proposed as a voluntary opportunity for self development, much, much more could have been achieved. There is much more I could say about the shortcomings of the

VQ process as an educational construct from past experience in senior positions in both HE and FE, but will not. Make this qualification voluntary; get those who want to do it to take it on and let them "sell" the benefits to others who may hold initial doubts. Make it compulsory and watch the educational value diminish to vanishing point and a comensurate instrumentalism of purpose grow.
Michael McGrath MA (Hons) Dip.Ed. Ph.D

The topographical test is I believe the main difference between taxi and PHC drivers. the test has been changed in the last few decades and sadly not for the better. The test currently is overly complicated and should be reverted back to the old system. ie it is not necessary for every driver to know every pub in town. The changes have been tried and tested with various training programs instigated and this has only achieved a lack of drivers passing the knowledge test and also a lack of desire to become a cab driver.

I emailed the licencing department for information but sadly I did not get a reply. However I think it is important to look at the percentage of drivers there are available to each cab and the average age of the taxi drivers. As I recall there were 3500 drivers for approx. 800 cabs and the average age was at the time 49 years of age.

75% Cabs in Edinburgh are operated mainly on a double shifted system which enables the cabs to be maximised for public hire. By comparison 75% of London's cabs are single shifted. This system does not maximise the cab to the best use and leaves big gaps at peak periods.

The new TX4 which I believe is still the most popular cab is now £42.5K and at this price makes it very hard to purchase on a single shift system. Indeed it is becoming more difficult on a double shift system. The age of the current fleet of cabs must be taken into account with particular attention paid to the age of cabs on single shift and double shift system. Edinburgh once had the finest fleets of cabs in the UK with one of the newest fleets. At this time the Edinburgh tariff was in the top 100 tariffs today it is nearer the 200 placing in the UK tariff leagues. Most of the fleets with tariffs higher than ours operate with private cars as taxis. These off course are substantially cheaper to purchase and maintain.

Unless the trade can increase the number of drivers available then it is difficult to see what the future will hold. Competition is coming fast and furious with apps becoming available regularly and changing the way we all operate. It is essential we make the topographical test realistic and this will improve the number of drivers available and will lead to an increase in people wishing to use the trade as a career. Introducing test and re-tests will put people off and cannot be used in any other city. Existing elderly part time drivers may well decide to give up and as a number work part time are essential to the trade. I sat my test 37 years ago and it was hard and took me a lot of studying; I would estimate today the biggest number of applicants studying for their licence give up due to the current system. I urge you to rethink this suggested change and consider my comments.

This is likely to deter casual drivers entering the trade which will have an adverse effect on driver availability

Please see attached letter sent by max.lines@uber.com to Gordon Hunter.

I have been driving a black taxi, without any complaint from any member of the public, for 38 years. I do not feel that any driver training examination at this stage of my career, would benefit me or indeed the general public. On the contrary, if these exams were to be implemented, I may have to reconsider my intention to stay in the trade until retirement.

I think the present system of recruiting new drivers to the trade is fair and adequate, ie topographical test and training modules. To now ask existing drivers to go back to the classroom is unfair and will result in many leaving and therefore a shortage of experienced drivers. You only have to look at the shake up of the HGV licence, to realise the impact of forced legislation.

The added cost in a time of uncertainty within the taxi trade is another reason I oppose this.
I don't believe there is a need for PHC drivers to sit a Topographical test. They are pre-booked vehicles therefore have advanced information of their destinations. If this was to happen, what would be the difference between a Taxi Driver and a PHC Driver. Would this then allow for PHC to have the same conditions as Taxis, i.e. Street pick ups, driving within bus lanes and bus terminus. I also don't see the need to put Taxi drivers through a Topographical assessment. You will not get anyone who knows the streets better than a Taxi driver yet the pressure of an assessment exam could cause some people to fail due to the stress of thinking they could lose their licence (and livelihood).
As I have already completed my brief and have been a taxi operator for over 13 years I feel this is completely unnecessary. I have completed various training modules over the years and am fully confident in owning my taxi and delivering a professional service to the customers. This training course would mean taking time off the road and more expense to myself. As it is expensive enough owning and operating a taxi I am completely against this training exercise.
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I think the current Topographical test and modules completed for the current system is sufficient. I do not think any changes to the test will benefit taxi drivers or their passengers.
The cost and time involved in taking a course and subsequent refresher courses will discourage essential Part Time drivers entering the trade and deter current Part time drivers from renewing their licence. Experience working in the trade, surpasses that gained in any college course. Disciplinary measures already exist to deal with any drivers shortcomings. These drivers should be educated accordingly. There is no need for everyone to have the added expense involved in training as a consequence of their actions. Many owners/drivers already have superior qualifications to the proposed City and Guilds; it therefore gives no added value or opportunity for further career development. This survey has been generated as a result of the Council Regulatory Committee report "Licensing Policy Development - Taxi and Private Hire Driver Training". The report was created without any consultation with or input from Taxi Owners/Drivers, who are the people with the experience and knowledge of trade requirements. I accept that the Topographical test, Licensing conditions and Wheelchair access and disability training must be completed before the licence is issued. Updates to the Licensing Conditions should be communicated as amendments via email.
Black cab drivers are professional and fully aware of all aspects of the service required by the public.
Licensed COE taxi drivers have already spent a great deal of time, money and effort to gain qualification. Further knowledge pertaining to this vocation is easily obtained first hand (by doing the job). Therefore no further compulsory training should be necessary.
I am currently a part time Taxi Driver, if in future I was required to repeat training courses I have already done and attend refresher training every time I renew my license I very much doubt I would

renew, it would not be worth the time and expense. The trade depends on part time drivers like myself and they already have trouble encouraging part time people to join the trade as you normally cover the quieter shifts where your lucky if you earn the equivalent of the hourly minimum wage after diesel and rental costs . With the added time and expense these proposals would put on candidates part time driving would not be an option for most people. For a Taxi Owner to cover all their costs and still earn a living it is essential they can get rental for these quieter shifts.

As a taxi driver I spent 8 months studying for my topographic test I have since been driving full time for 8 years. My knowledge of the streets and attractions in Edinburgh has obviously only improved since. I have had no complaints therefore I feel that this can only be a money making exercise for CEC.

I am 49 years old and worked within management roles in hotels, banks and ran my own business, therefore the above content on courses to me is rather insulting and once again I have had no customer care complaints.

I do however think that if a driver of a taxi or PHC vehicle has had complaints re their customer care or choice of route then that is a different matter!!

I feel that the license fees and costs of keeping a taxi on the road are already a strangle hold on many a taxi owner, a cab alone is 42k and quite often renewed every 3 years causing drivers like myself to get into huge amounts of debt. Additional and I'm sorry but silly proposals like this shall steer people away from the trade. I also cannot believe the council care about the general public so much when they have allowed UBER onto our streets, price surging is something I am hearing everyday just now from customers that have used them and got totally ripped off!!! Seems to me that CEC want to crucify the black cab trade and that is very sad.

I as a taxi driver spent 9 months studying for the topographical testing element.

To complete this, the modules and the current testing imposed by CEC the cost to me personally was around £800 (not including my time).

You are now proposing to implement more testing!! I have many qualifications, and in my working life have passed hundreds of training courses.

I am struggling to think of many that require re-sitting periodically!!! Except maybe first aid.

So I find the content you propose is ridiculous, as any licensed driver currently driving has In fact passed these already.

I believe there should be a difference between public hire and private hire and this is reflected in the time and effort put in to being a public hire licence holder.

I ask the Council, on behalf of our members, to reject this application or at least convene a liaison meeting where we can discuss this in much more detail than the tenderer offers here and ascertain any areas where councillors feel the current training may require improvement.

For the last 15 years there have been repeated attempts from training course providers to offer usually described as "offering enhancement" or "Development"

City and Guilds were a respected award in the era before going to university was the norm. Sadly C&G is discredited and not worth paying for. The course they are pitching is a level 2 and this link - <http://www.theguardian.com/money/2010/may/15/fast-track-plumbing-courses> will tell you how useless and exploitative it is of the paying candidates for a plumbing level 2 qualification this is.

As far back as 2001, from my records, attempts have been made to force the trade to all pay for training of little value. After all 3500 drivers at £400+ is worth close to £1.4Million to the course provider with more to follow from new entrants.

Among the previous pitches to grasp fees for pretty worthless courses have been ones from Independent Taxi Services, Edexcel and VOSA. Previous committees saw through these and decided to hone the course delivered by Edinburgh College and the taxi trade agree that this meets with the

requirements of our trade and our passengers. Council surveys of passenger satisfaction back this up. Last year I actually took part in one of the "Taxi Education" courses on offer across England and was horrified that their handling of wheelchair passengers advised – if a passenger is light enough don't use the ramps just lean them right back and launch them in. Also they thought nothing wrong in transporting people side on with the belt just wrapped round the wheelchair where it was too big to fit in the correct way. They have actually committed this to video for all candidates. Courses like this abound in England where government money is thrown into low level study but the SQA told the Council years ago that there was nowhere near enough material for a Scottish Vocational Education Council (SCOTVEC) qualification and would not justify Edinburgh College (then Telford) assistance with any course fees or any worthwhile Award of Qualification

I am extremely confused with this proposed course. Taxi Drivers and phc are different in almost everyway. Why are they being categorised together? Taxi drivers pay to complete compulsory modules before their licence is granted and also have to pass an incredibly in depth topographical test! It's almost insulting that this change is being suggested. It almost suggests that Taxi drivers need further training?! Knowledge of road layouts amongst Taxi Drivers is excellent! Similarly their knowledge of streets, places of interest, hotels etc is second to none! Management of stressful and challenging situations is tested everyday, with abusive members of the public and difficult driving conditions experienced on a daily basis. Another costly, time consuming, useless and insulting course is the very last thing that should be being considered.

If we are making training mandatory then the cost should be included in the fee for a new/renewal application. I don't think that (full or partial) refund of this fee should be available if the applicant fails, as it would send the wrong message about what we consider to be required qualifications for taxi/PHC drivers. However, you should consider whether to allow applicants to resit particular elements of the training at a discounted rate if they fail the first (and second?) time(s) - resitting within a specified timescale. The timescale will of course depend on how often you are able to provide training. You also need to bear in mind the considerable investment and risk already ventured by the applicant prior to successful completion of this mandatory training and the granting of the licence.

I believe that a formal qualification should exist for all taxi drivers, as this gives the driver formal recognition that he has met the responsibilities and standards required to transit passengers from A to B in a safe environment. It regulates the industry and can only enhance the overall provision of service to the passenger and hopefully give the driver pride in his achievement.

Having recently become a wheelchair and less-abled individual my ability is now extremely limited. However I am more aware of what happens and living with the consequences of a workplace injury can say that if the correct training is not provided it will leave a whole array of uncertainty and possible future claims. All employers and employee's have a 'Duty of Care' responsibility to provide a safe working environment for all parties involved which includes a provision of service to the public. Looking at a legal, financial or morale point of view we need to avoid and separate ourselves from a suing culture.

Drivers who currently hold a licence should be allowed to continue with the proviso that they complete the training at the earliest opportunity. New drivers should complete the course before being granted a licence

A waste of time and money for everyone. Just another way for cec to make money for no reason.

wheelchair passenger knowledge is patchy just now and i think it should be mandatory and re-assessed regularly
it can be quite stressful telling a taxi driver you want to be strapped in when he obviously wasn't wanting to do it

There is work to be done in the arena of types of vehicles used and their ability or perhaps not to accommodate wheelchair users. Too often short cuts are taken where wheelchair users (including from my own personal experience) are not correctly positioned to extended seat belts applied. There also needs to be a closer look at the provision of wheelchair accessible vehicles that are 'rear loading' and therefore able to accommodate powerchair users. A significant number of people in Edinburgh are unable to access demand responsive transport such as taxis purely because there are no licensed taxis that are proper WAV vehicles. For many people this would be a great benefit and bonus in making Edinburgh a more accessible city. At present we have the Rehabilitation International Conference (a U.N. initiative) coming to the city in October with 1,200 plus delegates and many wheelchair users; as well as other impairments and we cannot provide demand responsive transport to accommodate them. If Uber can manage to do this in London by working with WAV vehicles provided by Allied Mobility then surely Edinburgh can do something similar.

I think the refresher training should be completed, if there are issues with the driver raised, and this may be an appropriate reminder of the training.

As the provider of the current "Wheelchair Access & Disability Awareness" module, we continue to be concerned by the difference in content and level of training drivers now receive, compared to that received by drivers who've been in the trade before the current modules were introduced - my own anecdotal experience, is that the majority of complaints and issues relate to "older drivers" as opposed to drivers who've entered the trade in the last 10 years or so.

Also, with the advent of some wheelchair-accessible vehicles in the PHC trade and a high volume of people with mobility difficulties and sensory impairments using PHC's, it seems anomolous that these drivers currently receive no training in this regard.

I think that the qualification should be similar for taxi and private hire drivers. In my experience, most taxi drivers have a better topological knowledge than private hire drivers. I would have thought that First Aid should be mandatory anyway as it is in other countries and has been for a while.

Please could you licence some proper wheelchair adapted vehicles (WAVs)? My brother is a powerchair user and we now cant use taxis to get about. It was ok when he was a manual chair user but since moving to a powerchair he now cant fit in any black cabs. We've had numerous occasions when he's had to stay at home and miss work meetings because of not being able to find transport. It'd make a huge difference for locals and also for visitors considering coming to the city. I think it'd also take the pressure off some of the Taxi drivers which are trying to take wheelchair users but often struggling to do so within their black cabs.
many thanks,

- I believe refresher training should be undertaken every year.
- Whenever a driver acquires a new vehicle, before they are allowed on the road, they should undertake will disability/access training to ensure they know how to safely use ramps/secure di

APPENDIX 7 – Written Letters of Responses

Jonny Nisbet BA, LL.B, LL.M Dip LP
Solicitor Advocate



DECEMBER 10, 2015

Gordon Hunter Esq.
Policy Officer
City of Edinburgh Council (Licensing)
4 Market Street
Edinburgh

Dear Gordon,

**SCOTTISH TAXI FEDERATION
RESPONSE TO CONSULTATION ON TRAINING FOR TAXI DRIVERS**

I am instructed by the Scottish Taxi Federation (STF). The STF represent the interests of taxi companies, operators and drivers throughout Scotland. I have been asked by my client to respond on its behalf to the public consultation on the introduction of training for taxi drivers operating within the Licensed area of the City of Edinburgh Council ("Licensing Authority").

Introduction

As you are aware, the Licensing Authority has sought views of consultees on the adoption, by the Licensing Authority, of the 'Introduction to the Role of Professional Taxi and Private Hire Driver' course, accredited by City & Guilds. Views are sought on the content of the course and on the addition of other materials not covered by the course (First Aid). Views are also sought on the role of the course in the application process for a taxi driver's licence and on the question of refresher training.

General

As a general observation, the proposed qualification does appear to present as considerably more onerous than the training requirements currently operating as a condition of the grant of a taxi driver's licence by the Licensing Authority. The STF considers that, if implemented in its present form, the qualification has the potential to act as a very serious barrier to entry to the profession at a time when there are already some serious challenges from

private hire and ride sharing app companies. Many persons who choose the taxi driving profession may feel uncomfortable about the requirement for testing (as opposed to simply attending training courses) as a requirement to qualify for licensing. This is perhaps already the case for the topographical test, but the testing of these other proposed areas of study is qualitatively different from that imposed of streets, landmarks and routes. Those who are prepared to undergo the form of study required to pass the topographical test may quite understandably feel reticent to undertake further tests in less objective subject areas. The taxi trade in the city offers a lifeline to many passengers and assists greatly with business and social life within it. The imposition of onerous testing, or even the perception of same, risks further undermining the trade leading to the creation of issues concerning access to safe and reliable transportation, at a reasonable cost (particularly at busy times) to the citizens and visitors to the City. Very great care is urged upon the Licensing Authority in this matter, with full and detailed consideration of the range of potential consequences for wider policy objectives.

It is the STF's view that to the extent anything is mandated, it should be limited to training and not subject to a tested qualification.

Legal Basis

The powers of the Licensing Authority vis-à-vis taxi licensing are found within the provisions of the Civic Government (Scotland) Act 1982 ("the Act"). There is, as you will appreciate, a specific provision in section 13(5) of the Act permitting a Licensing Authority to require applicants for a taxi driver's licence to take a test of their knowledge of the area to which the licence is to relate and their knowledge of the layout of the roads in that area. The STF accepts that this provision permits the authority to test applicants for a taxi driver's licence and that the means employed to date, a topographical test of streets, areas, landmarks and routes, is appropriate in order to ensure that those who enter the trade as taxi drivers commence their career having established that they have an adequate base level of knowledge of these matters in order to serve the public interest.

Section 13(5), however, goes further and permits the Licensing Authority to test "...such other matters relating to the operation of a taxi as the authority consider desirable". I suspect that this latter aspect of the section 13(5) testing powers is the basis upon which the Licensing Authority would rely as the enabling power for the range of other matters which are proposed to be tested and which extend beyond the matters contained within the topographical test. If this is not correct I should be grateful for confirmation of the Licensing Authority's view on the enabling power on which it would rely.

If section 13(5) is considered to be the genesis of the power to require such additional testing as is proposed, it is my client's view that it is not such as to confer upon the Licensing Authority an unfettered discretion to test whatever matters it considers may be desirable for taxi drivers operating in its area. Firstly, the role of the Authority is to licence taxi drivers. It is not given power which would extend to requiring knowledge of matters which, on any objective view, are neither required nor necessary to allow an applicant to discharge the functions of driving a public hire taxi safely and in accordance with the law relative to vehicles and road traffic. The words "and such other matters relating to the operation of a taxi" must be construed *eiusdem generis* with the listed matters which precede it and, in point of fact, testing must relate directly to the "operation" of a taxi. Matters such as licensing conditions, road safety, wheelchair access and disability awareness are unobjectionable from my client's perspective, albeit that is not to be taken as acceptance of their relating to the operation of a taxi in

terms of this provision. Other suggested modules, including customer care (itself so vague a concept as to defy any appreciation of intended content), handling conflict and stress and an English language test are certainly not so readily brought within the specific power conferred, properly construed. The proposal for local conditions and testing on issues specific to Edinburgh is expressed in such vague terms as to render a proper understanding of its relevance to the operation of a taxi uncertain. If testing on these other matters is to be proposed as a mandatory requirement for the grant of a taxi driver's licence, my client would wish the consultation to extend further into the detail of what is proposed, particularly where the modules extend beyond that which is contained within the course guidance produced by City & Guilds. Subject to clarification, however, the STF does see merit in ensuring that taxi drivers operating within the city have a good level of understanding of some of the matters which it is proposed be covered.

The remaining proposed learning modules relate to first aid. The proposed inclusion of modules for first aid in a testing regime in which applicants must attain a pass rate to the satisfaction of the Licensing Authority as a condition of the grant of a taxi driver's licence is a matter of some concern.

As a matter of law a taxi driver has no duty to rescue any passenger or road user, unless perhaps the duty is undertaken voluntarily or arises from the danger leading to the requirement to rescue being created by the driver concerned. The inclusion of first aid awareness and training presupposes, firstly, that being aware of first aid issues and procedures relates to the operation of a taxi. It no more relates to such operation than it relates to the practice of law or the job of an officer for a local authority. The administering of first aid or medical procedures is a matter for the trained medical professions. Imposing upon taxi drivers even a suggestion that they have some duty to administer first aid serves to heighten dangers for both taxi drivers and to the potential recipients of treatment. The effecting of medical procedures at any level risks the incurrance of liability for which taxi drivers are neither required to be insured, nor for which are they insured. While my clients can appreciate the worth of first aid awareness in a number of situations, the proposal that sitting and passing a test on first aid issues is to be a mandatory requirement of the application process to become a taxi-driver is neither reasonable nor sensible. If first aid awareness etc. is to be included in any proposed training, it should be optional for those who would wish to gain such awareness and knowledge. It cannot lawfully be the subject of a test to qualify a grant of a licence.

Mandatory Refresher

The consultation documentation suggests that, in addition to the testing being a condition of the grant of a taxi driver's licence, there would also be a mandatory refresher training on renewal every three years. This is, for my clients, the source of a fundamental objection to what is proposed; there being no legal basis for any mandatory testing of any matter on renewal.

The provisions of section 13(5) apply only in respect of the grant of a taxi driver's licence. There is no provision in that section permitting testing of any sort as a condition for renewal of a licence. It is clear from the terms of the Act that a grant and a renewal are separate distinct acts of the Licensing Authority. Where powers are conferred to be exercised on a grant or a renewal, the power is expressly given in respect of each act. The Act is replete with such references. That section 13(5) is not a receptacle for such reference is, on accepted principles of statutory interpretation, conclusively indicative that the powers therein conferred apply only at the point of

initial application for grant. The power given to the Licensing Authority in section 13(5) is to refuse to “grant” the licence applied for if it is not satisfied of the applicant’s knowledge. Indeed, where the Act requires references to “grant” to be read as including a reference to “renewal” or “renew”, it expressly provides for such and notes the limitations of that intended reference (e.g. section 3A(6) applying the imputation of renewal to the expression “grant” in section 3A and section 3B only).

That Parliament did not confer a power to test on renewal is also evident from a consideration of the purpose of the legislation and the particular powers conferred upon Licensing Authorities. Once licensed, a taxi driver, like other professionals, would be expected to build on the satisfactory knowledge which he demonstrated for the purposes of the grant of his licence. His knowledge of the area and the roads within it will almost certainly increase exponentially through his carrying out of the licensable activity, and he may be expected to develop his skills in that time in other areas which relate to the operation of a taxi. Indeed, anyone who has driven a taxi for a living over a period would quite correctly scoff at the suggestion that a paper or classroom based test is any substitute for the knowledge gained of the area and its roads through carrying out the licensed activity. Accordingly, Parliament will have conceived of no particular reason why retesting would be warranted on renewal. If a taxi driver, for whatever reason, demonstrates that he does not meet the objective standard for knowledge, the Licensing Authority may consider whether it has the power to suspend in terms of paragraph 11 of Schedule 1 to the Act on the basis that he is no longer a fit and proper person to be a licensed taxi driver. Whether that is a correct application of those provisions on any particular occasion is not a matter that requires to be discussed at this time. What is clear is that the proposals for testing on renewal, in respect of any matter which relates to the operation of a taxi, would not be a lawful requirement.

Testing of relevant matters to a satisfactory level is permitted only as a condition of the grant of a taxi driver’s licence. Any attempt to impose a requirement for testing on renewal would be ultra vires the Licensing Authority and subject to challenge for that reason. Should the Licensing Authority seek to impose such a requirement, I would expect my client to consult on its legal remedies to have the legal position clarified in the terms I have done here.

The impetus for a move from a series of training courses to a mandatory qualification is not at all clear to my client. As I have outlined in this letter, the proposals are not considered by my client to have a proper legal basis, but moreover they serve to impose further barriers to entry to the profession which is not in the interest of the public, nor in the interests of the Licensing Authority in maintaining a sufficient provision of licensed taxis operating in the city. My client would therefore urge the Licensing Authority to reject the proposed introduction of mandatory testing in all areas save the topographical test. It is prepared, however, to work with the Licensing Authority in order to encourage a high standard of professionalism within the trade and would welcome further engagement to that end.

I would be happy to discuss these matters further with you or with other officers within the Licensing Authority.

Thank you.

Yours sincerely

Jonny Nisbet

SOLICITOR ADVOCATE



Gordon Hunter
 Policy Officer, Licensing
 City of Edinburgh Council
 249 High Street
 Edinburgh
 EH1 1YJ

11.12.2015

Dear Gordon,

Thank you for giving us the opportunity to share our views on the proposed changes to introduce a training qualification for both taxi and private hire drivers in Edinburgh.

Our experience of operating in *over 35 UK* licensing jurisdictions, has provided us with a number of insights relating to the introduction of mandatory training qualifications for private hire drivers.

From our experience, introducing such a qualification, while intended to be a positive step forward, in reality, *will not* be in the best interests of the City of Edinburgh for a number of reasons:

1. Increasing barriers to becoming licensed as a private hire driver reduces the sector's potential economic contribution, without introducing any corresponding benefits in either quality of service or passenger safety.

- Increasing the barriers to becoming licensed will reduce the number of drivers becoming licenced, and reduce jobs in the private hire / taxi profession in Edinburgh. This will provide a worse service for the people of Edinburgh; with less availability, longer waiting times, and will reduce levels of safety; as fewer vehicles and drivers will be available.
- Furthermore, many private hire drivers choose to work on a flexible, part-time basis alongside existing commitments. Adding a qualification requirement is a significant new barrier that will deter many prospective private hire drivers from applying to become licensed for the first time
- From our experience, where barriers to obtaining a taxi or private hire licence are high, city councils have seen sharp increases in applications for driver and vehicle licensing in neighbouring jurisdictions; leading to 'out of town' drivers working in the city

2. There is a growing trend amongst other UK licensing jurisdictions of removing mandatory qualification requirements for private hire drivers; with very successful results

- In removing the requirement for a mandatory qualification / 'knowledge test' in May 2015, Newcastle City Council has since seen a rise in private hire applications, and the number of new applications that the Council has been able to process.
- Uber has worked with Newcastle City Council, in developing and running a 'Road to Private Hire' programme aimed at jobseekers and those looking for a career change; particularly for a more flexible way to work. The programme has been successful in stimulating new applications and getting people into work.
- Mandating a qualification as part of the private hire licensing process, puts a significant strain on city council staff and facilities. This is of particular concern given the expected rise in private hire applications in-line with the continual growth of the private hire industry.

3. Training qualifications are not indicators of trip quality; and our own data supports this

- Cities with lower barriers to entry for private hire drivers, deliver a quality of service on par with cities that have increased barriers to entry. For example, in Newcastle; where since May 2015 no knowledge test is required; Uber Partner-Drivers licensed without a knowledge test have a rating from passengers which is equal to our national average.
- Many private hire drivers have access to advanced navigation systems which are able to accurately direct drivers to any pick-up and destination location. This technology is often able to outperform human 'knowledge based' navigation, as it is able to take into account optimal routing for all journeys, real time traffic conditions, road works, and new addresses.
- Edinburgh City Council already have in place leading policies to ensure a high standard of private hire service; including requirements relating to a driver dress code, the display of driver and vehicle licenses, complaints procedures and contact details in all vehicles.

In the last 12 months both the Law Commission¹ and Competition and Markets Authority² have recognised that mandatory testing of geographical knowledge is ineffective and unnecessary in a 21st century private hire market. Prior to satellite navigation, topographical tests may have provided some guarantee of effective navigation but it is no longer obvious that they are necessary for that purpose. As noted above, they do raise barriers to entry, thus reducing the supply of PHVs and may therefore have a distorting effect on competition.

Research carried out for the CMA's predecessor, the Office of Fair Trading, found that consumers are well equipped to make up their own mind on the taxi and private hire services they choose: this includes navigational competence. The research therefore concluded that consumer welfare may not be increased by regulatory measures that seek to raise quality standards above minimum levels.³

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/314106/9781474104531_web.pdf

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/481450/CMA_response_to_TfL.pdf

³ See Office of Fair Trading (November 2003)

Indeed, it is certainly the case that consumers value differing levels of navigational skill, and we would expect the market to be able to provide a range of alternatives. Therein lies one of the key distinguishing features between the taxi and private hire trades.

We are confident that, if approved, the mandatory qualification requirement for private hire drivers would reduce the number of private hire vehicles licensed in Edinburgh City, and would have a detrimental impact on all parties involved including drivers, operators, customers and the council.

We look forward to hearing the feedback from the consultation, and hope that you have found our views and suggestions helpful. Please do not hesitate to get in touch if you would like to discuss with us the proposal or any of our comments in more detail.

Yours sincerely,



Max Lines
General Manager, Uber United Kingdom



CENTRAL TAXIS

Gordon Hunter
Licencing Policy Officer
City Chambers
Business Centre G4:42
249 High Street
Edinburgh
EH1 1YJ

10th December 2015

Dear Gordon,

Training Qualification For Taxi And Private Hire Drivers

The council has issued a letter to all licensed taxi drivers in Edinburgh in which it indicates an intention to introduce a training qualification for taxi and private hire drivers. The content of the training is as yet unclear but the consultation invites views from stakeholders on various matters. The board of Central Taxis has taken this issue under advisement and I now write on behalf of the Directors to present our views as a company, representing (in round numbers) 465 operators and 800 drivers. As a general principal we are disposed to support the City of Edinburgh Council, the License Department and the Taxi Examination Centre to develop initiatives which promote high standards in the taxi trade. However we have concerns about the proposed changes as described in the consultation.

Firstly, taxi drivers are under no legal obligation to rescue or administer any assistance to any person in respect of medical issues. If they sought to administer first aid and by doing so caused further issue to the recipient, there is a possibility that the driver could be held liable for the consequences of his actions. Insurances would be required to cover that eventuality, which are not presently in place. As first aid is not a requirement in practice to be able to discharge the duties of a taxi driver we do not believe that the requirement to sit and pass a first aid module would be a lawful requirement.

Another issue of controversy is the idea that one could be retested on renewal by means of a topographical, or other test. This is unobjectionable in respect of an initial grant of a license for a taxi driver but we do not believe that it would be logical or lawful on renewal. Section 13(5) of the Act talks only of a power to refuse to *grant* a license. It does not, unlike other parts of the Act, include the power in respect of a grant *or* a renewal. Accordingly, the advice we have received is that the Council does not have the power under section 13(5) to impose these training and testing requirements on an application for renewal or at other intervals. It is logical that a taxi driver will gain knowledge and experience in the course of performing their trade. We are unaware of any reason why a re-test would be required or what the implications would be in the unlikely event that a driver failed a re-test. This seems like a cumbersome, expensive and unnecessary proposal. There are substantial barriers to entry into the trade and a shortage of new drivers. We feel that this additional barrier to those already qualified and licensed could be damaging to the future operation of the trade and offers no benefit.

[Redacted signature block]



Central Taxis registered as Central Radio Taxis (Tollcross) Limited – VAT Reg No. 270 3248 78 – Registered in Scotland SC045692



CENTRAL TAXIS

We are keen to understand the motivation behind these proposed changes and we would be grateful if you would provide the legal basis for the intended imposition of the training qualification. If the need for training is established we would like to know whether the Council will put that training provision out to tender. If changes are to be implemented we believe that it would be valuable for the trade to be consulted on the content and also to have the opportunity to tender for its delivery.

We do not support the provision of identical training or testing to Public Hire Taxi Drivers and Private Hire Car Drivers. It is clear from the Act that these are separate and distinct services and we believe that the definitions should be maintained.

On the basis of the information that we currently have on course content we do not support the proposed changes. We believe that the trade already operates at a very high general standard with very few associated complaints. The knowledge and costs of becoming a taxi driver and the level of vehicle maintenance and fees associated with maintaining a taxi and a badge are already significant barriers to entry into the trade. We believe that a shortage of new drivers entering the trade may cause problems in the near future and that new testing, higher fees and the pressures/cost of retesting may compound that issue.

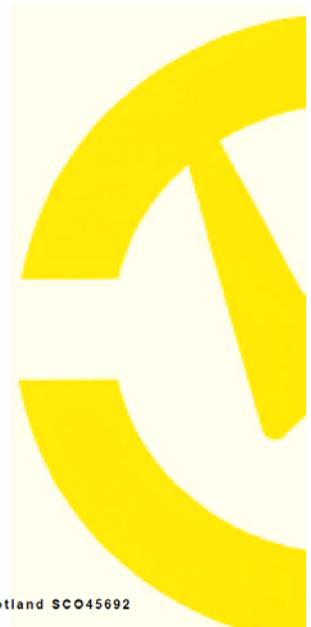
We hope that you will take our concerns into consideration and we remain open to further discussion or consultation.

Sincerely

Tony Kenmuir
Director

For and on behalf of Central Radio Taxis (Tollcross) Limited Board of Directors.

[Redacted signature block]



Central Taxis registered as Central Radio Taxis (Tollcross) Limited – VAT Reg No. 270 3248 78 – Registered in Scotland SC045692

Gerald O'Neil

16TH November, 2015

Catherine Scanlin
Licensing Manager for Communities
Licensing Team
City Chambers, Business Centre G3
249 High Street,
Edinburgh EH1 1YJ

Dear Madam,

STATUTORY CONSULTATION ON PROPOSED CHANGES TO TAXI AND PRIVATE HIRE DRIVER TRAINING

I refer to your letter dated 30th October and would welcome additional training to all Private Hire drivers who do not currently sit and pass the "black cab" knowledge test and also for future "black cab" drivers. However current "black cab" taxi drivers should be exempt as all have passed the knowledge test and are familiar with all Council taxi regulations together with geographical locations including streets, hotels, places of interest etc.

I hope this helps during your consultation period.

Yours sincerely,

Gerald O'Neil

(LICENCE NUMBER 13/08832/TDR3)

I am a private hire driver and I am writing to you with regards to the "Statutory consultation on proposed changes to taxi and private hire driver training".

While I realise that I should have written to you by the 13th of December 2015, I hope that it is not too late to take the following into account.

With all due respect, I am glad that you decided to consult us because quite frankly, I think that these proposed changes are preposterous.

A private hire driver does not need a "qualification" to do his/her job. What's next, a qualification for street sweepers? I'm sure it won't be long before we all need a "qualification" to live, eat and sleep. A qualification for this, a qualification for that, it is really, really just getting out of hand. A private hire driver knows how to and has a license for driving a car. He/she does not need an extra qualification for transporting people from A-B on top of this. It really isn't that hard.

What does the council stand to gain from introducing this ludicrous "qualification"? A tighter grip on the people of this city than it already has? Extra revenue? It just doesn't make sense.

The reason that a lot of us drive taxis/private hire vehicles is because we are so fed up of the paperwork, bureaucracy, red tape and all the other nonsense that comes with working most other jobs. For the love of God, please just leave us in peace. 99.9% of taxi, private hire drivers do their jobs very well. After all, it really isn't that difficult. Pick up at point A, drop off at point B. The 0.1% that screw up, either learn fast or quit and go and do something else.

Instead of hounding taxi/private hire drivers with yet more unnecessary bureaucracy, may I suggest that Edinburgh City Council focuses on the things that really matter.

Excessive government/council regulation/intervention/bureaucracy/health and safety/red tape etc are running this country into the ground. The industrial/entrepreneurial spirit of this once great nation is being crushed by all of these totally unnecessary rules, regulations and qualifications.

Now Catherine, please [and I mean this sincerely] do not take this personally. I know that you probably have little say in this and that you are just doing what you have been instructed to do. I would however appreciate it if you informed your superiors of how, I for one of many, believe that this is absolutely absurd.

A lot of the drivers that I know have university degrees (myself included) yet now we need a "qualification" to drive a taxi? Come on, this is crazy. An aggravating exercise in futility. Please just stop it. Let the people of this city live and work in peace.

Sincerely yours,

Anonymous.

THE CITY OF EDINBURGH COUNCIL
SERVICES FOR COMMUNITIES

06 JAN 2016

HIGH STREET LICENSING COUNTER

13 July 2016

Your Ref:

Our Ref:

Licensing Manager
City of Edinburgh Council
249 High Street
Edinburgh
EH1 1YJ



Philip Gormley QPM
Chief Constable

Dear Sir/Madam

TRAINING FOR TAXI AND PHC DRIVERS

I refer to the above subject.

As the Taxi Examination Police Inspector and on behalf of Police Scotland I welcome the introduction of training for PHC Drivers and fully support a revised training package for all existing Taxi drivers. Training creates a positive attitude and keeps drivers motivated which ultimately improves customer service and drivers standards. Continuous professional development is essential in a modern business world and the adoption of refresher training is also supported. Training can only help to further improve professionalism within the trade and also enhance public perception at a time when I have seen a significant increase in the level of complaints made against drivers.

During the investigation of complaints against drivers on behalf of local councils I frequently find they demonstrate a lack of knowledge and understanding of the conditions attached to their licences – both vehicle and driver's licences. Breaches of licence conditions are offences in terms of Section 7 of the Civic Government (Scotland) Act 1982 which could result in convictions for drivers found to be in such a breach. Consequently, it is essential that licence holders understand their responsibilities and obligations from the outset and that they keep abreast of changes to regulations and the conditions which may affect them in their day-to-day operation of a licensed vehicle. Legislation will continually change to meet modern demands and numerous amendments to both the Acts and Regulations governing taxi/PHC drivers are a continuing and ongoing process. This process will be accelerated by fast moving technological developments affecting the Taxi/PHC trade.

Police Scotland considers that drivers, entrusted with the transport of members of the public, must, as part of their responsibilities, undertake continuing professional development training in order to maintain knowledge of their licence conditions, keep up to date with emerging legislation and

scotland.police.uk  [@PoliceScotland](https://twitter.com/PoliceScotland)  [PoliceScotland](https://www.facebook.com/PoliceScotland)

demonstrate their continuing fitness to hold a Taxi/PHC driver's licence to ensure the safety of the public.

The Police have played an important role within the Taxi and PHC trade in Edinburgh for many years and Police Scotland would welcome the opportunity to continue with this relationship and the opportunity to participate in training delivery.

Yours faithfully

Frank Smith

INSPECTOR
Taxi Examination Centre

Mr T Higgins
Senior Licensing Officer
The City of Edinburgh Council
City Chambers
High Street
EDINBURGH
EH1 1YJ

Date 8 July 2016

Your ref

Our ref RGVA

Dear Mr Higgins

**TRANSPORT RESPONSE TO UBER SUBMISSION TO COUNCIL CONSULTATION
ON PROPOSED LICENSING CONDITIONS FOR TAXIS, PRIVATE HIRE CARS AND
THEIR DRIVERS**

The letter from Uber suggests that it is concerned solely with Private Hire Cars, but ultimately does not make this clear, or even does it distinguish between the two distinct and separate roles of Licensed Taxis and Private Hire Cars.

It is also not apparent from Uber's comments that it recognises that Taxi legislation with Scotland is completely separate and distinct from the legislation within England and Wales, as within Scotland licensed taxis are governed by the Civic Government (Scotland) Act 1982.

Uber appears to be unaware, or at least fails to take into account that there is no upper limit governing the numbers of Private Hire Vehicles available within Edinburgh. This then undermines their simplistic analysis of taxi provision and how Edinburgh compares with other cities.

Edinburgh and the transport choices of its residents, commuters and visitors are not readily comparable with other cities, based on size, or population.

Edinburgh is well served by a comprehensive, reliable, high quality, high frequency and affordable bus network. It is worth pointing out, that Lothian Buses has a large, loyal customer base with the majority of passengers utilising pre-loaded Ridercard Smart Cards on either a monthly or annual basis.

Stuart Lowrie, Public Transport Manager, Place

Planning and Transport, C2, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG
Tel 0131 469 3622 Fax 0131 529 6201 transport.publictransaccess@edinburgh.gov.uk

The combined standard services operated by both Lothian Buses and Edinburgh Trams operate between 0500 and until 2345, and link most parts of Edinburgh from the city centre, including reaching out into the main urban areas of Midlothian and East Lothian. In addition, Lothian Buses also operates high frequency Night Services along all the main city road corridors and extend to neighbouring settlements.

Edinburgh Airport is served by a regular and dedicated Airlink service and the Tram.

Bus and tram driver training and regulation is stringent. It covers competency, working hours and extends to understanding customer care, including awareness of the Equalities Act and the needs of passengers with protected characteristics. I would strongly oppose any proposal to relax the current taxi driver regulations and would advocate for more stringent testing and training.

Successful Public Transport within Edinburgh is delivered via a well managed, efficient, safe, and legal framework of operators, who employ well trained, qualified and well presented professional staff. The lowering of standards to provide potentially cheaper provision for customers is likely to be only a short term gain for the customers who value price over all other aspects. This will not meet the needs of many, particularly vulnerable users and has the potential to push high quality professional provision out of the market.

I trust that this information is of assistance to you. If you have any further queries please contact me at the details provided below.

Yours sincerely



Stuart Lowrie
Public Transport Manager

Regulatory Committee

10:00am, Monday, 19 September 2016

Licensing Policy Development – Late Hours Catering Consultation

Item number	6.4
Report number	
Executive/routine	
Wards	All Wards

Executive Summary

This report advises the Committee of the outcome of a consultation on Late Hours Catering which ran from 16 March until 30 May 2016, and recommends approval of the proposed policy and standard conditions.

The consultation identified issues around late night premises who wish to provide and delivery service. It is proposed that further work is carried out on the issue and a further report is brought back to the Committee.

Links

Coalition Pledges	P15 & 28
Council Priorities	CO8
Single Outcome Agreement	SO1

Licensing Policy Development – Late Hours Catering Consultation Update

1. Recommendations

It is recommended that the Committee:

- 1.1 notes the outcome of the independent consultation and the progress made to date;
- 1.2 approves the adoption of the proposed standard conditions and policy contained in Appendices 6 – 8, which would take effect from 1 November 2016; and
- 1.3 agrees that further consultation should be carried out regarding late night premises wishing to operate a delivery only service - officers to report to the Committee in due course.

2. Background

- 2.1 The Council acts as Licensing Authority for a range of legislation, including the Civic Government (Scotland) Act 1982 ('the Act'), which regulates late hours catering.
- 2.2 Late hours catering is an optional licensing activity under the Act. The City of Edinburgh Council, by way of a resolution, exercised its powers to adopt this licensing activity in 1983. Section 42 of the Act provides that a Late Hours Catering Licence is required for the use of premises between 23:00 and 05:00hrs for the sale of food to the public. A licence is required whether the food is consumed on or off the premises.
- 2.3 Late Hours Catering Licences were introduced by the Council in July 1984. In order to assist with the determination of licensing hours, the Committee adopted general guidelines in 1985 to help address issues of noise and disturbance with premises trading during unsocial hours.
- 2.4 Decisions on Late Hours Catering Licences are made by the Licensing Sub-Committee if objections are received.
- 2.5 Regulatory Committee reports in June and September 2014 highlighted initial consultation discussions and issues of non-compliance by licence holders.
- 2.6 The proposed policy for late hours catering describes what is expected in terms of the responsible management of trading and updates the previous zoning policy.

- 2.7 The policy aims to provide:
- a) clarity and transparency regarding how the zones will be applied, in order to minimise uncertainty;
 - b) controls on the location, duration of licence, trading hours; and
 - c) controls that are sufficient to protect established local interests, in particular disturbance to residential properties.

3. Main report

- 3.1 In line with statutory requirements, all existing licence holders were contacted as part of the consultation exercise. Two evidence sessions were held for community groups and licence holders. Initial consultation identified a need for a common set of rules that would apply to all traders.
- 3.2 This initial stakeholder consultation process was expanded to include the wider business and residential community, relevant partners and agencies. This took the form of an online questionnaire (Appendix 1), which was published on the Council website.
- 3.3 The consultation was designed to assess the understanding of the effects of the draft policy on different user groups, to allow an informed decision on the suitability of proposed changes.
- 3.4 There were a total of 48 responses submitted to the Council Consultation Hub (Appendix 2). A number of the respondents did not answer all of the questions. A further five written responses were also received.
- 3.5 The responses have been subdivided into five distinct groups: late hours caterers; Community Councils; residents, businesses; and 'other'. Of the 48 responses:
- 10 responses were received from late hours caterers (21%)
 - 3 responses were received from Community Councils (6%)
 - 30 responses were received from residents (63%)
 - 2 responses were received from businesses (4%)
 - 3 responses were received from 'other' (6%)

The results of the consultation are attached at Appendices 2 - 5

Consultation Responses

- 3.6 Responses were asked for on a range of issues, and a summary is attached below.

Requirement for late hours catering policy

- 3.7 There was general support (78%) for a late hours catering policy and relevant conditions, with 44% of the respondents strongly agreeing and a further 35% agreeing with the proposals. The respondents identified that a policy can provide consistency of approach across the city, and that a framework will provide businesses and residents with a broader understanding of licensing requirements.

New categories of hours of operation

- 3.8 The proposal to adopt seven new categories of hours of operation as detailed in Appendix 6 was broadly accepted, with 12.5% strongly agreeing and 37.5% agreeing. A further 17% had no strong view.
- 3.9 A number of the written responses highlighted some concern regarding premises which could fall within more than one of the categories, and sought some clarity on how this would be addressed.
- 3.10 Where premises fall within more than one of the categories it is proposed that the category that allows fewest hours would apply, and it would be up to an applicant to make an application to be considered as an exception to the policy.

List of Arterial routes

- 3.11 The proposal to use arterial and main bus routes (Appendix 7) as one of the new categories was again broadly supported, with over 80% of the respondents agreeing that we should define a list of specific streets considered appropriate for late hours catering. Respondents did not ask for any additional streets to be added to the list, but did highlight that not all arterial routes would be suitable for late hours catering given that many arterial routes were within residential areas and the footfall was significantly lower during the late evening.

Hours of operation within and outwith the city centre

- 3.12 Proposed hours for within the City Centre

Where a premises is located within Ward 11 (Edinburgh city centre) the licence will not generally be granted beyond:

2am (Sundays to Thursdays)

3am (Fridays and Saturdays)

Hours may be restricted in areas which are significantly residential or where previous complaints or compliance issues have been identified.

- 3.13 Proposed hours for outwith the City Centre

Where premises are located outwith the City Centre (Ward 11) the licence will not generally be granted beyond:

12pm (Sundays to Thursdays)

1am (Fridays to Saturday)

- 3.14 When asked about the hours of operation, 52% of the respondents outwith the city centre and 48% within the city centre responded that the hours should be more restrictive.
- 3.15 Written responses from trade representatives and during consultation meetings have consistently expressed a desire for additional hours.
- 3.16 The Police Scotland response does not support an increase in hours in any of the categories. It highlights that the existing policy of premises shutting before

premises with a liquor licence, e.g. bars and night clubs, has served the city well for a number of years, helping to reduce alcohol fuelled crime and disorder.

- 3.17 The views of Safer Stronger Communities and Locality council officers who are involved with the night time economy were also supportive of Police Scotland's recommendation that Late Hours premises should close prior to bars and night clubs closing for the night.

Later hours during Festival and Festive period

- 3.18 During the Festival and Festive periods premises can request additional trading hours. Accordingly, during the period of the Edinburgh Festival and Fringe as set from year to year, and during the Christmas and New Year period (18 December to 3 January in each year). Currently premises can apply for an additional hour. The trade had asked for this to be increased to two hours in line with premises granted a licence under the Licensing (Scotland) Act 2005.
- 3.19 There is support for premises to get an additional hour, but not for an additional two hours during the Festival and Festive periods.
- 3.20 Police Scotland supports the additional hour during the Festival and Festive periods, but would not support two additional hours.

Licensing Conditions

- 3.21 There was strong support for the proposed new licensing conditions, as detailed in Appendix 8, with 35% strongly agreeing and 44% agreeing with the proposed changes.
- 3.22 Whilst there is strong support for the conditions, members of the trade have expressed concern about the proposed condition requiring all packaging and utensils for use by customers to be made of biodegradable or recyclable materials, and whether or not this condition could be considered to be reasonable. Further consideration of this condition may be necessary.
- 3.23 Residents were supportive of this additional condition in the hope that it would reduce the amount of waste generated in the city that ends up being sent to landfill.

Policy Considerations

British Summer Time

- 3.24 It was generally acknowledged that difficulties are created by BST and clock changes in respect of Late Hours Catering. The proposals to mirror the Licensing (Scotland) Act 2005 in respect of BST are supported, i.e. British Summer Time has no effect on the number of hours during which premises are licensed to operate. This means that premises will continue to operate their normal hours and will not extend or reduce hours to take account of British Summer Time. The change will bring the late hours catering regime in line with other licensed premises and will assist in preventing ambiguity.

Takeaway premises operating a delivery only service

- 3.25 Members of the trade have asked for consideration to be given to extending the policy to include premises that operate a takeaway beyond 3am by way of delivery only. They propose that they are treated in a similar manner to petrol stations, supermarkets and retail shops as 'exemptions' to the maximum terminal hour of 3:00 am (provided there are no environmental issues), allowing them to trade until 5:00 am. As part of the proposal they have suggested the following additional conditions:
- a) Shop frontage to be closed down including shutters drawn;
 - b) Signage lights switched off etc.;
 - c) Enhanced training for staff in-store;
 - d) Enhanced training for delivery drivers to include no idling of engines;
 - e) CCTV requirement; and
 - f) Incident logs

Next Steps

- 3.26 The issue of late night premises wishing to operate a "delivery only" service was not identified during the initial consultation process. Further work on this will be necessary and it is proposed that a further consultation exercise is carried out on this specific issue, as this was not part of the original consultation.
- 3.27 The outcome of that work and subsequent consultation would be reported back to the Committee in due course.
- 3.28 The Regulatory Committee is asked to adopt the proposed policy, new categories and standard conditions (Appendices 6 – 8). It is proposed that these conditions would take effect from 1 November 2016.

4. Measures of success

- 4.1 That the city's licensing function is modernised to ensure that it meets the needs of customers
- 4.2 The review of late hours catering is evidence led as part of a wide ranging and robust consultation process.
- 4.3 The revised late hours catering policy is suitable for the needs of the city and addresses concerns raised with the Council.

5. Financial impact

- 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.

6. Risk, policy, compliance and governance impact

- 6.1 Matters raised in this report present no risks. The development of policy in respect of the licensing of late hours catering 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 licensing of late hours catering is consistent with these.
- 6.2 There is a statutory process for amending the policy and this approach is in line with the statutory requirements.

7. Equalities impact

- 7.1 There is no adverse impact on the public sector equalities duty. Once introduced the policy will provide greater transparency, opportunities and access to trading within a recognised framework. There would accordingly be no direct equalities impact arising from the contents of this report.

8. Sustainability impact

- 8.1 The proposed changes to the licensing framework and condition will create:
- a safe, clean and well maintained environment;
 - a more attractive environment for those living in, working in and visiting the city; and
 - an improved, more diverse, retail offer.
- 8.2 The amended conditions will improve the visual environment and reduce unnecessary landfill waste.

9. Consultation and engagement

- 9.1 Consultation commenced on 16 March and finished on 30 May 2016
- 9.2 Council officers have held a number of one to one meetings with relevant parties including licence holders, retailers, event organisers and interested parties.
- 9.3 Two evidence sessions were held for community groups and licence holders. Initial consultation identified a need for a common set of rules that would apply to all traders.
- 9.4 In line with statutory requirements the consultation process was expanded to include the wider business and residential community, relevant partners and agencies. This took the form of an online questionnaire which was also published on the Council website.
- 9.5 Details of the consultation are detailed in Appendices 1- 5

- 9.6 The consultation was designed to assess the understanding of the effects of the approach on different user groups to allow an informed decision on suitable changes to be made.

10. Background reading/external references

- 10.1 [Deputation Request - Late Hours Catering Policy - Regulatory Committee September 2012](#)
- 10.2 [Item 4 Statement by MacDonald Licensing to Regulatory Committee September 2012](#)
- 10.3 [Regulatory Committee Minutes - September 2012](#)
- 10.4 [Update for Late Hours Catering - June 2014 report to Regulatory Committee](#)
- 10.5 [Update for Late Hours Catering - Regulatory Committee Report September 2014](#)
- 10.6 [Review of Late Hours catering Licensing - Regulatory Committee Report September 2015](#)

Susan Mooney

Head of Housing & Regulatory Services

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11. Links

Coalition Pledges	P28 - Work with public organisations, the private sector and social enterprise to promote Edinburgh to investors
Council Priorities	CO8 - Edinburgh's economy creates and sustains job opportunities
Single Outcome Agreement	SO1 - Edinburgh's Economy Delivers increased investment, jobs and opportunities for all
Appendices	Appendix 1: Late Hours Catering on-line consultation Appendix 2: Late Hours Catering on-line consultation results Appendix 3: Late Hours Catering on-line consultation written comments Appendix 4: Letters of response Appendix 5: Police Scotland response Appendix 6: Proposed Policy on Hours of Operation

Appendix 7: Proposed list of Arterial and Bus Routes considered suitable for later hours

Appendix 8: Proposed Conditions



Late Hours Catering Licence policy

Overview

A late hours licence is required for the use of premises between 23:00 and 05:00 for the sale of food to the public. To help address issues of noise and disturbance from premises trading during unsocial hours the Council introduced general guidelines and licensing conditions in 1985. The policy is currently being reviewed and people's views are being sought on the proposed changes.

Why we are consulting

The Civic Government (Scotland) Act 1982 makes provision for the licensing and regulation of certain activities in order to achieve the following licensing objectives:

- Preserve public order
- Preserve public safety
- Prevent public nuisance, and
- Prevent crime

The current late hours licence policies and conditions are being reviewed to ensure that they are necessary and appropriate in terms of the above licensing objectives and in terms of promoting the Council's key priorities, which include improving the efficiency and effectiveness of Council services, building a prosperous city and improving health and wellbeing.

A number of changes have been proposed to the current policy and the Licensing and Regulatory Committee are keen to hear from anyone that has views on these.

Introduction

Late Hours Catering Licence Consultation

The Civic Government (Scotland) Act 1982 ("the Act") makes provision for the licensing and regulation of certain activities in order to achieve the following licensing objectives:-

- Preserve public order,
- Preserve public safety,
- Prevent public nuisance, and
- Prevent crime.

The Council is responsible for the licensing and regulation of a number of activities, including late hours catering. The Regulatory Committee ("the Committee") is responsible for determining applications for licences to carry out these activities and over the years it has developed a number of policies and conditions in order to regulate these licensed activities. As with any policy or condition, the Committee must consider whether to allow for any exceptions to be made on a case by case basis.

While there is no statutory obligation to review existing policies and conditions, as a matter of good practice they should be reviewed from time to time to ensure that each policy and condition remains necessary and appropriate in terms of the above licensing objectives and in terms of promoting the Council's key priorities, which include improving the efficiency and effectiveness of Council services, building a prosperous city and improving health and well being.

This consultation and review exercise is being undertaken to identify any changes which are considered necessary in terms of trading. We are now inviting views on the proposed changes.

Background

The city centre and its night time economy are extremely important to Edinburgh.

Having a vibrant leisure and cultural offer is a key factor in people's choice about where they live and work. It also contributes to the city's economic growth.

The night time economy has grown substantially in recent years and there is a need to balance this with the needs of residents and the impact on public and statutory services.

As with any business, licensed premises should not cause nuisance or inconvenience to their neighbours or to the community within which they are located.

A Late Hours Catering Licence is required for the use of premises between 23:00 and 05:00hrs for the sale of food to the public. A licence is required whether or not the food is consumed on or off the premises. To help address issues of noise and disturbance from premises trading during unsocial hours the council introduced general guidelines and licensing conditions in 1985.

The existing late hours catering policy has, in the main, served the Council well. However, it is recognised that economic growth, development of residential units, changes to traffic flow and pedestrian activity have all had an impact on trading patterns, and it is now necessary to review the policy.

The proposed policy for late hours catering describes what is expected in terms of the responsible management of trading and updates the previous zoning policy.

The policy aims to provide:

- Clarity and transparency explaining how the zones will be applied in order to minimise uncertainty;
- Controls on the location, duration of licence, trading hours; and
- Controls that are sufficient to protect established local interests, in particular the disturbance to residential properties.

1 What is your name?

Name

2 What is your email address?

This is optional, but if you enter your email address then you will be able to return to edit your consultation at any time until you submit it. You will also receive an acknowledgement email when you complete the consultation.

Email

3 In what capacity are you responding to this consultation?

Please select only one item

- Late hours caterer Community Council Resident Business
 Other (please state)

Zoning proposals

New categories

In an attempt to create greater clarity and a consistent approach the existing categories or zones are to be replaced with six new categories. These categories are listed below:

1. Petrol stations, supermarkets and retail shops
2. City centre within Ward 11
3. Premises situated on arterial and main bus routes but outwith city centre Ward 11
4. Outwith city centre (Ward 11) and not on arterial routes
5. Tenement style property
6. Residential street

The main change in policy relates to category 1. This has been split to into the city centre (council ward 11) and premises outwith ward 11 situated on arterial and main bus routes. Previously certain streets had premises licensed as both zone 1 or 2. For example, South Clerk Street has late hours catering premises licensed either as zone 1 or 2 depending on how far out from the city centre they are. A judgement had to be made as to when the street was considered to have become mainly residential. This created a number of inconsistencies within the existing policy.

Hours of operation

Hours of operation https://consultationhub.edinburgh.gov.uk/sfo/late-hours-catering-licence-policy/user_uploads/new-policy-on-hours-of-operation.pdf-1 have also been proposed for each category.

Arterial bus and main bus routes

It is recognised that not all areas within the city centre, or those situated on arterial and main bus routes, will be suitable for late hours catering. To address these concerns two additional restricted categories have been introduced for business that are situated.

- tenement style property, and
- residential streets

A list of arterial and main bus routes https://consultationhub.edinburgh.gov.uk/sfo/late-hours-catering-licence-policy/user_uploads/proposed-list-of-arterial-and-bus-routes-considered-suitable-for-late-hours.pdf has been considered. This list is not exhaustive and streets could be added or removed as considered appropriate. Views on the proposed list of streets would be welcome.

View the list of proposed routes

4 To what extent do you agree or disagree that the seven new categories provide greater clarity.

Please select only one item

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree
 Don't know

Comments

5 Please pick one option for each of the following statements.

- | | Less restrictive | More restrictive | No preference |
|--|-----------------------|-----------------------|-----------------------|
| Hours of operation within the city centre should be | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| <i>Please select only one item</i> | | | |
| Hours of operation outwith the city centre should be | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| <i>Please select only one item</i> | | | |

Comments

6 To what extent do you agree or disagree that the Council should define a list of arterial and main bus routes.

Please select only one item

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree
 Don't know

Please use the space below for any comments regarding the list of arterial and main bus routes.

Other proposals

Festival and festive period

The City of Edinburgh Licensing Board allows licenceholders with an Alcohol Premises Licence to extend their closing time by two additional hours during both the Festival and festive periods provided the licenceholder applies for this at the time of original application or submits an application for extended hours to cover the festival or festive period.

Current policy provides for late hours catering premises to be afforded an additional one hour over these dates.

This additional hour is only given on receipt of an application for variation of an existing licence. This means an applicant potentially has to apply 3 times per year i.e. on renewal and then a variation for both the Festival and Festive period.

It is proposed to allow licenceholders to seek this extension of one hour at time of grant of their application or on renewal. It would also be open to existing licenceholders to vary the terms of their existing licence to include the additional hour.

British summer time

British Summer Time has caused considerable difficulty and confusion. In an effort to alleviate this it is proposed to mirror the stance adopted within the Licensing (Scotland) Act 2005, i.e. the beginning or ending of British Summer Time is to be disregarded for the purposes of determining the time at which that period of licensed hours ends and accordingly, the period ends at the time it would have ended had British Summer Time not begun or ended.

Accordingly, British Summer Time would have no effect on the number of hours during which premises are licensed to operate. This means that premises will continue to operate their normal hours and will not extend or reduce hours to take account of changes to British Summer Time.

Takeaway premises

All premises are categorised by location and in order to prevent crowd migration from clubs to takeaway premises, no Late Hours Catering licences will be granted with a closing hour beyond 3am.

7 To what extent do you agree or disagree with the proposals for late hours during the Festival and festive period?

Please select only one item

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree
 Don't know

Other proposals

Festival and festive period

The City of Edinburgh Licensing Board allows licenceholders with an Alcohol Premises Licence to extend their closing time by two additional hours during both the Festival and festive periods provided the licenceholder applies for this at the time of original application or submits an application for extended hours to cover the festival or festive period.

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All premises are categorised by location and in order to prevent crowd migration from clubs to takeaway premises, no Late Hours Catering licences will be granted with a closing hour beyond 3am.

7 To what extent do you agree or disagree with the proposals for late hours during the Festival and festive period?

Please select only one item

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree
 Don't know

8 Please use this space for any other comments or suggestions about the proposals above.

Licensing conditions

The proposed licensing conditions for late hours catering, remain largely unchanged.

The conditions in respect of waste management and collection have been updated to reflect legislative changes.

It is proposed to introduce a condition that requires all packaging and utensils for use by customers be made of biodegradable or recyclable materials. It is hoped that this will cut down on the amount of waste generated in the city that ends up being sent to landfill.

It is also proposed to introduce a condition that if during the currency of the licence, the licenceholder is convicted of any offence, they shall, within 28 days, provide full details of such convictions, in writing, to the Licensing Authority.

Download a copy of the Licensing Conditions <https://consultationhub.edinburgh.gov.uk/sfo/late-hours-catering-licence-policy/user_uploads/proposed-conditions.pdf> |

9 To what extent do you agree or disagree with the proposed licensing conditions?

Please select only one item

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree
 Don't know

Comments

Policy

10 To what extent do you agree or disagree that the Council should apply a late hours catering policy?

Please select only one item

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree
 Don't know

11 If you have any further comments relating to the proposed changes to the late hours catering policy, please use the box below.

Appendix 2: Late Hours Catering on-line consultation results



Late Hours Catering Licence policy: Summary report

This report was created on Friday 17 June 2016 at 10:00.

The consultation ran from 16/03/2016 to 30/05/2016.

Contents

Question 1: What is your name?	1
Name	1
Question 2: What is your email address?	1
Email	1
Question 3: In what capacity are you responding to this consultation?	2
In what capacity are you responding to this consultation?	2
Other (please state)	2
Question 4: To what extent do you agree or disagree that the seven new categories provide greater clarity.	2
new categories	2
Comments	3
Question 5: Please pick one option for each of the following statements.	3
Hours of operation - Hours of operation within the city centre should be	3
Hours of operation - Hours of operation outwith the city centre should be	3
Comments	3
Question 6: To what extent do you agree or disagree that the Council should define a list of arterial and main bus routes.	4
Bus routes	4
Please use the space below for any comments regarding the list of arterial and main bus routes.	4
Question 7: To what extent do you agree or disagree with the proposals for late hours during the Festival and festive period?	4
festive	4
Question 8: Please use this space for any other comments or suggestions about the proposals above.	5
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Question 9: To what extent do you agree or disagree with the proposed licensing conditions?	5
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Question 10: To what extent do you agree or disagree that the Council should apply a late hours catering policy?	6
policy	6
Question 11: If you have any further comments relating to the proposed changes to the late hours catering policy, please use the box below.	6
Comments	6

Question 1: What is your name?

Name

There were 48 responses to this part of the question.

Question 2: What is your email address?

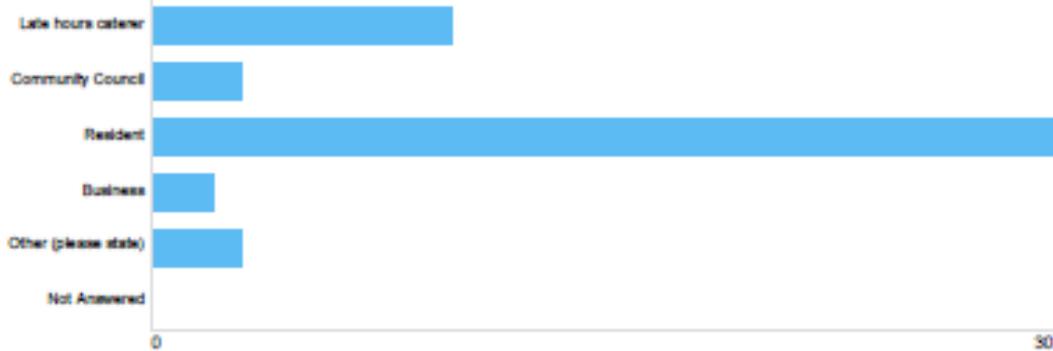
Email

There were 45 responses to this part of the question.



Question 3: In what capacity are you responding to this consultation?

In what capacity are you responding to this consultation?



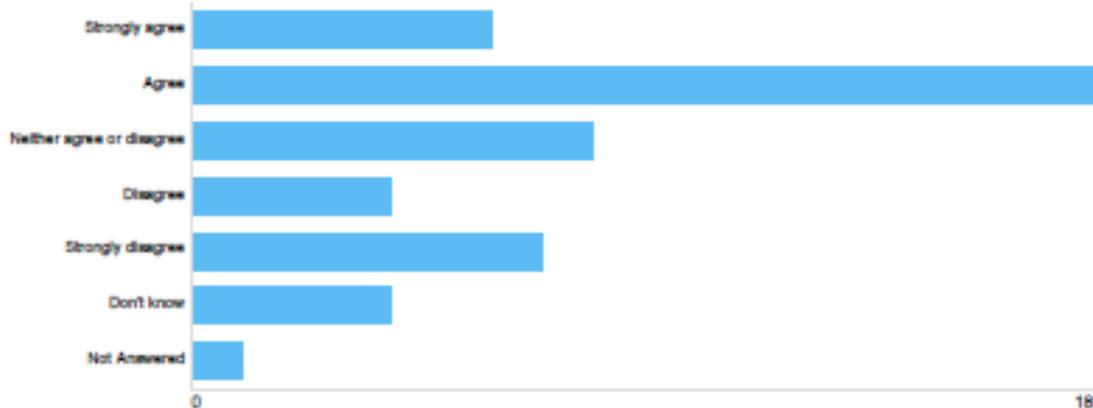
Option	Total	Percent
Late hours caterer	10	20.83%
Community Council	3	6.25%
Resident	30	62.50%
Business	2	4.17%
Other (please state)	3	6.25%
Not Answered	0	0%

Other (please state)

There were 5 responses to this part of the question.

Question 4: To what extent do you agree or disagree that the seven new categories provide greater clarity.

new categories





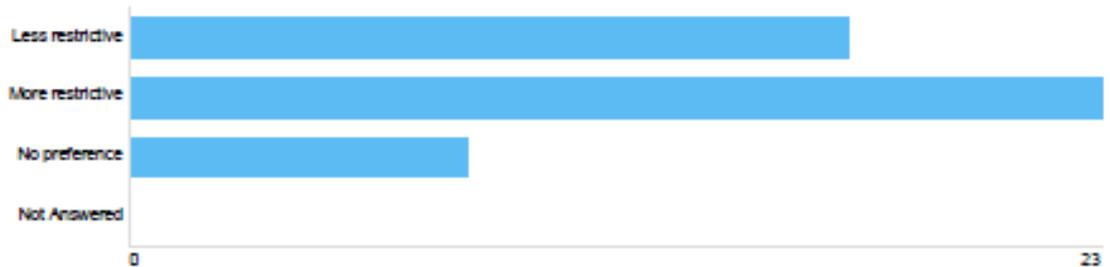
Option	Total	Percent
Strongly agree	6	12.50%
Agree	18	37.50%
Neither agree or disagree	8	16.67%
Disagree	4	8.33%
Strongly disagree	7	14.58%
Don't know	4	8.33%
Not Answered	1	2.08%

Comments

There were 20 responses to this part of the question.

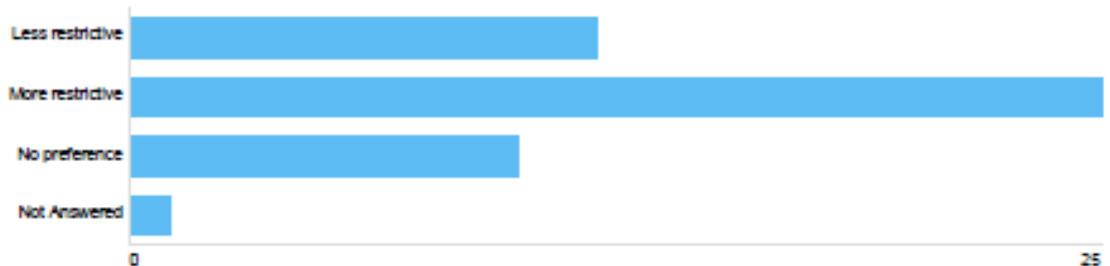
Question 5: Please pick one option for each of the following statements.

Hours of operation - Hours of operation within the city centre should be



Option	Total	Percent
Less restrictive	17	35.42%
More restrictive	23	47.92%
No preference	8	16.67%
Not Answered	0	0%

Hours of operation - Hours of operation outwith the city centre should be



Option	Total	Percent
Less restrictive	12	25.00%
More restrictive	25	52.08%
No preference	10	20.83%
Not Answered	1	2.08%

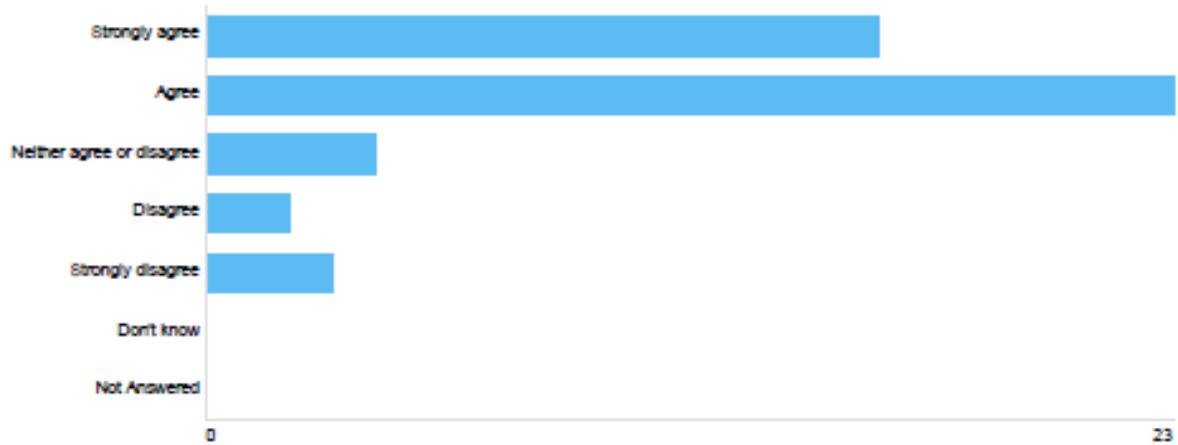
Comments

There were 21 responses to this part of the question.



Question 6: To what extent do you agree or disagree that the Council should define a list of arterial and main bus routes.

Bus routes



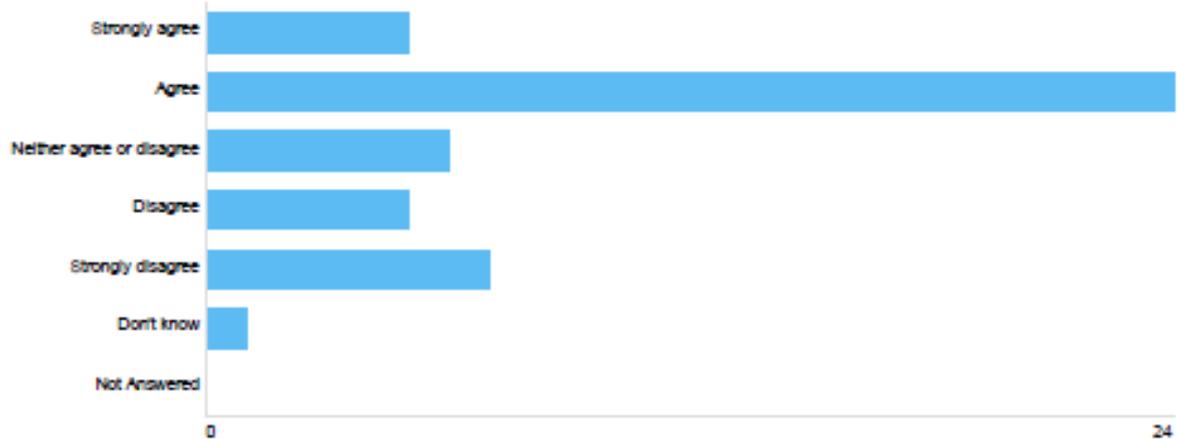
Option	Total	Percent
Strongly agree	16	33.33%
Agree	23	47.92%
Neither agree or disagree	4	8.33%
Disagree	2	4.17%
Strongly disagree	3	6.25%
Don't know	0	0%
Not Answered	0	0%

Please use the space below for any comments regarding the list of arterial and main bus routes.

There were 11 responses to this part of the question.

Question 7: To what extent do you agree or disagree with the proposals for late hours during the Festival and festive period?

festive





Option	Total	Percent
Strongly agree	5	10.42%
Agree	24	50.00%
Neither agree or disagree	6	12.50%
Disagree	5	10.42%
Strongly disagree	7	14.58%
Don't know	1	2.08%
Not Answered	0	0%

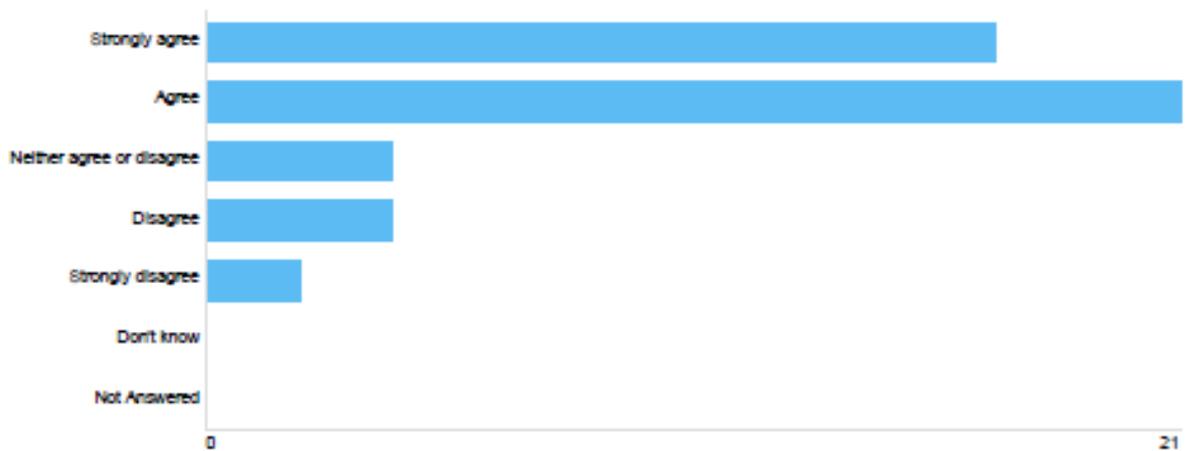
Question 8: Please use this space for any other comments or suggestions about the proposals above.

comments

There were 17 responses to this part of the question.

Question 9: To what extent do you agree or disagree with the proposed licensing conditions?

conditions



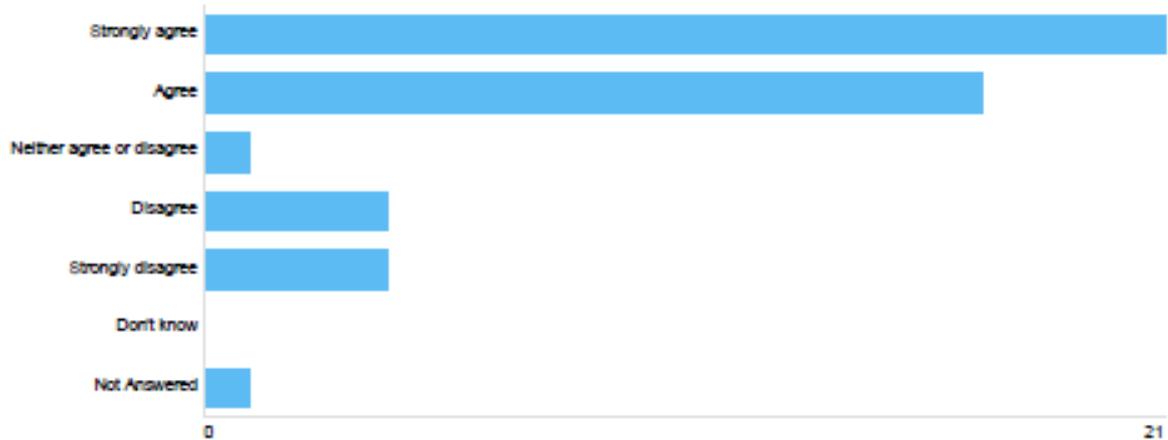
Option	Total	Percent
Strongly agree	17	35.42%
Agree	21	43.75%
Neither agree or disagree	4	8.33%
Disagree	4	8.33%
Strongly disagree	2	4.17%
Don't know	0	0%
Not Answered	0	0%

Comments

There were 14 responses to this part of the question.



Question 10: To what extent do you agree or disagree that the Council should apply a late hours catering policy?



Option	Total	Percent
Strongly agree	21	43.75%
Agree	17	35.42%
Neither agree or disagree	1	2.08%
Disagree	4	8.33%
Strongly disagree	4	8.33%
Don't know	0	0%
Not Answered	1	2.08%

Question 11: If you have any further comments relating to the proposed changes to the late hours catering policy, please use the box below.

Comments

There were 23 responses to this part of the question.

Appendix 3: Late Hours Catering on-line consultation written comments

To what extent do you agree or disagree that the seven new categories provide greater clarity. – Comments

<p>There appear to be 6 categories, not 7? Having 6 or 7 categories certainly allows more nuance though.</p>
<p>3 and 5 seem in conflict - which takes precedence? I live in a tenement outside Ward 11 in a mainly residential area but on a main bus route (North West Circus Place) which might be considered arterial, though is generally quiet at night. Am I protected by rule 5 or subject to rule 3? If rule 5 then I agree with the policy but if rule 3 then I strongly disagree.</p>
<p>These not only do not include 7 new categories, they also provide little clarity for me and appear to be complex and unduly muddled.</p>
<p>reduce noise and activity</p>
<p>Unless premises have been in use historically without issue then the restrictions are appropriate.</p>
<p>I think takeaways should be allowed to stay later than the time granted by one hour. In the uk takeaways usually close one hour after clubs do . I think Edinburgh should be allowed to do that as well. This will Make my takeaway and me very happy.</p>
<p>I'm concerned that 'consistency' might lead to loss of flexibility by not recognising where special circumstances may occur.</p>
<p>There are only 6 categories listed. Make your minds up!</p>
<p>what about mcdonalds who could claim that their main business is not carry out but eat in</p>
<p>In certain city streets eg Grassmarket impossible to separate retail and residential so tenement conditions should apply.</p>
<p>This council is turning the city centre into a late night picnic area causing the number of rats to increase as they eat discarded food thrown either into bins or on the streets</p>
<p>This summary for City Centre intimates a "one size fits all" approach to late hours trading and does not consider the late / overnight night economy that the city is considered by its local and visitors as a well organised well run fun place to be.</p> <p>Nor does it consider the economic impact to the City, its businesses, its employees its customers and support functions to these businesses such as Taxi and security firms.</p>

Very careful and sensitive consideration would be required to fully understand the very delicate nature of this process. Many families jobs could be at risk as a result of any knee jerk closed room decisions being made.

The economy is on the up, the city is doing a great job at attracting and retaining customers in town and the late night element has never been more healthy and popular, I would err on a very cautious and tentative approach to any recommendation for alteration. Needless to say a very open and fully reciprocal debate would be a prerequisite of any proposed alteration to policy

You forgot to state what the zones were/are before the proposed change

Hours should be strictly restricted in residential areas

There is a contradiction in licensing hours. For example, there is a bar near my flat located in a tenement below flats. It is in the 'city centre' area so could be open until 2 a.m. or 3 a.m. despite being above a tenement.

Does 'consent being given' mean no objections received rather than consent obtained? This is ambiguous.

I lose a lot of custom by having to close at 3am on a Friday and Saturday.

I agree with the principle of increasing the number of categories, but am confused, as you define 6 categories, but ask me about 7. What is the seventh?

I only see 6 categories listed above so I am confused! In the Southside we get noise from people returning late at night through our residential areas. I don't see how your changes are going to address this as you cannot control the routes people who have often had too much to drink, choose to walk home. We don't need takeaways open at 3 am anywhere in the city. When do you expect people who live within the city to sleep?

Although the proposed new categories provide a degree of greater clarity, further clarification is still needed.

A retail shop may not be used primarily as a fast food takeaway during daytime but late at night that might be it's main source of business - what rule would be applied?

What is the definition of arterial and main bus routes; for example, would Brougham Street and Brougham Place fit that definition?

What rule will apply where premises fall under more than one category; for example a tenement-style property on a main bus route or premises on a street which is residential with no other business operating but which is an arterial route? And what about retail shop in a tenement-style property?

If you have any further comments relating to the proposed changes to the late hours catering policy, please use the box below. – Comments

While there has always to be a balance struck between commercial interests and residential amenity, residents are entitled to be protected. The trends seems always to be in one direction - more and more late licenses, less and less residential amenity. Most of the power lies with the licensee since they can appeal decisions while, I understand, residents (objectors) cannot. One never hears of licensees applying to have hours reduced - there is generally a step by step erosion of resident's amenity as a licensee applies for another hour here, half an hour there.

Having experienced the sharp end of the Council's licensing committee's rulings, I would like to see a totally consistent approach to decision-making. This is not what my previous experience has been and it's very frustrating not knowing what the committee will decide. There is also a very negative prospect that inconsistent decisions could be perceived as being rooted in the incompetence, disinterest or corruption of elected members and officials in the Council. In the 21st century, this is not on.

get a grip find out what is needed and what is acceptable not just guess

what is the local voice?

I have been working in late hours take away for 12 years. if we close early we can have more time for our selves and if costumer know we close early they maybe going to drink less and go home early

There is a considerable degree of disturbance in the City Centre out with the Festival. The late license either alcohol or catering, does not service residents, only causes disturbances, and in the main services those who are visiting.

The City Centre Ward 11 is rapidly becoming an area of disturbance and apply these licenses will create ASB, as there are no toilet facilities.

How about spending some of the money the council collects in late licences on employing environmental wardens to patrol areas where late-night catering is permitted? Some streets are knee-deep in litter every Saturday-Monday mornings

I think that the council should be quite severe on an caterers that break the rules

All policies, no matter if there are changes or not, should be strictly enforced

I have expressed my feelings in an earlier box! Extended opening hours for mini markets and takeaways in the Grassmarket may have an appeal to the proprietors, and are often staffed by members of the extended family who owns the premises, and who I gather pay the minimum of wages. The same is true for the youngsters

employed in the pubs. Minimum wage and appalling hours, and a working environment where noise is deafening. We have problems enough, especially in the summer, with gangs of youngsters traipsing noisily through the Grassmarket, with absolutely no idea that real people live there and are trying to sleep. Flower beds supplied by the council are used as litter bins, flowers pulled up and or vomited on, litter (and cigarette ends), casually dropped everywhere. With pubs open to 3 a.m. you can imagine the crescendo of nuisance that we get here about 3.15 a.m.!!

The Council must not only apply a policy but enforce it - already late night caterers often exceed their agreed hours. Caterers should be required to advertise their late hours provision with a Council number to call to report infringements prominently within their premises so that residents can report offenders

Just as plastic bags were charged for in Ireland several years ago. The council which promotes a population doubling during the festival makes no concession to the environmental damage caused by increase in plastic food containers and the amount of fast food eaten on the streets and often discarded as inedible. The increase in catering has to be accommodated but a new approach is needed festival only licences for mobile and outside caterers from all over Scotland should be encouraged to provide meals made from local produce using paper and wooden forks all biodegradable with local extra bins provided for the festival period. The population attending the festival should be treated better than than the food often sold and they are usually accustomed to better that they are offered here. A capital city should have pride in its environs this council is is both mean spirited and greedy accepting the lowest common standards for everything.

It would be better for business within the city if takeaways could remain open until 5am. Many such fast food shops are opening until 5am within europe and outside europe. I know fastfood shops in some americian states remain open 24 hours. Such a change in closing hours would benefit everyone who lives within the city, as the people would be spending more money and the currency would be flowing around the city.

I have agreed with question 10 because i feel this growing depart needs managed to a high standard to develop and retain the City's great and growing reputation as an enviable place to live, visit and work. I would be happy to contribute to this process given my extensive hands on first hand experience in this sector.

Sorry to reiterate, but it is no good having new policies if like with the old ones, you dont bother to enforce them, and you allow officers of the Council to turn blind eyes to infringements. (yes we have evidence)

If i don,t get the late licence i will have to close my shop and people will lose there jobs

I believe that food businesses should be able to work late hours to take advantage of

<p>late hours' workers, post-theatre meals, etc. As long as these are not directly in the middle of primarily residential streets, then there should not be an issue.</p>
<p>The council should apply a late hours catering policy in areas that are predominantly residential, even if the area is designated the 'city centre', e.g. Stockbridge. The policy should ensure that customers and staff are clear of the premises by midnight at the latest.</p>
<p>I believe that no licence should be considered in isolation and that a cumulative effect on the local area from all licences issued should be taken into account</p>
<p>I do not have a solution, but dealing effectively with the residual packaging which leaves our streets in a disgusting state would be helpful. Crows, pigeons and seagulls feast on dropped food and wrappings and cause mess and disturbance</p>
<p>Edinburgh is losing trade by not extending the late hours catering policy for all year. A lot of people who may come to Edinburgh are now going to Newcastle as the establishments are open to 5am</p>
<p>It should not be the premises that is licensed, but the person in charge. This will impact the planning authority and "change of use" applications. The acceptable use for the premises needs to be defined, and only if hot food trading is allowed within the premises should the person in charge be allowed to apply for a licence</p>
<p>I agree you should have a late night licencing policy but I don't think this one is right.. So much of central Edinburgh is tenemental and these categories don't seem to recognise this. Many people move into a flat and then find that businesses get licences to open late underneath them and there appears little that they can do. The encouragement of a late night economy doesn't sit well with other requirements of living in the city. We are required to put out bins by 6 am. Contractors are permitted to start work demolishing or constructing at 7am. We cannot exist on 3 hours sleep. Edinburgh is so fortunate to have so much high quality housing in the city centre. Unless the council thinks that only students or holiday makers who enjoy being out very late at night should live in the city centre then more thought needs to be given to how to make it possible for a real mixed community to continue to live here.</p>
<p>It might be useful to require all premises with late hours catering licenses to display prominently a notice outlining how local residents can complain about noise, littering or other problems with the premises. Perhaps this should also be on the CEC website</p>

Appendix 4: Letters of response

The Convenor
City of Edinburgh Licensing Board
249 High Street
EDINBURGH
EH1 1YJ

12 September 2012

Dear Sir

**Review of Late Hours Catering Policy
Proposal by Macdonald Licensing Solicitors for various Late Hours Catering
Operators**

We have requested, on behalf of our late hours catering clientele, the opportunity to put forward the case for the review, by City of Edinburgh Council, of its current Late Hours Catering Policy.

The present policy was introduced, I believe, over ten years ago. I have mentioned on various occasions over the years that the introduction of this policy was flawed as no consultation took place with the trade! They received absolutely no intimation of it and the first they knew was when they were renewing their Licences that year and were told that they would no longer be granted the hours that they enjoyed, but that they would be restricted to the new policy hours! At that time some operators, such as Topkapl in Fountainbridge, and Darlos in Lothian Road, enjoyed 5am, and indeed had previously enjoyed 6am. They simply reapplied for their existing hours and were told that the policy had been changed!

The later hours previously enjoyed allowed the operators to serve patrons from nightclubs etc (which at that point enjoyed 4am Licences) as well as various other sources of late night business such as shift workers, taxi drivers, and people working in licensed premises, such as nightclubs, etc. For city centre operators the reduction in hours made a huge difference to their income.

In addition, the zoning policy has caused numerous difficulties. A copy of the "guidelines" is attached. This is so vague and completely subjective that it has resulted in numerous unfair decisions. It can also mean that shops within 100 metres of each other have different hours. This was recognised by the previous Committee at their last sitting, when a property was moved from the zone that it has been placed in by the department, to the upper zone. As you will appreciate it is not the Committee Members that decide on which zone a property is placed. Also areas change through time and some of the decisions bare no resemblance to reality.

"Macdonald Licensing Solicitors" is the trading name of "Macdonald Licensing (Solicitors) Limited"

Director: Alastair I. Macdonald. Consultant: Andrew Williams WS

Background The Late Hours Catering Trade

The late hours catering trade has traditionally consisted of food outlets, such as pizzas, kebabs, burgers, fish and chips etc. Many of these operations are run by families who recently or historically have ties to countries such as Turkey, Italy etc. They are hard working and carry out a job which, at best, can be difficult! Often their trade is at the end of an evening after people have been drinking, sometimes too much. Over the years they have all had to put up racist abuse, certainly verbal, and in many cases physical assaults.

The product that they are selling is food and soft drinks. They do not contribute to this behaviour. They do not benefit financially from it. They only wish to provide people with a product that will not cause them any harm, and frequently will assist in recovering from the condition that they are in. Statistics show what can happen when people do go home and try and cook, harming themselves, and others, and causing a large percentage of house fires.

Customers do not understand why these shops close at what would be their busiest time! They also do not understand the zoning policy, and that contributes to much of the abuse that they have to suffer. We hear stories of operators having to "hide" in their shop for an hour till everybody has dispersed. They are accused of making easy money and not serving the community because of closing early. That is particular the case because they see 24 hour shops, casinos, amusement arcades, and garages opening late and serving food!

The Police have had concerns regarding the dispersal of patrons from nightclubs etc. Many people including taxi drivers said that there was better dispersal previously. There wasn't the mad rush just before 3am to try to get to the takeaway before it closed. By increasing the late hours catering times people would have more time to get themselves ready and along to the premises. Our clients in Fountainbridge regularly see groups of people hanging around the nightclubs when they close. The Police have a large presence there. Youngsters are doing so because there is nowhere to go for anything proper to eat. They don't want a packet of crisps and a cup of coffee! They would like a pizza or kebab!

The law changes on 1st October and everyone selling food after that time requires a Late Hours Catering Licence. Whereas traditionally the only place that you could purchase food in the early hours in the morning were restaurants and now late night takeaways, there are now 24 hour supermarkets, 24 hour petrol stations, bakeries, amusement arcades (giving away free bacon rolls), casinos etc. It seems that everybody is allowed to sell food after 3am apart from late hours catering operations! Twenty years ago they were the only people in this business and they have seen their livelihood eroded through no fault of their own. They are not even allowed to compete with these outlets on an equal basis! That is all they ask!

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Director: Alastair I. Macdonald. Consultant: Andrew Williams WS

The new food operators have to have Late Hours Catering Licences now, but no amendment has been made to the policy. There is reference to this in the current policy statement, but I am sure that has been added since 2002. I have requested papers from the Council under Freedom of Information, to clarify whether this was part of the consultation at the time. They are simply granted licences for the period required by them. It does not appear to be a breach of policy, as otherwise it would come to Committee. There therefore has clearly been a change in the policy which should have gone through a consultation procedure, including the current holders of such licences?

Summary

By way of summary we would request that the Council reviews its current late night catering policy and in particular considers the following adjustments:-

- **Removing the zoning policy** - this causes confusion and does not achieve anything. The fact is that if there is not business during later hours, e.g. in the suburbs, then these premises will not request such late licences. Many are quite happy to close at midnight.
- **To expand the city centre hours and deal with these outlets in the same way as bakeries, 24 hour shops etc** – there is a market for this which is not being satisfied at the moment. There is no evidence that it will cause problems. There is evidence that it will help dispersal. There is evidence that it helps people sober up, and to stop trying to make food for themselves when they get home. What is wrong with having a bag of chips after 5 hours clubbing!

This is a very brief synopsis of our position. If the Committee agree to review the Policy, then hopefully this time the Trade will have the opportunity to fully put forward their case.

Thank you for the opportunity, which is much appreciated.

Yours faithfully

Allstair I Macdonald
Macdonald Licensing Solicitors

"Macdonald Licensing Solicitors" is the trading name of "Macdonald Licensing (Solicitors) Limited"

Director: Allstair I. Macdonald. Consultant: Andrew Williams WS

Our ref: KW 362285
Year ref:

First Class
Mr Gordon Hunter
Project Officer
Licensing Service, Services for Communities
City Chambers
Business Centre 9.42
249 High Street
Edinburgh
EH1 1YJ

THE CITY OF EDINBURGH COUNCIL
SERVICES FOR COMMUNITIES
20 AUG 2014
LICENSING SERVICE

18 August 2014

Dear Sirs

Late Hours Catering Consultation Meeting

We act on behalf of Malthurst Limited who operate a number of late hours catering licensed premises within Edinburgh, including Ratcliffe Terrace and Barclay Place. As the operator of such premises, they have received your invitation to the Consultation Meeting. Malthurst Limited are based in England and so are not able attend the meeting in person, however, they wish their views to be taken into consideration.

Malthurst Limited operate petrol filling stations with general convenience stores throughout the British Isles. In Scotland, they operate 56 sites, six of which are within the City of Edinburgh boundary. The sites are situated in mixed residential and commercial areas and cater to motorists and local residents.

Due to their location and the nature of the business, they do not attract large groups of persons seeking to purchase takeaway food on their way home from a night out. The late hours catering licence is required so as to provide for the sale of general convenience foods and refreshment.

The provision of a general convenience store open throughout the night offers a valuable service within residential areas as it allows residents to purchase essential items when other stores are closed. Many supermarkets which operate on a 24 hour basis are only accessible outwith usual shopping hours. Due to the limited operation of public transport, many 24 hours stores are only accessible to persons with their own transport. Residents who work in shift patterns also benefit from having a general convenience store available to them on a 24 hours basis.

Although not situated on motorways or other major roads, the premises benefit motorists who may be feeling tired driving as it permits them an area where they may stop to obtain refreshment or simply take time out of their car in a brightly lit environment so as to refresh themselves before continuing with their drive. A Scottish Government road safety campaign highlights the dangers of driving while tired and the

removal of this service could lead to dangerous driving practices.

We appreciate there will be concerns regarding noise and other environmental complaints. As indicated, our client's sites are operated in line with late night grocery stores rather than hot food takeaways and so are unlikely to attract large numbers of persons seeking refreshment after a night out who are often associated with excessive noise and littering. As hot food is not prepared on the premises, cooking smells are not a source of nuisance from our client's premises. In addition, while our client's sites are situated within residential areas, there are no adjoining neighbours nor are the premises within tenemental properties and this also limits the inconveniences which may be suffered by residents of other late night venues.

Our client has the necessary retail planning permission in place so as to allow a 24 hour a day operating. Unlike supermarkets, our client is permitted to sell various goods including fuel, household cleaning products, general refreshment and grocery items. Customers can become confused if permitted to purchase fuel, but not confectionary or bleach but not bottled water. While the general public are knowledgeable and accepting of the restrictions on the sale of alcohol, they tend not to be knowledgeable of the different types of licence required for the sale of other products. Confusion can arise when faced with such restrictions on the sale of food products yet at the same time, there are no such restriction placed on the purchase of fuel, cleaning products or basic medication.

As the Civic Government (Scotland) Act 1982 has been amended so that late night catering licences are required for all premises offering 'food', that late night supermarkets and other grocery stores will now require a late hours catering licence. We would request that any restriction in the late hours catering policy should be reflective of the varying businesses which would require a late hours catering licence and this should be taken into account in your policy and also be mindful of the confusion and inconvenience any such restrictions can cause for the general public.

Yours faithfully

[Redacted Signature]

Karen White
Licensing Paralegal
Harper Macleod LLP

Direct Dial [Redacted]
Direct Fax [Redacted]
E-mail [Redacted]

Mr Kasim Yilmaz
Representing
Catering Outlet Traders
Category 1
Edinburgh

Mr Hunter
Catering License Committee
249 High Street
Edinburgh

LICENSING SERVICE

Dear Mr Hunter

I write with regard to the late hours catering license, and thank you for your request for our feedback and suggestions concerning this. I wish to put forward the following points.

No.1 Security Measures.

We want to take measures to provide "security on the door," for each business between the hours of 11pm and the extended late license closing time. The reasons for this suggestion is so that we can take this action to avoid any sort of disturbance or trouble of any kind, that will be in keeping with the wishes of the Council, the Police Service, and the general public.

No.2 Disposable rubbish etc.

We suggest that each proprietor is responsible, in their own right, to tidy and clean up any rubbish which may have accumulated within a 25 yard radius of their premises, so that our designated areas are kept clean and tidy.

We also mention that all proprietors shall be SOLELY responsible should any anyone fall short of this requirement.

No.3 Late License Fee Payment

We would like to put forward the possible suggestion that late license fee payment for the Festival, Christmas & New Year & possible extended period could be paid all at the same time. If you would kindly consider this possibility it would be of great assistance to the proprietors.

We would like to put forward the suggestion of the possibility of the extended late license being extended to a "fifty two weeks per year" basis. If this proposal were to be considered, it would be immensely appreciated by all the catering proprietors in the Category 1 area.

Yours Sincerely,

Kasim Yilmaz

2107 2016

From: Niall Hassard
Sent: 01 August 2016 13:51
To: Gordon Hunter
CSubject: LHCL policy consultation
Importance: High

Hi Gordon

I am aware of a desire by certain takeaway premises to cater for demand from customers beyond 3am by way of delivery only. They would respectfully request that the Committee consider extending hours in respect of the activity of deliveries to 5 a.m.

The current policy sets Petrol Stations, Supermarkets and Retail Shops as "exemptions" to the maximum terminal hour of 3 a.m. (provided there are no environmental issues). These premises do not appear, in the Committee's opinion, to pose the type of risks associated with traditional takeaways i.e. crowd migration etc

Operators believe there is a demand from businesses (shift working) and individuals for catering after 3 a.m. and in order to uphold the aims of the act namely-

- Preserve public order
- Preserve public safety
- Prevent public nuisance, and
- Prevent crime.

And to strike a balance, operators seek the facility to cater by delivery only between 3 a.m. and 5 a.m.

They recognise additional conditions may be necessary, for example, if the Committee were minded to recognise the legitimate aim of catering beyond 3 a.m. (e.g. night shift workers, like NHS staff, call centers and factories) by delivery only, the following types of conditions may form part of the policy. i.e. operators to demonstrate

- 1, Shop frontage to be closed down, including shutters drawn, signage lights switched off etc
2. Enhanced training for staff in store
3. Enhanced training for delivery drivers to include no idling engines
4. CCTV requirement
5. Incident logs

I would be happy to supplement this email further if required but the operators believe the restricted delivery only operation wouldn't threaten the aims nor cause crowd migration etc if properly managed and implemented.

Regards

Niall

Niall Hassard
Legal Director - Licensing (Scotland) for TLT LLP

Appendix 5: Police Scotland Response

Date: 28th April 2016

Your Ref:

Our Ref:

Director of Services for Communities
City of Edinburgh Council
249 High Street
Edinburgh
EH1 1PW



**POLICE
SCOTLAND**
Keeping people safe

Edinburgh Division
St Leonards Police Station
14 St Leonards Street
Edinburgh
EH8 9QW

Dear Sir

CONSULTATION ON EDINBURGH LATE HOURS CATERING POLICY 2016

I refer to the above and offer the following comments and evidence to assist and inform the Regulatory Committee in shaping an amended late hours catering policy for Edinburgh.

Edinburgh is considered one of the safest cities in Britain as identified in a 2014 YouGov poll that ranked Edinburgh as the safest city in Britain. It is acknowledged that a vibrant city centre and night time economy are vital in attracting residents, visitors and business to Edinburgh, however a balance needs to be struck between this and quality of life issues for residents. There will be a point where levels of crime, disorder and nuisance become intolerable to the public, particularly residents in Edinburgh and place a significant burden on police resources.

It is well known that excessive alcohol consumption is an aggravating factor in a range of crime and community safety issues across the city ranging from minor antisocial behaviour to serious violent crime. The impact of the late hours catering policy in relation to these issues cannot be underestimated and is a key factor in crime and disorder levels, hotspots, dispersal and overall quality of life for the residents of Edinburgh.

This impact has been recognised by the City of Edinburgh Council and is evident in the existing Late Hours Catering (LHC) policy. For a number of years, Edinburgh has employed a LHC policy that restricts trading hours in line with closing times for licensed premises. For example, clubs in Edinburgh generally close at 3am. Takeaways are not permitted trading hours beyond this due to the likelihood that this would result in

takeaway premises becoming a hotspot for intoxicated individuals dispersing from licensed premises, loitering in the premises or area with a likely increase in violence, disorder, antisocial behaviour and public nuisance.

As a result, the Edinburgh LHC policy greatly assists police in facilitating an orderly dispersal from licensed premises due to takeaways being closed at dispersal time. As a result, patrons make their way home instead of hanging around food establishments in large numbers. This policy is strongly supported by police and I would urge the Regulatory Committee to maintain the status quo in respect of this element of the existing policy. I strongly urge the committee not to increase the hours afforded to LHC premises as this would have a significant impact upon policing, crime and disorder, antisocial behaviour and public nuisance for residents. The various proposals to policy are looked at in more detail below.

Proposed New Categories for LHC Trading Hours

The police fully support the attempt by the Council to bring greater clarity and consistency to trading hours.

In terms of the new proposed categories, the vast majority are supported by police. The only category that raises concerns is the one for "Premises situated on arterial and main bus routes but outwith the City Centre Ward". It is proposed that a number of arterial routes (17) are afforded trading hours of 1am Sundays to Thursdays and 2am Fridays and Saturdays. Many of the roads proposed are in heavily populated residential areas. Whilst it is accepted that trading hours in these areas may be restricted due to premises falling into categories such as 'residential' or 'tenement buildings', I urge the committee to restrict hours on these arterial routes to no later than 1am in line with the majority of licensed premises in these areas, otherwise, many individuals leaving licensed premises will migrate to and congregate in these premises which will cause significant issues for police and local residents (see violence and hate crime sections). LHC Premises in these areas that feel they have a case for extended hours can apply individually to the Council Sub Committee, however it is my view that the balance should rest with residents with the onus on premises to prove that their individual circumstances will not lead to detriment for the area or residents.

Hours During the Festival and Festive Seasons

The police are supportive of the proposed change to policy whereby premises can apply for a one hour extension for these periods at the time of application or renewal. This will reduce confusion and the bureaucracy involved in premises applying for variations to their licences throughout the year. The police are not supportive of LHC premises being afforded an extension of two hours in line with licensed premises as this will result in LHC premises becoming hotspots for alcohol fuelled crime and disorder (see violence and hate crime sections).

LHC Conditions

The proposed new condition of licence holders informing the licensing authority of any convictions within 28 days is beneficial in allowing the council to establish whether the licence holder remains a 'fit and proper' person to run a licensed establishment in the city

or whether they present a risk to the public. The Council are aware that police checks on LHC applications are only 100% reliable at the time of application or renewal when checks are carried out on individuals. There is no reliable mechanism to flag up pending cases or convictions for existing licence holders. As such, this proposed condition is welcomed.

In addition, it is also acknowledged that several premises in the City Centre have an additional condition requiring door stewards to be employed at certain times/days due to the antisocial behaviour element these premises attract. The vast majority of takeaways are run well without major issue therefore I would suggest that this condition is considered and applied by committee where there is evidence that a LHC premise is causing or attracting significant issues. I would therefore suggest that this is not a standard condition but an optional one for committee.

British Summer Time

Police acknowledge the difficulties presented by BST clock changes in respect of LHC premises due to the Civic Government (Scotland) Act 1982 being silent in respect of BST. The proposal to mirror the Licensing (Scotland) Act 2005 in respect of BST is supported by police and will assist in clearing up any ambiguity. This will mean that trading hours for LHC premises will not be affected by BST.

Crime and the Night Time Economy

Violence and hate crime are unfortunately consequences of the night time economy due predominantly to excessive alcohol consumption. The information detailed below is intended to support restricting trading hours for LHC premises before or in line with the terminal hour for liquor licensed premises.

Violence

LHC premises tend to be more heavily concentrated in areas densely populated with licensed premises.

Data from the Edinburgh Local Strategic Assessment 2016-17 highlights the impact of alcohol related crime and disorder in the City. This report is based on a 12 month period from 1 October 2014 to 30 September 2015.

There were 347 serious assaults during the reporting period which is an increase of 18% on the previous year. The 18% increase wholly relates to public space violence, primarily street violence and, to a lesser degree, violence in licensed premises.

Public space serious assaults are by far the most prevailing issue with 67% taking place on public streets. Around 22% of assaults occurred in pubs or clubs, which equates to 55 crimes in total over the year. However, it should be noted that, on occasion, a proportion of street violence takes place in the immediate vicinity of licensed premises. Almost half of violence on the street, and in licensed premises, is associated with the night-time economy in the city centre with hotspots in areas such as George Street and surrounding side streets; West End; Grassmarket and Cowgate areas. There is also a secondary hotspot at the foot of Leith Walk. High-risk times are Saturday 0100 to 0400 hours and Saturday into Sunday 2200 to 0500 hours.

There were 5,951 common assaults recorded during the reporting period, an increase of 1% on the previous year. Common assaults in public spaces account for 57% of the total, with private space assaults accounting for 43%. In terms of specific locations, the majority of assaults are committed in private dwellings (43%) followed by streets (37%) then pubs and clubs (8%).

High risk times are evident on Fridays 2100 hours to midnight; Saturdays 0100 to 0500 hours & 1900 hours to midnight; Sundays 0200 to 0300 hours & 1700 to 2300 hours. These patterns suggest that alcohol and the night-time economy are major factors.

At present, patrons dispersing from licensed premises are encouraged towards marshalled taxi ranks and night buses to ensure individuals do not loiter in the City Centre. Where groups of people loiter in public places, there is a higher risk of violence and disorder due to alcohol fuelled altercations taking place. This is mitigated by a quick and efficient dispersal. Licensed premises assist in the dispersal of patrons by encouraging patrons to disperse away from entrances and make their way home. An example of alcohol fuelled violence and disorder has been seen historically at City Centre taxi ranks due to the large groups that congregate there, the vast majority of whom are under the influence of alcohol. This risk was mitigated through the use of taxi marshals.

If the Council is minded to change the hours afforded to LHC premises and increase trading hours beyond licensed premises, I am strongly of the view that public space violence within takeaways and in the vicinity would increase and would present a significant challenge for police resources and a danger to the public. Takeaways would become magnets for late night revellers, many of whom are intoxicated and this would result in an increase in violence and disorder at these premises. There is also likely to be an increase in complaints from residents residing above or near to premises due to the increased noise and disruption.

I would therefore urge the Council to maintain the status quo in respect of late hours catering premises and ensure that takeaways close before or simultaneous to licensed premises.

Hate Crime

The Scottish Government has defined hate crime as *crime motivated by malice and ill-will towards a social group because of their: age, disability, faith, gender, sexual orientation, race, religious belief, or transgender identity.*

There were 1,323 crimes recorded with a hate crime aggravator during the reporting period. This is an increase of 3.6% compared to the previous year. Increases are evident in licensed premises and shop premises, although there were fewer crimes on the street. Across the city, the majority (37%) of hate crime takes place on public streets, more often linked to the night-time economy period, and generally this correlates to alcohol-related crime and disorder hotspots.

Around 23% of crimes take place within supermarkets, pubs/clubs and food outlets where shop workers and security staff are subjected to verbal and sometimes physical abuse of a racist nature when dealing with challenging individuals.

The vast majority of victims were targeted due to their race (76%) followed to a much lesser degree by sexual orientation (14%). It is important to acknowledge that hate crime is also vastly under reported and there will be many victims of hate crime that work in late hours catering premises that just accept abuse and violence as part of everyday life and do not report these incidents to police for a variety of reasons.

It is my view that increasing current trading hours for late hours catering premises will undoubtedly result in many more victims of hate crime due to an increase in individuals descending on these premises directly from pubs and clubs. Again, for this reason, I urge the committee to maintain the status quo for trading hours to ensure takeaways are not open beyond liquor premises.

Case Study – Takeaway Premises in Tollcross area

The Regulatory Committee are well aware of the potential impact to residents from late opening takeaways that draw in patrons from nearby licensed premises. One such example over the past few years is a takeaway in the Tollcross area. The negative impact of the takeaway drew numerous objections from the local community who complained about severe noise disturbance, littering, urination, drunk customers and disorder. The committee subsequently refused a licence for the premises which was reported in the media as a 'victory for residents'. It is my view that any increase in trading hours for takeaway premises will result in many more examples like this across the city.

Summary

I appreciate the opportunity to participate in this consultation and ask the committee to consider the following key points in shaping the new policy:-

- Maintain the status quo for LHC premises in Ward 11 in that takeaway premises will close before or simultaneous to licensed premises. Extending trading hours beyond licensed premises will have serious ramifications for crime, disorder, antisocial behaviour and public nuisance. This would radically change the nature of the City Centre dispersal during the weekend night time economy and greatly stretch finite police resources which will be required to police LHC establishments.
- Consider restricting the hours afforded to premises along arterial and main bus routes to 1am in line with licensed premises in these areas due to aforementioned reasons.
- Include provision in policy for dealing with BST and mirror stance adopted by liquor licensing legislation whereby BST has no effect on trading hours.
- Allow licence holders to apply for current one hour extensions for festival and festive seasons at time of initial application or at renewal.

Submitted for your information and consideration.


RR Kenny MacDonald
Divisional Commander
Edinburgh

Appendix 6 – New Policy on Hours of Operation

Petrol Stations, Supermarkets and Retail Shops

Provided the premises are not being used primarily as a fast food takeaway premises and there are no environmental issues to address there will normally be a recommendation to grant the licence from 11pm to 5am.

Takeaway premises

All premises are categorised by location and in order to prevent crowd migration from clubs to takeaway premises, no Late Hours Catering licences will be granted with a closing hour beyond 3am.

City Centre

Where a premises is located within Ward 11 (Edinburgh city centre) the licence will not generally be granted beyond:

2am (Sundays to Thursdays)

3am (Fridays and Saturdays)

Hours may be restricted in areas which are significantly residential or where previous complaints or compliance issues have been identified.

Premises situated on arterial and main bus routes but out with City Centre Ward 11

Where premises are situated on arterial routes giving access and egress from the city the licence will not generally be granted beyond:

1am (Sundays to Thursdays)

2am (Fridays and Saturdays)

This may be restricted in areas which are significantly residential or where previous complaints or compliance issues have been identified.

Outwith City Centre

Where premises are located outwith City Centre (Ward 11) the licence will not generally be granted beyond:-

12pm (Sundays to Thursdays)

1am (Fridays to Saturday)

Tenement style property

Where premises are located in tenement style property, the licence will not generally be granted beyond:

12 Midnight.

In this regard consideration will be given to additional hours provided the applicant can evidence the consent of neighbours having been obtained in respect of the hours applied for.

Tenement style property is defined as property when residential accommodation is located above the applicant premises (e.g. a takeaway shop located below flats).

Residential Streets

When premises are located in residential locations or situated in areas where there is a history of complaints the licence will not generally be granted beyond:

12 midnight (Fridays and Saturdays only)

Residential streets areas are defined areas where there are no other businesses operating.

Premises falling into more than one category

Where premises fall within more than one of the categories the category that allows the least number of trading hours would apply. In these circumstances it would open to an applicant to make an application to be considered as an exception to the policy.

Festival and Festive periods

During the Festival and Festive periods premises can request an additional hours trading. Accordingly, during the period of the Edinburgh Festival and Fringe as set from year to year, and during the Christmas and New Year period (18 December to 3 January in each year) a 1 hour extension to the usual terminal hour of the premises where such an hours have been included in the application will generally be considered suitable for granting. An application must be made to include this additional hours trading.

British Summer Time

British Summer Time has no effect on the number of hours during which premises are licensed to operate. This means that premises will continue to operate their normal hours and will not extend or reduce hours to take account of changes to British Summer Time.

i.e. the beginning or, as the case may be, ending of British Summer Time is to be disregarded for the purposes of determining the time at which that period of licensed hours ends and accordingly, the period ends at the time it would have ended had British Summer Time not begun or ended.

Appendix 7 - Proposed list of Arterial and Bus Routes considered suitable for later hours

Road	Street Names
B900	Broughton Road
B901	Montagu Terrace
A1	London Road/Regent Road
A199	Salamander Street/Seafield
A1140	Portobello Road
A70	Dalry Road/Slateford Road
A71	Calder Road
A700	Melville Drive
A701	Minto Street
A702	Bruntsfield Place/Morningside Road
A7	South Bridge/Nicolson St/Dalkeith Road
A8	West Coates / St Johns Road / Corstorphine Road / Glasgow Road
A90	Dean Bridge/Queensferry Road
A900	Leith Street/Leith Walk
A901	Lower Granton Road/Lindsay Road/Commercial Street
A902	Ferry Road
A903	Granton Road

Appendix 8 – Proposed Conditions

CITY OF EDINBURGH COUNCIL

Civic Government (Scotland) Act 1982

Late Hours Catering Licence conditions

1. The licence holder shall not, without the consent of the Licensing Authority, supply any goods or services other than those specified in his/her form of application for his/her licence.
2. The premises may be open for business on such days and during such hours as determined by the Licensing Authority.
3. Any Authorised Officer of the City of Edinburgh Council, Fire Officer, or Police Constable shall be permitted free access to the premises at any time and all reasonable directions and requirements of such officers or of the City of Edinburgh Council must be complied with.
4. If, during the currency of the Licence, the holder is convicted of any offence, they shall within 28 days provide full details of such convictions, in writing, to the Licensing Authority.
5. The licence holder shall provide a suitable litter bin of adequate capacity outside the premises during all hours of opening and shall comply with trade waste presentation rules.
6. The licence holder shall store commercial waste in a safe, secure and satisfactory manner in a container fit and suitable for that purpose and maintain it in such a condition as to ensure safe and efficient emptying.
7. The licence holder shall present waste and recyclable materials for collection in a manner which avoids littering or soiling the street or pavements of the city.
8. The licence holder shall ensure that only Registered Carriers in terms of The Controlled Waste (Regulation of Carriers and Seizure of Vehicles) Regulations 1991 shall be contracted to remove controlled waste.
9. The licence holder shall keep a Duty of Care Note in terms of the Environmental Protection Act 1990 and the Environmental Protection (Duty of Care) Regulations 1991 detailing:
 - the waste description;
 - the quantity of waste produced;

- the source of the waste;
 - the carrier and registration number of the carrier;
 - the registration number of the vehicle which carried the waste;
 - the final disposal site;
 - the licence number of the disposal site.
10. The licence holder shall produce a Duty of Care Note for inspection by Authorised Officers at all reasonable hours.
11. The licence holder shall not vary the arrangements for disposal and presentation of waste generated by the business conducted in the premises detailed in the application for licence and agreed with the Council's relevant Executive Director except by way of variation to the terms of this licence.
12. The licence holder shall ensure that the Food Hygiene (Scotland) Regulations are complied with.
13. All packaging and utensils for use by **customers**, purchasing hot food for consumption off the premises, shall be made of biodegradable or recyclable materials.
14. The licence holder shall ensure that all cooking odours must be ducted to above eaves level or otherwise dealt with so that no nuisance is caused to adjoining Proprietors.
15. The licence holder shall ensure that all orders are taken, prepared, packaged, paid for and delivered to the customer prior to the conclusion of the premises' licensed hours of operation.
16. The licence holder will endeavour to have the premises clear of customers by the conclusion of the licensed hours.
17. The licence holder shall ensure that all music, amplified music and/or vocals are controlled to the satisfaction of the relevant Executive Director.

Additional Condition

18. The licence holder shall employ (*State number*) SIA registered door stewards, between the hours of (*state times - i.e. Friday and Saturday from 23:00 to 03:00*) During (*state days i.e. Fridays and Saturday*)

Regulatory Committee

10.00am, Monday, 19 September 2016

Production of Criminal Records and Evidence of Right to Work in the UK by Taxi & PHC Driver's Licence Applicants

Item number	6.5
Report number	
Executive/routine	Executive
Wards	All

Executive summary

This report outlines proposals to introduce a revised application process for taxi and private hire car driver's licence applicants in respect of criminal convictions and their immigration status allowing a right to work in the United Kingdom.

The proposed process will ensure that sufficient information is made available in respect of criminal convictions where applicants were born outwith the United Kingdom or who have resided outwith the UK; and evidence of their right to work in the UK.

The process will require applicants to provide sufficient information to allow applications to be considered in line with statutory requirements.

In September 2015 the Committee agreed that work should be carried out with a view to protecting vulnerable passengers in taxis and private hire cars, including consulting on proposed changes to relevant licensing conditions.

Links

Coalition pledges	P28
Council priorities	CP8
Single Outcome Agreement	SO1

Production of Criminal Records and Evidence of Right to Work in the UK by Taxi & PHC Driver's Licence Applicants

Recommendation

It is recommended that the Regulatory Committee:

- 1.1 notes the content of this report, and the proposed change to the application process which places the onus on the applicant to provide information not previously required; and that applications that do not include the required information will be classed as incomplete and returned to the applicant;
- 1.2 agrees to introduce a new process in respect of taxi driver's licences and private hire car driver's licences, as outlined in paragraph 3.5 and Appendix 1 which would take effect from 1 November 2016; and
- 1.3 to authorise the Executive Director of Place to make further changes following any amendment of legislation and the issue of any guidance by the Secretary of State.

Background

- 2.1 In terms of Section 9 of the Civic Government (Scotland) Act 1982 ('the 1982 Act'), the City of Edinburgh Council, as the licensing authority, has previously resolved to require taxis and private hire cars, and taxi and private hire car drivers, to be licensed under the provisions of Sections 10 and 13 of the 1982 Act.
- 2.2 In terms of Section 3 of the 1982 Act, a licensing authority must consider a application within three months of it having been made and, subject to provisions, reach a final decision on the application within six months.
- 2.3 Licensing authorities have a statutory requirement to check the criminal history of applicants, to ensure fitness to hold a licence. Police Scotland has access to criminal records held within the United Kingdom but has limited or no access to criminal records from outwith the United Kingdom. Consequently, licence applications from persons who have recently immigrated to the UK, or those who have previously resided in other countries, may not be subject to adequate checks in respect of convictions applicable to the applicant.

- 2.4 The Council, as the licensing authority, does not currently require applicants to provide proof of their right to work in the UK as part of the application process. Applicants for taxi driver's licences and private hire car driver's licences who are not British Citizens are currently subject to vetting by Police Scotland via the UK Border Agency in respect of their immigration status and right to work in the UK. This process is typically lengthy.
- 2.5 The 1982 Act gives the Police 28 days from the date on which they were notified of an application in which to make any objections or representations regarding an application. This period may be extended at the discretion of the licensing authority.

Declaration of Previous Convictions

- 2.7 Applicants for both taxi drivers' licences and private hire car drivers' licences are required by law to provide details of any previous convictions, subject to the provisions of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2015 ('the 2015 Order'). Where an applicant has no convictions they are required to declare that is the case. Applicants are subject to a criminal records check, carried out by Police Scotland, however this check may not reveal details of any convictions outwith the UK.
- 2.8 The Rehabilitation of Offenders Act 1974 makes certain provisions relating to convictions that are considered "spent". However, the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 excluded these provisions in respect of proceedings relating to the grant, renewal or cancellation of a taxi driver's licence or private hire car driver's licence, and this means that spent convictions be considered alongside unspent convictions in such licence applications.
- 2.9 The "2015 Order" introduced a category of "protected convictions". These are spent convictions which are either not listed in the schedules to the 2015 Order, or are listed but do not meet certain requirements as to the age of the offender and the number of years since the conviction.
- 2.10 As a consequence of the "2015 Order", which came into effect on 10 September 2015, previous provisions which allowed all spent convictions to be considered automatically have now been restricted so that protected convictions can now only be referred to if the Committee goes through a preliminary determination process and finds that justice cannot be done without hearing the details of the convictions. .
- 2.11 Any representation by the Police, in respect of previous convictions, must thereafter take account of the 2015 Order.
- 2.12 Training will be provided for elected members and council officers involved in the Regulatory Committee's process to enable them to address changes to legislation, policy and practice.

Right to Work in the UK – proposed amendments to the “1982 Act”

- 2.13 A person is subject to immigration control if they require leave to enter or remain in the UK (“leave”) under the Immigration Act 1971 (“1971 Act”).
- 2.14 The Immigration Act 2016 (which received Royal assent on 12 May 2016), makes further provisions regarding a persons “rights to enter or remain in the UK” and will amend the “1982 Act” in relation to the licensing of taxi and private hire car drivers. The relevant sections of the 1982 Act have not yet commenced, but after commencement the Council, as the licensing authority, must refuse applications or grant licences for limited periods to reflect the applicant’s immigration status and any right to work.
- 2.15 New provisions to be included within the 1982 Act will amend Section 13, in that the Council cannot grant a taxi or private hire car driver’s licence unless it is satisfied that the applicant is not disqualified from driving a taxi or private hire car by reason of his/her immigration status.
- 2.16 The new provisions concern applicants who are subject to immigration control. In determining whether someone is disqualified the Council must have regard to any guidance issued by the Secretary of State.
- 2.17 If leave to work is required but has not been granted or has ceased to have effect, the applicant will be disqualified from driving a taxi or private hire car by reason of his/her immigration status. Similarly, if a person has been granted leave but is subject to conditions preventing him from driving a taxi or private hire car, they will also be disqualified by reason of their immigration status.
- 2.18 The requirement will be that the Council “shall not grant” a licence unless satisfied that the applicant is not disqualified by reason of immigration status, therefore the Council will have to take steps to obtain confirmation that the applicant is not so disqualified.
- 2.19 Training will be provided for elected members and council officers involved in the Regulatory Committee’s process to enable them to address changes to legislation, policy and practice.

Main report

- 3.1 In terms of Section 3 of the Civic Government (Scotland) Act 1982, a licensing authority must consider a licence application and, subject to provisions, reach a final decision on the application within six months.
- 3.2 A Licensing Authority has a duty to ensure that a licence is not granted to a person who is not ‘fit and proper’. As part of this process Police Scotland provides information on an applicant’s previous convictions and suitability. Police Scotland also liaises with the UK Border Agency on an applicant’s immigration status.
- 3.3 Information concerning both an applicant’s immigration status and/or previous non-UK criminal history is frequently not immediately available within the 28 day

period for objections and representations permitted to the police in terms of the legislation. Often, for the reasons outlined at paragraph 2.3 above, information regarding previous convictions or confirmation that the applicant has not been previously convicted may not be accessible at all.

- 3.4 Applications from persons who are identified as not having the right to work in the UK must currently be referred to the Licensing Sub-Committee with a recommendation to refuse the application.
- 3.5 In order to improve the application process and ensure:
 - a) that only applications from applicants who demonstrate the right to work in the UK are accepted;
 - b) that all applicants are adequately checked in respect of previous convictions;
 - c) compliance with the time limits set in the legislation, and;
 - d) applications are not accepted from persons without the right to work in the UK .

It is recommended that the Council adopts the application process outlined in Appendix 1, whereby applicants will be required to provide evidence of their right to work in the UK, and provide the records and information required to enable assessment in respect of any previous non-UK criminal convictions.

Measures of success

- 4.1 That taxi and private hire car drivers licensed by the Council comply with relevant legislation.
- 4.2 Members of the public are confident that appropriate checks are carried out as part of the application process for taxi and private hire car driver licences in respect of criminal convictions and right to work in the UK.

Financial impact

- 5.1 There is no direct financial impact on the Council. All costs are contained within existing budgets.

Risk, policy, compliance and governance impact

- 6.1 A Licensing Authority has a duty to ensure that a licence is not granted to a person who is not 'fit and proper' and that they have a right to work and remain in the UK.
- 6.2 Continued reliance on Police Scotland providing criminal background checks in respect of foreign nationals increases the risk of granting a licence to an applicant who is not a fit and proper person

- 6.3 Continued reliance on Police Scotland checks alone increases the risk of granting a licence to an applicant without the right to work in the UK.

Equalities impact

- 7.1 An Equalities and Rights Impact Assessment has been prepared and completed.
- 7.2 The changes to the existing practice and policy are required to meet the council's statutory obligations in respect of changes to legislation.
- 7.3 There is no adverse impact on the public sector equalities duty. The introduction of the policy will provide greater clarity and transparency for future applicants.

Sustainability impact

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

Consultation and engagement

- 9.1 Council officers and the Convenor of the Regulatory Committee have briefed representatives of the trade on the measures contained within this report during two liaison meetings in February and July 2016.
- 9.2 Further engagement with trade groups will be undertaken prior to the commencement of the relevant sections of the Immigrations Act 2016.

Background reading / external references

[Licensing of Hire Vehicles: Protecting Vulnerable Passengers Regulatory Committee Report 25 September 2016](#)

Susan Mooney

Head of Housing & Regulatory Services

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Contact: Terry Higgins, Licensing Regulatory Officer

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Links

[Criminal records checks for overseas applicants - Publications - GOV.UK](#)

[Countries A to F: applying for a criminal records check for someone from overseas](#)

[Countries G to P: applying for a criminal records check for someone from overseas](#)

[Countries Q to Z: applying for a criminal records check for someone from overseas](#)

Coalition pledges	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
Council priorities	CP8 – a vibrant, sustainable local economy
Single Outcome Agreement	SO1 – Edinburgh’s economy delivers increased investment, jobs and opportunities for all
Appendices	Appendix 1 – Guidance Notes - Application Process

Appendix 1

Guidance Notes - Application Process

Depending upon the type of application original documents need to be submitted together with the application form. All original documentation will be photocopied by the Council on receipt of the application and returned to the applicant.

You should be aware that any application which does not comply with the requirements described below will be treated as incomplete, and therefore will not be processed.

For more information please contact the Licensing team on 0131 529 4208 or at licensing@edinburgh.gov.uk.

Evidence of Right to Work

If you are making an application you must provide evidence of your right to work in the UK:

- **If you are a British Citizen** please provide your current passport with the application. If you do not have a current passport, please provide your birth certificate and either your National Insurance Card or most up to date P60/P45.
- **If you are an EU National** please provide your passport or National Identity Card with the application.
- If you are not a British Citizen or an EU National, please provide your passport and residence permit confirming your immigration status and right to work in the UK.

Criminal Records Checks

If you are making an application you must provide evidence of your criminal history:

- **If you were born in the UK** but have lived in any other country for six months or more you must provide a Criminal Record Check from those countries.
- **If you were born outwith the UK** you must provide a Criminal Record Check from your country of origin. You must also provide a Criminal Record Check from any other country in which you have resided for six months or more.

In all cases, the Criminal Record Checks provided must have been obtained within the six months immediately prior to submitting your application, must be translated into English and be verified by the relevant UK based Embassy or High Commission.

Regulatory Committee

10.00am, Monday, 19 September 2016

Response to Consultation: Impact of Modern Technology on Taxi and Private Hire Car Licensing

Item number	7.1
Report number	
Executive	Routine
Wards	N/A

Executive summary

This report informs the Committee of a response made to a Scottish Government consultation, which was submitted by the Department after obtaining agreement from the Convener, as the response date arose between Committee cycles.

Links

Coalition pledges	N/A
Council priorities	N/A
Single Outcome Agreement	N/A

Response to Consultation: Impact of Modern Technology on Taxi and Private Hire Car Licensing

Recommendations

It is recommended that Committee:

- 1.1 notes this report.

Background

- 2.1 The Council acts as a Licensing Authority for the purpose of licensing taxis and private hire cars within the city.
- 2.2 The consultation came from a commitment given by the Scottish Government to review the legislation in this area, when these issues were considered by the Local Government and Regeneration Committee of the Scottish Parliament.

Main report

- 3.1 In April 2016 the Council received an invitation from Scottish Government to respond to a consultation on the impact of modern technology on Taxi and private hire car licensing.
- 3.2 As the deadline for submission of responses fell between Committee cycles the Council's response was submitted by the Department after consultation with the Convener. Prior to this a draft was circulated to all members of the Committee and any comments were incorporated.

Measures of success

- 4.1 Not applicable.

Financial impact

- 5.1 Not applicable.

Risk, policy, compliance and governance impact

- 6.1 Not applicable.

Equalities impact

7.1 There is no equalities impact arising from the contents of this report.

Sustainability impact

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

Consultation and engagement

9.1 A draft was circulated to members of the committee and any comments received were incorporated within the reply.

Background reading / external references

Paul Lawrence

Executive Director of Place

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Links

Coalition pledges	Not applicable
Council priorities	Not applicable
Single Outcome Agreement	Not applicable
Appendices	Appendix 1: Response to Scottish Government consultation on

Taxi And Private Hire Car Licensing – Consultation on The Impact of Modern Technology

March 2016



TAXI AND PRIVATE HIRE CAR LICENSING – CONSULTATION ON THE IMPACT OF MODERN TECHNOLOGY

Background

1. The Civic Government (Scotland) Act 1982 (the “1982 Act”)¹ provides that both a taxi and private hire car are “hire cars”. Taxis are able to use taxis ranks and be hailed in the street as well as being pre-booked. However, a private hire car may not ply for hire in this way and must be pre-booked. Drivers of taxis and private hire cars are licensed separately under the 1982 Act.

2. Taxis and private hire cars are licensed by local authorities. The 1982 Act provides the licensing authority is the local authority within whose area the licensed activity takes place. They administer the licensing regime including setting local licensing conditions and, with the assistance of Police Scotland, enforce the licensing regime requirements. Section 3A of the 1982 Act also enables Scottish Ministers to provide mandatory licence conditions for any licensing regime in the 1982 Act.

3. More recently in this area, the Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009 (the “2009 Order”) was introduced to increase control and oversight of offices that take bookings for taxis and/or private hire cars. These arrangements allow local licensing authorities to license and regulate taxis and private hire car vehicles, drivers and booking offices to ensure they provide safe services for the public. Licensing authorities are best placed to take local circumstances into account.

4. The Scottish Government consulted on proposals for change in relation to taxis and private hire cars between 2012/2013² and the Summary of Consultation Responses is available online³. This consultation helped inform the provisions within the recent Air Weapons and Licensing (Scotland) Act 2015⁴ (the “2015 Act”).

5. During the Parliamentary passage of the 2015 Act, concerns were raised about the impact of modern technology such as smartphone apps on the licensing regime for taxis and private hires, and the Cabinet Secretary for Justice made a commitment to undertake further work to address these issues. Scottish Government officials have carefully considered the issues raised during the passage of the 2015 Act, and have met with stakeholders to seek their views.

Other developments in the United Kingdom

¹ <http://www.legislation.gov.uk/ukpga/1982/45/contents>

² <http://www.gov.scot/Publications/2012/11/2484>

³ <http://www.gov.scot/Publications/2013/09/2230>

⁴ <http://www.legislation.gov.uk/asp/2015/10/contents/enacted>

6. In 2014 the Law Commission issued a report on taxi and private hire services in England and Wales (see the summary⁵ and the report⁶). This report discusses the issue of modern technology in paragraph 3.146 – 3.159 and is now being considered by the UK Government.

7. In August 2015, the UK Government House of Commons produced a briefing on taxis and private hire vehicles⁷. This briefing provides a good summary of current issues, with a useful analysis of the position in terms of licensing across the four nations.

8. This demonstrates that there are concerns regarding the impact of modern technology on taxi and private hire car services not only in Scotland but also in the UK. These issues are also attracting attention worldwide and have generated significant political and media interest.

Purpose of Consultation

9. The Scottish Government is undertaking a variety of work in relation to taxis and private hire cars, this consultation is particularly focussed on the impact of modern technology. Modern technology, such as the advent of smartphone apps allowing you to book a taxi or private hire car directly from a mobile phone, is already having a major impact on the way that taxis and private hire cars operate. It is increasingly clear that we face a changing technological environment, which will challenge existing businesses and regulatory models.

10. The licensing and regulation of taxis and private hire cars is there to protect the public, and the Scottish Government will continue to review the existing legislation to ensure that it operates as effectively as possible.

11. There are clear potential benefits for taxi and private hire companies and consumers in modern technology such as using apps. However in order to safely realise these benefits we need to develop an up to date licensing regime that reflects the technology used in smart phone apps. The Scottish Government would expect any taxi or private hire car business operating in Scotland to comply with the existing licensing requirements set out by the 1982 Act and the 2009 Order and to ensure all vehicles and drivers continue to be licensed. We are not contemplating a fundamental revision of the licensing regime for taxis and private hire cars.

12. We are also aware that the interests of public safety need to be balanced with the need for regulations that are proportionate. In particular we would welcome specific evidence of any adverse effect proposals could have on small operators and any ways this can be mitigated or avoided.

⁵ http://www.lawcom.gov.uk/wp-content/uploads/2015/03/lc347_taxi-and-private-hire-services_summary.pdf

⁶ http://www.lawcom.gov.uk/wp-content/uploads/2015/03/lc347_taxi-and-private-hire-services.pdf

⁷ <http://researchbriefings.files.parliament.uk/documents/SN02005/SN02005.pdf>

Consultation sections

13. The proposals are split into the following sections:

- The taking of bookings - review of regulations
- Local presence
- Taxi and private hire car maximum fares
- Other concerns.

The taking of bookings– review of regulations

What activity should be regulated?

14. The 2009 Order was introduced to increase control and oversight of offices that take bookings for taxis and/or private hire cars. The decision was made at the time to limit licensing to physical premises to address concerns that had been raised about enforcement of the regime should a booking office licence not be tied to a specific local authority area. It was also decided to limit licensing to those taking bookings for four or more vehicles to reduce the burdens on business.

15. The 2009 Order has now been in force for 6 years and a variety of concerns have been expressed as to the effectiveness of its provisions:

- It has been suggested the current exemption to the booking office licensing regime, where the number of relevant vehicles in respect of which bookings are taken is three or less, should be amended or removed.
- Views have been expressed that the 2009 Order should now be updated and reviewed to take account of modern technology now used for the taking of bookings. The requirement in the 2009 Order for the use of physical premises in the takings of bookings for the licensing regime to apply the focus on premises, such as booking offices, has presented difficulties where bookings can be taken without the need for any office, as can be the case with smart phone apps and online bookings.

16. However we believe that there does remain the need for the public and regulators to be able to contact a business for the purposes of local regulation and enforcement. There are benefits to customers and others in having a business that is readily accessible, and capable of handling complaints and queries promptly.

Questions: the regulation of the taking of bookings

1. Should the current booking office licensing regime be updated and the definition of the licensed activity amended?

Yes, the current regime should be updated for the following reasons

- a) It is based on premises and licensing of individuals.
- b) Assumes operations are based on a model of fixed premises used as booking offices but takes no account of technology or software applications ('apps') which are progressively making the current model redundant.
- c) Does not deal with cross-border issues between licensing authorities.
- d) Basic principle is that if bookings are taken in a local authority area then the activity should be licensed.

2. In what ways should the booking office licensing regime be amended?

- a) Amend paragraph 2(2) of the Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009, defining the activity referred to in paragraph (1) – delete the words 'use of premises for' and add the words 'for a journey commencing within the licensing authority's area' after 'vehicle'.
- b) Additionally amend to cover activity related to apps.
- c) It may be acceptable to operate a national licence, administered locally. For example, where the controlling mind of the business is based in City of Edinburgh Council – issue a principal licence within Edinburgh that then allows licensable activity within Scotland.
- d) Need a broader definition of 'booking office' to include technology/apps.
- e) Operators should not be able to accept bookings or control taxis or PHCs in Scotland without a licence.
- f) Failure to close this loophole would present a risk of crime and public safety issues – e.g. serious organized crime could move booking office to remote licensing authority but provide services across other authority areas without regulation, thus allowing potential for money laundering activity.

3. What would be the impact for local Licensing Authorities, the trade and the public?

This change would benefit the public by ensuring that the trade is regulated to a consistent standard and the loophole closed. There may be increased burdens on principal licensing authorities, but this is a model that is used in other areas of regulation and could be offset by amending the level of fees.. It could be of benefit to some businesses which may be able to operate with one licence as opposed to multiple licences. However for others (e.g. Uber) this might be an additional burden which would negatively affect their business model. Nevertheless the Council

believes that this regulation is proportionate, given the risk from serious organized crime and to public safety.

4. Should the current exemption to the licensing regime for booking offices with three or less relevant vehicles be amended?

Yes.

The Council sees no benefit of retaining this exemption and, anecdotally, has received reports that the rule is regularly flouted.

5. What should the limit be amended to?

There should be no limit

6. What would be the impact for local Licensing Authorities, the trade and the public?

Minimal, given that most booking offices operate multiple vehicles well in excess of this number.

7. Should the current position and status quo be maintained?

No – as outlined above.

Local presence:

Where should that activity be regulated?

17. The licensing requirement in the 2009 Order covers premises carrying out the activity of taking bookings from members of the public for the hire of a relevant vehicle. The alternative of licensing the activity of taking bookings (without specifying that this is done from physical premises) was rejected due to concerns about enforcement of the licensing regime. For example, if the licensed activity was simply the taking of a booking, it might prove difficult to regulate

an individual or business taking bookings by mobile technology, as they might easily move between different licensing authority areas. Issues might arise not only with respect to from which licensing authority a licence is required, but also how the licensing requirements can be enforced by the licensing authority or Police Scotland. These issues will still need to be considered.

Questions: where should the taking of bookings be regulated

8. If a business is taking bookings where should it be registered? For example should it be registered in every local authority where it takes bookings?

The system should require a principal licence within the licensing authority where the controlling mind/booking office exists, e.g. head office/registered office.

9. What sort of information or assistance should a business taking bookings be required to provide and to whom?

Minimum national conditions are required, including:

- retention of details of the hirer
- details of which vehicle and driver fulfilled the contract/hire
- pick up location and destination
- times and dates of hires/bookings
- requirement to provide the Council and police with reasonable assistance and to disclose the information/details of the hirer, driver, vehicle and journey
- requirement that the holder of a booking (office) licence shall be bound to fulfill, or cause to be fulfilled, at the time and location specified or agreed, an engagement to hire a car which the licence holder has accepted, unless prevented by reasonable and sufficient cause.

10. Do you have other concerns about where the taking of bookings should be licensed?

The legislation should prohibit drivers of licensed vehicles taking any booking from a booking office or app not licensed under the 1982 Act, irrespective of the location of the office.

11. Should the current position and status quo be maintained?

No – see comments above.

Taxi and private hire car maximum fares

Should all fares be regulated?

18. Licensing authorities set the scales for taxi and private hire car fares for their area under section 17 and 18 of the 1982 Act. It is an offence for a taxi or private hire car with a taximeter to charge in excess of these fare scales under section 21(5). However this would only apply where the vehicle is fitted with a taximeter, and while taxis will generally have a taximeter, it is not always standard practice for local licensing authorities to require private hire cars to have a taximeter.

19. Concerns have been expressed that operators without a taximeter installed could now increase prices where there is a mismatch of supply and demand, so called surge pricing, resulting in fares far in excess of the usual metered rate. Local licensing authorities can already agree different fare tariffs to take account of periods such as late night operation or the new year. However surge pricing can result in passengers facing fares many times the usual rate.

20. One option would be for the Scottish Government to apply mandatory conditions such that all relevant vehicles were required to install a taximeter. Alternatively licensing authorities that were concerned about this issue, could impose a condition requiring that a taximeter is installed in all relevant vehicles.

Questions: Taxi and private hire car fares and the control of fares

12. Would it be appropriate for taxis and private hire cars to be required to have a taximeter?

Within the City of Edinburgh Council licensing authority area all taxis and the majority of PHCs, at their owner/operator's discretion, have a taxi meter fitted. The Council does not support any change to additionally require PHCs to be fitted with a meter.

Please note, the Council understands that if all taxis/PHCs were required to have meters this would prevent certain operators from operating 'price surging/dynamic pricing'.

13. Should the Scottish Government impose the requirement of a taximeter on all taxis and private hire cars?

No – see above.

14. Should the requirement of a taximeter for taxis and private hire cars be left instead to the discretion of each local authority?

Yes. However, this risks creating a patchwork effect and may encourage some operators to avoid operating in areas where meters are required.

City of Edinburgh Council requires taxis to have meters fitted as per the licence conditions. PHCs are not required to have a meter but, if fitted, the meter must always be used for journeys within the licensing authority's area. Until recently all CEC licensed PHCs elected to operate with a meter.

15. What would be the impact, for example additional costs, of requiring all taxis and private hire car vehicles to install and operate a taximeter. In particular could this jeopardise provision in rural areas?

The introduction of such a requirement would impose additional costs and increase inspection burden on the licensing authority.

The Council understands operators' costs associated with fitting a meter are in the order of Model Aquilla 12 - £252.00 and Model Digitax - £576.00 (both supplied and fitted).

16. Are you aware of particular problems with the charging of fares in your local area?

Taxi fares are charged as per the approved fare table, and there is little evidence of competitive discounting from the permitted maximum. Locally, the majority of PHCs have meters fitted and choose to closely follow taxi fares. Before increasing regulation the Scottish Government may wish to consider the impact of this practice on the competitiveness of the overall market. Pressure has been identified where some apps charge inflated prices based on 'surge demand'. This is currently legal. The customer/hirer is informed of the fare in advance of confirming a booking, and has the choice to accept or reject the 'surged' fare. Equally it is possible for fares to be discounted. On balance the Council would need to be persuaded that the taxi and PHC trade is an exception to the norm, and that further price control is needed. For example, the Council does not have the power to control other public transport fares, retail prices or the cost of hotel accommodation. It may be that a statutory requirement to disclose fares in advance is sufficient consumer protection, thereby leaving choice to the consumer. Alternatively a cap could be imposed, e.g. no fare shall be more than 200% of the approved fare in any licensing authority area.

Anecdotal information regarding 'price surging' has reached the Council (mainly from the taxi trade) complaining that price surging was in effect. No complaints have been made to the Council by members of the public who have actually taken a journey and paid a 'surged' fare.

17. Can you suggest, or have you experienced licensing authority good practice in relation to fares?

- a) The Council is concerned that the current provisions in the 1982 Act to set taxi fares are unwieldy and badly in need of revision.
- b) The Council would not support adding the regulation of PHC fares to the 1982 Act.
- c) The Council is particularly concerned that the appeal provisions against decisions to fix the fare scale are slow and impose a significant burden on licensing authorities.

4. Other Concerns

21. We are keen to hear of any other issues or concerns people may have regarding the impact of modern technology and smart apps on taxis and private hire cars.

Questions: Any additional concerns or suggestions:

18. Do you have any additional concerns regarding the issues raised in this consultation?

The Council would note that regulation of booking offices should not result in the erosion of the differences between taxis and PHCs. Whilst supporting tighter regulation to ensure all booking activity is regulated, there is real concern that additional regulation of fares may benefit the trade but may be anti-competitive. The Council would urge the Scottish Government to consult further with statutory and non-statutory bodies responsible for consumer protection and competitive markets, to ensure that the net effect of such measures does not lead to less competition, and in particular less fare discounting.

The Regulations should consider:

- Data protection issues regarding personal information collected by operators and via apps.
- The risk of the use of unlicensed PHCs/drivers for ridesharing via apps.
- Means of customer contact with the operator – compulsory telephone line etc.
- Apps committed to low price – low margin business models require volume sales and may lead to a monopoly.
- Driver/vehicle exclusivity to single company/operator.
- Dynamic pricing model – surges in times of high demand, inclement weather, peak times, ability of driver to manipulate fare surge. This model should be critically considered by consumer protection bodies and the Scottish Government.

19. Do you have any suggestions or are you aware of existing good practice, for addressing the issues raised in this consultation?

Suggest the addition of a licence condition applicable to taxi/PHC driver's licences regarding accepting 3rd party bookings only from licensed booking operators.

Annex A

Responding to this Consultation

We are inviting responses to this consultation by 15 June 2016

Please respond to this consultation using the Scottish Government's consultation platform, Citizen Space. You view and respond to this consultation online at <https://consult.scotland.gov.uk/licensing-unit/taxi-private-hire-modern-technology>. You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 15 June 2016.

If you are unable to respond online, please complete the Respondent Information Form (see "Handling your Response" below) to:

licensing.consultation@gov.scot

or

Peter Mackenzie Smith
Licensing Team
GWR St Andrew's House
Regent Road
Edinburgh
EH1 3DG

If you have any queries contact Peter Mackenzie Smith on 0131 244 3653.

We would be grateful if you would use the consultation questionnaire provided (at Annex C) or could clearly indicate in your response which questions you are responding to as this will aid our analysis of the responses received.

This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at: <http://consult.scotland.gov.uk>

The Scottish Government has an e-mail alert system for consultations. This system, called SEconsult, allows individuals and organisations to register and receive a weekly email with details of all new consultations (including web links). SEconsult complements, but in no way replaces, Scottish Government distribution lists. It is designed to allow people with an interest to keep up to date with all Scottish Government consultation activity. You can register at SEconsult:

<http://www.scotland.gov.uk/consultations/seconsult.aspx>

Handling your response

If you respond using Citizen Space (<http://consult.scotland.gov.uk/>), you will be directed to the Respondent Information Form. Please indicate how you wish your response to be handled and, in particular, whether you are happy for your response to be published.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form attached at Annex B included in this document. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.scotland.gov.uk>. If you use Citizen Space to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to Peter Mackenzie Smith at the above address.

Scottish Government consultation process

Consultation is an essential part the policy-making process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.scotland.gov.uk>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Consultations may involve seeking views in a number of different ways, such as public meetings, focus groups, or other online methods such as Dialogue (<http://ideas.scotland.gov.uk>)

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

Annex B

Taxi and Private Hire Car Licensing –Consultation on the impact of modern technology



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response.

Are you responding as an individual or an organisation?

- Individual
- Organisation

| Full name or organisation"s name_

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
- Publish response only (anonymous)
- Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
- No

Annex C

CONSULTATION QUESTIONS

Please provide examples/evidence for your answers. Of particular interest will be information on the impact to business and regulators as a result of proposed changes including information on the additional costs of any changes proposed, the impact on competition and impact on micro and small businesses. Solutions to mitigate any negative impacts are also welcome.

Questions: the regulation of the taking of bookings:

1. Should the current booking office regime be updated and the definition of the licensed activity be amended?

Yes No

Comments

2. In what ways should the booking office regime be amended?

Comments

3 What would be the impact for local Licensing Authorities, the trade and the public ?

Comments

4. Should the current exemption to the licensing regime for booking offices with three or less relevant vehicles be amended?

Yes No

Comments

5. What should the limit be amended to?

Comments

6. What would be the impact for local Licensing Authorities, the trade and the public?

Comments

7. Should the current position and status quo be maintained?

Yes No

Comments

Questions: where should the taking of bookings be regulated:

8. If a business is taking booking, then where should it be registered? For example should it be registered in every local authority where it takes orders, or where the bulk of its business is?

Comments

9. What sort of information or assistance should a business taking bookings be able to provide and to whom?

Comments

10. Do you have other concerns about where the taking of bookings should be licensed?

Yes No

Comments

11. Should the current position and status quo be maintained?

Yes No

Comments

Questions: Taxi and private hire car fares and the control of fares:

12. Would it be appropriate for taxis and private hire cars to be required to have a taximeter ?

Yes No

Comments

13. Should the Scottish Government impose the requirement of a taximeter on all taxis and private hire cars?

Yes No

Comments

14. Should the requirement of a taximeter for taxis and private hire cars be left instead to the discretion of the local authorities?

Yes No

Comments

15. What would be the impact, for example additional costs, of requiring all taxis and private hire car vehicles to install and operate a taximeter. In particular could this jeopardise provision in rural areas?

Comments

16. Are you aware of particular problems with the charging of fares in your local area ?

Yes No

Comments

17. Can you suggest, or have you experienced licensing authority good practice in relation to fares?

Yes No

Comments

Questions: any additional concerns or suggestions:

18. Do you have any additional concerns regarding the issues raised in this consultation?

Yes No

Comments

19. Do you have any suggestions or are you aware of existing good practice, for addressing the issues raised in this consultation?

Yes No

Comments

ANNEX D

LIST OF CONSULTEES

Responses to this consultation are welcome from any individual or organisation with an interest.

The following will be sent a copy of the consultation directly:

All Scottish Local Authorities
All Scottish MEPs
Capability Scotland
Clerk of the Justice Committee of the Scottish Parliament
Clerk of the Local Government and Regeneration Committee of the Scottish Parliament
Consumer Focus Scotland
COSLA (Convention of Scottish Local Authorities)
Departmental Committee Liaison Officer
Equality and Human Rights Commission
Federation of Small Businesses
Law Society of Scotland
Mobility and Access Committee for Scotland
National Private Hire Association
Police Scotland
Road Safety Great Britain
Scottish Crime and Drug Enforcement Agency
Scottish Government Library
Scottish Human Rights Commission
Scottish Taxi Federation
Scottish Traffic Commissioner
SOLAR (Society of Local Authority Lawyers and Administrators Scotland)
SPICe (Scottish Parliament Information Centre) library
The 6 Legal Deposit or „Copyright“ libraries
Transport Research Institute, Edinburgh Napier University
(UK Government) Department for Transport
Unite Union
Vehicle and Operator Services Agency

The consultation will also be sent to a number of individuals who have expressed an interest.



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