

# Notice of meeting and agenda

## Regulatory Committee

**9.30 am Monday, 21st October, 2019**

Dean of Guild Court Room - City Chambers

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

The law allows the Council to consider some issues in private. Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.

### Contacts

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Tel: 0131 529 4240 / 0131 529 3009

## **1. Order of Business**

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

## **2. Declaration of Interests**

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

## **3. Deputations**

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- 3.1 Deputation – High Street and Playfair Steps Street Traders Association (in relation to item 7.5 - Licensing Policy Development – Street Traders Update)

## **4. Minutes**

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- 4.1 Minute of the Regulatory Committee of 19 August 2019 – submitted for approval as a correct record 7 - 10

## **5. Rolling Actions Log**

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- 5.1 Rolling Actions Log 11 - 14

## **6. Business Bulletin**

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- 6.1 Regulatory Committee Business Bulletin 15 - 18

## **7. Executive Decisions**

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- 7.1 Licensing Fees (Market Operators) – Report by Executive 19 - 28

	Director of Place	
7.2	Taxi Stance Appointment – East Market Street – Report by Executive Director of Place	29 - 52
7.3	Demand for Taxis: Six Monthly Update – Report by Executive Director of Place	53 - 76
7.4	Taxi Vehicle Licence Conditions (Advertising) – Report by Executive Director of Place	77 - 82
7.5	Licensing Policy Development – Street Trading Update – Report by Executive Director of Place	83 - 116
7.6	Air Weapons and Licensing (Scotland) Act 2015 – Sexual Entertainment Venues – Update After Initial Consultation – Report by Executive Director of Place	117 - 238
7.7	Repairs to Privately Rented Property – Results of Consultation on Support for Tenants Referring Landlords to a Tribunal – Report by Executive Director of Place	239 - 262
7.8	Internal Audit – HMO Licensing – referral from the Governance, Risk and Best Value Committee	263 - 284

## **8. Routine Decisions**

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8.1 None.

## **9. Motions**

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9.1 None.

### **Laurence Rockey**

Head of Strategy and Communications

## **Committee Members**

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Councillor Catherine Fullerton (Convener), Councillor Denis Dixon (Vice-Convener), Councillor Scott Arthur, Councillor Derek Howie, Councillor Max Mitchell, Councillor Susan Rae, Councillor Cameron Rose, Councillor Neil Ross and Councillor Donald Wilson

## **Information about the Regulatory Committee**

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

## **Further information**

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If you have any questions about the agenda or meeting arrangements, please contact Lesley Birrell or Sarah Stirling, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4240 / 0131 529 3009, email [lesley.birrell@edinburgh.gov.uk](mailto:lesley.birrell@edinburgh.gov.uk) / [sarah.stirling@edinburgh.gov.uk](mailto:sarah.stirling@edinburgh.gov.uk).

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to [www.edinburgh.gov.uk/cpol](http://www.edinburgh.gov.uk/cpol).

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Generally the public seating areas will not be filmed. However, by entering the Council Chamber and using the public seating area, individuals may be filmed and images and sound recordings captured of them will be used and stored for web casting and training purposes and for the purpose of keeping historical records and making those records available to the public.

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# Minutes

## Regulatory Committee

9.30am, Monday 19 August 2019

### Present

Councillors Fullerton (Convener), Dixon (Vice-Convener), Arthur, Doran (substituting for Councillor Wilson), Howie, Rae, Rose and Neil Ross.

### 1. Minutes

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#### Decision

To approve the minute of the Regulatory Committee of 20 May 2019 as a correct record.

### 2. Rolling Actions Log

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The Regulatory Committee Rolling Actions Log was submitted.

#### Decision

- 1) To agree to keep Action 1 open (Street Trading: High Street and Hunter Square Update) and to note the expected reporting date to Committee was now October 2019.
- 2) To agree to close Action 5 – Taxi Examination Centre – Vehicle Inspections.
- 3) To note the remaining outstanding actions.

(References – Regulatory Committee Rolling Actions Programme, submitted)

### 3. Business Bulletin

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The Regulatory Committee Business Bulletin of 19 August 2019 was submitted.

#### Decision

To note the Business Bulletin.

(Reference – Business Bulletin, submitted)

## **4. Air Weapons and Licensing (Scotland) Act 2015 – Repeal of Theatres Act 1968 – Update After Initial Consultation**

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An update was provided on the implementation and changes to the licensing regime as a result of the Air Weapons and Licensing (Scotland) Act 2015.

The Theatres Act 1968 would be repealed on 27 January 2021 and the current exemption within the Civic Government (Scotland) Act 1982 would also be removed, thereby enabling a local authority to resolve under section 9 of the 1982 Act to license theatres under its public entertainment licensing regime.

The outcome of the initial consultation on the matter had been completed and Committee was requested to approve, in principle, the proposal to include theatres within its Public Entertainment Resolution and thereafter to progress the statutory consultation process on the proposed change.

### **Decision**

- 1) To note the report and the outcome of the initial consultation.
- 2) To agree to the proposal to add theatres to the City of Edinburgh Council Public Entertainment Resolution.
- 3) To note the proposed changes as detailed in paragraph 4.9 and to instruct officers to advertise the proposed changes to the City of Edinburgh Council Public Entertainment Resolution in line with the required statutory consultation process.
- 4) To note that officers would report back to the Committee on conclusion of the statutory consultation for approval of the revised resolution.

(References – Regulatory Committee of 11 March 2019 (item 3); report by the Executive Director of Place, submitted.)

## **5. Request for Variation: Taxi Vehicle Licence Conditions (Advertising)**

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The Committee was asked to consider a proposed variation to the current standard conditions attached to taxi licences regarding advertising in or on the vehicles. The Council had specific conditions based on the need for safety, which prevented nonstandard fittings from being added to a Taxi.

The Committee was asked to consider whether this style of advertising was appropriate, and if so to agree to the Council's Scheme of Delegation to Officers being amended to delegate authority to the Executive Director of Place to approve this type of advertising, and to vary the standard conditions of licence to disapply condition 299, insofar as it applied to 'Brightmove taxi tops' in the future.

Members received a presentation from representatives of Dooh Smart Ltd on the illuminated advertising technology.



## **Decision**

- 1) To thank the representatives from Dooh Smart Ltd for their presentation.
- 2) To approve the request from Dooh Smart Ltd to install its 'Brightmove taxi top illuminated advertising technology' on City of Edinburgh taxi vehicles.
- 3) To note the intention to delegate authority to the Executive Director of Place to approve such installations.
- 4) To instruct the Chief Executive to include this additional delegation in future drafts of the Council's Scheme of Delegation when submitted to Council for approval.
- 5) To agree to a £57 one-off charge for examination of each vehicle in respect of future applications.
- 6) To request a further report to Committee setting out a framework and guidance principles on types of advertising which would be permitted or not permitted.

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

## **6. Taxi Stance Appointment – East Market Street**

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Proposals to relocate the taxi stance currently situated at Market Street to East Market Street were submitted.

The Executive Director of Place would carry out the statutory consultation required prior to formally appointing the taxi stance as set out in the Civic Government (Scotland) Act 1982.

## **Decision**

- 1) To note the report.
- 2) To note that officers would carry out statutory consultation on the proposed taxi stance.
- 3) To note that a report would be brought back to the Committee for a decision after the conclusion of the statutory consultation.

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

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## Regulatory Committee

21 October 2019

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
1	07.05.18	Street Trading: High Street and Hunter Square Update	To receive a further report in due course on wider issues of street trading and proposed policies in line with the Public Spaces Protocol.	Executive Director of Place	October 2019	21 October 2019	Report on agenda for Committee on 21 October 2019.
2	26.06.18	Private Rented Sector Enforcement Activities	1) To agree to receive a further report on future enforcement activities.	Executive Director of Place	May 2020		
			2) To agree to receive a further report proposing a draft policy on improving repairs and other matters as set out in paragraph 3.19 - 3.20 and 3.29 – 3.30 of the	Executive Director of Place	October 2019	21 October 2019	Consultation complete – report on agenda for Committee on 21 October 2019.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			report by the Executive Director of Place.				
3	22.10.18	Licence Income	1) To note the report. 2) To agree that the content of Appendix 2 of the report by the Executive Director of Place was sufficient and to agree to receive information on the budget and spend on a yearly basis. 3) To agree to receive annual reports in a similar format in future years.	Executive Director of Place	January 2020		Financial information being prepared by Accountants.  Committee on 16 December 2019 has been rescheduled to 9 January 2020.
4	22.10.18	Training of Taxi and Private Hire Car Drivers	To note the revised timelines for implementation of the taxi and private hire car driver training as follows and to receive an update:  new drivers – Jan 2020 existing drivers – April 2020	Executive Director of Place	May 2020		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
5	20.05.19	Age Limitation and Emissions Standards for Taxis and Private Hire Cars - Update	Instructs the Chief Executive to include this additional delegation in future drafts of the Council's Scheme of Delegation when submitted to Council for approval	Chief Executive	May 2020		
6	19.08.19	Air Weapons and Licensing (Scotland) Act 2015 – Repeal of Theatres Act 1968 – Update After Initial Consultation	Note that officers will report back to the committee on conclusion of the statutory consultation for approval of the revised resolution.	Executive Director of Place	January 2020		Consultation underway Committee on 16 December 2019 has been rescheduled to 9 January 2020.
7	19.08.19	Request for Variation: Taxi Vehicle Licence Conditions (Advertising)	<p>1) Instructs the Chief Executive to include this additional delegation in future drafts of the Council's Scheme of Delegation when submitted to Council for approval;</p> <p>2) To request a further report to Committee setting out a framework and guidance principles</p>	<p>Chief Executive</p> <p>Executive Director of Place</p>	<p></p> <p>October 2019</p>	<p></p> <p>21 October 2019</p>	<p></p> <p>Report on agenda for Committee on 21 October 2019</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			on types of advertising which would be permitted or not permitted.				
8	19.08.19	Taxi Stance Appointment – East Market Street	Notes that a report will be brought back to the committee for a decision after the conclusion of statutory consultation.	Executive Director of Place	October 2019	21 October 2019	Consultation completed on 15 October. Report on agenda for Committee on 21 October 2019



# Business bulletin

## Regulatory Committee

**9.30am, Monday, 21 October 2019**

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

# Regulatory Committee

Convener:	Members:	Contact:
<p data-bbox="188 264 614 297">Councillor Catherine Fullerton</p>  <p data-bbox="188 763 512 837">Vice-Convenor Councillor Denis Dixon</p> 	<p data-bbox="746 264 1114 555">Councillor Denis Dixon Councillor Scott Arthur Councillor Susan Rae Councillor Cameron Rose Councillor Donald Wilson Councillor Max Mitchell Councillor Neil Ross Councillor Derek Howie</p>	<p data-bbox="1145 264 1437 383">Lesley Birrell, Committee Services 0131 529 4240</p> <p data-bbox="1145 434 1437 591">Andrew Mitchell Regulatory Services Manager 0131 529 4208</p>



## Recent News

### Appeal against licence decision successfully defended

The Council recently received a successful judgement in a licensing appeal. The pursuer appealed against the Licensing Sub Committee's decision not to grant a second hand car dealer's licence to operate from a residential property. The appeal was based on the following grounds:

1. The committee based its decision on an incorrect material fact;
2. The committee acted contrary to natural justice;
3. The committee exercised its discretion in an unreasonable manner.

The Council was successful in respect of defending all of the grounds of appeal and was awarded expenses.

### Licensing Summer workload

This year the Licensing Service performed well with demand for licences remaining high. The Service processed and issued a record number of temporary licence applications for the Festivals period, whilst continuing to deliver frontline services, issue annual licences and implement significant policy changes.

Applications for the summer period saw an increase on the previous year:

Licence Type	2019	2018	Difference
Occasionals	884	769	+115
Extension of Hours	29	43	-14
Public Entertainment	55	53	+2
Theatre (Temporary)	49	62	-13
Theatre (Variations)	6	4	+2
Cinema (Temporary)	14	29	-15
Fireworks Dispensation	1	1	0
Hypnotism	1	0	+1
Market Operator	49	41	+8
Street Trader	34	32	+2
Late Hours Catering Exemption	10	8	+2
Late Hours Catering Variation	19	21	-2
Public Charitable Collections	30	23	+7
Parades	1	3	-2
<b>TOTAL</b>	<b>1182</b>	<b>1089</b>	<b>+93</b>

## Background

### [Scottish Courts and Tribunals Service Judgement](#)

Each year the Licensing Service plays a vital role in the Council's ability to provide a world class festival experience for all residents in and visitors to the city.

In addition to providing a successful summer for 'temporary customers' and continuing to deliver services for existing licence holders, the service has also managed significant workload.

## **New Landlord Registration Rules**

On 16 September 2019 the Private Landlord Registration (Information) (Scotland) Regulations 2019 took effect, introducing a more comprehensive, rigorous application process in order to raise awareness amongst landlords of their legal requirements and to provide improved assurance to private rented sector tenants of landlord competence and compliance. Private landlords will now be required to declare whether or not they comply with specific duties at the point of application, such as:

- The tolerable and repairing standards
- Fire and carbon monoxide safety
- Gas and electrical safety
- Private water supplies and legionella risk assessment
- Energy performance certificates, insurance and common repairs on tenement property

The new prescribed information declaration will not impose any new obligations on to landlords. However it is likely that this will be challenging for some landlords and will give the Council the opportunity to provide advice and assistance in the move towards compliance.

The Scottish Government held a consultation with respect to strengthening the existing system of landlord registration, to ensure that homes rented to private rented sector tenants are of good quality and are managed professionally.

While the majority of landlords comply with their legal obligations, unfortunately some landlords do not meet the standards that are in place to protect people and properties. As a result, the Private Landlord Registration (Information) (Scotland) Regulations 2019 were introduced in order to expand the range of prescribed information which landlords must provide to local authorities.

## **Licensing Forum recruitment**

Edinburgh Licensing Forum is an advisory body set up by the Council as required by the Licensing (Scotland) Act 2005. Members keep the liquor licensing system in Edinburgh under regular review and stimulate debate on relevant issues.

Recruitment of new members of Edinburgh Licensing Forum took place earlier this year, and due to a limited response rate a further recruitment exercise is underway. The Forum is expected to be appointed later this year.

The Regulatory Committee now has responsibility for oversight of the Council role in supporting the Forum, following a decision of Full Council earlier this year.

The Forum should maintain a balance wherever possible between community representatives and trade representatives.

## **Forthcoming activities:**

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## Regulatory Committee

9.30am, Monday, 21 October 2019

### Licensing Fees (Market Operators)

Item number	
Executive/routine	
Wards	Citywide
Council Commitments	

#### 1. Recommendations

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- 1.1 It is recommended that the Regulatory Committee:
  - 1.1.1 Notes the contents of this report; and
  - 1.1.2 Agrees to Option A and makes no change to the current fee structure.

#### Paul Lawrence

Executive Director of Place

Contact: Andrew Mitchell, Regulatory Services Manager  
E-mail: [andrew.mitchell@edinburgh.gov.uk](mailto:andrew.mitchell@edinburgh.gov.uk) | Tel: 0131 529 4042

Contact: Gordon Hunter, Licensing Regulatory Officer  
E-mail: [gordon.hunter@edinburgh.gov.uk](mailto:gordon.hunter@edinburgh.gov.uk) | Tel: 0131 529 4042

## Licensing Fees (Market Operators)

### 2. Executive Summary

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- 2.1 At its meeting on 23 April 2019 the Licensing Sub Committee considered a request on behalf of the Meadows Festival Association to accept a reduced application fee for a Market Operator's Licence in the West area of the Meadows. The committee agreed the fee reduction and noted an undertaking by the Regulatory Services Manager to bring forward a report which would allow the Regulatory Committee to review market operator licence fee charges for the City Centre ward. This report discharges that remit.

### 3. Background

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- 3.1 The Council, as a licensing authority, should recover all reasonable costs incurred during the licensing process. The work of the Licensing Service is funded by income generated through fees charged for the processing and administration of licence applications. Fees for each licence category have been set on an individual basis and the current schedule of fees has been approved by Full Council.
- 3.2 The Council must balance the cost of licences to customers with the cost of administration, public safety and enforcement activity to ensure that licensed businesses and events operate safely and responsibly. Currently, not all Council costs are being covered by the licensing fee.
- 3.3 At the Regulatory Committee meeting on 2 February 2015 it was agreed to simplify the fee structure for markets (Appendix 1), creating a variable fee depending on the number of stalls and location. When considering location, the committee determined that events within the city centre would attract a higher fee than those outwith. The committee further determined that, for the purpose of City Centre licensing fees, the city centre would be defined as being within the Ward 11 boundary (Appendix 2). The report took account of the impact of licensing requirements on community events, such as gala days.
- 3.4 Following a review by the Boundary Commission (Scotland) at the 2017 Local Elections the City Centre Ward 11 (Appendix 3) was increased to include the section west of Middle Meadow Walk. Prior to this date the Meadows did not form part of Ward 11. This change of boundary therefore brought Market Operator

Licence charging for the West Meadows into a higher pricing regime. The Committee has heard about the impact on the cost and viability of staging community events such as the Meadows Festival as a result.

- 3.5 At the Full Council meeting on 21 February 2019 it was agreed as part of the final budget that increasing Council income was a priority for the Change Strategy, and the focus was on increasing existing or creating new income streams. The following text is from the final budget motion agreed by Council: “The Administration adopt a policy of full cost recovery for major events in the city delivered by third parties. It was agreed to increase cost recovery through charges levied for licensing and regulatory services, road occupation licences and consents, where permitted by legislation”.

## 4. Main report

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- 4.1 At the Licensing Sub Committee meeting on 23 April 2019 the committee considered a request on behalf of the Meadows Festival Association to accept a reduced application fee for a Market Operator’s Licence in the West area in the Meadows. A similar request was also considered by the committee on 29 May 2018, when the applicant was advised to consider cost management of future events to ensure the appropriate budgetary arrangements were made in respect of covering any licensing fees.
- 4.2 The Meadows Festival is the only event of this nature that has approximately 130 stalls. Whilst a number of the stalls benefit the local communities directly, a significant number are clearly of a commercial in nature. Most gala day type events do not have the same commercial element and typically have approximately 10 to 20 stalls.
- 4.3 The application fee for a temporary outdoor market in Ward 11 operating less than once per calendar month is £84 per stall, subject to a maximum of £5,000.
- 4.4 The committee agreed a fee of £1000 for this year’s Meadows Festival event and noted the intention to review market operator licence fee charges for the city centre Ward at a future meeting of the Regulatory Committee.
- 4.5 The Council incurs significant costs in processing licence applications and dealing with associated issues arising from those licences. City centre licence applications generate significantly more work and current fee levels do not meet the cost of this work. The challenge is to balance cost pressures in providing effective public safety and enforcement activity with the need for affordability, particularly for smaller community events. The level of fee reductions and an increasing number of events cannot be sustained, as the cost is currently being met by other licence holders through their payment of fees.
- 4.6 Noting the concerns previously expressed by members of the committee and the requirement for full cost recovery for major events in the city, there are a limited number of options open to the committee.

### **Option A**

- 4.7 No change is made to the current fee structure i.e. £84 fee per stall for up to 28 days subject to a maximum fee of £5,000. Applicants should plan accordingly to ensure the appropriate budgetary arrangements are in place.

### **Option B**

- 4.8 No change is made to the current fee structure i.e. £84 fee per stall for up to 28 days, but the maximum fee is capped at £1000 for community based events provided there is no commercial element. There are very few community based events that don't have a commercial element and the challenge will be in identifying these events to ensure equity. The risk associated with this approach is that others may also seek the lower cap to make events more viable or profitable

### **Option C**

- 4.9 To exclude the Meadows from the Market Operator fee structure for Ward 11. This would come at a significant cost to the council i.e. rather than £84 per stall the fee would be £6 per stall for up to 28 days. The application for this year's Meadows Festival was for 130 stalls and the fee was capped at £5,000, which is the maximum fee agreed within the fee structure. The committee subsequently agreed a fee of £1,000, a reduction of £4,000.
- 4.10 The Directorate recommends option A in that no change is made to the current fee structure. Any reduction in fees risks setting a precedent and this cannot be sustained in the current financial climate.
- 4.11 Options B or C will create a shortfall in funding and additional budget pressure which will be required to be recovered. It is recommended that if option B or C is adopted that all fees for Market Operators are increased to deal with funding pressures. The Directorate will bring forward proposals to do that as part of the 2020/2021 budget process.

## **5. Next Steps**

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- 5.1 Council officers will continue to monitor the impact of licence fees across the whole city to maintain an efficient and cost-effective service.

## **6. Financial impact**

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- 6.1 The Council's scale of fees for licensing applications was approved with effect from 1 April 2019. The fee levels work on a cost recovery model and, as such, should not be subsidised by other Council budgets.

## **7. Stakeholder/Community Impact**

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

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

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

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8.1 [Review of Fee Structures report](#) to Regulatory Committee on 2 February 2015

8.2 [Revenue Budget report](#) to City of Edinburgh Council on 21 February 2019

8.3 [Request for Fee Reduction – Market Operators Licence – Meadows Festival Association](#) report to Licensing Sub-Committee on 23 April 2019

## **9. Appendices**

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9.1 Appendix 1 - Market Operators Licence Application Fees and Charges

9.2 Appendix 2 - Ward 11 City Centre Effective from May 2007

9.3 Appendix 3 - Ward 11 City Centre Effective from May 2017

# Valid – 2019/20

## LICENCE APPLICATION FEES & CHARGES

Please note that a 20% surcharge is payable for all temporary licence applications submitted within 28 days of the date the licence is due to start.

TYPE	SUB TYPE	FEE £ & DURATION
<b>CIVIC</b>		
<b>MARKET OPERATORS - Including car boot sales within Ward 11 (City Centre)</b>		
The annual fee is only available to markets that operate with a frequency of <b>at least once</b> per calendar month	annual indoor markets	£56 - per stall – 1 year new/renewal
	annual outdoor markets	£84 - per stall – 1 year new/renewal
temporary outdoor markets who operate <b>less than once</b> per calendar month	temporary outdoor markets - <b>subject to a max fee of £5,000</b>	£84 – fee per stall for up to 28 days
	temporary outdoor markets - subject to a max fee of £5,000 <b>inc late application surcharge</b>	£101 – fee per stall for up to 28 days
temporary indoor markets who operate <b>less than once</b> per calendar month	temporary indoor markets - <b>subject to a max fee of £1,000</b>	£56 – fee per stall for up to 28 days
	temporary indoor markets - subject to a max fee of £1,000 <b>inc late application surcharge</b>	£68 – fee per stall for up to 28 days
<i>Note an indoor market is considered to be wholly or substantially contained within a building or other permanent structure. This does not apply to the exterior grounds of a building, any area temporary fenced off or restricted area or any temporary structure i.e. marquee</i>		



<b>MARKET OPERATORS - Including car boot sales out with the City Centre (Ward 11)</b>		
temporary markets are those who operate <b>less than once</b> per calendar month	temporary indoor or outdoor market	£6 – fee per stall for up to 28 days
	temporary indoor or outdoor market - <b>inc late application surcharge</b>	£7 – fee per stall for up to 28 days
The annual fee is only available to markets that operate with a frequency of <b>at least once</b> per calendar month		£14 – fee per stall new / renewal for 1 year
<b>COMMUNITY MARKETS OR REGISTERED CHARITIES - See Note 1</b>		
<b>provided there is no commercial element, i.e. where 100% of the profits is given over to the charity or community group</b>		
	City wide - 20 stalls maximum (thereafter normal fees will apply)	£121 – per week or part of a week ( <i>up to a max 7 days per application</i> )
	City wide - 20 stalls maximum (thereafter normal fees will apply) - <b>inc late application surcharge</b>	£144 – per week or part of a week ( <i>up to a max 7 days per application</i> )

### **Note 1: Charitable Organisations**

when applying for a temporary licence as a charitable, religious, youth, sporting, community, political or similar organisations qualifying material must be submitted at the time of application and again after the event

Qualifying material to be submitted with an application for a licence includes, but is not restricted to the following;

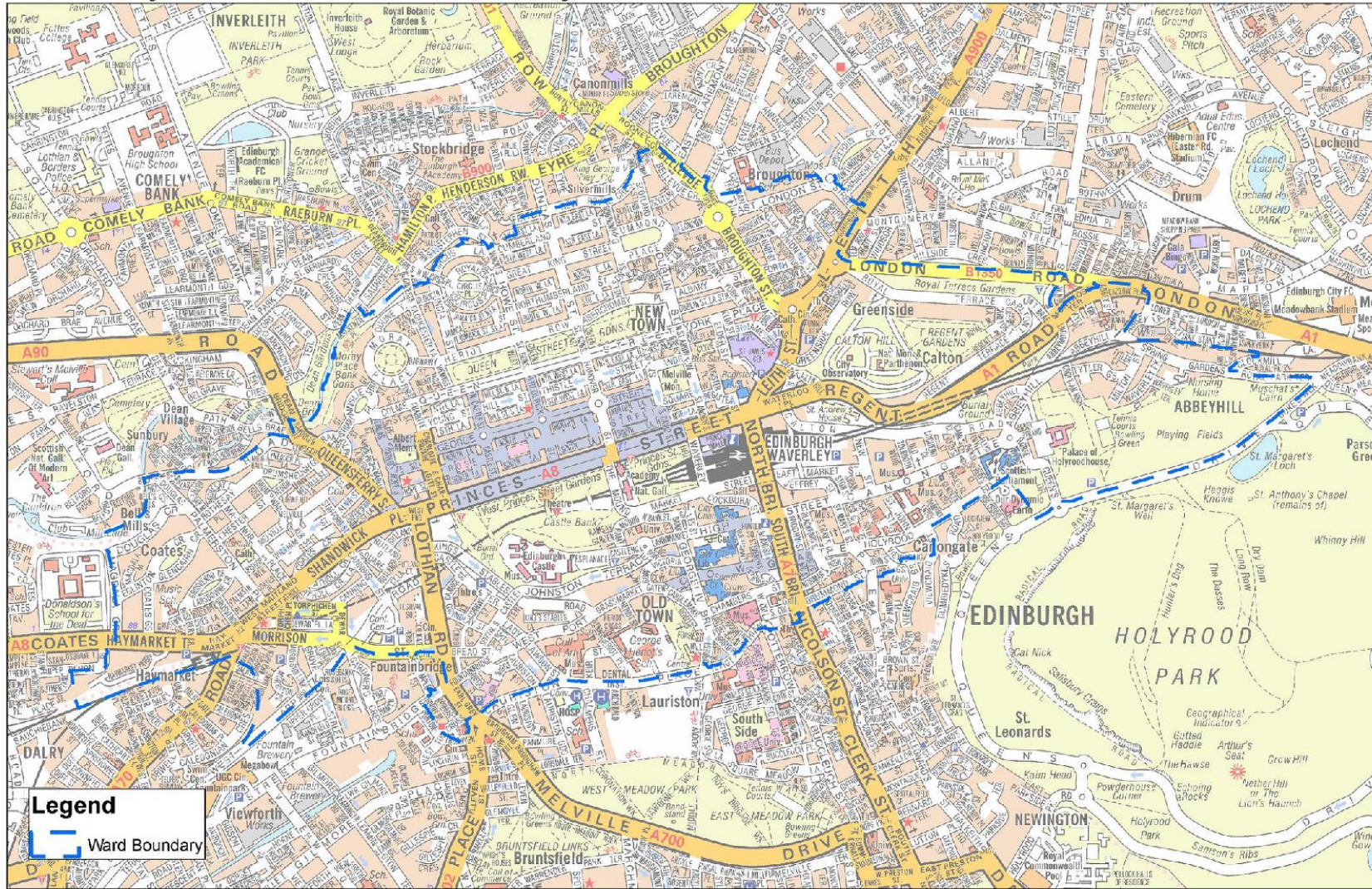
- the organisations charity number (if a registered charity),
- a copy of the organisations constitution/ or a list of the organisations aims and objectives if no constitution exists
- a copy of the organisations last annual audited accounts or a copy of the recent statement of accounts

after the expiry of a licence organisations must provide the following returns;

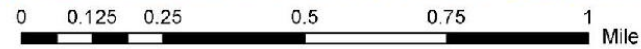
- statement of account showing monies raised and any expenses incurred

# Appendix 2

## Ward 11 City Centre Ward Effective From May 2007



**Legend**  
 Ward Boundary



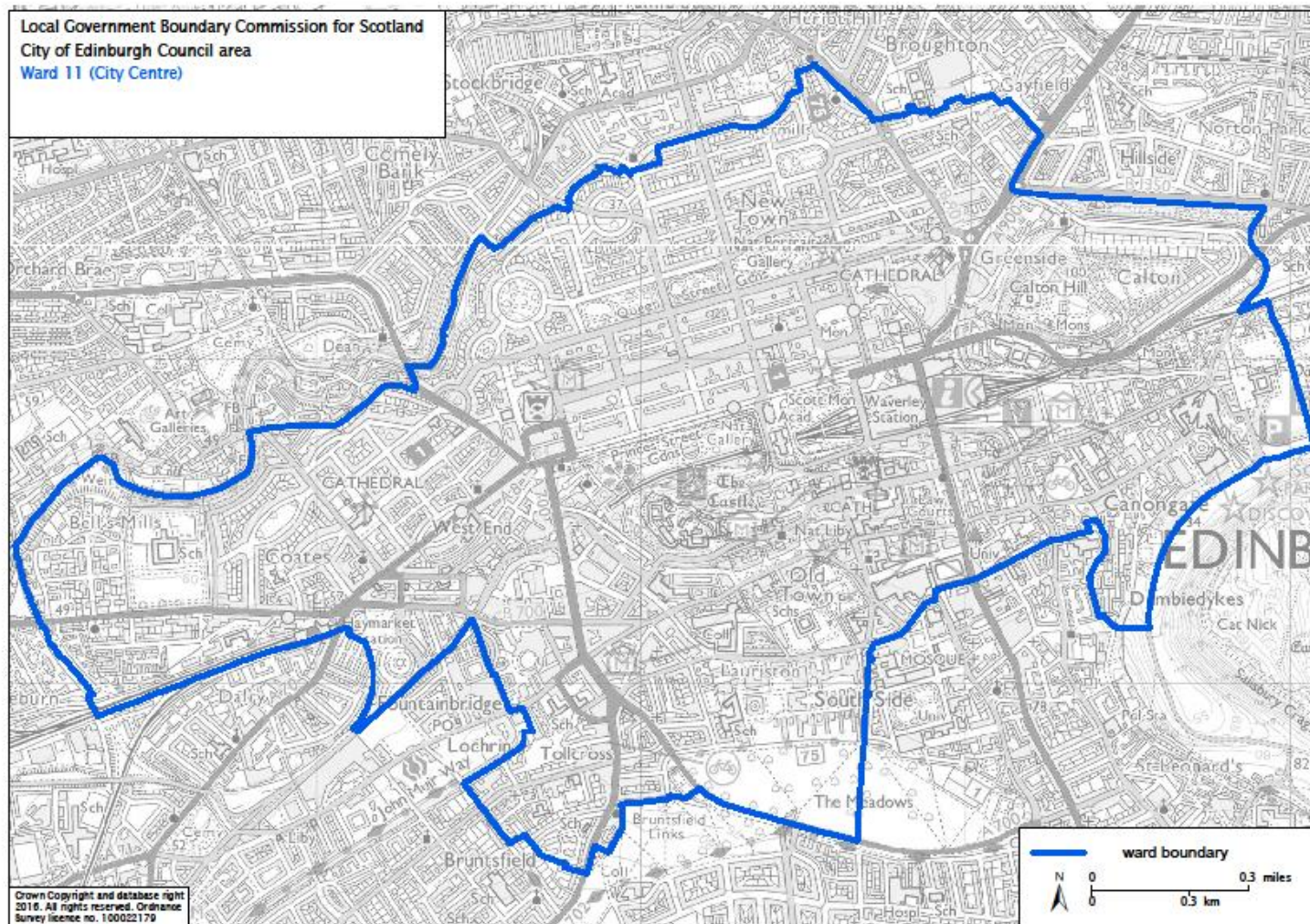
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### Appendix 3 – Ward 11 City Centre Effective from May 2017



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## Regulatory Committee

9.30am, Monday, 21 October 2019

### Taxi Stance Appointment – East Market Street

Executive/routine	
Wards	All
Council Commitments	

#### 1. Recommendations

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- 1.1 It is recommended that the Regulatory Committee:
  - 1.1.1 notes the content of this report;
  - 1.1.2 notes that a temporary Traffic Regulation Order has been introduced by the Roads Authority for this proposed taxi stance;
  - 1.1.3 notes that officers have carried out statutory consultation on the appointment of the proposed taxi stance; and
  - 1.1.4 agrees to the appointment of the proposed taxi stance.

#### Paul Lawrence

Executive Director of Place

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## Taxi Stance Appointment – East Market Street

### 2. Executive Summary

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- 2.1 The Committee is asked to agree to the proposal by Roads Services to relocate the taxi stance currently situated at Market Street to East Market Street (Appendix 1), and to note that the Directorate have carried out the statutory consultation required to enable formal appointment of the taxi stance, as required by the Civic Government (Scotland) Act 1982.

### 3. Background

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- 3.1 The City of Edinburgh Council, as a Licensing Authority, is required to appoint taxi stances in line with the provisions of S.19 (1) of the Civic Government (Scotland) Act 1982 ('the 1982 Act').
- 3.2 The powers available to licensing authorities to provide taxi stances in their respective areas can be exercised provided that they obtain the necessary prior consents (including that of the Council, acting as roads authority); consult the appropriate trade organisations and other representatives; give notice to the Police and the public; and that they do not obstruct access to any premises.
- 3.3 To satisfy the process of obtaining relevant permission from the roads authority, taxi stances are also required to be created by way of Traffic Regulation Orders (TRO). This is separate from the requirements of the 1982 Act and falls within the remit of the Council as the roads authority. The appointment of stances is therefore subject to a dual process. Parking restrictions on and around taxi stances are facilitated by a TRO or a Temporary TRO (TTRO). A process map is included at [Appendix 2](#) for the information of members.

### 4. Main report

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- 4.1 At its meeting on 19 August 2019, the Regulatory Committee agreed to instruct officers to proceed with the statutory consultation process for the proposed appointment of a taxi stance at East Market Street. The current temporary taxi stance at Market Street is considered no longer fit for purpose, and the reasons for removing this temporary taxi stance include significant traffic congestion, increase

in volume of pedestrians in the area and planned building development in the area exacerbating these concerns.

- 4.2 Officers conducted the relevant consultation requirements and actions which are detailed in 7.1 and 7.2 below. This included notifying ward councillors, businesses in the vicinity of East Market Street, Network Rail, Edinburgh Access Panel, administrators of the Taxi Card Scheme and Community Councils. The Directorate has checked the responses that have been received and no response has been received from any of these organisations. Officers have followed up with these organisations to check whether or not they wish to respond, and should any late responses be received these will be circulated as part of the additional papers.
- 4.3 A public advertisement was placed in the Edinburgh Evening News on Tuesday 17 September 2019 (see Appendix 3 for information).
- 4.4 No objections were raised to the Temporary Traffic Regulation Order (TTRO) introduced by Road Services.
- 4.5 All comments and responses received in response to the newspaper advert and additional consultation actions undertaken by officers are included at Appendix 4. There were 140 responses submitted on the Council's Consultation Hub, and one additional response was received by email.
- 4.6 Several broad themes were outlined in the consultation responses:
  - 4.6.1 Public safety concerns that the proposal requires potential passengers to cross busy road(s)
  - 4.6.2 Concern about lack of a controlled crossing(s)
  - 4.6.3 View that the proposed stance is too far from Waverley station entrance
  - 4.6.4 Distance from station will encourage illegal Private Hire Car (PHC) touting (as no sight line to 'For Hire' lights on taxis)
  - 4.6.5 Will decrease accessibility for users and particularly those with reduced mobility, children, luggage etc
  - 4.6.6 Concern that there is no shelter from adverse weather
  - 4.6.7 Suggestion of marshalled rank under North Bridge and drop-off across road.

## **5. Next Steps**

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- 5.1 In the event that the proposed taxi stance is appointed, Roads Services will commence the necessary follow up actions to implement the stance (e.g. laying of road markings, erection of appropriate signage etc.)
- 5.2 Officers will continue to engage with affected parties, including Network Rail, to assist their preparations for implementing this taxi stance appointment including altering existing signage within Waverley Station.

## **6. Financial impact**

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- 6.1 The costs associated with the changes to the road infrastructure etc. required to implement these proposals will be managed within the existing Roads budget.

## **7. Stakeholder/Community Impact**

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- 7.1 In addition to its statutory obligations of notification to Police Scotland and public consultation by way of a newspaper advert, as instructed by the committee a wide-reaching notification took place. This included notifying:
- Businesses on East Market St and Market St – hand delivered letter
  - Police Scotland – by email
  - Administrators of the Taxi Card Scheme – by email
  - Edinburgh Access Panel – by email on 20/9/19
  - City Centre Ward Cllrs – by email on 20/9/19
  - Community Councils – by email on 20/9/19
  - Taxi Trade reps – by email on 20/9/19
  - Network Rail – by email on 20/9/19
  - Notice on display at Taxi Examination Centre – from 20/9/19
- 7.2 A consultation (Appendix 4) was hosted on the Council's public consultation hub between 17 September 2019 and 15 October 2019.

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

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- 8.1 None

## **9. Appendices**

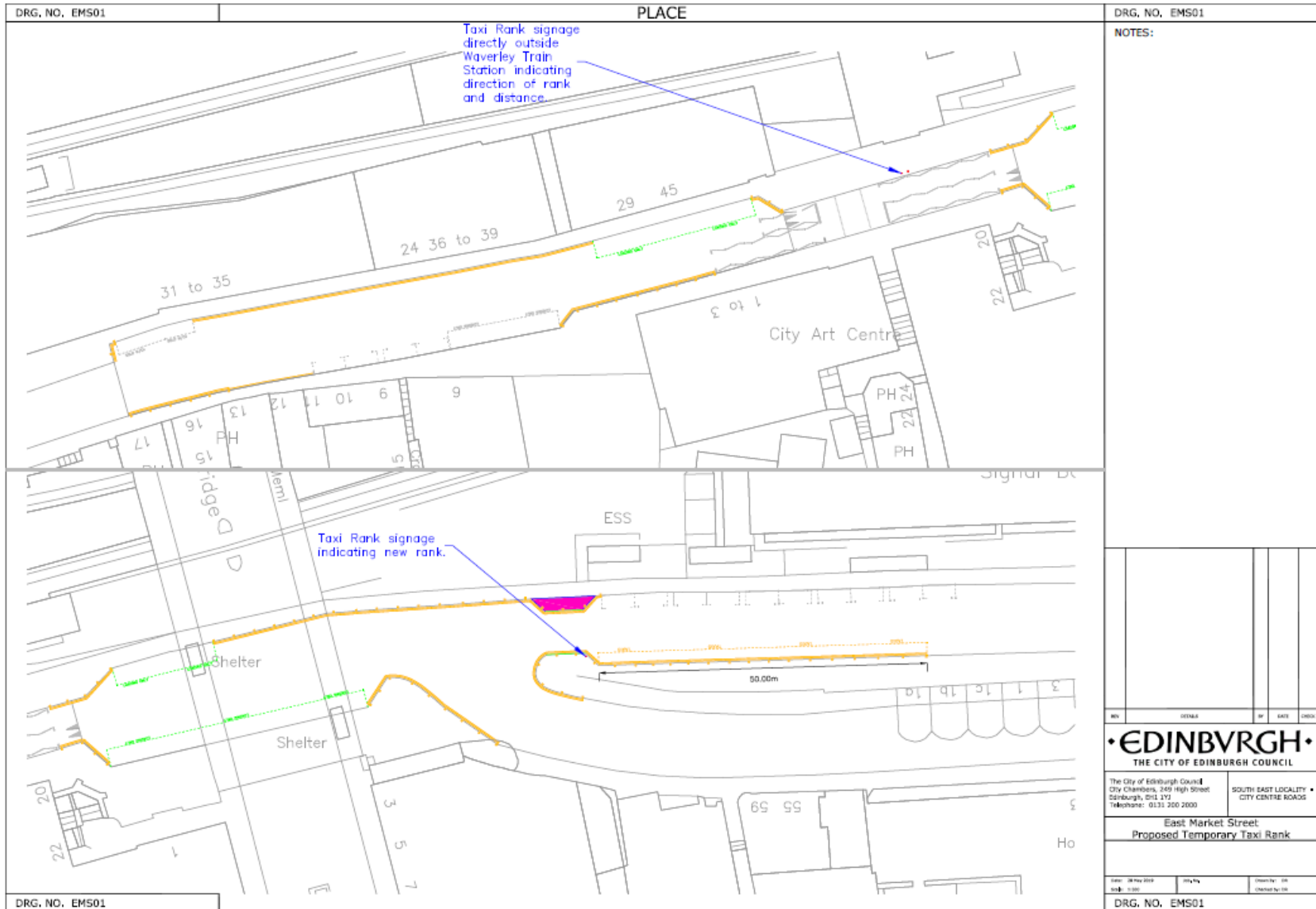
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- 9.1 Appendix 1 – proposed plan of taxi stance at East Market Street
- 9.2 Appendix 2 – Taxi stance appointment process flowchart
- 9.3 Appendix 3 – Advertisement published in the Edinburgh Evening News on 17 September 2019
- 9.3 Appendix 4 – Consultation responses



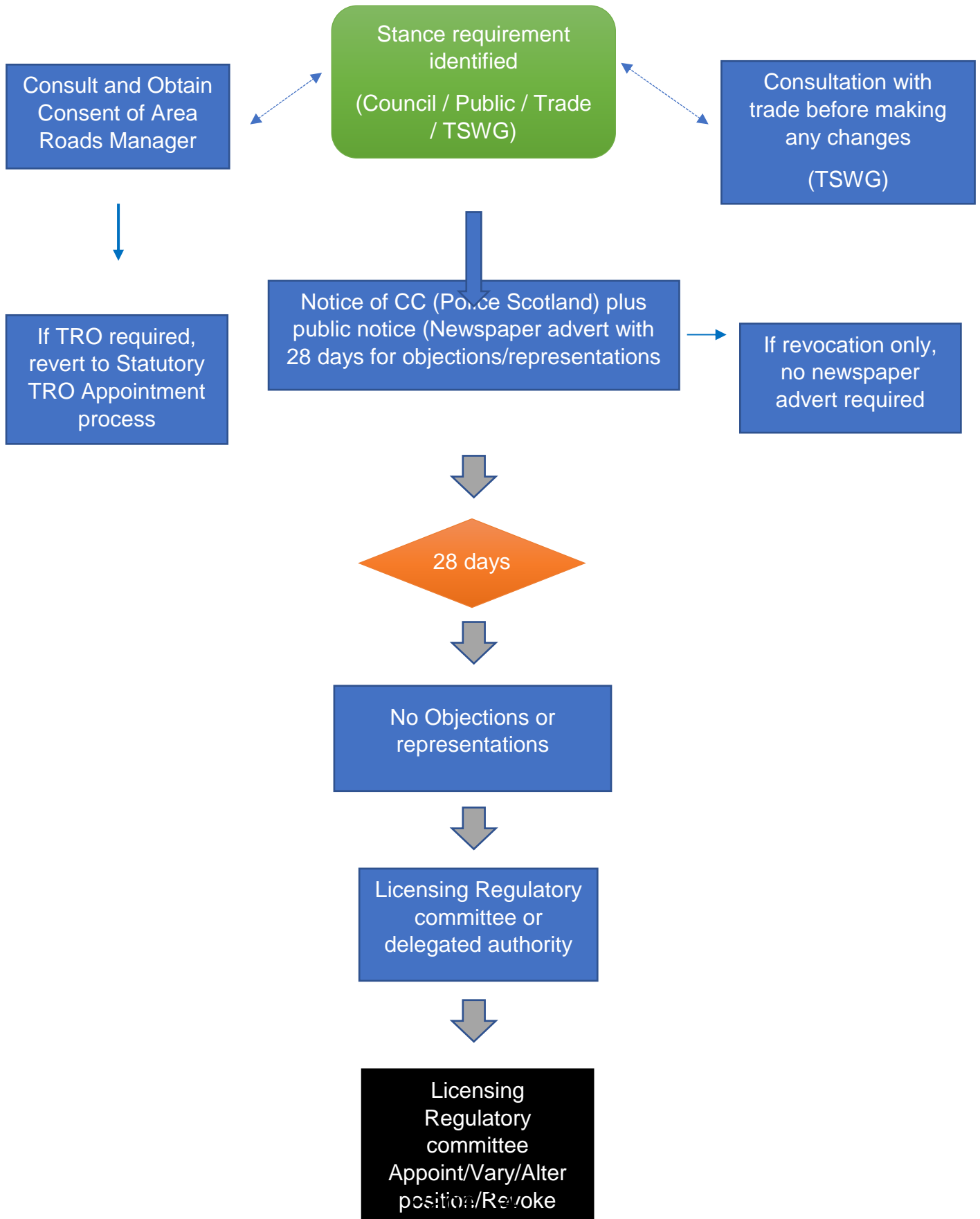
# Appendix 1 - proposed plan of the taxi stance at East Market Street

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## Appendix 2 – Stance appointment procedure

### Procedure To Appoint, Vary, Revoke or Alter a Taxi Stance



**CITY OF EDINBURGH COUNCIL**

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
APPOINTMENT OF A TAXI STANCE**

Notice is given that The City of Edinburgh Council, in exercise of the powers conferred by Section 19 of the Civic Government (Scotland) Act 1982, proposes to appoint the following taxi stance:

**East Market Street**

**10 vehicle stance – 24 hours per day, Monday to Sunday**

Located on East Market Street from the junction with Jeffrey Street heading in an easterly direction towards Waverley Court, terminating immediately adjacent to 1a The Arches.

Any objections or representations to this proposal should be lodged in writing with the Licensing Manager, The City of Edinburgh Council, City Chambers, Level 10, 329 High Street, Edinburgh, EH1 1YJ or by email to [licensing@edinburgh.gov.uk](mailto:licensing@edinburgh.gov.uk), no later than 28 days after the date of this advertisement.

**Paul Lawrence, Executive Director of Place, City of Edinburgh Council**

## Appendix 4: Consultation Responses

### Consultation Hub

Question 4: Please give us your views on the proposed taxi stance.	
1.	Wrong area for a taxi stance
2.	<p>I agree that the existing arrangements in Market Street are unworkable.</p> <p>However the proposed solution requires all potential taxi users to cross a public road without (as far as I can see from the plan) any controlled crossing. There is then a high probability that they and their luggage will cluster on and around the pavement at the head of the rank causing a potential obstruction to traffic.</p> <p>I suggest a small adjustment to improve practical operation: create a small rank (perhaps 3 or 4 spaces at most) on the north side of Market Street clearly signposted "wait here for taxis" - which would avoid the the potential downsides of crossing roads with luggage - and use the space marked on the plan as a feeder rank, with drivers clearly able to see when they should pull over to pick up passengers and when there is a space for them.</p>
3.	Plan not clear which is the taxi pickup point and which is the taxi queue. As a passenger I would want the pickup point to be close to the East Market St exit.
4.	This idea will just move the taxi rank further away from the customers. Making life even more difficult for elderly and special needs people. Also encourage further touting from the Phc
5.	Age Concern groups and disabled groups already struggle to get out the station with Luggage etc, so moving it further makes absolutely no sense. The move will also involve crossing a busy junction.
6.	Ridiculous to move the rank further away from Waverley exit. The passengers have to cross an extremely busy road, many of the passengers are elderly, mobility issues or have young families. To expect people to navigate this crossing with suitcases and other heavy and difficult items is ludicrous. There is no shelter and being further away from the exit just further encourages the illegal touting and pick up from Private Hire vehicles.
7.	I think depending on where its placed,its not a good idea for customers,they are not going to have access to waverley bridge rank because its being moved too,i think the taxi rank in market street is too far away as it is,directly under north bridge was an excellent rank,customers are tired enough when they come out of the station,let alone having to walk more
8.	You want to move the taxi rank further away from one of the main entrances not a great idea the public at the moment are struggling to find a taxi at the station as it is
9.	The new stance is too far away and passengers, including disabled, will have to cross at a dangerously wide junction to get to the new rank. The existing temporary rank works well and has only been problematic since

	<p>the construction works began. Given these are almost finished the traffic should move again. Another contributor to the congestion is the zebra crossing with which pedestrians constantly stream across and most times not even looking leaving vehicles to wait 2-3 mins at a time to get one vehicle over the crossing. A pelican crossing would allow the traffic to move quicker thus avoiding tailbacks.</p>
10.	<p>Whilst the position of the existing rank is not ideal to move the rank further from the exit is not in the best interest of passengers. There are many elderly passengers who struggle with luggage and also young families with luggage who need to engage onward travel from the Station with ease</p>
11.	<p>I believe it is essential for a licensed taxi rank to be as near to the exit of Waverly station on Market Street as possible. Moving the rank away to East market Street will cause the public unnecessary confusion and time locating the rank.</p> <p>People expect to be able to walk out of a major transport hub in a capital city and see licensed taxis in front of them.</p> <p>This proposal could result in the public getting into unlicensed vehicles (PHC that haven't been booked). Private Hire vehicles will undoubtedly form a 'rank' near to the exit in the anticipation on unsuspecting passengers not knowing the difference between public and private hire vehicles. I believe this is a public safety issue!</p>
12.	
13.	<p>This is a total slap on the face to every cabbie in Edinburgh from the council. I think it is a total disgrace how the black cab trade is getting victimised. How are we supposed to pick up the elderly and disabled safely if we do not have a proper designated drop-off and pickup point at one of the U.K.'s busiest train stations.</p>
14.	<p>It's been a disgrace the way the public have been treated near Waverley Station for a number of years now. Especially disabled and those who have walking difficulties trying to access a taxi at the station. We need a proper Taxi stance for a reasonable number of Taxis with a decent feeder area as well due to the number of people requiring a taxi when the city is very busy. There also has to be a decent area for dropping people off. Carlton Road entrance is unacceptable due to having to access 2 lifts before getting into the station.</p>
15.	<p>As a taxi driver ive pointed out to customers about new rank 100 percent not in favour</p>
16.	<p>The rank is too far away from the station. As this council encourages tourists from all over the world how do you expect elderly, people with children in pushchairs to walk that distance whilst also carrying luggage</p>
17.	<p>Too far for pax. Main rank should be under the bridge and use that part as a feeder.</p>
18.	<p>Shocking idea.thing about the elderly and disabled.making people walk further than they should and crossing roads.The council need to have a long hard look at themself.</p>
19.	<p>The taxi rank at the Waverley station is a joke. Too many cars vans and buses blocking the road not allowing the taxis to turn onto the rank</p>

	causing congestion. The rank should be in the station where passengers with disabilities can be picked up with ease.
<b>20.</b>	
<b>21.</b>	The taxi rank should not be moved further away from station It should be right outside station It is a main transport hub and it should be easy for passengers to get a taxi
<b>22.</b>	Leaving it wide open for private hire to tout for work !!
<b>23.</b>	Leaving it wide open for private hire to tout for work !!
<b>24.</b>	The Taxi situation has never been the same since it was removed from the station. It's now very difficult to get in and out of the station when being dropped off outside. I cannot imagine how the elderly and disabled manage. It's time it was the citizen of Edinburgh that was put first and not the tourist.
<b>25.</b>	This taxi rank is no good especially as it rains a lot in Edinburgh and the fact that passengers with kids need to cross the road with luggage this could be a real safety problem and the fact that there is no shelter as passengers have to wait on taxis I think this process should be consulted with disability groups as it's not very disabled friendly
<b>26.</b>	The proposed new taxi rank is far too far away from the exit of the station. I'd like to see a drop off at the current taxi rank on Market Street with the new rank under North Bridge and a feeder rank in your proposed new taxi rank. Making rail travellers cross two roads after exiting Edinburgh's biggest station is embarrassing. The impact on the elderly and anyone with young children or a large amount of baggage will definitely struggle. Has anyone with a young family and baggage or someone elderly with baggage attempted this yet. If so I'm sure they'll be less than impressed.
<b>27.</b>	The council obviously don't have any family members that find each yard they walk painful how can you possibly move it even further away from station have some serious consideration avoid disabled and elderly
<b>28.</b>	This is outrageous that you expect disabled and physically challenged customers to walk some distance from the station to get a taxi. It's almost discrimination.
<b>29.</b>	Disgraceful that that it should be so far away from the exit and on the other side of the road.
<b>30.</b>	The taxi rank in my opinion should be situated under cover and not exposed to the elements and should also be under the control of a rank marshal to avoid the misuse of the rank by numerous private hire cars
<b>31.</b>	Poor decision.. passengers already have to travel very far from platforms to current taxi stance.. the new position proposed for stance will be difficult to see and dangerous as passengers will have to walk further beside a busy road.. if the rank was to move the space left where current rank is would be taken up by private hire vehicles touting for business off the street which they aren't allowed to do.. passengers will try to flag down passing taxis who will have to decline the fares as the rank is further down the street.. this will upset passengers

32.	Does no one in the council ever consider the public? Have they been consulted? The new rank is even further away from the station than at present. Would you want to walk all that way, especially if it was raining? It also gives carte blanche to the private hire to carry on with their illegal activities outside the station because the council and police will just turn a blind eye as usual. Another nail in the coffin for the black cab trade.
33.	<p>East market st is far from exit, taxi ranks won't be visible like we have witnessed in the past during road works.</p> <p>Private hire cars been seen many times touting under the bridge.</p> <p>We have lots of visitors by trains in Edinburgh and I think if we take taxi ranks far we can leave many of these first time comers on the mercy of private hire cars sitting and touting under the bridge.</p> <p>Also I think it will be more difficult for senior citizens or ones on wheel chairs to go all the way down</p>
34.	Not the best idea the Council has ever had. Customers know where the rank is now, they expect to find taxis on rank. Moving the rank will only confuse customer & let PHC'S pick up illegally on the street. Do the Council have NO thought for the elderly and disabled.
35.	The elderly and disabled find our current rank in market street far to far to walk from the platform as it is never mind moving it another 50 yards further down the road.crossing maker st then having to get themselves over the busy junction of Jeffrey st, there must be a better solution than this come on Edinburgh let's make arriving at waverly welcoming, you could keep us on the same side of the rd facing the opposite way all the way down market st on left hand side facing up towards the entrance simple. It used to be impossible as wheelchair loading was on passenger side but most cabs can load both sides now. Let's make it customer friendly
36.	The proposed rank is too far with suitcases, hard for elderly and disabled and wheelchair users plus means crossing at the crossing point outside the station and then over Jeffrey Street which is a busy and dangerous junction or walking along on the same side as the station and crossing over opposite the rank which is also dangerous for the public as there is no crossing further up. Bet they will walk up and cross over opposite rank. At the very least the public should only have to cross one road at proper pedestrian crossing so perhaps the rank along Jeffrey Street back toward the Jury's Inn? Or along East Market Street on the same side as the station. Back in the station would be best...
37.	A taxi rank in Market Street is not suitable. Currently access for pedestrians is a nightmare which is bad enough but even worse is the dangerous U turns taxis do. Often mounting the pavement. If I have interpreted the plans correctly the proposed area near the junction to Jeffrey St is even worse with that junction being almost impossible for pedestrians to cross currently. What it will be like with much higher traffic movement compounded with people unfamiliar with the area is an accident waiting to happen.

38.	It's bad enough where it's currently situated, to move it further away from the exit and on the opposite side of the road is ridiculous. No consideration for the elderly or disabled. Edinburgh's weather can also be pretty brutal at times, to expect customers to have to walk even further to pick up a taxi is also unacceptable. This proposal must be knocked on the head immediately.
39.	Useless too far away from station , not good for people with disabilities.
40.	May serve a purpose but radical rethink needed in line with plans for city centre. Perhaps a rank outside apple shop. Larger rank on waverley bridge would mean less importance on market st rank. Too much traffic on market st also.
41.	What a absolute farce! The capital city of scotland and you put a rank more than 100 metres from the main train station! It your duty as a council to make it ease of access for all passengers living/visiting the capital! Virtually no signage to inform passengers! Apart from that there is no where near enough rank spaces for the cabs, no enforcement of phc illegally picking up off our streets day or night! No enforcement of vehicles parking on ranks, no enforcement of greenways! This clowncil are an absolute farse! Sack the lot of them and put people in that can actually do the job #edcwasteofspace!
42.	To far to walk for older customers..
43.	Shocking to far away ...
44.	To far away and private hire will have a Field day ...
45.	To far to walk For the old people
46.	Terrible
47.	Unbelievable how you expect people to walk so far ..
48.	Shocking to far away from Station
49.	How far do you expect Tourists to walk ,with luggage to find a taxi ,shocking 😞
50.	To far away ,another excuse for people thinking there is no taxis available.
51.	Very poor as people will need to walk further and older people with luggage or disabled people will not be able to
52.	It was a bad idea moving it out of station, old and infirm are now very exhausted by time the get out of station to existing rank (and wet if raining) moving even further away not helping public transport only making it worse.
53.	The proposed location is too far from the exit of the station which will add on to the problem faced by the passengers on daily basis. already this is very challenging for elderly, families with young kids and disabled, people with luggage. It will also encourage illegal pick ups by private hire vehicles as the lights are too far from the entrance with no enforcement in place. Also will create friction between black cab drivers as it will be tempting to pick up near dungeons while lights are hardly visible sitting on the proposed location.
54.	This is yet another astonishing mistake by the ever failing council! As the sales and marketing consultant for City Cabs, I hear constantly from key accounts ( Hotel GM's etc ) the feeling of disbelief at the council's lack of



	support for local businesses and city residents. There is an overwhelming feeling that the amount of private hire plates in Edinburgh is purely a money making scheme with no leaving little resources to deal with the actual problems that are causing long term devastating problems in our city!
55.	Taxi rank has to be close to exits of Station for easy access for our customers, some with health issues.
56.	It will avoid traffic congestion in market Street, but only concern is that passenger s have to cross the road to hop on to the taxi. Pain for people having luggages.
57.	This new proposed taxi is too far away for disabled passengers.
58.	Too long for elderly and disabled people to walk. Crossing 2 roads to get to a taxi rank seems madness. Sensible solution if the existing rank has to be moved, which is a big if! Would be to have a rank under north bridge. And the extended rank down east market street. That would be much safer and more accessible. Even more sensible would be to operate some sort of fob for approved taxi drivers to go down into waverly.
59.	I am concerned with the public safety in getting to the proposed rank also the clear danger that Pivate hire cars will use the area under the north bridge to pick up illegally
60.	Far to far away from exit the drop off point opposite exit will be full of phc and with no one enforcing illegal pick ups people will take them rather than walk 100yards for a taxi
61.	To far away from the station, people who are require a taxi will be left confused as to whether they can get one, also we seem to be moved from pillar to post, while eagle eye phc sit opposite and offer their services unopposed. Thus causing problems of safety and rule breaking
62.	Find it incredibly frustrating that you want to move the main taxi rank from the biggest transport hub in town further away from the public.i wish you could hear the complaints we get on a daily basis from elderly and disabled passengers about the state of market at and lack of accessibility to get a taxi after a long train journey.any other mainline train station in the country apart from Edinburgh has a taxi rank right next to the station.the council and ScotRail should hold there heads in shame the way they are treating the public
63.	Moving taxi rank in market street is bad move as amount of old folk and disabled people find it hard enough where rank is at moment.There is limited drop off space because of workers bans allowed to park anywhere.Put rank under bridge move the illegal phc rank it would help movement of traffic in the area
64.	At the moment people coming out of the station have trouble seeing us so it would be more difficult to see us in East Market Street and even further to walk . People with low mobility struggle enough without us being further away .
65.	The stance is far too far away from the station this city is a laughable
66.	I do not think it is suitable for travellers crossing the street with luggage, they may also have children. My concern is also with the elderly, infirm or disabled. Visitors to the city will also find it more difficult to find the taxi

	rank. With no rank visible at the exit of Waverley station I also believe that travellers will summon a private car or taxi to travel to the exit causing increased and unnecessary emissions.
67.	<p>Why on earth do you keep moving the taxi rank further and further away from the station? It's hard enough making my way there now and you are making it worse. I sometimes feel this council is against those of us with disabilities.</p> <p>I suppose I could just go into one of the private cars that sit there shouting 'taxi' at me every time I slowly walk past. Trust me if I could run away from our commonwealth cousins shouting taxi at me then I really would.</p>
68.	It will be far to far away for passengers there are far more easier options like leaving it where it is and creating a feeder rank on the top part of Market street it is after all the main railway station for the capital of Scotland
69.	<p>The proposal is not fit for purpose moving taxis further away from the station exit and also on the other side of the road. Cars and especially private hire vehicles will continue to pick up under the north bridge and will impede the view of the rank making it even more difficult for the public to see the rank.</p> <p>The rank has previously been there temporarily and cars were regularly parked on it unenforced causing even more problems</p> <p>This proposal is unworkable and unacceptable</p> <p>A solution, place a painted roundabout at the junction of market st/ Jeffrey st and a solid white middle line between said roundabout and Waverley bridge/market st roundabout leaving the rank in its current position. Any taxis having picked up from rank then have to go to roundabout to turn if going west or north. Any taxi coming from Jeffrey st/east market st must turn at Waverley bridge/market st roundabout due to solid white line.</p> <p>Stops congestion caused by taxis creating "U turns" in market street and alleviates the problem currently caused at the rank</p> <p>Cost to the council, painting roundabout and solid white line between both roundabouts. Minimal</p>
70.	<p>in my opinion the moving of the taxi stance is totally shambolic, it should be as close as practically possible to allow members of the public to exit the station and enter a taxi and depart to their next destination. Moving it away will cause utter confusion allowing the already illegal touting of the private hire drivers which goes on unchecked. Even the local police do nothing about it when they stand at the exit of the station !</p> <p>the disabled and infirm are again losing out with having to navigate to an area away from the station, as mentioned the illegal parking/touting of private hire cars makes this a very dangerous route for people to walk. Put the the taxi rank back to where it used to be, under the bridge and</p>

	have it marshalled to only allow drop off at the opposite side and not as it seems a rank for private hire cars.
71.	The taxi stance should be in the station. Its a unique setting with challenges for disabled/elderly and families with luggage to navigate their way into the station. Having it in Market St is hard enough without having to get to East Market St now. Ridiculous.
72.	This a complete misuse of time and money. ECC should be trying to reduce the usage of vehicles in the city centre not building more taxi ranks. Support more Just Eat cycle docks, cycle parking, pedestrian and public transport options.
73.	Absolutely hopeless. The taxi ranks are miles from the station platforms; rail passengers with heavy luggage, pushchairs or mobility problems have to negotiate their way up and down steps, escalators and slow and possibly crowded lifts to reach that side of Waverley Station, then have to deal with a crowded and poorly-lit street, clogged with cars, delivery vans, Jury's Hotel traffic, gallery visitors - and much of the time - exposed to rain and wind.
74.	As I understand it, the plans mean that the rank would be further away from the station. While I do not have mobility difficulties, I frequently travel to and from Waverley by taxi and with luggage that slows me down. As such I am aware that it is already a difficult station to access, navigate and use (nobody's fault: just a reflection of the steep gradient on both sides and the topography of the site). In particular people with mobility problems will already find it hard to use. Moving the taxis further away will increase this problem. While I suppose that the old system of allowing taxis in cannot be reinstated for security reasons, they should be as close as possible.
75.	In its current position, the Taxi-rank Market Street, is a total disaster. I work part-time at the City Art Centre and am, therefore, in an ideal position to view the farce on a regular basis. The taxi-rank simply has to move further away from Fruitmarket. All day long there are traffic pile-ups, near misses with non-stop Taxi U-turns in the road, consistent blocking of loading bays all day (which the parking inspectors never ever enforce), there is car engine idling, and bus routes consistently blocked with double-parking to unload and collect passengers. It is one, if not the single, most depressing street in Edinburgh City Centre.
76.	Too far for disabled and the elderly to walk with luggage, present rank works fine, just use both sides of the street for the rank. If it is too proceed needs better signage both inside and outside the station. This may also lead to more "seagulling" by PHC drivers who will hang about station entrance, while the taxi rank is out of sight. So not a good idea Also requires better enforcement to make sure rank is not used as a drop off zone, also the drop off needs looked at, considering the amount of passengers using the station
77.	Makes sense to have it where the road is less narrow but there will be lots of disabled passengers who will struggle to get along the road safely and there is no shelter for them to travel under other than the bridge.

	<p>If the whole of Market/East Market Street was a one way road from Waverley Bridge/Cockburn Street and Jeffrey Street was only a right turn road then there would not be an issue with the current location of the taxi rank taking up one half of the road nearest the station - lack of shelter and phone for people to call taxi's withstanding.</p> <p>Enforcement of taxi's/other vehicles doing u-turns around the Station needs to up a step with cameras to catch those breaking the law that the irregular wardens do not.</p>
78.	<p>For any one who has the slightest mobility problems or the elderly or families with buggies small children and luggage, the taxi rank is already too far away.</p> <p>I appreciate that it is not an easy station to access but please don't move the rank</p>
79.	<p>It should be as close as possible to help everyone coming out of the station. It's hard enough for some to exit the steep hill never mind then looking for further assistance to get a TAXI.</p>
80.	<p>I think that finding a taxi close enough to the station is difficult at the moment, having to walk up the hill. When you get there, if you have problems with your hips or knees it is difficult to get in the taxi's if they park away from the kerb</p>
81.	<p>The taxi stance should stay where it is or ideally move back in to the train station!</p>
82.	<p>It's too far away from the exit for people with disabilities and elderly people</p>
83.	<p>I have slight mobility problems and find it extremely difficult accessing Waverley station and more so when you have to alight from further down the rank due to a queue of taxis dropping off passengers. Even though there are lifts to take you to platforms there is quite a distance between them. Please reinstall taxis within the station.</p>
84.	<p>Dreadful idea. Should never have been moved from inside the station in the first place, never mind further away still. Completely ignoring the needs of less mobile travellers, or families with luggage and small children. Area is already overly congested with pedestrians so having to walk further to taxi rank will be really difficult for a lot of people. What sort of impact does this have to first time visitors to our city?</p>
85.	<p>What does this say about arriving in Edinburgh - it is ill conceived and is not practical or welcoming.</p> <p>A huge effort is about to be made to rearrange everything in the city centre - will this location fit in with those plans?</p> <p>Why here?</p> <p>The old stance under North Bridge was closed and is still closed with temporary barriers - why?</p> <p>What prevents this area being used?</p> <p>This stance will serve the station and to get to the suggested location anyone leaving the station has to walk a considerable distance and cross two roads and Jeffrey Street is more than 6metres wide!</p> <p>Neither East Market Street or Jeffrey Street has a crossing to help at this location.</p> <p>How realistic is this for anyone with a disability - as if doing that will not</p>

	<p>be difficult enough with luggage.</p> <p>The suggested stance is in such an unintuitive location that it has to be signposted! It is nearly 100metres away from the entrance and is not near to any other premises that may generate demand for a taxi?</p> <p>Why not use the south side of Market Street under North Bridge - it is still "open"? There is already a well used crossing and the area can readily be seen from the station and is under a degree of cover.</p>
<b>86.</b>	<p>The rank is too far from the station entrance making it far too difficult for anyone with mobility issues or disabilities to access. Visually impaired persons would find this very difficult.</p> <p>The rank should be as close to the entrance as possible and feature a shelter for busy periods during inclement weather.</p> <p>The Calton Road exit would be an ideal locus for a rank, turning a generally quiet street into a busier area. Ideal for access to Old Town/Leith/Bridges/Broughton/New Town/East/South of city</p>
<b>87.</b>	<p>i spend half my year in Edinburgh. But I come back especially if my 86 year old father needs to catch a train. Already it is a nightmare for older people with cases. This will make it even worse. I've lived in cities all over the EU and Waverley is one of the least accessible stations.</p>
<b>88.</b>	<p>It's bad enough that you have to walk so far from the concourse, up escalators /stairs and then stand in open with no shelter, but moving the rank further away is a dreadful idea. Move it back into the station where it used to be - dry, sheltered, convenient for all especially the elderly and infirm. No brainer.</p>
<b>89.</b>	<p>It is far too far from the Waverley station entrance . The only acceptable solution is to require network rail to allow Waverley station to be reopened to taxis so those with luggage can access trains . My 80 year old mother struggled down the steps with suitcase in August as lift at market st end not working. It hardly encourages rail travel! In the meantime rank should remain as close to entrance as possible</p>
<b>90.</b>	<p>It is hard for older and disabled people to even get out of the station, so putting the taxi stance even further away seems a retrograde step. I find the station an increasingly difficult place to use.</p>
<b>91.</b>	<p>How are people who can't walk far able to access?. Hidden disabilities like COPD, SBS, MS, ME Parkinson's, Cancer - all these and others mean that people don't have stamina to walk more than 25 yards.</p>
<b>92.</b>	<p>Basically this is a poorly considered proposal. It is essential to minimise the distance between train and taxi particularly for those mobility challenged.</p> <p>The current arrangements are already extremely poor. It requires a walk of up to 150m and at least 2 separate lift journeys exiting onto a pavement of inadequate width for people to pass and queue.</p> <p>Given developments in the station, Network Rail's contention that closure of the internal taxi pick up was for security appears mendacious. They should be forced to reopen the through road to taxis, which had to be approved previously, maintaining any existing moveable barriers considered necessary.</p>

93.	<p>Good location, should stop dangerous manouevres at the current location.          Good signage required, and shelter would be ideal.          Can the space below North Bridge be better utilised if this was deemed by others to be too far away?</p>
94.	<p>No objection.</p> <p>The relocation is required and the proposal is sensible. This has the added benefit of locating rank closer to Council HQ and the new hotels in area.</p> <p>This should remain a temporary measure pending Waverley Masterplan and City Centre Transformation.</p>
95.	<p>On paper it looks ok but I would like confirmation that the taxis would be allowed to pull forward from the rank to pick up their fare at the station entrance.</p> <p>There should be a 'taxi master' in charge at the rank. He should be the same be to whistle forward the taxi that is to take the next fare.</p>
96.	<p>Two things, the weather can be very inhospitable at that entrance, so asking people to drag their cases another 200m, is not very welcoming. The area you propose putting the Taxi rank, is useful for dropping off/collecting people who travel by train, I use this frequently for collecting my elderly mother.</p>
97.	<p>Utterly ridicules, to far and out the way! What if..... your disabled! Old and can't walk far, a Mum with pushchair and children, a visitor with Luggage. So it's the middle of winter raining cold and dark, it's just the wrong place!</p> <p>Why not have a proper covered Taxi Rank on the Waverley Bridge especially now that the plan is to close it off to general traffic.          We are the Capital City after all!</p>
98.	<p>The only way this will ever work is if it's enforced properly. Market Street is already very busy, and taxis frequently take up more than the space the rank allows. You need to stipulate how many cans can be ranked at any one time, and move the rest on.</p>
99.	<p>The proposal is very disappointingly presented as it fails to set out any information about number of people who need to use a taxi rank interchange with Waverley station and what their needs are. It is correct that the present arrangements are very unsatisfactory and the ease of interchange between taxi and rail at Waverley has significantly deteriorated since the Internal taxi rank was closed. Passengers are now faced with hauling their luggage up a number of sets of stairs or at busy times a huge queue for lifts to the street to stand, possibly in the rain on an overcrowded pavement. These proposals may reduce pavement congestion by moving the rank further away from the station but they take no account of the need to improve matters for passengers wishing to get a taxi from the station, especially if they are disabled or have heavy luggage. The aim should be to reduce not increase the walking distance for passengers arriving at Waverley Station. It is not clear how this proposal improves transport interchange beyond making</p>

	things slightly less dire for those who are able to walk the extra distance from the station. Overall the arrangements for interchange with the station are shambolic for a capital city. A better proposal should be developed.
100.	It will be good to move the taxis away from the current spot on market st. The footpath is too narrow and the taxis are constantly blocking the road and making it more dangerous for other road users
101.	This will help bring more footfall to the shops under the arches. Good location but could do with a zebra crossing at the junction.
102.	Too far away from station exit which will surely encourage the illegal touting of phc
103.	Market st is very busy at times a taxi rank inside the station would be much better for disabled passengers and tourists.
104.	I believe we need a much larger and better organised taxi stance within Waverly Station. The existing taxi stance on East Market Street is simply not fit for purpose - it is far too small, far too crowded and has no cover from the elements. When combined with everyday traffic, this stance is dangerous for customers and completely insufficient for a transport hub in a capital city.
105.	I think making the stance even this short distance away from the present one is difficult for 1 older people 2 those with mobility problems 3 families with pushchairs and luggage and what about bad weather?
106.	This move would be disastrously disadvantageous to the Taxi Trade in the City. Despite the difficulties of the present location, the public, at least, are able to exit the Station and immediately see the 'FOR HIRE' lights of the queuing taxis, and recognise that there is a taxi rank from the number of 'FOR HIRE' lights within their range of vision. THIS WILL NOT BE POSSIBLE FROM THE PROPOSED RELOCATION SITE!
107.	THE PROPOSED TAXI STANCE IS NOT FIT FOR PURPOSE, YOU ARE ASKING PASSENGERS TO CROSS OVER TWO BUSY ROADS, WITH ONLY ONE CROSSING WITH LIGHTS TO STOP TRAFFIC, THIS IS UNSAFE. SOME PASSENGERS ARE INFIRM, HAVE BUGGY'S, SMALL CHILDREN AND LUGGAGE. IF PASSENGERS ARE TRAVELLING EAST THERE WILL BE AN AWKWARD MANOEUVRE TO TURN IN THE ROAD, WHICH WILL CAUSE OBSTRUCTIONS TO OTHER ROAD USERS.
108.	Its too far away from the railway station. Not really sure what the point of having this. You could alternatively put measures in place to make the existing stance in Market Street safer.  Albeit Appendix 1 Plan is totally unclear you explain the location.
109.	It seems most logical to me to return the stance to Waverley Bridge, which is a wider road, accessible without crossing roads, and at least provides some shelter when exiting. The current plan looks fraught with problems, even if it is a marginal improvement on the chaos outside the

	Market street exit currently. The two ramps out of Waverley are ideal exits and there is room on the Bridge to accommodate a rank. Some sort of online monitoring system could allow a larger number of taxis to wait elsewhere (e.g. East Market Street) and then to move to the Bridge as needed.
110.	Yes, we need this taxi stance, even though it holds up other traffic. But what we need MORE is a tase stance in Waverley Station itself  I am physically disabled, and getting down from any of the existing taxi ranls to the station itself is a challenge. PLEASE can we go back to the previous system, when taxis were ranked on the lower floor of the station.
111.	The taxi rank is far to far away as it is and you are going to move it further away over the other side of the road how an earth are the disabled and elderly going to manage that one. You guys up in the council need to start looking after the people of Edinburgh rather than running this city as a business it's our city after all. Tell you what one of you guys carry suitcases and kids of the platform up to the proposed taxi rank you are absolutely mad to think this is a good decision. Over 2 crossings when someone gets killed. Get the taxi rank turned round the other way from the side door down market st easy sorted.
112.	Moving the taxi rank further away is not a good idea. Lots of older people and people with luggage would you like to walk that distance with your luggage even on a good day
113.	It gets moved from Pilar to post this rank keep it where it is as it's in view when coming out of market st and it is large enough for a lot of taxis to get on
114.	Absolutely ridiculous.. can't even see the rank when you come out of the station it's soooo far away. Plus on other side of road. No good whatsoever. Utter joke..everyone will just turn right when they come out of station not left. Who on earth thinks this is a good idea. Sacked is what they need to be. Bloody Edinburgh clowncil at its best
115.	Too far from station especially for travelers with luggage, families with buggies and kids,and the older generation... The rank should be back in the station!!!
116.	I belive market st taxi stance it's in right place also I would belive market st should be excluded from street traffic like cowgate btw 22 and 5 am due to people walking on the street In my personal opinion driving thru this part many times I was notice dangerous behaviour of night stag outs children's running in to the street also waverley bridge and for me public safety it's most important! So I would like to suggest pick up point at east market st new st or Jeffrey street thanks
117.	The proposed taxi rank is dangerous as passenger will have to cross a busy road which will be difficult for elderly and infirm people also it is too far away from station the PHC cars will simply stop outside the station and pick up they are doing it now in challenged
118.	Taxi stance too far away from station exit and proposed location is across a busy road which will cause traffic chaos, when large numbers of people try to get to the it. Elderly, disabled and infirm find it a task already to get



	<p>out of the station to taxis where they are currently situated, so this will compound the problem. Visitors and locals alike should have immediate access to taxis as far as possible, as this is often the first thing they see and gives an overall impression of the city to them. The new proposed site is out of clear visual line and will just cause confusion as it did previously when situated there. A taxi rank of sufficient capacity at the station exit, in my opinion, will benefit visitors and residents far more than this new proposed location. Also, leaving 'free space' outside the station exit (ie-loading bays) just creates chaos in terms of double parking and phc using it as a 'rank' such as under North bridge currently.</p>
<b>119.</b>	Terrible
<b>120.</b>	<p>The proposed position for the new rank in east market street would NOT be fit for use! Its current location and the under provision of rank spaces is not fit for purpose either! The ideal location of the rank would be under north bridge! This area would allow taxis to rank and give waiting passengers a little bit of shelter too. To move the rank to east market street would put us at a distance from the exit doors of the Waverley that could allow the unsolicited touting of private hire cars to sit there and tout for work! Also because we would be out with the fifty metre radius it would allow unscrupulous Taxi drivers to stop and pick up there too!</p>
<b>121.</b>	<p>Unnecessary and also more difficult for the passenger. Safety is an issue also with passengers having to cross the road. Elderly and disabled people will find it more challenging to make it to the taxi stance with luggage also. During peak periods the amount of people crossing the road is an accident waiting to happen</p>
<b>122.</b>	<p>The whole arrangement here from an Edinburgh citizen point of view is a farce. A supposed capital city of a putative independent country has a third world station support arrangement - congestion and no shelter for people queuing. Why can't the bridge repairs be completed? Like Picardy Place, this is a project with no apparent end. Why won't the Council engage with Network Rail to get taxis back into the station or relocated away from Market Street to the other side of the station (assuming of course that the road there will ever be opened properly if work on the rock will ever be finished)?</p>
<b>123.</b>	<p>Stance is too far away from station  Stance is on wrong side of the road  Private hire cars will be allowed to pick up closer to the station  Rank needs to stay where it is  Roundabout needs placing at Jeffrey st junction with solid white line between both roundabouts so entering and exiting rank is by roundabout cutting out congestion by removing turning at rank</p>
<b>124.</b>	<p>This is a terrible idea! Almost as bad as at Haymarket and don't get me started on the loss of the Omni tank. In this climate, when there is alternative options. Why not have front of the taxi rank on the same side of the street as Waverley, under the bridge?  More easily visible.  Less difficult to get to.  If it had to move then at least save the (possibly foreign) passengers from having to cross the road, taxi drivers ranking on the right of the road will cause far less chaos than travellers crossing at an awkward junction.</p>

	<p>Also, at least the bridge could afford some semblance of shelter in the rain..</p> <p>Please re consider this. You are placing a loading bay exactly where it will be abused and there is little to no enforcement on this when it's busy and most necessary.</p>
<b>125.</b>	seems like a reasonable idea
<b>126.</b>	<p>It is held as the principle argument the re-location of the Market Street rank is for 'public health &amp; safety'. Unfortunately, the proposal in its current form is likely to have the opposite effect. I shall illustrate the situation for you.</p> <p>It is unavoidable and inconvenient fact that taxis can and will congregate where demand exists. The only legal mechanism that can currently control this behaviour is the 50m radius of a taxi stance.</p> <p>The current licensing rules surrounding taxi ranks are well respected by the Edinburgh taxi trade and crucially, give a clear legal framework for enforcement of such ranks.</p> <p>By moving the rank to such a far distance from the entrance, you also move all the strict rules and regulations away from the station entrance, as these rules only have a 50m radius.</p> <p>We now have an exposed station entrance, out-width the 50m regulatory radius of a taxi rank. This, very clearly, is going to create a very unregulated environment in-front of the station entrance on Market Street. This will take on many forms, for example:</p> <ul style="list-style-type: none"> <li>- Taxis forming unofficial ranks in the previous location.</li> <li>- Private Hire Vehicles touting for business in an area of high demand.</li> <li>- Public confusion as to where and why there are not taxis available immediately at the entrance.</li> </ul> <p>As has been clearly demonstrated in recent years, various attempts have been made to discourage taxis congregating at the top of Waverley Steps. All of these efforts have failed, and the very same situation is likely to occur on Market Street on a much grander scale. Pressing ahead with these proposals will leave the authorities powerless to act on what will be continued &amp; relentless Taxi/PH activity at the previous area. Chaos will ensue.</p> <p>Given that the illustrated scenario above is patently obvious to anybody who involved with the Taxi/PH trade, it begs the question as to whether underlying motives exist in regards to the relocation of arguably the busiest public taxi rank in the east of Scotland.</p>
<b>127.</b>	I think the further you put the rank away from station it will deter the paying public from using a licensed Black cab. Also the drop off point ie under the bridge is always full of phc sitting there for some considerable amount off time and unoficialy ranking against the rules
<b>128.</b>	By moving the stance to where you are suggesting will make it extremely difficult for elderly, disabled and young families that will no doubt be

	<p>carrying luggage. The public will also have to cross a very busy street that is also at a junction with Jeffrey street.</p> <p>The drop of area that you propose will also turn into an illegal private hire car rank . This will make touting for illegal pick ups more of a regular thing. I really hope city of Edinburgh council have measurable resources to deal with this inevitable behaviour from private hire drivers.</p>
<b>129.</b>	You should really have one at the steps at balmoral
<b>130.</b>	Ridiculous too far away for elderly and disabled passengers
<b>131.</b>	As long as the traffic can flow and the double parking is resolved
<b>132.</b>	Market street is a disaster for taxi stance as street is very tidy and other private cars blocking taxi rank
<b>133.</b>	The rank is in a silly place having to cross over a busy road to get into a taxi is ridiculous and being made worse here . Taxis should be allowed into the station at the old rank
<b>134.</b>	Clearly no thought has gone into this new plan. Not only are they taking away instant taxis from the train commuters who should be able to get in one instantly as they step out the station, we will also see commuters being endangered when crossing the road to get to the rank. Especially those in a hurry. We will see further more pirating by non taxis outside the front door of the market street. Also why are the businesses at the arches losing parking spaces vital to their customers? Clearly the ones making these proposals have never been in business. Utter disgrace!
<b>135.</b>	Utterly ridiculous, Market St has always been a terrible place for a rank due to the amount of traffic and the narrowness of the street, to move it further away from the entrance will just create more chaos.
<b>136.</b>	The taxi stance at the moment is in a ridiculous position but to move it further away is an even worse option either open up the station again or leave it be
<b>137.</b>	The main station in Edinburgh needs a taxi rank as close to station exit as possible we are s tourist city and it can't be expected for people to carry luggage any distance to obtain a taxi
<b>138.</b>	Too far away from the train station and. Very discriminatory against disabled people and the elderly and infirm
<b>139.</b>	Not any good , it's too far away . Leave on market street
<b>140.</b>	<p>It's very far away from the exit to the underground station. People already struggle to get to street level and to have to walk this distance with luggage and children or health issues is inconsiderate and impractical.</p> <p>The rank should be forced back in the station or remain wher it is but on both sides of the road as s feeder to allow taxis to service the city properly.</p> <p>A turning circle at the junction of Jeffrey ad East market street should be in place to allow taxis to move off the rank and turn westbound if this is where they need to go.</p>

	This would avoid the chaos that is already in Place.
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## Email Response to Consultation

**From:** Tony Harris

**Sent:** 01 October 2019 12:54

**To:** Licensing <[Licensing@edinburgh.gov.uk](mailto:Licensing@edinburgh.gov.uk)>

**Subject:** East Market Street - 10 vehicle taxi stance

FAO Licensing Manager,

Grange/Prestonfield Community Council, of which I am a member, has been notified of this proposal, but I am responding as an individual resident of Edinburgh. I have no objection to the creation of this taxi stance as such, but my representation is to the perpetuation of a very unsatisfactory situation whereby residents and visitors arriving by train to Waverley station, possibly late at night after most buses have stopped running, then have to queue maybe for a long time in the rain for a taxi. It is a most unwelcome experience for a visitor arriving by train at this capital city and one which compares very badly indeed with many other cities in Europe and elsewhere in the world.

Tony Harris

## Regulatory Committee

9.30am, Monday, 21 October 2019

### Demand for Taxis: Six Monthly Update

Executive/routine	
Wards	Citywide
Council Commitments	

#### 1. Recommendations

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- 1.1 The Committee is asked to:
  - 1.1.1 Note the attached report from Vector Transport Consultancy (Appendix 2);
  - 1.1.2 Further note that on 12 March 2018 the Regulatory Committee agreed to maintain the limitation policy and to fix the number of available licences at 1,316. This was last reviewed by the committee when it considered a report on an interim survey of demand on 20 May 2019;
  - 1.1.3 agree that there is currently no evidence of significant unmet taxi demand and therefore maintain the limit of 1,316 on the number of taxis licensed in the city; and
  - 1.1.4 agree to use this survey as the basis for determining demand in any future applications for a taxi licence until the next taxi stance survey is completed.

**Paul Lawrence**

Executive Director of Place

Contact: Andrew Mitchell, Regulatory Services Manager

E-mail: [andrew.mitchell@edinburgh.gov.uk](mailto:andrew.mitchell@edinburgh.gov.uk) | Tel: 0131 529 4208

## Demand for Taxis: Six Monthly update

### 2. Executive Summary

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- 2.1 This report provides the interim 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 Vector Transport Consultancy in July 2019.

### 3. Background

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- 3.1 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.
- 3.2 A full demand survey is carried out every three years. In order to ensure that there are not significant changes in demand the Regulatory Committee had previously agreed to commission consultants to review taxi demand at more frequent intervals. These interim surveys are carried out every six to eight months and provide the Committee with data and analysis concerning 'any significant unmet demand' for taxis.
- 3.3 The research findings are generally reported to the Committee at six monthly intervals. The most recent research took place in July 2019 and forms the basis of this report. Appendix 1 shows a summary analysis of the Vector Transport Consultancy report and Appendix 2 shows the full report.

### 4. Main report

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- 4.1 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.
- 4.2 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 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. These individuals typically 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 to others.

- 4.3 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 Sheriff's 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. A historical appeal against a previous decision was heard in court in 2018 and the Council successfully defended its position.
- 4.4 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 if 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. This full survey was last conducted in 2017, the result of which was reported to the Regulatory Committee on 21 August 2017. Interim survey results were last reported to the Committee in May 2019.
- 4.5 The Vector Transport Consultancy 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 respect to unmet demand will continue to be carried out approximately every six months.
- 4.6 The survey includes the monitoring of periods of peak demand, e.g. after midnight and, in particular, late nights on Fridays and Saturdays. The report shows that overall there is no evidence of significant unmet demand.
- 4.7 The Council has no record of receiving any complaints about the availability of taxis within the city since the Committee last considered this issue, other than about waiting times at Edinburgh Airport. No complaints about the number of taxis have been raised with the Council by the hospitality or business communities. Members will be aware of feedback from the taxi trade that the rising number of PHCs has further suppressed demand for taxis.
- 4.8 1,313 taxi licences remain in effect as since the last report on taxi demand three separate taxi licences are no longer in force, as a result of the death of the licence holder. There are currently three applications for new taxi licences pending from family members of former licence holders. Two of these are scheduled for a hearing at the Licensing Sub-Committee on 22 October 2019 and the third is expected to be received imminently, and if these are granted this will return the number of licences in effect to 1,316.

- 4.9 Any future applications for new taxi licences will continue to be referred to the committee for determination in the chronological order in which they were received, unless there are exceptional reasons to prioritise a particular application (such as the death of a licence holder).

## **5. Next Steps**

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- 5.1 This demand survey will be used to assist the Licensing Sub-committee to determine future applications for new taxi licences.

## **6. Financial impact**

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- 6.1 The cost of the Vector Transport Consultancy research is contained within the income from taxi licence fees.

## **7. Stakeholder/Community Impact**

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- 7.1 This regular monitoring is necessary to allow the Committee the option to maintain its policy of limiting the number of taxis. Interim surveys are carried out on the Council's behalf by Vector Transport Consultancy approximately every six months.
- 7.2 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.
- 7.3 No protected groups are affected.
- 7.4 Any increase in the taxi fleet by increasing the number of licences issued would have an impact on the environment within the City, potentially including levels of pollution.

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

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- 8.1 [Restriction of Taxi Numbers in Edinburgh](#) report to the City of Edinburgh Council on 23 August 2007.

## **9. Appendices**

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- 9.1 Appendix 1 - Summary
- 9.2 Appendix 2 - Extract from Vector Transport Consultancy report



## TAXI MONITORING REPORT ANALYSIS

### Assessment of Current Demand for Taxi Services in Edinburgh – July 2019

This report has been prepared on behalf of the Executive 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 21 October 2019.

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

#### Background

1. In January 2017, CH2M was commissioned to carry out surveys on the demand for taxi services in the city. CH2M reported on taxi rank observations, interviews and surveys conducted with passengers between April and May 2017. CH2M concluded there was no unmet demand at that time.
2. The conclusions of the CH2M report were presented to the Council's Regulatory Committee on 21 August 2017. Large scale surveys by consultants such as CH2M 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 Vector Transport Consultancy.

#### Stance Observation Survey

4. Vector Transport Consultancy provided the results of taxi rank surveys which were carried out at least twice at each location in July 2019. A selection of representative ranks was observed on different days and at different times. The 22 ranks selected for observation for both periods reflect locations both within the city centre and outwith it.
5. There are currently 82 taxi stances located throughout the city with a combined capacity for 293 waiting taxis. The stances observed make up 37% of the overall stances within the city.
  - The latest stance observations indicate that, at individual stances at the 22 'core' ranks, most passengers at ranks were able to obtain a taxi immediately. The average wait time per passenger was 9 seconds.
  - At the additional eight ranks surveyed, levels of activity were generally low. Passenger volumes observed were low and a very low level of passenger waiting was observed.

#### Additional Information

6. Between the last interim demand survey being reported in May 2019 and this latest observation period, there is no record of any complaints received concerning a lack of taxis in the city being received by the Council.

#### Conclusions

7. 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 at the 'core' ranks observed was 9 seconds.
8. No evidence of 'peak demand' in the form of waiting times longer than three minutes was recorded.
9. Therefore, taking into account the data provided by Vector Transport Consultancy, it has been concluded that there is no evidence of significant unmet demand for taxi services at this time.



**Edinburgh interim survey of taxi stances  
July 2019**

**Survey Report**

**July 2019**

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## 1 BACKGROUND AND OBJECTIVES

### 1.1 Introduction

This survey has been conducted by Vector Transport Consultancy on behalf of the City of Edinburgh Council.

The survey was undertaken to collect usage statistics from taxi stances around Edinburgh. The survey maintains the approach taken by previous, similar surveys, when surveys were conducted at frequencies of approximately six months. Following on from the January 2019 survey, this survey adopts a similar scope, with 22 core survey sites supplemented by eight stances not regularly surveyed.

The 22 taxi stances to be regularly surveyed are:

- Castle Street
- Cluny Avenue
- Dundas Street
- Frederick Street
- Grassmarket
- Grosvenor Street
- Hanover Street
- High Street
- Holyrood Road
- Little France Crescent
- Lothian Road
- Morningside Road
- Morrison Street
- Nicolson Square
- Queensferry Street
- Rutland Street
- Waverley Bridge
- Wester Hailes
- Edinburgh Airport
- Casselbank Street
- Haymarket Terrace
- Market Street

The City of Edinburgh Council maintains a list of current taxi stances. This list is available online at the following web address:

[http://www.edinburgh.gov.uk/download/downloads/id/3566/licensed\\_taxi\\_stances\\_in\\_edinburgh.pdf](http://www.edinburgh.gov.uk/download/downloads/id/3566/licensed_taxi_stances_in_edinburgh.pdf)

The list indicates 82 taxi stances, of which 22 are regularly surveyed. In order to provide some additional indication of the level of use experienced at the stances which are not regularly surveyed, eight of the stances which are not regularly surveyed during the interim rank surveys, are chosen for a one-off survey during each of the interim rank surveys. A different selection of ranks will be chosen for each of the future interim surveys.



For the interim surveys undertaken during July 2019, eight stances from the list were surveyed. The eight stances surveyed were:

- Charlotte Square
- Commercial Street
- George Street
- Granton Square
- London Road (East)
- Murrayfield Avenue
- North Bridge (East)
- Portobello High Street



## 2 REGULAR INTERIM RANK SURVEYS

### 2.1 Summary of rank survey results

The results of the regular interim rank surveys are summarised in the following tables.





Table 1 - Summary of interim stance survey results part 1

Site no.	Street	Period	Edinburgh Council Rank No.	Day	Date	Survey Hours	Total no. taxis at rank	Average taxi wait time	Total passengers	Number of passengers who had to wait for a taxi to arrive	Average passenger wait time for all passengers (mm:ss)	Average passenger wait time for passengers who had to wait for a taxi to arrive at the rank (mm:ss)
1	Castle Street		1	5	Thursday	25/07/2019	12:00-14:00	22	00:14:53	26	0	00:00
	Castle Street		2		Saturday	27/07/2019	12:00-14:00	19	00:18:20	0	0	00:00
2	Cluny Avenue		1	8	Thursday	25/07/2019	18:00-18:00	0	00:00:00	0	0	00:00
	Cluny Avenue		2		Saturday	27/07/2019	18:00-18:00	0	00:00:00	0	0	00:00
3	Dundas Street		1	13	Thursday	25/07/2019	12:00-14:00	25	00:15:56	10	0	00:00
	Dundas Street		2		Friday	26/07/2019	15:00-18:00	18	00:15:35	8	0	00:00
	Dundas Street		3		Saturday	27/07/2019	12:00-14:00	17	00:06:44	18	0	00:00
	Dundas Street		4		Saturday	27/07/2019	16:00-18:00	15	00:06:38	8	2	00:10
4	Fraserick Street		1	19	Friday	26/07/2019	12:00-14:00	23	00:18:54	27	0	00:00
	Fraserick Street		2		Friday	26/07/2019	21:00-23:00	27	00:07:13	46	0	00:00
5	Grassmarket		1	28 & 29	Saturday	27/07/2019	12:00-14:00	8	00:08:03	8	0	00:00
	Grassmarket		2		Thursday	30/07/2019	00:00-02:00	0	00:00:00	0	0	00:00
6	Grosvenor Street		1	31	Wednesday	24/07/2019	00:00-02:00	0	00:00:00	0	0	00:00
	Grosvenor Street		2		Saturday	27/07/2019	16:00-18:00	1	00:04:33	0	0	00:00
7	Harveer Street		1	33	Friday	26/07/2019	16:00-18:00	24	00:06:27	22	4	00:27
	Harveer Street		2		Saturday	27/07/2019	12:00-14:00	22	00:12:47	27	0	00:00
8	High Street		1	34	Tuesday	23/07/2019	02:00-04:00	42	00:23:59	55	0	00:00
	High Street		2		Wednesday	24/07/2019	16:00-18:00	33	00:12:41	36	1	00:02
	High Street		3		Friday	26/07/2019	12:00-14:00	20	00:13:20	27	0	00:00
	High Street		4		Friday	26/07/2019	16:00-18:00	37	00:04:56	49	5	00:07
	High Street		5		Saturday	27/07/2019	12:00-14:00	27	00:18:43	37	10	00:23
	High Street		6		Saturday	27/07/2019	18:00-18:00	38	00:11:28	49	0	00:00
9	Holyrood Road		1	35	Wednesday	24/07/2019	12:00-14:00	8	00:11:50	4	0	00:00
	Holyrood Road		2		Saturday	27/07/2019	16:00-18:00	2	00:07:42	6	0	00:00
10	Crescent		1	51	Wednesday	07/08/2019	16:00-18:00	23	00:09:03	23	13	02:11
	Crescent		2		Saturday	10/08/2019	12:00-14:00	16	00:15:51	5	2	00:40
11	Lothian Road		1	54 & 55	Friday	19/07/2019	03:00-05:00	1	00:00:21	2	2	01:19
	Lothian Road		2		Tuesday	23/07/2019	12:00-14:00	32	00:24:09	19	0	00:00
	Lothian Road		3		Wednesday	24/07/2019	16:00-18:00	51	00:18:05	37	0	00:00
	Lothian Road		4		Friday	26/07/2019	02:00-04:00	6	00:15:16	3	0	00:00
	Lothian Road		5		Saturday	27/07/2019	03:00-05:00	25	00:16:51	12	0	00:00
	Lothian Road		6		Saturday	20/07/2019	12:00-14:00	27	00:02:25	49	0	00:00



Table 2 - Summary of interim stance survey results part 2

Site no.	Street	Period	Edinburgh Council Rank No.	Day	Date	Survey Hours	Total no. taxis at rank	Average taxi wait time	Total passengers	Number of passengers who had to wait for a taxi to arrive.	Average passenger wait time for all passengers (mm:ss)	Average passenger wait time for passengers who had to wait for a taxi to arrive at the rank (mm:ss)
12	Morningside Road	1	58	Wednesday	24/07/2019	16:00-18:00	4	00:28:22	1	1	01:24	01:24
	Morningside Road	2		Saturday	27/07/2019	12:00-14:00	4	00:11:07	1	0	00:00	00:00
13	Monrison Street	1	69 & 60	Friday	26/07/2019	16:00-18:00	11	00:18:04	5	0	00:00	00:00
	Monrison Street	2		Saturday	27/07/2019	12:00-14:00	2	00:03:16	0	0	00:00	00:00
14	Nicolson Square	1	62	Thursday	26/07/2019	07:00-02:00	3	00:09:13	2	0	00:00	00:00
	Nicolson Square	2		Saturday	27/07/2019	16:00-18:00	6	00:36:32	1	0	00:00	00:00
15	Queensferry Street	1	69	Saturday	27/07/2019	16:00-18:00	13	00:17:25	14	0	00:00	00:00
	Queensferry Street	2		Monday	29/07/2019	21:00-23:00	10	00:13:17	10	3	00:18	01:00
16	Rutland Street	1	72	Saturday	20/07/2019	18:00-18:00	36	00:14:42	86	0	00:00	00:00
	Rutland Street	2		Monday	22/07/2019	02:00-04:00	1	00:15:11	0	0	00:00	00:00
	Rutland Street	3		Tuesday	23/07/2019	12:00-14:00	24	00:25:01	33	0	00:00	00:00
	Rutland Street	4		Saturday	27/07/2019	16:00-18:00	26	00:21:02	42	0	00:00	00:00
17	Waverley Bridge	1	79	Saturday	20/07/2019	16:00-18:00	87	00:13:18	171	0	00:00	00:00
	Waverley Bridge	2		Monday	22/07/2019	02:00-04:00	6	00:06:46	3	0	00:00	00:00
	Waverley Bridge	3		Friday	26/07/2019	21:00-23:00	75	00:14:29	114	4	00:02	00:46
	Waverley Bridge	4		Saturday	27/07/2019	16:00-18:00	103	00:09:19	182	0	00:00	00:00
18	Wester Hailes	1	80 & 81	Tuesday	23/07/2019	12:00-14:00	13	00:25:58	12	4	00:43	02:10
	Wester Hailes	2		Thursday	25/07/2019	16:00-18:00	4	00:33:40	4	3	03:15	04:22
	Wester Hailes	3		Saturday	27/07/2019	12:00-14:00	7	00:22:04	7	2	01:04	03:45
	Wester Hailes	4		Saturday	27/07/2019	16:00-18:00	4	00:13:44	2	0	00:00	00:00
19	Airport	1		Friday	26/07/2019	16:00-18:00	130	00:12:46	268	84	01:00	02:44
	Airport	2		Friday	26/07/2019	21:00-23:00	126	00:22:46	245	0	00:00	00:00
	Airport	3		Saturday	27/07/2019	12:00-14:00	129	00:07:56	277	45	00:08	00:48
20	Cassellbank Street	1		Tuesday	23/07/2019	12:00-14:00	9	00:04:34	9	2	02:26	10:58
	Cassellbank Street	2		Friday	26/07/2019	21:00-23:00	1	00:14:48	1	0	00:00	00:00
21	Haymarket Terrace	1		Friday	26/07/2019	16:00-18:00	83	00:14:35	117	0	00:00	00:00
	Haymarket Terrace	2		Saturday	27/07/2019	12:00-14:00	96	00:14:20	193	16	00:04	00:43
22	Market Street	1		Friday	19/07/2019	16:00-18:00	175	00:09:13	310	0	00:00	00:00
	Market Street	2		Monday	22/07/2019	12:00-14:00	114	00:09:59	234	0	00:00	00:00
<b>Total across all ranks surveyed</b>							<b>1914</b>	<b>00:07:37</b>	<b>2925</b>	<b>213</b>	<b>00:08</b>	<b>02:07</b>



## 2.2 Weather conditions during the surveys

The following table presents the maximum and minimum temperatures experienced each day in Edinburgh, during the survey period.

**Table 3 - Maximum and minimum temperatures**

Date	Maximum temperature (°C)	Minimum temperature (°C)
18/07/19	20	11
19/07/19	20	11
20/07/19	21	11
21/07/19	20	12
22/07/19	25	17
23/07/19	26	16
24/07/19	23	16
25/07/19	29	12
26/07/19	25	14
27/07/19	17	15
28/07/19	19	16
07/08/19	21	13
10/08/19	23	14

General weather conditions during each of the survey periods were as follows:

**Table 4 - Weather conditions**

Daytime	Daytime Weather	Night time weather
18/07/19	Scattered clouds	Clear
19/07/19	Rain showers	Rain
20/07/19	Sunny cloudy	Passing clouds
21/07/19	Scattered clouds	Rain showers
22/07/19	Sunny cloudy	Passing clouds
23/07/19	Sunny cloudy	Passing clouds
24/07/19	Sun and rain showers	Sunny and clear
25/07/19	Sunny	Passing clouds
26/07/19	Passing clouds	Light rain
27/07/19	Light rain, partly sunny	Cloudy
28/07/19	Sunny cloudy	Foggy
07/08/19	Sun and rain showers	Passing clouds
10/08/19	Passing clouds	Thunderstorms

During the rank observation periods, the most varying weather was heavy rain showers. There is no clear evidence that the observations of activity at the taxi ranks were affected by weather.

## 2.3 Commentary on Results

The highest passenger volume observed over any of the survey periods was 310 passengers observed at Market Street between 16:00 and 18:00 on Friday afternoon. The most significant passenger waiting occurred at Edinburgh Airport during the afternoon of Friday (16:00 to 18:00), when 94 passengers had to wait for taxis to arrive at the taxi stance. These passengers had to wait for an average of 2 minutes and 44 seconds. The passengers waiting at the Airport on



Friday afternoon accounted for 44% of all passengers which were observed to have to wait for a taxi to arrive at the ranks. When taking all the ranks into account, 213 passengers in total had to wait for taxis to arrive at the ranks. These 213 passengers waited an average of 2 minutes and 7 seconds.

In total, 2,925 passengers were observed. Most passengers arrived at the ranks to find taxis waiting to be hired. Hence, the majority of passengers did not have to wait for taxis.

#### **2.4 Maximum taxi waiting times**

The maximum time that a taxi was observed waiting at each rank, during each survey period, is presented in the following table.



**Table 5 - Maximum taxi vehicle waiting times**

Site no.	Street	Period	Edinburgh Council Rank No.	Day	Date	Survey Hours	Maximum wait time
1	Castle Street	1	5	Thursday	25/07/2019	12:00-14:00	00:26:24
	Castle Street	2		Saturday	27/07/2019	12:00-14:00	00:32:41
2	Cluny Avenue	1	8	Thursday	25/07/2019	16:00-18:00	00:00:00
	Cluny Avenue	2		Saturday	27/07/2019	16:00-18:00	00:00:00
3	Dundas Street	1	13	Thursday	25/07/2019	12:00-14:00	00:35:40
	Dundas Street	2		Friday	26/07/2019	16:00-18:00	00:37:12
	Dundas Street	3		Saturday	27/07/2019	12:00-14:00	00:16:36
	Dundas Street	4		Saturday	27/07/2019	16:00-18:00	00:20:08
4	Frederick Street	1	19	Friday	26/07/2019	12:00-14:00	00:30:09
	Frederick Street	2		Friday	26/07/2019	21:00-23:00	00:16:24
5	Grassmarket	1	28 & 29	Saturday	27/07/2019	12:00-14:00	00:19:40
	Grassmarket	2		Thursday	30/07/2019	00:00-02:00	00:00:00
6	Grosvenor Street	1	31	Wednesday	24/07/2019	00:00-02:00	00:00:00
	Grosvenor Street	2		Saturday	27/07/2019	16:00-18:00	00:04:33
7	Hanover Street	1	33	Friday	26/07/2019	16:00-18:00	00:21:27
	Hanover Street	2		Saturday	27/07/2019	12:00-14:00	00:24:55
8	High Street	1	34	Tuesday	23/07/2019	02:00-04:00	00:47:50
	High Street	2		Wednesday	24/07/2019	16:00-18:00	00:27:00
	High Street	3		Friday	26/07/2019	12:00-14:00	00:29:51
	High Street	4		Friday	26/07/2019	16:00-18:00	00:10:24
	High Street	5		Saturday	27/07/2019	12:00-14:00	00:45:00
	High Street	6		Saturday	27/07/2019	16:00-18:00	00:20:38
9	Holyrood Road	1	35	Wednesday	24/07/2019	12:00-14:00	00:39:51
	Holyrood Road	2		Saturday	27/07/2019	16:00-18:00	00:14:55
10	Little France Crescent	1	51	Wednesday	07/08/2019	16:00-18:00	00:30:08
	Little France Crescent	2		Saturday	10/08/2019	12:00-14:00	00:25:26
11	Lothian Road	1	54 & 55	Friday	19/07/2019	03:00-05:00	00:00:21
	Lothian Road	2		Tuesday	23/07/2019	12:00-14:00	00:42:07
	Lothian Road	3		Wednesday	24/07/2019	16:00-18:00	00:35:20
	Lothian Road	4		Friday	26/07/2019	02:00-04:00	00:44:56
	Lothian Road	5		Saturday	20/07/2019	03:00-05:00	00:14:59
	Lothian Road	6		Saturday	27/07/2019	12:00-14:00	00:38:12
12	Morningside Road	1	58	Wednesday	24/07/2019	16:00-18:00	00:54:39
	Morningside Road	2		Saturday	27/07/2019	12:00-14:00	00:15:09
13	Morrison Street	1	59 & 60	Friday	26/07/2019	16:00-18:00	00:42:55
	Morrison Street	2		Saturday	27/07/2019	12:00-14:00	00:05:08
14	Nicolson Square	1	62	Thursday	25/07/2019	00:00-02:00	00:10:03
	Nicolson Square	2		Saturday	27/07/2019	16:00-18:00	01:04:32
15	Queensferry Street	1	69	Saturday	27/07/2019	16:00-18:00	00:30:48
	Queensferry Street	2		Monday	29/07/2019	21:00-23:00	00:30:48
16	Rutland Street	1	72	Saturday	20/07/2019	16:00-18:00	00:25:14
	Rutland Street	2		Monday	22/07/2019	02:00-04:00	00:15:11
	Rutland Street	3		Tuesday	23/07/2019	12:00-14:00	00:49:24
	Rutland Street	4		Saturday	27/07/2019	16:00-18:00	00:35:27
17	Waverley Bridge	1	79	Saturday	20/07/2019	16:00-18:00	00:26:03
	Waverley Bridge	2		Monday	22/07/2019	02:00-04:00	00:15:24
	Waverley Bridge	3		Friday	26/07/2019	21:00-23:00	00:24:07
	Waverley Bridge	4		Saturday	27/07/2019	16:00-18:00	00:19:19
18	Wester Hailes	1	80 & 81	Tuesday	23/07/2019	12:00-14:00	00:44:56
	Wester Hailes	2		Thursday	25/07/2019	16:00-18:00	00:44:54
	Wester Hailes	3		Saturday	27/07/2019	12:00-14:00	00:40:00
	Wester Hailes	4		Saturday	27/07/2019	16:00-18:00	00:24:57
19	Airport	1		Friday	26/07/2019	16:00-18:00	00:27:30
	Airport	2		Friday	26/07/2019	21:00-23:00	00:41:31
	Airport	3		Saturday	27/07/2019	12:00-14:00	00:24:49
20	Cassellbank Street	1		Tuesday	23/07/2019	12:00-14:00	00:14:59
	Cassellbank Street	2		Friday	26/07/2019	21:00-23:00	00:14:46
21	Haymarket Terrace	1		Friday	26/07/2019	16:00-18:00	00:24:39
	Haymarket Terrace	2		Saturday	27/07/2019	12:00-14:00	00:22:00
22	Market Street	1		Friday	19/07/2019	16:00-18:00	00:17:30
	Market Street	2		Monday	22/07/2019	12:00-14:00	00:18:39



## 2.5 Maximum passenger waiting times

The maximum time that a passenger was observed waiting at each rank, during each survey period, is presented in the following table.

Full details of passenger wait times are presented in Appendix E.



**Table 6 - Maximum passenger waiting times**

Site no.	Street	Period	Edinburgh Council Rank No.	Day	Date	Survey Hours	Maximum wait time
1	Castle Street	1	5	Thursday	25/07/2019	12:00-14:00	00:00:00
	Castle Street	2		Saturday	27/07/2019	12:00-14:00	00:00:00
2	Cluny Avenue	1	8	Thursday	10/01/2019	16:00-18:00	00:00:00
	Cluny Avenue	2		Saturday	12/01/2019	16:00-18:00	00:00:00
3	Dundas Street	1	13	Thursday	25/07/2019	12:00-14:00	00:00:00
	Dundas Street	2		Friday	26/07/2019	16:00-18:00	00:00:00
	Dundas Street	3		Saturday	27/07/2019	12:00-14:00	00:00:00
	Dundas Street	4		Saturday	27/07/2019	16:00-18:00	00:01:22
4	Frederick Street	1	19	Friday	26/07/2019	12:00-14:00	00:00:00
	Frederick Street	2		Friday	26/07/2019	21:00-23:00	00:00:00
5	Grassmarket	1	28 & 29	Saturday	27/07/2019	12:00-14:00	00:00:00
	Grassmarket	2		Tuesday	30/07/2019	00:00-02:00	00:00:00
6	Grosvenor Street	1	31	Wednesday	24/07/2019	00:00-02:00	00:00:00
	Grosvenor Street	2		Saturday	27/07/2019	16:00-18:00	00:00:00
7	Hanover Street	1	33	Friday	26/07/2019	16:00-18:00	00:05:34
	Hanover Street	2		Saturday	27/07/2019	12:00-14:00	00:00:00
8	High Street	1	34	Tuesday	23/07/2019	02:00-04:00	00:00:00
	High Street	2		Wednesday	24/07/2019	16:00-18:00	00:01:20
	High Street	3		Friday	26/07/2019	12:00-14:00	00:00:00
	High Street	4		Friday	26/07/2019	16:00-18:00	00:05:32
	High Street	5		Saturday	27/07/2019	12:00-14:00	00:05:46
	High Street	6		Saturday	27/07/2019	16:00-18:00	00:00:00
9	Holyrood Road	1	35	Wednesday	24/07/2019	12:00-14:00	00:00:00
	Holyrood Road	2		Saturday	27/07/2019	16:00-18:00	00:00:00
10	Little France Crescent	1	51	Wednesday	07/08/2019	16:00-18:00	00:10:42
	Little France Crescent	2		Saturday	10/08/2019	12:00-14:00	00:03:42
11	Lothian Road	1	54 & 55	Friday	19/07/2019	03:00-05:00	00:02:38
	Lothian Road	2		Saturday	20/07/2019	03:00-05:00	00:19:38
	Lothian Road	3		Tuesday	23/07/2019	12:00-14:00	00:00:00
	Lothian Road	4		Wednesday	24/07/2019	16:00-18:00	00:00:00
	Lothian Road	5		Friday	26/07/2019	02:00-04:00	00:00:00
	Lothian Road	6		Saturday	27/07/2019	12:00-14:00	00:01:38
12	Morningside Road	1	58	Wednesday	24/07/2019	16:00-18:00	00:01:24
	Morningside Road	2		Saturday	27/07/2019	12:00-14:00	00:00:00
13	Morrison Street	1	59 & 60	Friday	26/07/2019	16:00-18:00	00:00:00
	Morrison Street	2		Saturday	27/07/2019	12:00-14:00	00:00:00
14	Nicolson Square	1	62	Thursday	10/01/2019	00:00-02:00	00:00:00
	Nicolson Square	2		Saturday	12/01/2019	16:00-18:00	00:00:00
15	Queensferry Street	1	69	Saturday	27/07/2019	16:00-18:00	00:00:00
	Queensferry Street	2		Monday	29/07/2019	21:00-23:00	00:03:00
16	Rutland Street	1	72	Saturday	20/07/2019	16:00-18:00	00:00:00
	Rutland Street	2		Monday	22/07/2019	02:00-04:00	00:00:00
	Rutland Street	3		Tuesday	23/07/2019	12:00-14:00	00:00:00
	Rutland Street	4		Saturday	27/07/2019	16:00-18:00	00:00:00
17	Waverley Bridge	1	79	Saturday	20/07/2019	16:00-18:00	00:00:00
	Waverley Bridge	2		Monday	22/07/2019	02:00-04:00	00:00:00
	Waverley Bridge	3		Friday	26/07/2019	21:00-23:00	00:01:40
	Waverley Bridge	4		Saturday	27/07/2019	16:00-18:00	00:00:00
18	Wester Hailes	1	80 & 81	Tuesday	23/07/2019	12:00-14:00	00:03:14
	Wester Hailes	2		Thursday	25/07/2019	16:00-18:00	00:13:06
	Wester Hailes	3		Saturday	27/07/2019	12:00-14:00	00:00:00
	Wester Hailes	4		Saturday	27/07/2019	16:00-18:00	00:20:04
19	Airport	2		Friday	26/07/2019	16:00-18:00	00:12:24
	Airport	1		Friday	26/07/2019	21:00-23:00	00:02:29
	Airport	3		Saturday	27/07/2019	12:00-14:00	00:03:54
20	Cassellbank Street	1		Tuesday	23/07/2019	12:00-14:00	00:15:00
	Cassellbank Street	2		Friday	26/07/2019	21:00-23:00	00:00:00
21	Haymarket Terrace	1		Friday	26/07/2019	16:00-18:00	00:00:00
	Haymarket Terrace	2		Saturday	27/07/2019	12:00-14:00	00:02:38
22	Market Street	1		Friday	19/07/2019	16:00-18:00	00:00:00
	Market Street	2		Monday	22/07/2019	12:00-14:00	00:00:00



## 2.6 Conclusions

Stance observations indicate that most passengers at ranks were able to obtain a taxi immediately. When we aggregate all passenger waiting time and divide by the total number of passengers (including both those who didn't have to wait and those who did have to wait) the average wait time per passenger was 9 seconds.





## 3 ADDITIONAL RANK SURVEYS

### 3.1 Comments on the surveys

A selection of 8 of the ranks in Edinburgh, not included in the regular interim surveys, was made. Each of these locations was recorded on video camera from 7am Thursday 18<sup>th</sup> July 2019 – 7am Sunday 21<sup>st</sup> July 2019. For each of the three 24 hour periods, there was an analysis of how busy the hourly intervals were. These were categorised by activity levels as:

- **No** = no taxis in the hour,
- **Low** = fewer than 3 taxi hires per hour,
- **Active** = 3 or more taxi hires per hour.

This analysis is presented in Appendix C.

### 3.2 Summary of rank survey results

At active stances, several periods, in common with the periods analysed for the main interim rank surveys, were chosen for detailed analysis of Taxi arrival and departure times and passenger volume and waiting analysis. These detailed results are presented in the following table.



**Table 7 - Summary of additional rank survey results**

Street	Edinburgh Council Rank No.	Day	Date	Survey Hours	Total no. taxis at rank	Average taxi wait time	Total passengers	Number of passengers who had to wait for a taxi to arrive.	Average passenger wait time for all passengers (mm:ss)	Average passenger wait time for passengers who had to wait for a taxi to arrive at the rank (mm:ss)
Commercial Street	6	Thursday	27/07/2019	16:00-18:00	8	00:17:26	4	0	00:00	00:00
Commercial Street		Friday	28/07/2019	21:00-23:00	22	00:20:03	21	0	00:00	00:00
Commercial Street		Saturday	27/07/2019	12:00-14:00	11	00:07:38	4	0	00:00	00:00
Commercial Street		Saturday	27/07/2019	21:00-23:00	31	00:15:34	51	0	00:00	00:00
George Street	21	Thursday	25/07/2019	16:00-18:00	5	00:02:51	3	0	00:00	00:00
George Street		Friday	26/07/2019	12:00-14:00	15	00:15:33	16	0	00:00	00:00
George Street		Friday	28/07/2019	21:00-23:00	25	00:17:23	63	2	00:04	04:18
George Street		Saturday	27/07/2019	12:00-14:00	10	00:07:34	20	1	00:06	02:02
George Street		Sunday	28/07/2019	00:00-02:00	6	00:26:10	12	0	00:00	00:00
North Bridge (East)	63	Thursday	18/07/2019	12:00-24:00	5	00:30:54	7	0	00:00	00:00
North Bridge (East)		Sunday	21/07/2019	00:00-02:00	6	04:11:28	10	2	01:30	07:32
Portobello High Street	86	Friday	19/07/2019	12:00-14:00	7	00:10:41	4	0	00:00	00:00
<b>Totals</b>					<b>161</b>	<b>00:25:11</b>	<b>205</b>	<b>9</b>	<b>05:07</b>	<b>05:05</b>



### 3.3 Maximum taxi waiting times

The maximum time that a taxi was observed waiting at each rank, during each survey period, is presented in the following table. The table includes only the ranks where taxis were observed to wait during the processed periods.

**Table 8 - Maximum taxi waiting times**

Street	Day	Date	Survey Hours	Maximum wait time
Commercial Street	Thursday	27/07/2019	16:00-18:00	0:24:38
Commercial Street	Friday	26/07/2019	21:00-23:00	0:49:45
Commercial Street	Saturday	27/07/2019	12:00-14:00	0:20:17
Commercial Street	Saturday	27/07/2019	21:00-23:00	0:20:17
George Street	Thursday	25/07/2019	16:00-18:00	0:10:25
George Street	Friday	26/07/2019	12:00-14:00	0:25:01
George Street	Friday	26/07/2019	21:00-23:00	0:34:50
George Street	Saturday	27/07/2019	12:00-14:00	0:20:10
George Street	Sunday	28/07/2019	00:00-02:00	0:54:42
North Bridge (East)	Thursday	18/07/2019	12:00-24:00	00:50:09
North Bridge (East)	Sunday	21/07/2019	00:00-02:00	00:05:04
Portobello High Street	Friday	19/07/2019	12:00-14:00	00:20:29

### 3.4 Passenger waiting

There were two instances of passenger waiting at the George Street rank and one instance of passenger waiting at the North Bridge East rank. All passengers left in a vehicle. Passenger waiting times are presented in Table 96.

### 3.5 Weather conditions during the surveys

Temperatures and weather conditions are presented in Table 3 and Table 4.

### 3.6 Conclusions

Levels of activity at the additional ranks surveyed were generally low.

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# Regulatory Committee

9.30am, Monday, 21 October 2019

## Taxi Vehicle Licence Conditions (Advertising)

Item number	
Executive/routine	
Wards	Citywide
Council Commitments	

### 1. Recommendations

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- 1.1 It is recommended that the Regulatory Committee:
  - 1.1.1 Notes the contents of this report; and
  - 1.1.2 Discharges the outstanding remit from the Regulatory Committee on 19 August 2019

#### Paul Lawrence

Executive Director of Place

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## Request for Variation: Taxi Vehicle Licence Conditions (Advertising)

### 2. Executive Summary

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- 2.1 Following the decision of the Committee to allow taxi top illuminated advertising technology on City of Edinburgh Taxi vehicles the Committee requested a further report setting out the framework and guidance principles on types of advertising which are permitted or not permitted. This report provides the Committee with an update as requested.

### 3. Background

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- 3.1 The City of Edinburgh Council's Licensing Conditions for Taxis, Private Hire Cars, Taxi Drivers and Private Hire Car Drivers regulate the display of signage on or in any vehicle submitted for licensing.
- 3.2 On 1 February 2013 the Regulatory Committee agreed to remove all existing controls on advertising on taxis, but to retain a general condition which allows the Licensing Sub-Committee to direct that a particular advert is removed after a complaint has been referred. Prior to this date all adverts or personalised marks had to be specifically approved prior to them being placed on the taxi.
- 3.3 On 15 November 2013 the Regulatory Committee following a period of consultation, agreed new conditions which removed the requirement for Council permission for certain types of advertising. In effect this deregulated licensing controls on the content of advertising on taxis. These conditions are detailed in Appendix 1 Licensing Conditions for Taxis, Private Hire Cars and their Drivers (Advertising and Personalising Marks)
- 3.4 Historically taxis have been permitted to have advertising on the vehicle and approval for roof top advertising only applies to Taxis. Private Hire Car conditions prevents all advertising apart from a sign on the rear passenger doors on vehicles indicating the name of the business and the telephone number in the format approved by the Council.

- 3.5 On 19 August 2019 the Regulatory Committee agreed to allow Dooh Smart Ltd to install its 'Brightmove taxi top illuminated advertising technology' on City of Edinburgh Taxi vehicles and to delegate authority to the Executive Director of Place to approve this type of advertising, and to vary the standard conditions of licence to disapply condition 299, insofar as it applies to 'Dooh Smart Ltd taxi tops' in the future. The committee also requested a further report setting out the framework and guidance principles on types of advertising which are permitted or not permitted.

## 4. Main report

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- 4.1 The advertising industry operates within a regulated landscape. The Advertising Standards Authority (ASA) is the UK's independent regulator of advertising across all online and offline media. The UK advertising codes lay down rules for advertisers, agencies and media owners to follow. The ASA proactively monitors advertising for compliance as well as responding to complaints and issues rules on its investigations.
- 4.2 The ASA issues codes of practice which cover a wide range of guidance, including:
- misleading advertising;
  - harm and offence;
  - political advertisements;
  - environmental claims;
  - medicines, medical devices, health-related products and beauty products;
  - weight control and slimming;
  - financial products;
  - gambling;
  - lotteries;
  - alcohol;
  - tobacco, rolling papers and filters;
  - electronic cigarettes; and
  - specific guidance when featuring or addressing children.
- 4.3 The City of Edinburgh Council Licensing Conditions for Taxis, Private Hire Cars and their Drivers (Advertising and Personalising Marks) broadly mirror the categories laid down by ASA in that "advertisements should not contain political, ethnic, religious, sexual or controversial texts; advertise tobacco products; display nude or semi-nude figures; are likely to offend public taste; depict men, women or children as sex objects; depict direct and immediate violence to anyone shown in the advertisement or anyone looking at it; advertise any racist group or organisation which intends to promote the group/organisation and/or any of its activities."
- 4.4 The conditions ensure that the Committee has the right to require the immediate removal of any advertising on Licensed Vehicles that are not permitted in terms of the conditions. Since the introduction of the conditions in 2013 there have been no examples or complaints that have required action to be taken to remove adverts.
- 4.5 It is recommended that the current conditions are sufficiently robust.

- 4.6 Additionally, the Council's Trading Standards Service has powers of enforcement should any advert breach consumer protection legislation.

## **5. Next Steps**

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- 5.1 Council officers will continue to monitor the implementation of the taxi top advertising as appropriate.

## **6. Financial impact**

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- 6.1 The Council's scale of fees for licensing applications was approved with effect from 1 April 2019. Any costs implementing policy changes will be contained within the current ring-fenced income generated from licence application fees.

## **7. Stakeholder/Community Impact**

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

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

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- 8.1 [Licensing conditions for taxis and private hire cars, taxi and private hire car drivers](#)  
8.2 [Item 7.2 Regulatory Committee Meeting 1 February 2013 - Work Plan Review of Taxi Advertising](#)  
8.3 [Item 7.5 Regulatory Committee Meeting 15 November 2013 - Control of Advertising on Taxis – feedback on Consultation](#)  
8.4 [Item 7.2 Regulatory Committee 19 August 2019 - Request for Variation: Taxi Vehicle Licence Conditions](#)

## **9. Appendices**

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- 9.1 Appendix 1 - Licensing Conditions for Taxis, Private Hire Cars and their Drivers (Advertising and Personalising Marks)



## **Appendix 1 – Licensing Conditions for Taxis, Private Hire Cars and their Drivers (Advertising and Personalising Marks)**

25. The Licence Holder shall not display in or on their Licensed Vehicle any signs by way of identifying or personalising marks.
26. The Licence Holder may display advertisements in or on their Licensed Vehicle subject to the following criteria:
  - (a) Advertisements may only be displayed in the interior of taxis on the underside of the tip-up seats. Advertisements on the exterior of taxis will be categorised as either door, super-sides or full livery. Door advertisements may only be fitted to the lower panels of the front and rear doors. No material may be placed on any glass including the dividing glass partition, other than notices approved by the Council. The Council reserves the right to require the immediate removal of any advertising on Licensed Vehicles which would not be permitted in terms of condition 27 below.
  - (b) Materials used for advertisements must be made of a quality not easily defaced or detached. No magnetic panels, paper based materials or water soluble adhesive paste shall be used. Advertisements must be affixed directly to the body of the Licensed Vehicle.
  - (c) Interior advertisements on the underside of the tip-up seats must be encapsulated in clear non-flammable plastic.
27. Advertisements are not required to be approved by the Council. However, advertisements should not contain political, ethnic, religious, sexual or controversial texts; advertise tobacco products; display nude or semi-nude figures; are likely to offend public taste; depict men, women or children as sex objects; depict direct and immediate violence to anyone shown in the advertisement or anyone looking at it; advertise any racist group or organisation which intends to promote the group/organisation and/or any of its activities. Placement of inappropriate adverts could result in the Licence Holder being regarded as an unfit person to hold a licence.

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## Regulatory Committee

09.30am, Monday, 21 October 2019

### Licensing Policy Development – Street Trading update

Executive/routine	
Wards	All
Council Commitments	

#### 1. Recommendations

- 1.1 It is recommended that the Regulatory Committee:
  - 1.1.1 notes the contents of this report, and affirms the terms of the existing street trading policy as set out in Appendix 2;
  - 1.1.2 considers the proposals and changes to policy detailed in paragraphs 4.6 to 4.9 and 4.17, if the committee supports these in principle and instructs consultation on these;
  - 1.1.3 notes the commitment that further work will be undertaken by Council officers in relation to the wider plans for the use of Mound Precinct and Playfair Steps, following the completion of the construction work;
  - 1.1.4 agrees that in the meantime no changes will be made to the High Street (with the exception of the area outside 329 High Street) and Playfair Steps/Mound Precinct, as recommended in paragraph 4.12;
  - 1.1.5 Agrees that no further licences are granted for the area outside 329 High Street as recommended in paragraph 4.13; and
  - 1.1.6 Agrees to introduce a daily rate for Charitable organisations as recommended in paragraph 4.20

**Paul Lawrence**  
Executive Director of Place

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## Licensing Policy Development – Street Trading update

### 2. Executive Summary

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- 2.1 At its meeting on 1 February 2016 the Regulatory Committee agreed to adopt new conditions for street trading and market operator licensing. This report reaffirms the policy considered by the committee at that time. It proposes a number of changes in paragraphs 4.6 to 4.9 and 4.17, following the adoption of the Public Spaces Protocol now in operation throughout the city.

### 3. Background

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- 3.1 Street Trading and Market Operator are optional licensing activities within the Civic Government (Scotland) Act 1982 (Appendix 1). In 1983 the City of Edinburgh Council, by way of resolution, exercised its powers to adopt these activities and developed a Street Trading policy.
- 3.2 The Street Trading policy creates the ability to control and manage activity. It ensures that traders operate within the same general constraints that apply to any other business, including that they comply with relevant legislation and meet the same minimum standards that any responsible business should observe.
- 3.3 A number of city centre locations have been redeveloped to improve the quality of the public space. This has led to competing demands for the use of public space, and there has been an increase in the volume of licence applications for street trading. Areas particularly affected by this increased demand and lack of available space include Castle Street, High Street, Hunter Square and Grassmarket.
- 3.4 Following a period of consultation, a draft policy and conditions for street trading and market operator licensing were developed (Appendix 2). On 1 February 2016 the Regulatory Committee agreed to adopt these documents, including new conditions for street trading and market operator licensing, and to carry out further consultation on the use of a small number of public spaces throughout the city.
- 3.5 At the Transport and Environment Committee meeting on 2 June 2015 it was agreed that the development of a ‘manifesto’ on the use of public spaces should commence, in order to provide a clear policy statement that provides a basis for the balanced use of the city centre's civic spaces. The manifesto is now referred to as

the Public Spaces Protocol (PSP). The outcome of the public space protocol consultation was [reported](#) to the Transport and Environment Committee in March 2018.

## 4. Main report

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### City Centre Public Realm Space

- 4.1 Public realm space continues to attract significant demand from street traders, market operators, parades and processions and event organisers.
- 4.2 The City Centre Public Spaces Protocol approved by both the Economy Committee and the Transport and Environment Committees looks, long term, at the city's aspirations for use of public spaces. On 7 May 2018 the Regulatory Committee as part of its deliberations on High Street Trading heard from the relevant Council Officers on the content of the Public Spaces Protocol. This indicates that a clear and transparent approach is required to establish a set of guidelines on the use and management of these spaces, recognising that mono-use or over-use of space does not protect the city from excessive commercial use of civic space
- 4.3 The City's World Heritage Site status, historic buildings or places which are internationally significant are also required to be considered as part of this process.
- 4.4 Applicants seeking a street trading licence and who are seeking to use Public Spaces controlled by the Council will have separately had to ensure that their intended operations satisfy this approved Council Policy.
- 4.5 The policy and conditions for both street trading and market operator licensing have been revised in conjunction with the principles of the Public Spaces Protocol. To ensure a consistency of approach and remove any ambiguity that may exist between the two policies, the opportunity is taken to reaffirm the street trading and market operator policy (Appendix 2). Applicants seeking to use public spaces will additionally have to comply with the Public Spaces Protocol.

### High Street/Hunter Square trading

- 4.6 When the Regulatory Committee last considered Street Trading in the High Street and Hunter Square it agreed that any trading should continue on a temporary basis as previously agreed, albeit it acknowledged that the presumption against the sale of hot food could be departed of during the period of the August festivals. Officers are not proposing that any further changes should be made.
- 4.7 The High Street is one of the main Fringe locations. During August the High Street is a long standing event space and normal street trading is suspended during this period. The suspension of normal street trading extends to Hunters Square, which was part of that event space until 2012.
- 4.8 There is an outstanding remit which asked for Council officers to meet with Edinburgh High Street and Playfair Steps Traders Association (EHSPSTA) and there have been a number of meetings as a result. The association advises that it is

keen to work with Council officers, the Edinburgh World Heritage Trust and local businesses. The association has put forward a number of proposals (Appendix 3) which include:

- 4.8.1 implementation of a code of conduct and a set of core principles for traders;
- 4.8.2 creation of a standard for street trading stalls with regard to look, size and structure, reducing the size of the existing stall from 10 x 10 feet to 8 x 8 feet. The stalls would all have a uniform approach and be constructed of a metal frame, fixed tarpaulin roof with skylight and black edge drip effect;
- 4.8.3 installation of anchor points which would create clear delineation of stances and remove the need for unsightly ballast currently used as part of the wind management plans
- 4.8.4 increasing the number of stalls in Hunter Square to six;
- 4.8.5 allow trading in Hunter Square during the month of August;
- 4.8.6 reinstate the street trading stances outside 249 High Street and increase the number to seven;
- 4.8.7 retain the existing four stances outside 329 High Street

The association has acknowledged that trading at these locations may be required to be suspended for events in the area, i.e. royal visits, Armistice day services etc. EHSPSTA has indicated a willingness to invest in new stalls and coverings to improve the whole look of what is on offer, and to create something that is of value to the area.

- 4.9 EHSPSTA also requests that consideration is given to allowing its members to use of Hunter Square during the Festival. Their position that Hunter Square has not been used as an event space for a number of years and the area has been utilised by other street traders. EHSPSTA has asked that consideration should be given to allow existing traders to trade in this area year-round.
- 4.10 These proposals would amount to a significant change of approach to the current policy and as such Council Officers cannot progress these further without a clear view from the Committee on whether amending the Policy in this way is desirable. Committee is advised that there are some reservations to this use as can be seen from the comments received (Appendix 4).
- 4.11 If the committee is supportive of the proposals of the association it recommended that this would require further consultation with other stakeholders in the city centre area takes place prior to the committee reaching a final decision.
- 4.12 It is recommended not to reinstate trading in front of 249 High Street at this time. Council officers will keep this position under review and will report back to the committee following developments at 329 High Street and Playfair Steps/Mound Precinct.
- 4.13 The Council is in the process of completing the sale of the office space at 329 High Street. The sale is due to complete at the beginning of December 2019, however

the purchaser will be allowed entry to the building before this date to carry out some initial works. At the same time, contractors on behalf of the Council will be working within the building to complete separation work from the remainder of the City Chambers. To enable this piece of work it will be necessary to cordon off an area to the front of the building with fencing. Property and Facilities Management have asked that no further licences are granted for this until the work is completed.

### **Mound Precinct and Playfair Steps**

- 4.14 The area at the bottom of the Playfair Steps to its junction with the south side Mound Precinct has accommodated street trading for a number of years. Initially street trading at this location was intended to have utilised just the railings, but in more recent years this has expanded to include market type stalls. Demand for these stances has been significant over the years.
- 4.15 Historically there have been two annual street trading stances within the Mound Precinct. Stance 1 is on the East side of the Mound Precinct, 25 feet from Princes Street, and Stance 2 is on the West side of the Mound Precinct, 25 feet from Princes Street. In addition, there are 13 stances on Playfair Steps. The current position has now been expressly set out in the street trading policy, rather than the previous position where separate rules applied. In doing so it is intended that no change is made in that regard but merely that existing policies are brought together in one policy document.
- 4.16 ‘Celebrating Scotland’s Art: The Scottish National Gallery Project’ is a major construction and expansion project involving redevelopment of Princes Street Gardens. In order to protect public safety during the necessary works it was necessary to suspend Street Trading Licences at Playfair Steps & Walkway and to amend the trading dates for The Mound Precinct.
- 4.17 Committee is asked to note that it remains the intention that further work should be undertaken by Council officers in relation to the wider plans for the use of this area following the completion of the works. In relation to Playfair Steps, it is as yet unclear whether the revised layout will enable street trading to continue at this location
- 4.18 As previously reported, National Galleries Scotland, Police Scotland and Council officers have reservations about the continued use of the Mound Precinct and Playfair Steps for Street Trading, in part due to possible security issues at the location. In addition, there are concerns about pedestrian access and congestion caused by the stances in Playfair Steps, especially during the Festival and festive periods

### **Charities and Community Groups**

- 4.19 Charitable organisations and community groups previously highlighted the cost of trading. In their view the conditions are onerous, however many manage markets and street trading on a daily/weekly basis, necessitating an element of management control and responsibility.

- 4.20 Charitable organisations and organisers of one day events have previously highlighted a need for a one day licence. It is proposed to introduce a daily rate for charitable organisations to address these concerns
- 4.21 Historically, in addition to an annual licence, charitable organisations have been able to obtain a Street Trader's Licence for a period of up to six months. The purpose of the six month licence was to allow charities that had previously operated a Public Charitable Collection to also sell charity related goods, e.g. pin badges. There are also a small number of charities which operate a seasonal market in the city. It is proposed that this arrangement continues, and no changes are recommended

## **5. Next Steps**

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- 5.1 Council officers will monitor the implementation of the proposed changes and provide a further update to the committee in 12 months.
- 5.2 Further engagement with traders and relevant parties will be carried out in respect of Playfair Steps and Mound Precinct.

## **6. Financial impact**

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- 6.1 Overall the change to policy will not create any additional costs to the Council budget. The Council's scale of fees for licensing applications was approved with effect from 1 April 2019. Any costs implementing policy changes will be contained within the current ring-fenced income generated from licence application fees.

## **7. Stakeholder/Community Impact**

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- 7.1 The development of policy in respect of licensing of street traders is part of a wider place-making role for the Council. It is essential that all strategic aims of the Council are considered and that the Street Trading policy is consistent with these aims.
- 7.2 The policy framework and conditions continue to support:
- 7.2.1 a safe, clean and well-maintained environment;
  - 7.2.2 a more attractive environment for those living in, working in and visiting the city;
  - 7.2.3 an improved, more diverse, retail offer; and
  - 7.2.4 an environment that promotes and protects the economic wellbeing of the city.
- 7.3 Destination markets and street trading can be a draw for tourists and can bring a wide variety of stalls, commodities and cultures. Licensed street trading activities can



also assist in the prevention of illegal street trading, by displacing undesirable criminal activity and hawking.

- 7.4 Conversely, if poorly managed, street trading and markets can have a negative effect on an area leading to obstruction to pedestrians, a visually unappealing and untidy street scene, sale of poor quality goods which do not meet local needs and an increase in complaints to the Licensing Authority.
- 7.5 There is a need for a common set of rules that would apply to all street traders and market operators. As with any business, these should not cause nuisance or inconvenience to their neighbours, or to the community, within which they are located.

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

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- 8.1 [Review of Street Trading Policy report](#) to Central Local Development Committee on 7 January 2004
- 8.2 [Licensing Policy Development Street Trading report](#) to Regulatory Committee on 4 April 2014
- 8.3 [City Centre Public Spaces Manifesto update report](#) to Transport and Environment Committee on 2 June 2015
- 8.4 [Licensing Policy Development – Street Trader Licensing update report](#) to Regulatory Committee on 25 September 2015
- 8.5 [Licensing Policy Development – Street Trader Consultation update report](#) to Regulatory Committee on 1 February 2016
- 8.6 [Public Spaces Protocol report](#) to Transport and Environment Committee on 9 March 2018

## **9. Appendices**

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- 9.1 Appendix 1 - Statutory background
- 9.2 Appendix 2 - Street Trading Policy
- 9.3 Appendix 3 - Street Trading and Market Operators conditions
- 9.4 Appendix 4 - Proposals by the Edinburgh High Street and Playfair Steps Traders Association High Street and Hunters Square
- 9.5 Appendix 5 - Council Officer Responses to EHSPSTA Hunter Square Proposals

## Statutory Background

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

### Street Trading

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

- (a) hawking, selling or offering or exposing for sale any article;
  - (b) offering to carry out or carrying out for money, or money's worth, any service;
- and includes doing any of these things in or from a kiosk or moveable stall not entered in the valuation roll, except where it is done in conjunction with or as part of a retail business being carried out in premises abutting the public place.

The Civic Government (Scotland) Act 1982 provides exceptions from the requirement to hold a Street Trader's Licence. These include:

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

### Market Operator

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

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

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

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

## Street Trading Policy

### 1. Street Trading Policy

The aim of the Street Trading policy is to grant a licence to traders:

- 1.1 Where the location is acceptable in respect of planning, transportation and safety;
- 1.2 In low amenity areas such as industrial estates; and
- 1.3 Within the curtilage of business premises where their presence is visually acceptable and will not result in an adverse effect on traffic movement or safety.

However, it is recognised that this may be difficult to achieve in areas within the city centre due to high pedestrian flow and lack of identifiable sites.

### 2. City Centre and Areas of Special Interest

Unless the Council makes a specific exemption to the policy it is highly unlikely that street trading or market operator licences will be granted in the following circumstances:

- 2.1 In streets that have a significant formal layout and plan form, which would be undermined by the presence of additional items in the street. These include the New Town, and in particular George Street.
- 2.2 Within the World Heritage Site, conservation areas and areas of important landscape value, the use of portacabins or other large units of similar scale e.g. metal containers used for freight, are not considered suitable in these locations.
- 2.3 Within the setting of certain historic buildings or places which are internationally significant, including in particular HM General Register House, the Royal Scottish Academy and National Gallery, Parliament Square, St Giles Cathedral and the Signet Library. These areas should be retained as open space.
- 2.4 Where key views are likely to be adversely affected by the presence of street trading stances.
- 2.5 At important gateways to the city. This will include the approach to, and roundabout at, Edinburgh Airport and principal traffic routes in the centre of the city
- 2.6 Within certain areas not regarded by the Council as suitable for street trading or market operations except in exceptional circumstances. Longstanding factors that would make a location unsuitable include areas of high pedestrian footfall, narrow footways and busy arterial routes. It is proposed that streets affected by this should include:
  - 2.6.1 Princes Street;
  - 2.6.2 The Lawnmarket/Parliament Square

- 2.6.3. George IV Bridge;
- 2.6.4. Lothian Road
- 2.6.5. North Bridge
- 2.6.6. South Bridge
- 2.6.7. Lothian Road
- 2.6.8. St Giles Street
- 2.6.9. Waverley Bridge

2.7 Within certain high profile areas where all suitable locations are current being heavily utilised:

- 2.7.1. Castle Street;
- 2.7.2. Rose Street;
- 2.7.3. Grassmarket;
- 2.7.4. Mound Precinct;
- 2.7.5. Playfair Steps; and
- 2.7.6. The Meadows.

It is proposed that no further licences are granted in these areas, however if in the future a suitable location becomes available this can be reviewed.

2.8 Any additional licences in the vicinity of the main sporting stadiums at Tynecastle, Easter Road, Meadowbank and Murrayfield. These locations are already well served by existing Street Trader's Licences and additional licences would only be granted when an existing location becomes available.

### **3. Mobile Zones**

- 3.1 Street trading mobile zones were first introduced in the city in 1984 following a number of complaints about the number of mobile traders operating in one area. The zones were based largely on the residential population and popular street trading locations at the time. The zones were revisited as part of the policy review in 2004 and re-adopted.
- 3.2 While the zones were introduced to control the sale of ice cream from vehicles, they are now utilised for all mobile street trading activity. The purpose of mobile trading zones is to control and manage areas in which traders can operate. The current system restricts city wide trading and limits numbers to ensure balance for local communities and existing commercial activity.
- 3.3 The specified zones in which street traders are permitted to trade are included in Appendix 3. Princes Street, George Street, Rose Street, the Mound Precinct and the Royal Mile were excluded from the trading zones as being unsuitable for this type of activity. A street trader will not be licensed for more than two zones at any one time

### **4. High Street/Hunter Square Trading**

- 4.1 Street trading in the High Street and Hunter Square is intended to be temporary in nature, and given demand for space traders should not expect to be consistently trading on the High Street.
- 4.2 Given the historic nature and prominence of the High Street and Hunter Square, neither location is considered suitable for the sale of hot and cold food, although this may be relaxed in Hunter Square during the month of August.
- 4.3 The High Street is one of the main Fringe locations. During August both the High Street and Hunter Square are considered event spaces and normal trading is suspended during this period.
- 4.4 Trading at these locations may be required to be suspended for events in the area i.e. Royal visits, Armistice day services, parades and processions etc.
- 4.5 Stances in the High Street and Hunter Square will be subject to the following criteria:
  - 4.5.1. Stances will be allocated on a weekly basis (Monday – Sunday);
  - 4.5.2. Trading hours will not exceed 10:00 – 20:00hrs daily;
  - 4.5.3. Multiple applications by individuals linked to one business will not be accepted and will be returned;
  - 4.5.4. Traders will be required to indicate whether or not they are the sole trader and if they intend to apply for employee licences;
  - 4.5.5. Traders will display, in a prominent position, so that it may easily be read by customers or suppliers, a notice containing the name of the trader and/or business and details if their trading address;
  - 4.5.6. A separate licence application will be required for each date applied for. The practice of adding multiple dates to one application will not be accepted;
  - 4.5.7. A separate licence application will be required for each location applied for i.e. Hunter Square/High Street. The practice of naming specific stances will no longer be accepted;
  - 4.5.8. The relevant application fee is submitted at time of application;
  - 4.5.9. Applicant will provide the following information/documentation:
    - name of business and/or trader;
    - details of the stall to be used, including dimensions (not to exceed 8ft in length);
    - wind management plan (it is no longer appropriate to produce a generic wind management plan the plan must reflect the actual stall);
    - type of goods sold;
    - public liability insurance;
    - tax reference of the business/trader;
    - photograph of proposed stall;
    - type of goods sold (which will then be detailed on the licence);
    - a copy of public liability insurance including cover for employees where appropriate.

## 5. Mound Precinct and Playfair steps

- 5.1 The area at the bottom of Playfair Steps to its junction with the south side of Mound Precinct has accommodated street trading for a number of years. Initially street trading at this location was intended to have utilised just the railings, but in more recent years this has expanded to include market type stalls.
- 5.2 Annual trading stances are restricted to:
  - 5.2.1. Two within the Mound Precinct: stance 1 on the East side of the Mound Precinct, 25 feet from Princes Street, and stance 2 on the west side of the Mound Precinct, 25 feet from Princes Street
  - 5.2.2. 13 Stances on Playfair Steps

## 6. Licensing Criteria

All licence applications will be subject to the following criteria:

- 6.1 In general, the issuing of licences will be limited to areas of retail, business and entertainment activity e.g. retail parks and industrial estates. Street traders/market operators shall not be permitted in streets that are predominantly residential:
- 6.2 Street traders must not obstruct or restrict pedestrian or vehicular traffic or cause a danger to road users.
- 6.3 Street traders/market operators must obtain all necessary and appropriate consents prior to making an application, and in particular the consent of the owners of any land on which a stance is to be situated or which is adjacent to any stance. The grant of a licence does not imply that the owner has consented or that there is a right to occupy the space
- 6.4 The precise location of the proposed stance must be marked on an Ordnance Survey Map with a box and a distance in metres given to the nearest junction. The location of the stance should be clearly described:
  - 6.4.1. The precise location of the proposed stance must be marked on an Ordnance Survey Map with a box and a distance in metres given to the nearest junction. The location of the stance should be clearly described, giving:
    - the name of the street;
    - the side of the street (e.g. north, south etc);
    - the name of the nearest side street; and
    - the distance in metres from the nearest side street.
- 6.5 all street trading stances and markets will be mapped to clearly identify locations
- 6.6 Stances will be clearly delineated. This may be achieved by placing brass studs or wind management anchors in the pavement where the Council directs

- 6.7 Street trading/market operations and the stalls, kiosks, vehicles or mobile units associated with these shall only occupy a stance during trading hours
- 6.8 At the end of trading hours the licence holder shall promptly remove and take away any stall, kiosk, mobile unit or vehicle and all other ancillary equipment placed on or in the vicinity of the trading stance
- 6.9 Street trading is considered to be of a temporary nature and traders shall not be allowed to permanently occupy any stance. Licences will be granted on either a temporary or annual basis dependant on location
- 6.10 Stances sited on the footway should normally be located outwith pedestrian desire lines, for example at suitable recesses
- 6.11 Where a high density of annual Street Trader's Licences already exists, further licences will only be considered where there is significant additional space identified to accommodate them
- 6.12 Consideration will be given to how any stall or trading unit will be set up at the specified location. Driving over a public pavement will not be allowed and another means of placing a unit will be required. This will include any deliveries to or servicing of any unit, stance or stall
- 6.13 When locating street trading stances, consideration should be given to access to street furniture by utilities and other owners of cabinets, manholes and access covers etc. A trader shall move when asked to do so by an owner or their representative wishing to access their apparatus
- 6.14 Maintaining the integrity of the paved surfaces, roads and pavements is important for the future maintenance of the streets being utilised. It is therefore vital that every effort is made by a licence holder to protect the road and pavement surfaces from damage caused by either placing or removing a unit or stall. Protection should also be given from any footings or stabilisers while the unit/stall is in place
- 6.15 Amenity areas may have to be shared by street trading activities and tables and chairs being used by adjoining properties as part of the café culture within the city. In these circumstances agreements need to be reached with the relevant service departments prior to the grant of a licence
- 6.16 Planning permission is required for open air markets if the land is used for this purpose for more than 28 days in a year. This is not 28 days per market operator, as any permissions go with the land not the applicant. It is the responsibility of the person using the land for open air market operations to obtain planning permission for this purpose
- 6.17 A Street Trader's Licence is required for street trading by a person whether, on their own account or as an employee
- 6.18 Employee licences will be issued to provide assistance to the actual licensed traders, but not for the purposes of operating the business on behalf of someone else.

## **7. Duration of Licence**

- 7.1 A licence granted under the Civic Government (Scotland) Act 1982 can be issued for a period of no more than three years, or shorter period if the Council decides. Both Street Trader's and Market Operator's licences will be limited to a period of one year. Once an annual licence has been granted this will prevent another licence being issued for the same location and trading hours.
- 7.2 Temporary licences can be issued for a period of no more than six weeks, or a shorter period if the Council so decides, and are mainly used in connection with public entertainment or an event. Temporary licences will be limited to a period of 28 days. The main exception to this is street trading in the High Street and/or Hunter Square, where licences are allocated on a weekly basis due to the high volume of demand for stances.
- 7.3 Temporary licences for street trading, not linked to public entertainment or an event, will be for a maximum period of seven days
- 7.4 In circumstances where the demand is far greater than the actual number of temporary stances available, allocation will be by way of a ballot system. This would apply to areas such as the High Street and Hunter Square
- 7.5 The issue of an annual Market Operator's licence or Street Trader's Licence could prevent other licences from being granted for the same location and hours of operation. To prevent an annual licence from restricting other trading opportunities in public realm space, it is proposed that an annual Market Operator's licence should only be considered in cases where the operator's trade is at a frequency of at least once per calendar month, and those dates should be clearly identified on the licence

## **8. Hours of Operation**

- 8.1 Street trader and/or market operator trading hours will normally be considered to operate between the hours of 10:00 – 20:00hrs daily.
- 8.2 Between April and October street traders will be expected to trade between 10am – 4.30pm (or other agreed hours). This should be considered as a minimum trading period
- 8.3 There will be a presumption against street traders selling food between 23:00hrs and 5:00hrs except in exceptional circumstances at the discretion of the Licensing Sub Committee.
- 8.4 Licence holders wishing to trade between 23:00hrs and 5:00hrs will also require a Late Hours Catering Licence. A Late Hours Catering Exemption certificate can also be granted for a period of up to two months to allow trading on a temporary basis



**Street Trading and Market Operators conditions**

**Standard Conditions – All Street Traders**

1. The holder of a Street Trader's Licence shall not be less than 18 years of age.
2. The licence holder shall not carry on business on any street so as to unreasonably obstruct road users or affect their safety.
3. The licence holder shall carry on business subject to any direction which the Police or authorised officers of the City of Edinburgh Council may reasonably be required to give.
4. The licence holder shall not, without the consent of the Licensing Authority, sell or offer or expose for sale any goods or carry out or offer to carry out for money or money's worth any service at any place other than as specified in their licence. In particular, no goods or articles of an objectionable or indecent character shall be sold or offered or exposed for sale.
5. The licence holder shall on all occasions, when carrying on business, behave in a proper and civil manner, and shall not carry on business in such a way as to cause a nuisance or annoyance to any person.
6. The licence holder shall at all times conduct business and position any vehicle used in connection with the business in such a manner that no danger is likely to arise to any other person.
7. Where vehicles are to be used to site or locate street trading units they must follow the Highway Code at all times. This includes NOT driving over public pavements to access an area or to place the unit on a stance. Vehicles may only drive over a pavement at specific designated locations where the kerb has been lowered for this specific purpose for vehicles. Pedestrian dropped crossings should not be used. This will include any deliveries to or servicing of any unit, stance or stall.
8. The licence holder shall only trade from the location or stance detailed on the licence. Any temporary relocation of stance can only be made with the consent of the appropriate Executive Director.
9. The licence holder shall obtain all necessary and appropriate consents prior to commencing trading from any stance, and in particular the consent of the owners of any land on which a stance is to be situated or which is adjacent to any stance.
10. The licence holder shall at all times when trading wear the identity card which is issued with the licence. The licence must be displayed on any vehicle or stance.
11. The licence holder shall not lend to or allow any other person to use any licence or identity card issued by the Council.
12. The licence holder shall not sub-let the use of the site to a third party.

13. Licence holders shall have a Public Liability insurance policy to the value of £1 million
14. The licence holder shall trade only during the hours of operation stated in the licence.
15. All temporary structures shall be designed, erected and maintained to suit their intended purpose. The design and erection shall be to the satisfaction of the Council's appropriate Executive Director.
16. Traded goods must be kept on and traded from the vehicle, trailer or stall. At no time shall such goods be permitted to lie or stand on the surrounding area or be left against adjacent walls or railings.
17. Where the licence allows the holder to sell from a vehicle, kiosk or moveable stall at an approved stance, the vehicle, kiosk or moveable stall shall be capable of being speedily and easily removed.
18. At the end of trading hours on each working day, the licence holder shall immediately remove the vehicle, kiosk or moveable stall from the approved stance and all other ancillary equipment placed on or in the vicinity.
19. The licence holder shall, during business hours and at the end of each day, ensure the collection and removal of any paper, garbage or other refuse which may be produced, or may accumulate in the course of trading on any pavement around the stance within a distance of 25 metres either side. If adjacent stances, to which the street trading licence conditions apply, are within 25 metres, any distance to be cleaned shall be the mid-point between the two stances.
20. Any stall or trading unit should not be connected to any utility service i.e. water, gas or electricity supplies either on a permanent or temporary basis and should not therefore be arranged by a Licence holder.
21. All generators must be used and stored in accordance with manufacturer's guidance.
22. The licence holder shall ensure that all music, amplified music and/or vocals are controlled to the satisfaction of the consent of the appropriate Executive Director.
23. The Health and Safety at Work etc Act 1974 and all other relevant health and safety legislation must be complied with at all times by the licence holder.
24. Any Authorised Officer of the City of Edinburgh, Fire Officer or, Police Constable or Council shall be permitted to enter and inspect any vehicle, trailer or stall at any time and all reasonable directions and requirements of such officers or of the City of Edinburgh Council must be complied with.
25. A Licence holder who changes his address shall within 14 days thereafter give notice thereof to the Licensing Authority and shall produce his licence to the Licensing Authority who shall update the particulars of such change of address.
26. If, during the currency of the licence, the licence holder is convicted of any offence, they shall, within 28 days, provide full details of such convictions, in writing, to the Licensing Authority.

## **Additional Street Trading Conditions – Food Trading**

1. When any vehicle, trailer or stall is trading in food, all requirements of Food Safety legislation must be complied with, to the satisfaction of the appropriate Executive Director.
2. A valid food hygiene certificate must be provided to the Licensing Authority at time of application for a licence

The licence holder shall ensure that the food hygiene certificate and relevant documentation are valid, maintained and available for inspection by any authorised officer of the Council at any time during trading hours and at any other reasonable time. Relevant documentation includes:

- Food Hygiene Training certificates for all that will be working on the stall.
  - PAT certificates (electrical safety certificates) for electrically operated equipment;
  - Gas Safety certificates for any LPG operated equipment. This must be issued by a Gas Safe registered engineer, who is registered to do LPG, Non-Domestic, and Mobile Catering; and
  - A copy of the Pressure Vessel Test for any espresso type coffee machine being used.
3. On the renewal of licence a food hygiene certificate, the licence holders will provide the Licensing Authority with a copy of the new certificate.

## **Additional Street Trading Conditions – Vehicles and Mobile Units**

1. The licence holder shall only trade from the vehicle or trailer detailed in the licence.
2. The vehicle or trailer shall be roadworthy, and if it is to be used for trading during the hours of darkness it shall have appropriate lighting and reflectors to ensure that it is visible to other road users.
3. The vehicle or trailer shall be maintained in a sound condition so as not to leak oil or other substances onto the pavements or roads. Such an occurrence may damage the integrity of the surfacing used on the pavement and road. Failure to comply may incur costs being recovered to repair any damage caused.
4. The licence holder shall not use whistles or other sound producing devices apart from chimes and loudspeakers to attract business.
5. The licence holder shall comply with all statutory provisions relating to noise and in particular with the provisions of section 62 of the Control of Pollution Act 1974 relating to the use of loudspeakers in streets.

6. Where the licence allows the holder to trade from a vehicle, kiosk or moveable stall other than at a fixed stance, the licence holder shall remain in the same place only for the time it takes to serve the queuing customers and shall then move on.

### **Specified Trading Zones for Mobile Street Traders**

The specified zones in the City of Edinburgh local authority in which street traders are permitted to trade shall be the streets within the including and following boundaries (with the exception of Princes Street, George Street, Rose Street, the Mound Precinct and the Royal Mile.

1. Queensferry Road, Hillhouse Road, Telford Road, Groathill Road North, Ferry Road, Pennywell Road, Marine Drive.
2. Marine Drive, Pennywell Road, Ferry Road, Groathill Road North, Telford Road, Queensferry Road, Dean Park Crescent, Comely Bank Avenue, East Fettes Avenue, Ferry Road, Granton Road, Wardie Steps to Lower Granton Road.
3. Granton Road from Wardie Steps to Ferry Road, East Fettes Avenue, Comely Bank Avenue, Dean Park Crescent, Queensferry Road, Queensferry Street to Princes Street, Waterloo Place, Regent Road, Easter Road, Leith Links to Seafield Road.
4. Seafield Road, Leith Links, Easter Road, Regent Road, Waterloo Place, North Bridge, South Bridge southward to Lady Road, Peffermill Road, Duddingston Road West, Duddingston Road, Southfield Place, Brighton Place, Bath Street to Promenade.
5. Bath Street, Brighton Place, Southfield Place, Duddingston Road, Duddingston Road West, Niddrie Mains Road, Newcraighall Road.
6. Newcraighall Road, Niddrie Mains Road, Peffermill Road, Lady Road, Gilmerton Road.
7. Gilmerton Road from City Boundary, Craigmillar Park northwards to North Bridge, Princes Street, Lothian Road, Earl Grey Street, Home Street, Leven Street, Bruntsfield Place, Morningside Road, Comiston Road, Biggar Road.
8. Biggar Road, Comiston Road, Morningside Road, Bruntsfield Place, Leven Street, Home Street, Earl Grey Street, Lothian Road, Shandwick Place, West Maitland Street, Dalry Road, Ardmillan Terrace, Slateford Road, Lanark Road.
9. Lanark Road, Slateford Road, Ardmillan Terrace, Gorgie Road, Calder Road.
10. Calder Road, Gorgie Road, Dalry Road, Haymarket Terrace, West Coates, Roseburn Terrace, Corstorphine Road, St John's Road, Glasgow Road.
11. Glasgow Road, St John's Road, Corstorphine Road, Roseburn Terrace, West Coates, Haymarket Terrace, West Maitland Street, Shandwick Place, Queensferry Street, Queensferry Road.

12. In the north by the shore at South Queensferry, in the east by the Edinburgh City Boundary, in the south by the River Almond and in the west by the Edinburgh City Boundary.
13. In the north by the River Almond, in the east by the Edinburgh City Boundary, in the south by the Calder Road (A71) and in the west by the Edinburgh City Boundary.
14. In the north by the Calder Road (A71) in the east by the Edinburgh City Boundary and in the south east, south and west by the Edinburgh City Boundary.

### **Standard Conditions – Market Operators**

1. Market operators will supply an Events Management Plan and Risk Assessment when they make an application. This will be available for inspection at any time when the market is in operation by any Authorised Officer of the City of Edinburgh, Fire Officer or Police Constable.
2. Licence holders shall have Market Operator Public Liability insurance with a minimum value of £5 million for any one claim.
3. Market operators will not sub-let the use of the site to a third party.
4. Any Authorised Officer of the City of Edinburgh, Fire Officer or, Police Constable shall be permitted free access to the whole of the market premises/area at any time and all reasonable directions and requirements of such officers or of the City of Edinburgh Council must be complied with. The licence holder shall obtain all necessary and appropriate consents prior to commencing trading from any stance and in particular the consent of the owners of any land on which such a stance is to be situated or which is adjacent to any such stance.
5. It is the licence holder's responsibility to inform the Council and other road users that a market will be in place between specific dates. The Licence holder must give the Council a minimum of seven days' notice, prior to the market being erected, to allow notification to other road users.
6. The licence holder shall ensure that the layout of the market and its stalls conforms to the configurations shown in the plan lodged with the application and approved for licence. The licence holder shall not, without the consent of the Licensing Authority, alter or amend the site or the premises or the layout of the site or of the premises. Nor shall the licence holder increase the number of stalls within the site from that specified on the licence.
7. Exit routes must be kept free of obstruction at all times whilst the market is open.
8. Wires, ropes or cables crossing any of the public areas must be out with the reach of the public, or installed to avoid any hazard to the public.
9. No motorised vehicles shall be permitted in the area used for the market during the hours of operation.
10. The licence holder shall not permit trading outwith the trading hours specified in the licence.

11. The licence holder must maintain an accurate register with individually numbered pages and entries showing:
  - (i) The date of each occasion upon which the market is open for business to the public
  - (ii) The name, permanent address, telephone number and place of business address of each trader, the nature of the goods sold and the registration marks of all vehicles used in connection with each trader.
  - (iii) The register must also identify, on each occasion the market is open for business, the location within the market where each trader has a trading position.
12. The licence holder shall take all reasonable steps to ensure that all details of trading unit operators which are required to be registered are completed no later than four hours from the time of the market opening.
13. The licence holder shall ensure that the register and such other documents as are maintained shall be available for inspection on the licensed premises by any Police Constable, Fire Officer or Authorised Officer of the Council at any time when the market is open for business, and at any other reasonable time.
14. The licence holder shall ensure that registers and such other documents as are maintained must be retained by the licence holder for a minimum of two years.
15. The operator will provide details of all individual stallholders, including equipment, scope of business and type of product to the **Licensing Manager**, at least one week before the event.
16. The licence holder shall nominate in writing to the Council a suitable person who shall be responsible for the day-to-day running of the market and shall be in charge of and present at the market at all times when the market is open for business, with the exception of reasonable absences. The licence holder shall not, without the consent of the Licensing Authority, change the nominated person responsible for the day-to-day running of the market.
17. The licence holder shall comply with all reasonable requirements of the Scottish Fire and Rescue Service relating to fire precautions and safety.
18. The licence holder shall have a fire risk assessment and written evacuation policy for the site.
19. Adequate means of escape and firefighting facilities must be maintained during all hours of operation.
20. The number of persons admitted to the premises shall be controlled to ensure there is no overcrowding or numbers in excess of the evacuation capacity of the escape routes.
21. The premises shall be adequately illuminated to the satisfaction of the Council. Any emergency or escape route lighting shall be by a maintained system throughout the

premises, kept in proper working order and in operation when the premises are open to the public.

22. A person, who is suitably qualified and equipped shall be nominated as a First Aider, and they will be in attendance in the market during trading hours and also while stalls are being erected and dismantled.
23. The licence holder or his/her agents shall take all reasonable precautions and exercise due diligence to ensure that no trader known or reasonably believed to be displaying for sale solely or mainly counterfeit merchandise (including contraband products) is permitted to trade upon the market. The licence holder or his/her agent shall also exercise due diligence in ensuring to the best of their ability that no such merchandise is displayed for sale as part of any trader's overall stock of goods.
24. The Health and Safety at Work etc Act 1974 and all other relevant health and safety legislation must be complied with at all times by the licence holder.
25. When any stall is trading in food, all requirements of the Food Safety legislation must be complied with, to the satisfaction of the appropriate Executive Director.
26. The licence holder shall ensure that the food hygiene certificate and relevant documentation are valid, maintained and available for inspection by any authorised officer of the Council at any time during trading hours and at any other reasonable time. Relevant documentation includes:
  - Food Hygiene Training certificates for all that will be working on the stall.
  - PAT certificates (electrical safety certificates) for electrically operated equipment;
  - Gas Safety certificates for any LPG operated equipment. This must be issued by a Gas Safe registered engineer, who is registered to do LPG, Non-Domestic, and Mobile Catering; and
  - A copy of the Pressure Vessel Test for any espresso type coffee machine being used.
27. Adequate litter bins shall be provided by the licence holder for use by the public and shall be distributed throughout the market site. All dropped or windblown litter must be collected after close of trading and removed with the other commercial waste.
28. The licence holder shall ensure that adequate and suitable provision is made for the storage and removal of refuse and other waste from the premises; that a suitable litter bin of adequate capacity is provided outside the premises during all hours of opening.
29. The licence holder shall ensure that all music, amplified music and/or vocals are controlled to the satisfaction of the appropriate Executive Director.
30. The licence holder shall provide suitable and sufficient public sanitary accommodation on the site or in the premises for traders, their employees and the public, all to the satisfaction of the Licensing Authority.

31. All generators must be used and stored in accordance with manufacturer's guidance.
32. Wherever possible, all electrical and fuel controls must be made inaccessible to members of the public; failing which there must be suitable protection in place: all electrical installations must be certified as complying with current I.E.E. Regulations.
33. All temporary structures shall be designed, erected and maintained to suit their intended purpose. The design should meet with the approval of the appropriate Executive Directors.
34. The licence shall not be effective until the licence holder has received final clearances from the appropriate Executive Directors confirming that the premises may be operated.
35. The licence holder shall ensure that publicity material advertising events occurring on the premises is not distributed in such a manner as to produce litter.
36. The licence holder is responsible for the clearing of the area of all stalls and associated goods, debris, tools and any traffic management placed by them including all refuse as a result of the market, prior to vacating the site.

NOTE: Additional conditions may be attached at the discretion of the licensing authority.



## Proposals by the Edinburgh High Street and Playfair Steps Traders Association High Street and Hunters Square (EHSPSTA)

**From:** GR [mailto:grgapinski@hotmail.co.uk]  
**Sent:** 23 April 2019 16:22  
**To:** Gordon Hunter <Gordon.Hunter@edinburgh.gov.uk>  
**Subject:** Revised street plans to follow.....

Hi Gordon,

Please find following the proposal dialogue as discussed. The revised street plans showing 6 stalls on hunter square to follow.

This document is a proposal to address problems which have historically been associated with Street Trading on the High Street and Hunter Square. It aims to improve upon and raise the standards of the current offering which is in operation, and re-invent Street Trading on Edinburgh High Street and Hunter Square.

Last year in October, The Edinburgh High Street and Playfair Steps Traders Association (EHSPSTA) voted in a new board and internally implemented a policy to address certain issues, to create a cohesive voice and promote equity amongst its members. As there had been a number of issues in the past between street traders and the council, a key element in moving forward was to create an open dialogue with the council licensing board in order to create a stronger working relationship and drive up standards and improve upon the current offering in these trading areas. In order to achieve this, EHSPSTA has initiated a number of changes within its own organisation, and have pursued a strategy to actively communicate and consult with organisations such as Edinburgh World Heritage Trust, local shops and restaurants as well as the Licensing Department at Edinburgh City Council.

Our association has implemented a Code of Conduct for its trader members with a set of core principles to create a cohesive look which befits the World Heritage of Edinburgh's Royal Mile. As such, EHSPSTA has begun to standardised street trading stalls with regard to look, size and structure.

Each of the EHSPSTA members are small, local and independant business's, and each offer something different to what is currently available at the many retail outlets which line the High Street from top to bottom. Many are local artisans and Scottish crafters, offering something a bit more unique and more boutique than the overwhelming mass produced tartan and fridge magnets - It offers a variety from the 'usual.' This is something as an organisation the EHSPSTA are very keen to promote. Particularly given the World Heritage location. It is our view, and also the view of some of the organisations that we have spoken to, and is something that can only benefit the local economy and also the City itself.

We have begun conversations with Edinburgh World Heritage Trust to create a suitable design for the stalls to make them fit better in their environment - Hunter Square and the Royal Mile. These talks have been extremely invigorating and encouraging.

Each member of the association has shown a willingness to invest in new stalls and coverings to improve the whole look of what is on offer, and create something that is of value to the area rather than an embarrassment and 'eyesore.' It is an expensive process, but there is a commitment and willingness to improve and to create something wonderful for locals and visitors alike. The High Street has a fantastic history of street trading, such as the Lucken Booths, and this is something which we would like to draw upon. We understand that the high street is an active place and we acknowledge and are more than happy to comply with council regulations and periods that close off roads due to other events.

With support from council policy and regulation, and input from organisations such as Edinburgh World Heritage Trust, we believe EHSPSTAcn work in close unison, to create a re-imagined Street Trading experience for locals and visitors alike, updated and revitalised, and an asset to Scotlands capital city. We would hope this to be an ongoing project, whereby channels of dialogue between all parties concerned can act together, to create something of benefit to all.

Best regards,

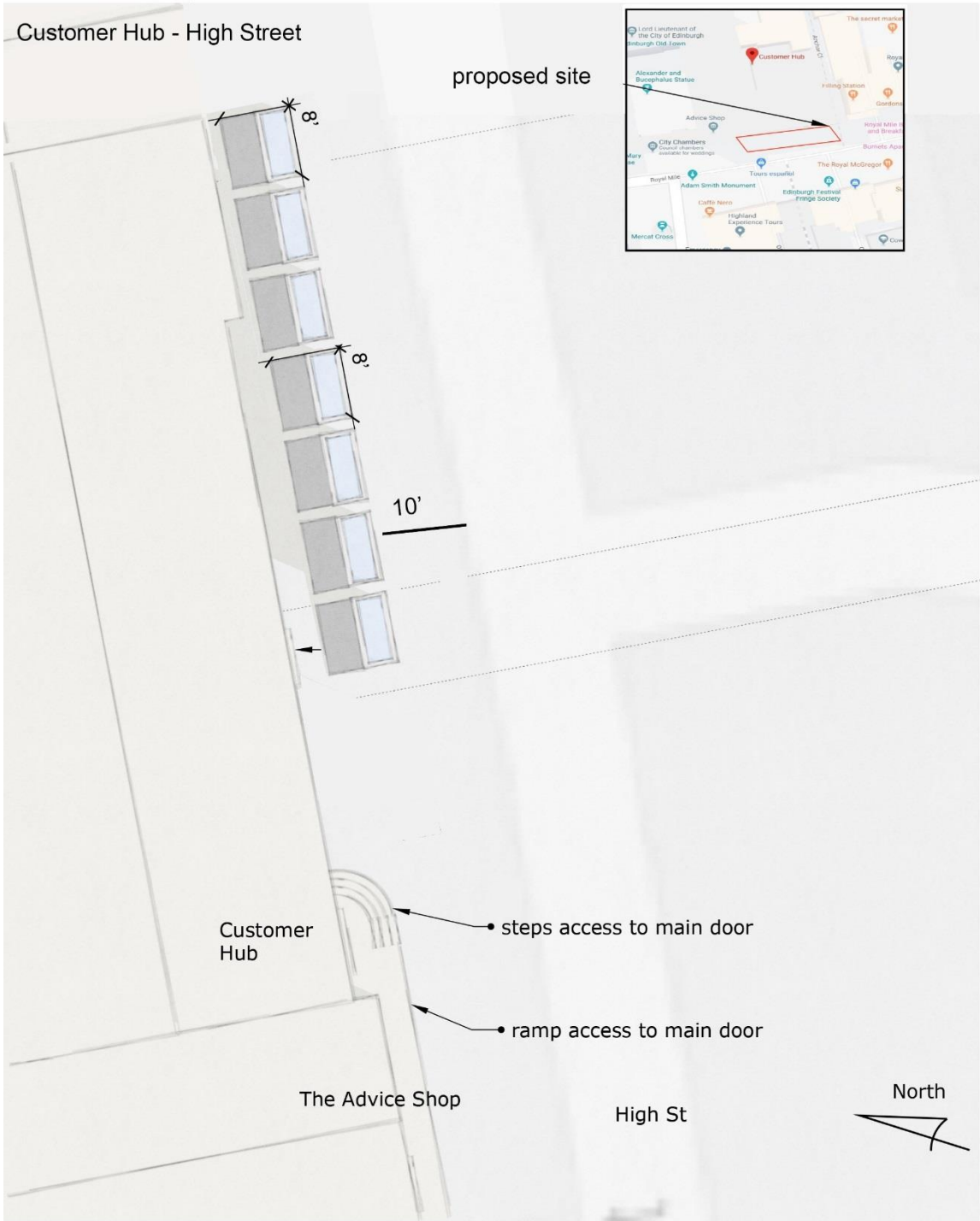
Gerry



## **EHSPSTA Hunter's Square**

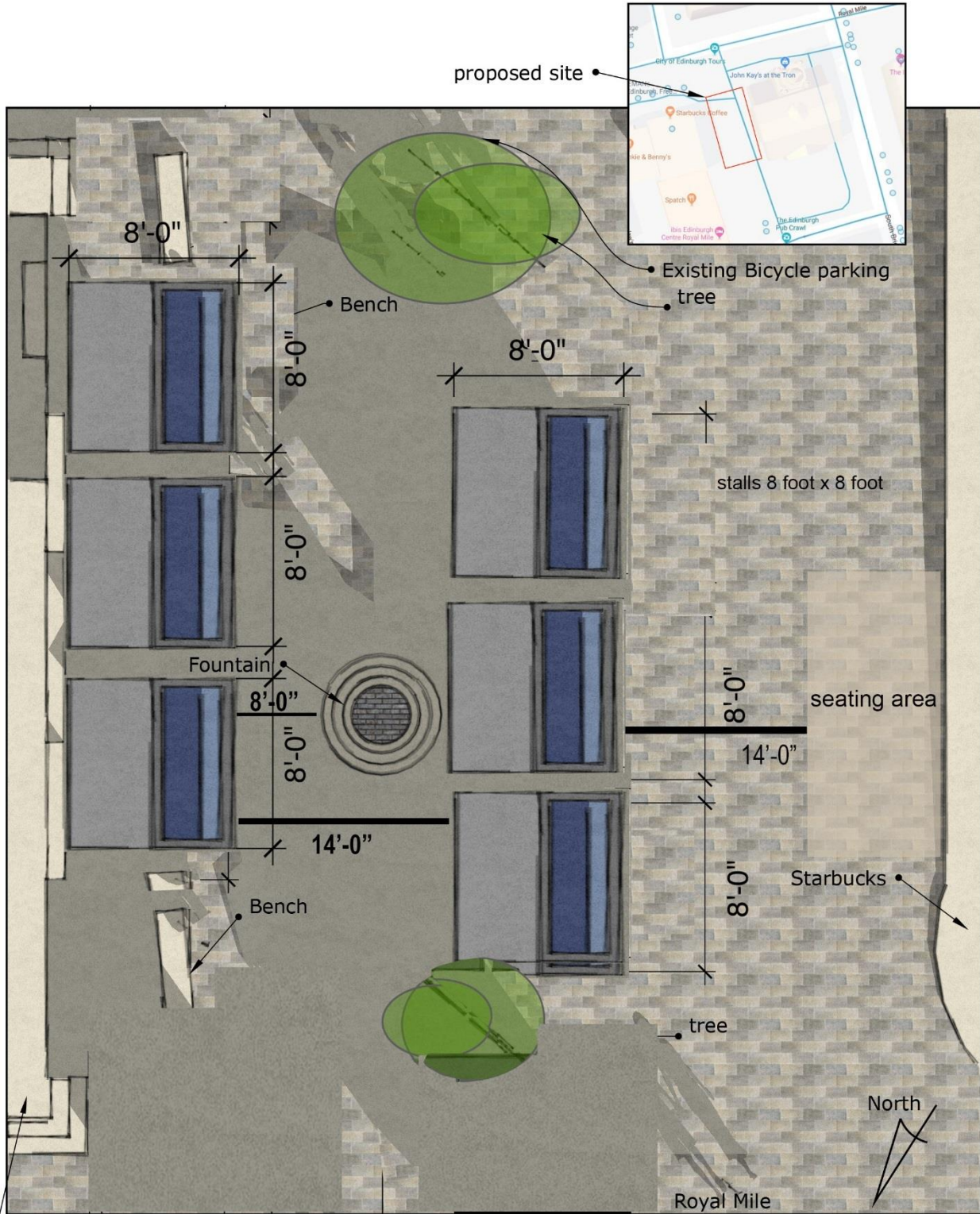
Street Trading Proposal  
February 22nd 2019

Version: 2



It is proposed that suspended stalls are re-instated outside the customer hub on the High Street. As stalls are now smaller (8 foot x 8 foot), seven stalls in total can be accommodated. This leaves plenty of space ensuring there is no obstruction to council office as was previously, when stalls were there before suspension. Public walkway over 10 feet.





Walkway for public at its narrowest (in front of circular statue) 8 foot (over two metres)  
At all other points exceeding 14 foot.

Tron Kirk



This document is a proposal to improve standards and re-invent Street Trading on Edinburgh High Street and Hunter Square.

Through consultation with all traders currently operating within this area, local shops and restaurants, and with the Licensing Department at Edinburgh City Council, EHSPSTA has initiated a proposal to utilise street trading spaces currently used and areas previously occupied by street trading.



The aims of this proposal are to standardise street trading stalls with regard to look, size and structure. This will be more befitting of a World Heritage site than that which is currently offered.



With support from council policy and regulation, and input from organisations such as Edinburgh World Heritage Trust, we believe EHSPSTA can work in close unison, to create a re-imagined Street Trading experience for locals and visitors alike, updated and revitalised, and an asset to Scotlands capital city.



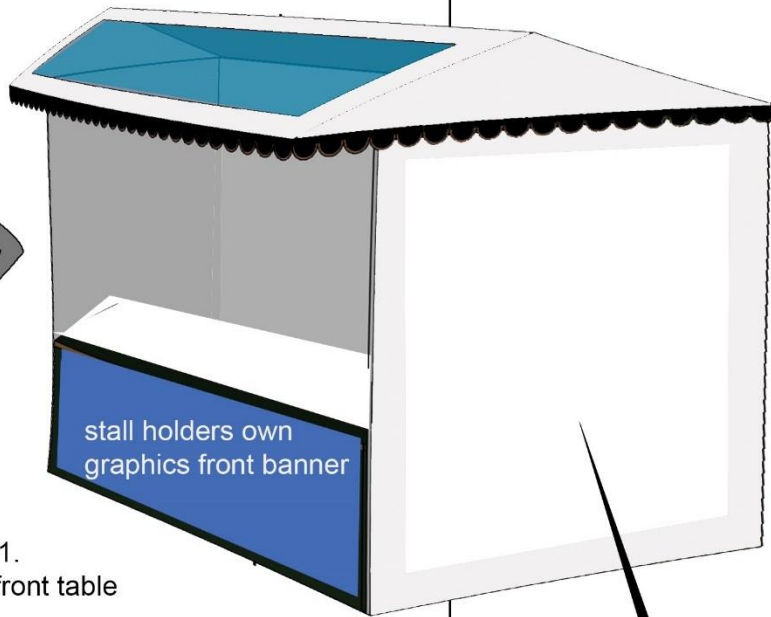
We would hope this to be an ongoing project, whereby channels of dialogue between all parties concerned can act together, to create something of benefit to all.





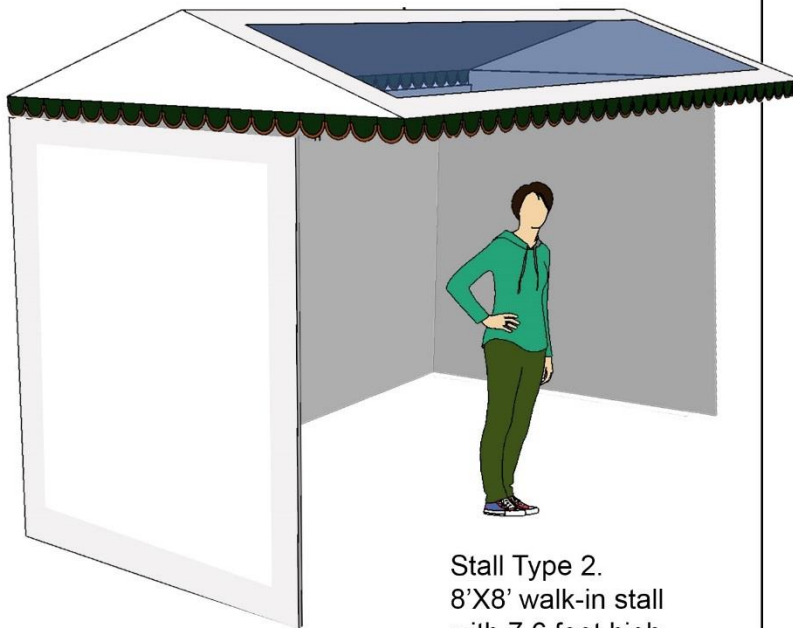
Proposed stall construction

8 foot x 8 foot  
Metal Frame stall  
Fixed tarpaulin  
roof with skylight  
and black edge  
drip effect.  
at least 7.6 foot  
high over hang



Stall Type 1.  
8'X8' with front table

Printed tarpaulin side  
panels. Images to be  
decided upon after  
consultation with  
Edinburgh World  
Heritage Trust.

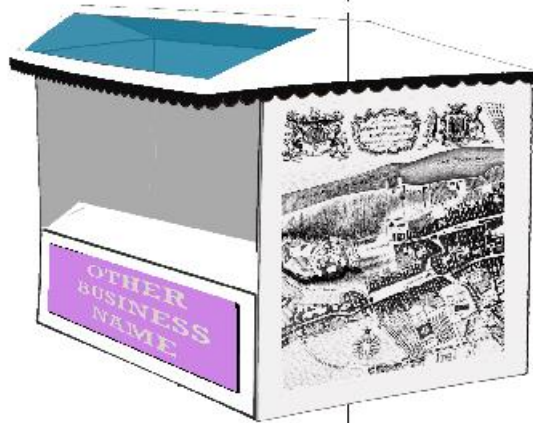


Stall Type 2.  
8'X8' walk-in stall  
with 7.6 foot high  
overhang

Graphics to be decided upon after consultation with Edinburgh world heritage Trust.



Example printed side banner tarpaulin and stall holders own front banner.



## Council Officer Responses to EHSPSTA Hunter Square Proposals

**From:** Chris Mcgarvey  
**Sent:** 05 April 2019 13:43  
**To:** Gordon Hunter  
**Subject:** RE: High Street Hunters Square Street Trading proposals

Hello,

See attached comments on these proposals as well:

- What footway width remains after the trading units are set up? This must comply with the Edinburgh Council Street Design Guidance. A minimum of 2m clear footway should be available from the trading unit. These dimensions should be shown on the plans.
- The canopy/overhang needs to be a certain height 2.25m (or thereabout I cant remember the exact height but will clarify) so that they do not cause an obstruction. No goods should be hung from the canopy
- Goods should not be displayed on the footway and should be contained within the trading unit.
- I do think the proposals shown do seem to be quite excessive and I would prefer to see Hunter Square remain at 6 traders units.
- The proposals for the High Street look as if they block fire doors/emergency exits.
- I also have concerns about the number of traders on the High Street and how the loading / unloading will be carried out. This could potentially cause more congestion in the area in the mornings whilst the pedestrian area is open to vehicles.

Happy to discuss further

Chris

**Chris McGarvey**

**Senior Transport Team Leader**

City Centre Roads Team | South East Locality | Place

**From:** John McNeill  
**Sent:** 29 March 2019 15:51  
**To:** Gordon Hunter  
**Subject:** RE: High Street Hunters Square Street Trading proposals

Hi Gordon, I'd welcome a meeting on this but initially I think we should be very wary of aligning with one organisation as this may well have to be tendered if in use for extended periods. I also think we must get Planning on board as this looks to be going down a "market" route rather than individual traders.

Economic Development and Anna Herriman should be involved as well.

John

John McNeill | Senior Public Safety Officer | Culture & Events Office | Cultural Strategy | Place Directorate | City of Edinburgh Council |  
Room 9/49, City Chambers, High Street, Edinburgh, EH1 1YJ | Tel +44 (0) 131 529 4559 | mob 07788150256  
| [john.mcneill@edinburgh.gov.uk](mailto:john.mcneill@edinburgh.gov.uk) | [publicsafety@edinburgh.gov.uk](mailto:publicsafety@edinburgh.gov.uk) | [www.eventsedinburgh.org.uk](http://www.eventsedinburgh.org.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk) |

# Regulatory Committee

9.30am, Monday, 21 October 2019

## Air Weapons and Licensing (Scotland) Act 2015 – Sexual Entertainment Venues – Update After Initial Consultation

Executive/routine Wards Council Commitments	All
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### 1. Recommendations

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- 1.1 The Regulatory Committee is asked to:
- 1.1.1 To note the contents of this report and the responses to the initial public consultation on the licensing of sexual entertainment venues.
  - 1.1.2 Agree, in principle, to adopt a scheme to licence sexual entertainment venues.
  - 1.1.3 To instruct that officers draft a proposed Sexual Entertainment Venue (SEVs) resolution, policy and conditions of licence for the Committee to agree.
  - 1.1.4 To note that a statutory consultation on the agreed policy would then be carried out with the results and recommendations to be brought back to the Committee for final approval.
  - 1.1.5 To agree that evidence sessions will be held by the Committee to inform that work.

**Paul Lawrence**

Executive Director of Place

Contact: Andrew Mitchell, Regulatory Services Manager

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

## Air Weapons and Licensing (Scotland) Act 2015 – Sexual Entertainment Venues – Update After Initial Consultation

### 2. Executive Summary

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- 2.1 The Air Weapons and Licensing (Scotland) Act 2015 adds new sections to the Civic Government (Scotland) Act 1982 which enables local authorities to introduce a discretionary licensing system for sexual entertainment venues. This report provides the Committee with an update on the consultation about the possible implementation and changes to the licensing regime as a result of the 2015 Act.
- 2.2 An initial public consultation has been completed, and this report details the responses received. The report recommends that the Committee agrees to adopt a sexual entertainment venue licensing scheme in principle and sets out the next steps to implement this.

### 3. Background

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- 3.1 Section 76 of the Air Weapons and Licensing (Scotland) Act 2015 adds new sections 45A to 45C to the Civic Government (Scotland) Act 1982 in order to introduce a discretionary licensing regime for sexual entertainment venues (SEVs). Section 76 also amends section 41 of the 1982 Act to specifically exclude sexual entertainment venues from the definition of places of public entertainment which ensures that a public entertainment licence cannot also be required for those venues. A sexual entertainment venue licence will only be required where a local authority makes a resolution in these terms under new section 45B of the 1982 Act.
- 3.2 On 21 March 2019 a commencement order was laid before the Scottish parliament which provides local authorities with the necessary powers to introduce a discretionary licensing regime for SEVs.
- 3.3 The key aims of civic licensing are the preservation of public safety and prevention of crime and disorder. A specific licensing regime for sexual entertainment venues will allow local authorities to consider local circumstances and to exercise appropriate control and regulation of these venues in setting the number of venues able to operate within their area. A published SEVs policy statement would be

required to provide local authority's policy and examples of licensing conditions, along with enforcement details. The policy should demonstrate how the local authority intends to help protect the safety and wellbeing of performers, customers and the wider public.

- 3.4 Where a local authority opts to licence SEVs, the provisions at section 45A of the 1982 Act require a licence for premises operated as a SEV where the sexual entertainment is operated live, is for the direct or indirect financial benefit of the organiser and is for the sole or principal purpose of sexual stimulation of members of the audience. However, premises where sexual entertainment is provided on no more than three occasions in a twelve-month period are to be treated as exempt from the SEVs licensing system.
- 3.5 The Scottish Government has indicated that local authorities are best placed to reflect the views of the communities they serve and to determine whether sexual entertainment establishments should be licensed within their areas, and if so, under what conditions.
- 3.6 A local authority licensing SEVs will have to publish a SEV policy statement, developed in consultation with relevant interest groups (including violence against women partnerships, trade organisations and other similar groups) which will provide local communities with a clear indication of the local authority's policy. On 11 March 2019 the Committee instructed officers to commence the initial consultation process in respect of SEV licensing.

## **4. Main report**

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- 4.1 As directed by the committee at its meeting on 11 March 2019, a consultation on the proposed changes was published on the council's Consultation Hub between 8 July and 17 August 2019 (Appendix 1).
- 4.2 A summary of the results is attached at Appendix 2, with the full set of results attached at Appendix 3. Appendices 4, 5 and 6 provide members with a copy of the written responses to the consultation in relation to proposed conditions and any other issues or comments that respondents wished to put forward.
- 4.3 There were 806 responses in total. 88% of respondents were from residents and 9% classified themselves as 'other', giving descriptions including 'dancer', 'performer', 'visitor', and 'tourist', among others.
- 4.4 65% of respondents either agreed or strongly agreed that the Council should licence SEVs in Edinburgh. 28% disagreed or strongly disagreed.
- 4.5 Having reviewed the consultation responses, it is clear that there is strong support for the introduction of a licensing system for SEVs. There are also a broad range of views with regards to the setting of any limits of SEVs premises in the city and certain localities. Accordingly, the Directorate recommends that the Committee agrees to adopt a sexual entertainment venue licensing scheme in principle and to

carry out the next steps to deliver the required statutory consultation on a SEVs resolution.

- 4.6 If the Committee agrees the recommendation to adopt a licensing scheme for SEVs in principle, the data collected from the initial consultation and any evidence session which are held, will be examined closely and used to develop a draft SEVs policy.
- 4.7 At this stage, the Committee is not being asked to make a decision on numbers, locations or appropriate areas of the city in relation to SEVs. Prior to considering these issues, it is recommended that the Committee obtain further information and consider the responses to the initial consultation. Officers recommend that the Committee holds a series of evidence sessions in this regard. The sessions will allow members to hear directly from respondents to the consultation and engage them on areas which will help to inform any decision making.
- 4.8 In deciding whether to pass a resolution a local authority should consider whether it will wish to control SEVs either now or in the future. If there is no resolution in place, then no licence is required to operate a SEV. If the Council does not adopt this discretionary power then SEVs will continue to operate without any direct influence from the Council.

## 5. Next Steps

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- 5.1 Council officers will review the comments made during the initial consultation process and commence development of a draft statement of policy for the licensing of sexual entertainment venues.
- 5.2 It is recommended that the Committee hold evidence sessions with key stakeholders to provide members with a detailed and robust evidence base from which to inform any decision making. Groups that will be invited to attend such sessions will include existing operators and performers, Police, NHS and community councils. In addition, the Committee would also hold sessions with the appropriate internal council officers and the relevant interest groups (e.g. Violence Against Women's Partnership and Community Safety Partnership).
- 5.3 A methodical and robust approach to obtaining evidence and information on the subject is required in order to minimise the risk of legal challenge to any policy or Committee decision. It is proposed to webcast evidence sessions in order to aid transparency and provide a record of the evidence received.
- 5.4 All premises which could be affected by a SEV policy were written to and advised of the consultation. The Committee will continue to consult with the trade and other interested parties to ensure that all views are taken into account when forming a draft policy statement.
- 5.5 A further report will be brought forward with a draft SEVs policy, resolution and licence conditions for the Committee to consider ahead of a period of statutory consultation.



- 5.6 Where a local authority passes a resolution, it must specify a date from when it is to take effect in their area. This must be at least one year from the date the resolution is passed. The local authority must also publish notice that it has passed a resolution not less than 28 days prior to the date the resolution is to take effect. The notice must state the general effect of the licensing procedure and provisions at Schedule 2 of the 1982 Act, as modified for SEVs, and be published either electronically or in a local newspaper.

## **6. Financial impact**

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- 6.1 The Council's scale of fees for licensing applications was approved with effect from 1 April 2019. Any costs incurred by implementing policy are, at present, an unfunded pressure on the Directorate's budget.
- 6.2 If the Committee agree in principle to adopt a licensing scheme of SEVs, officers will carry out work to devise a new fee structure for SEVs and bring this back to Committee for approval.

## **7. Stakeholder/Community Impact**

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- 7.1 There is a requirement to carry out a statutory consultation as part of the formation of a SEVs resolution and the timeline is outlined in Appendix 6.
- 7.2 In developing a policy, it will be necessary to consult with a wide range of stakeholders and this should include organisations such as violence against women partnerships, child protection committees, community councils, local residents, gender groups, local business communities, existing operators and Police Scotland.
- 7.3 It is recognised that concerns have been raised previously that such activity may be commercial sexual exploitation and encourages unhealthy attitudes towards women and therefore damages society as a whole.
- 7.4 The Scottish Government stated during the passage of the 2015 Act that it acknowledges through the introduction of this legislation the freedom of adults to engage in legal activities and employment. Nevertheless, it continues to promote, through all relevant means gender equality and actions that tackle out-dated attitudes that denigrate or objectify particular groups or individuals.
- 7.5 Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls was first published in 2014 and updated in 2016. It sets out a definition of violence against women and girls which includes 'commercial sexual exploitation, including prostitution, lap dancing, stripping, pornography, and human trafficking.' Whilst recognising the conflict between this definition and the licensing of sexual entertainment venues, the Scottish Government intends that it will help to ensure that such activities take place in safe and regulated environments.
- 7.6 At the Regulatory Committee meeting on 3 February 2013, following a period of consultation the committee agreed to amend the Public Entertainment Resolution to

remove premises used as 'saunas or massage parlours' from the requirement to obtain a public entertainment licence. Any new regulatory regime which is introduced will not apply to such premises.

- 7.7 A full equalities impact assessment will be completed as part of the statutory consultation process.

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

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- 8.1 [Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls](#)
- 8.2 [The Trafficking and Exploitation Strategy](#)
- 8.3 [Air Weapons and Licensing \(Scotland\) Act 2015 – Commencement of Sexual Entertainment Venues licensing provisions](#)

## **9. Appendices**

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- 9.1 Appendix 1 – Copy of Sexual Entertainment Venues Consultation
- 9.2 Appendix 2 – Summary of Consultation Responses
- 9.3 Appendix 3 – Full results of Sexual Entertainment Venues Consultation
- 9.4 Appendix 4 – What conditions (if any) should the Council consider for Sexual Entertainment Venues Licences
- 9.5 Appendix 5 – If the Council adopts the powers to licence the SEVs, are there any other issues about this that you think the licensing system should consider?
- 9.6 Appendix 6 – Further Comments about Proposals
- 9.7 Appendix 7 - Proposed Timeline

# Licensing of Sexual Entertainment Venues

## Overview

The Scottish Government has introduced legislation which allows councils to license 'Sexual Entertainment Venues' (SEVs). Please see the 'Background information' document attached below for more information.

The definition of a SEV is provided by legislation, and relates to premises providing 'sexual entertainment' - often referred to as 'lap dancing'.

This consultation asks whether Sexual Entertainment Venues should be licensed in the city. If the Council decides that these premises should not be licensed, the venues will continue to operate as they do currently.

Adoption of the powers to license SEVs does not imply approval of these types of premises by the Council.

Premises used as massage parlours or saunas are not included in this legislation or in the definition of sexual entertainment, and will not be affected by these proposals.

## Why we are consulting

The aims of the consultation are:

- to seek views on whether the Council should adopt these powers; and
- to gain a broader understanding of community views on the potential shape of a licensing system for Sexual Entertainment Venues, if it was introduced.

## Introduction

### 1 What is your name?

Name

## 2 What is your email address?

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

Email

## 3 What is your organisation (if relevant)?

## 4 Please choose which of the following applies to you.

*Please select only one item*

- Resident    Community Council representative  
 Trade organisation (please give details below)  
 Other business (please give details below)    Other (please give details below)

Further details

## Sexual Entertainment Venues - questions

### 5 Do you agree that the Council should license SEVs in Edinburgh? You should note that if the Council does not adopt these powers then SEVs will continue to operate without regulation by the Council.

*Please select only one item*

- Strongly agree    Agree    Neither agree nor disagree    Disagree  
 Strongly disagree

## Controlling numbers of SEVs

If the Council chooses to adopt this licensing scheme, it can choose a limit to the number of SEVs in any locality. This Council will still be required to consider individual licence applications even if it adopts a number limit.

At the moment the city centre has four premises which are believed to offer sexual entertainment. There are currently no SEVs operating in localities outside the city centre.

**6 Do you agree that the Council should set a maximum number of SEVs for any localities in Edinburgh?**

Please select only one item

- Strongly agree  
  Agree  
  Neither agree nor disagree  
  Disagree  
 Strongly disagree

**7 What number do you think the Council should set for the following localities?**

	0	1	2	3	4	5	6	7	8	8+	No limit
<b>The city centre</b> Please select only one item	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>A rural area</b> Please select only one item	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>A busy late night economy area e.g. George Street, Grassmarket</b> Please select only one item	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>A town centre/high street e.g. South Queensferry, Portobello, Kirkliston</b> Please select only one item	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>A residential area</b> Please select only one item	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>An industrial or commercial area</b> Please select only one item	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Vicinity

We would like your views on whether SEVs should be allowed to operate near particular areas and types of buildings.

8 Please consider the type of areas where a SEV might operate, and tell us whether you agree that the following areas would normally be suitable for SEVs to operate.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
The city centre <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A rural area <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A busy late night economy area e.g. George Street, Grassmarket <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A town centre/high street within the city e.g. South Queensferry, Portobello, Kirkliston <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A residential area outwith the city centre <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
An industrial or commercial area <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9 Do you agree that it would be acceptable to have a SEV in the following places or near to the following types of area or landmark?

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
Residential areas <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Retail shopping areas <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Late night entertainment areas <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Financial institutions such as banks <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Historic buildings <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sports centres/facilities <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cultural or leisure facilities such as libraries, museums <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Family leisure facilities such as cinemas, theatres, swimming pools and concert halls <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Places used for celebration or commemoration <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Places of worship <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
Play areas or parks <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Schools and other places of education <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Youth facilities <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Women's refuge accommodation <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Train station or bus station <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Conditions

If the Council adopts powers to license SEVs, it can add reasonable conditions to any licence granted.

For instance, a condition might restrict the allowed trading hours of a SEV; it might regulate the display of advertisements on or about the venue; or restrict the visibility of the interior of the premises to passers-by.

10 What conditions (if any) should the Council consider for SEV licences?

Any other comments?



**11** If the Council adopts the powers to license SEVs, are there any other issues about this that you think the licensing system should consider?

**12** Would you like to make any further comment about these proposals?  
Please give us your comments.

### More about you

You don't have to answer the following questions, but if you do it will help us to understand the range of people who have chosen to reply.

13 What is your ethnic group? (Choose ONE section from A to E, then tick ONE box which best describes your ethnic group or background)

**A) WHITE**

Please select only one item

- Scottish     Other British     Irish     Gypsy / Traveller     Polish
- Other white ethnic group, please write in

**B) MIXED OR MULTIPLE ETHNIC GROUP**

Please select only one item

- Any mixed or multiple ethnic groups, please write in

**C) ASIAN, ASIAN SCOTTISH OR ASIAN BRITISH**

Please select only one item

- Pakistani, Pakistani Scottish or Pakistani British
- Indian, Indian Scottish or Indian British
- Bangladeshi, Bangladeshi Scottish or Bangladeshi British
- Chinese, Chinese Scottish or Chinese British     Other, please write in

**D) AFRICAN, CARIBBEAN OR BLACK**

Please select only one item

- African, African Scottish or African British
- Caribbean, Caribbean Scottish or Caribbean British
- Black, Black Scottish or Black British     Other, please write in

**E) OTHER ETHNIC GROUP**

Please select only one item

- Arab     Other, please write in

**14 What is your sexual orientation?***Please select only one item*

- Heterosexual / straight    Gay / Lesbian    Bisexual    Other

**15 What is your age?***Please select only one item*

- Under 16    16 - 24    25 - 34    35 - 44    45 - 54    55 - 64  
 65 - 74    75 and over

**16 How would you describe your national identity? (Please tick all that apply)***Please select all that apply*

- Scottish    English    Welsh    Northern Irish    British  
 Other, please write in

**17 What is your gender?***Please select only one item*

- Male    Female    Other Gender Identity

**18 What religion, religious denomination or body do you belong to?***Please select only one item*

- None    Church of Scotland    Roman Catholic    Other Christian  
 Muslim    Buddhist    Sikh    Jewish    Hindu    Pagan  
 Another religion (please specify)

## Appendix 2 – Summary of Responses

- 1.1 65% of respondents either agreed or strongly agreed that the Council should licence SEVs in Edinburgh. 28% disagreed or strongly disagreed.
- 1.2 61% of respondents either agreed or strongly agreed that the Council should set a maximum number of SEVs for certain localities in Edinburgh. 31% disagreed or strongly disagreed.
- 1.3 16% of respondents either agreed or strongly agreed that it would be acceptable for a SEV to operate in a residential area outwith the city centre, while 73% disagreed or strongly disagreed.
- 1.4 32% of respondents either agreed or strongly agreed that it would be acceptable for a SEV to operate in an industrial or commercial area, while 53% disagreed or strongly disagreed.
- 1.5 Residents were further asked whether they thought that it would be acceptable for SEVs to be located near certain landmarks. The majority of respondents disagreed or strongly disagreed that it would be acceptable to have SEVs in the following locations:
  - 1.5.1 Residential areas (71%)
  - 1.5.2 Retail shopping areas (58%)
  - 1.5.3 Late night entertainment areas (58%)
  - 1.5.4 Financial institutions (53%)
  - 1.5.5 Historic buildings (61%)
  - 1.5.6 Sports centres/facilities (59%)
  - 1.5.7 Cultural or leisure facilities such as libraries/museums (64%)
  - 1.5.8 Family leisure facilities such as cinemas, theatres, parks and concert halls (69%)
  - 1.5.9 Places used for celebration or commemoration (64%)
  - 1.5.10 Places of worship (65%)
  - 1.5.11 Play areas or parks (75%)
  - 1.5.12 Schools and other places of education (78%)
  - 1.5.13 Youth facilities (75%)
  - 1.5.14 Women's refuge accommodation (72%)
  - 1.5.15 Train/bus station (54%)

## Appendix 3 – Full Results of SEVs Consultation



### Licensing of Sexual Entertainment Venues: Summary report

This report was created on Monday 19 August 2019 at 10:03.

The consultation ran from 08/07/2019 to 17/08/2019.

#### Contents

<b>Question 1: What is your name?</b>	<b>2</b>
Name	2
<b>Question 2: What is your email address?</b>	<b>2</b>
Email	2
<b>Question 3: What is your organisation (if relevant)?</b>	<b>2</b>
organisation	2
<b>Question 4: Please choose which of the following applies to you.</b>	<b>2</b>
Respondent organisation	2
Further details	3
<b>Question 5: Do you agree that the Council should license SEVs in Edinburgh? You should note that if the Council does not adopt these powers then SEVs will continue to operate without regulation by the Council.</b>	<b>3</b>
Agree Council should license SEVs??	3
<b>Question 6: Do you agree that the Council should set a maximum number of SEVs for any localities in Edinburgh?</b>	<b>3</b>
Agree set max no. SEVs?	3
<b>Question 7: What number do you think the Council should set for the following localities?</b>	<b>4</b>
how many where? - The city centre	4
how many where? - A rural area	5
how many where? - A busy late night economy area e.g. George Street, Grassmarket	6
how many where? - A town centre/high street e.g. South Queensferry, Portobello, Kirkliston	7
how many where? - A residential area	8
how many where? - An industrial or commercial area	9
<b>Question 8: Please consider the type of areas where a SEV might operate, and tell us whether you agree that the following areas would normally be suitable for SEVs to operate.</b>	<b>10</b>
where ok? - The city centre	10
where ok? - A rural area	10
where ok? - A busy late night economy area e.g. George Street, Grassmarket	11
where ok? - A town centre/high street within the city e.g. South Queensferry, Portobello, Kirkliston	11
where ok? - A residential area outwith the city centre	12
where ok? - An industrial or commercial area	12
<b>Question 9: Do you agree that it would be acceptable to have a SEV in the following places or near to the following types of area or landmark?</b>	<b>13</b>
where? - Residential areas	13
where? - Retail shopping areas	13
where? - Late night entertainment areas	14
where? - Financial institutions such as banks	14
where? - Historic buildings	15
where? - Sports centres/facilities	15
where? - Cultural or leisure facilities such as libraries, museums	16
where? - Family leisure facilities such as cinemas, theatres, swimming pools and concert halls	16
where? - Places used for celebration or commemoration	17
where? - Places of worship	17
where? - Play areas or parks	18
where? - Schools and other places of education	18
where? - Youth facilities	19
where? - Women's refuge accommodation	19
where? - Train station or bus station	20
<b>Question 10: What conditions (if any) should the Council consider for SEV licences?</b>	<b>20</b>
conditions?	20
<b>Question 11: If the Council adopts the powers to license SEVs, are there any other issues about this that you think the licensing system should consider?</b>	<b>20</b>
SEV comments?	20

<b>Question 12: Would you like to make any further comment about these proposals?</b>	<b>20</b>
Please give us your comments.	20
<b>Question 13: What is your ethnic group? (Choose ONE section from A to E, then tick ONE box which best describes your ethnic group or background)</b>	<b>21</b>
Ethnicity (A - White)	21
Other white ethnic group, please write in	21
Ethnicity (Mixed or multiple ethnic group)	21
Any mixed or multiple ethnic groups, please write in	21
Ethnicity (Asian, Asian Scottish, Asian British)	22
Other, please write in	22
Ethnicity (D - African, Caribbean or Black)	22
Other, please write in	22
Ethnicity (E - Other)	23
Other, please write in	23
<b>Question 14: What is your sexual orientation?</b>	<b>23</b>
Sexuality	23
<b>Question 15: What is your age?</b>	<b>24</b>
How old are you?	24
<b>Question 16: How would you describe your national identity? (Please tick all that apply)</b>	<b>25</b>
National Identity	25
Other, please write in	25
<b>Question 17: What is your gender?</b>	<b>25</b>
Gender	25
<b>Question 18: What religion, religious denomination or body do you belong to?</b>	<b>26</b>
Religion	26
Another religion (please specify)	26

### Question 1: What is your name?

#### Name

There were 738 responses to this part of the question.

### Question 2: What is your email address?

#### Email

There were 828 responses to this part of the question.

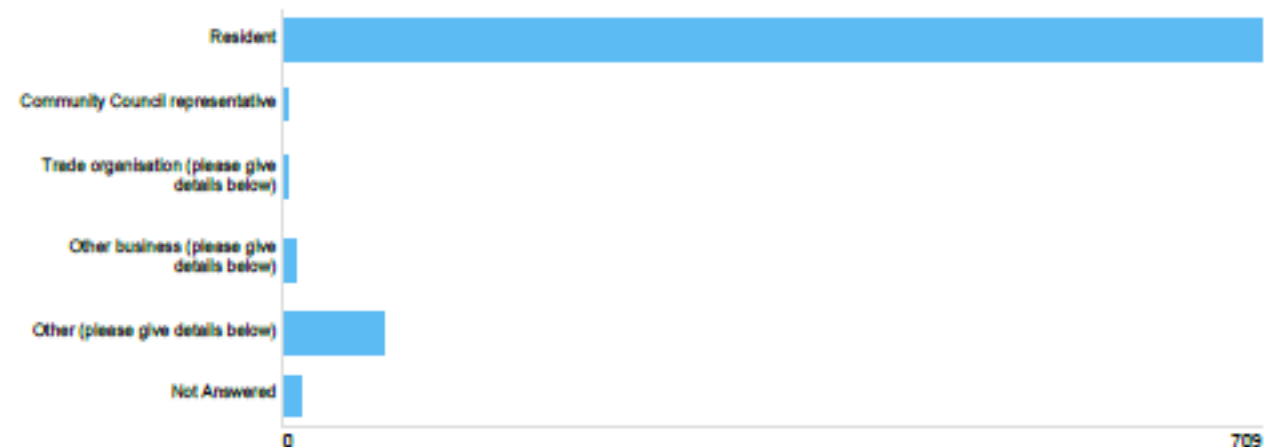
### Question 3: What is your organisation (if relevant)?

#### organisation

There were 161 responses to this part of the question.

### Question 4: Please choose which of the following applies to you.

#### Respondent organisation



709

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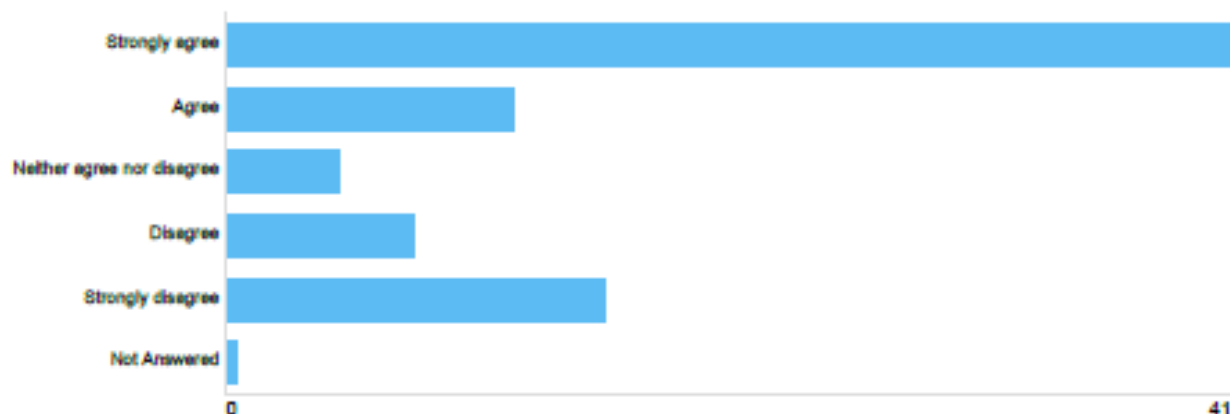
Option	Total	Percent
Resident	709	87.97%
Community Council representative	2	0.25%
Trade organisation (please give details below)	3	0.37%
Other business (please give details below)	8	0.99%
Other (please give details below)	72	8.93%
Not Answered	12	1.49%

**Further details**

There were 88 responses to this part of the question.

**Question 5: Do you agree that the Council should license SEVs in Edinburgh? You should note that if the Council does not adopt these powers then SEVs will continue to operate without regulation by the Council.**

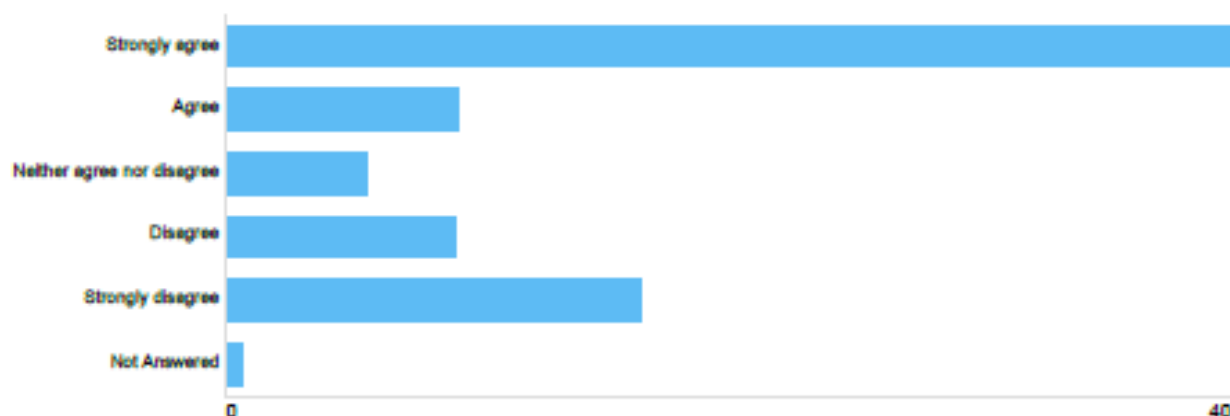
**Agree Council should license SEVs??**



Option	Total	Percent
Strongly agree	413	51.24%
Agree	116	14.39%
Neither agree nor disagree	45	5.58%
Disagree	76	9.43%
Strongly disagree	153	18.98%
Not Answered	3	0.37%

**Question 6: Do you agree that the Council should set a maximum number of SEVs for any localities in Edinburgh?**

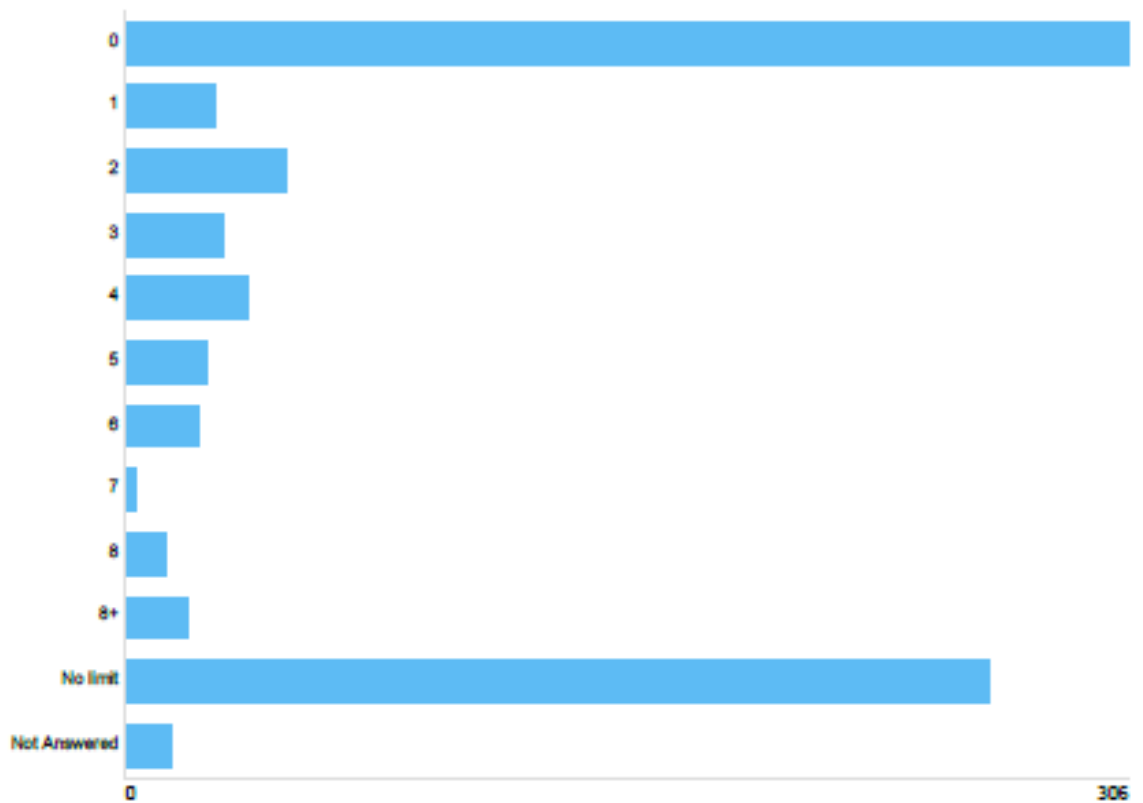
**Agree set max no. SEVs?**



Option	Total	Percent
Strongly agree	401	49.75%
Agree	91	11.29%
Neither agree nor disagree	55	6.82%
Disagree	90	11.17%
Strongly disagree	163	20.22%
Not Answered	6	0.74%

Question 7: What number do you think the Council should set for the following localities?

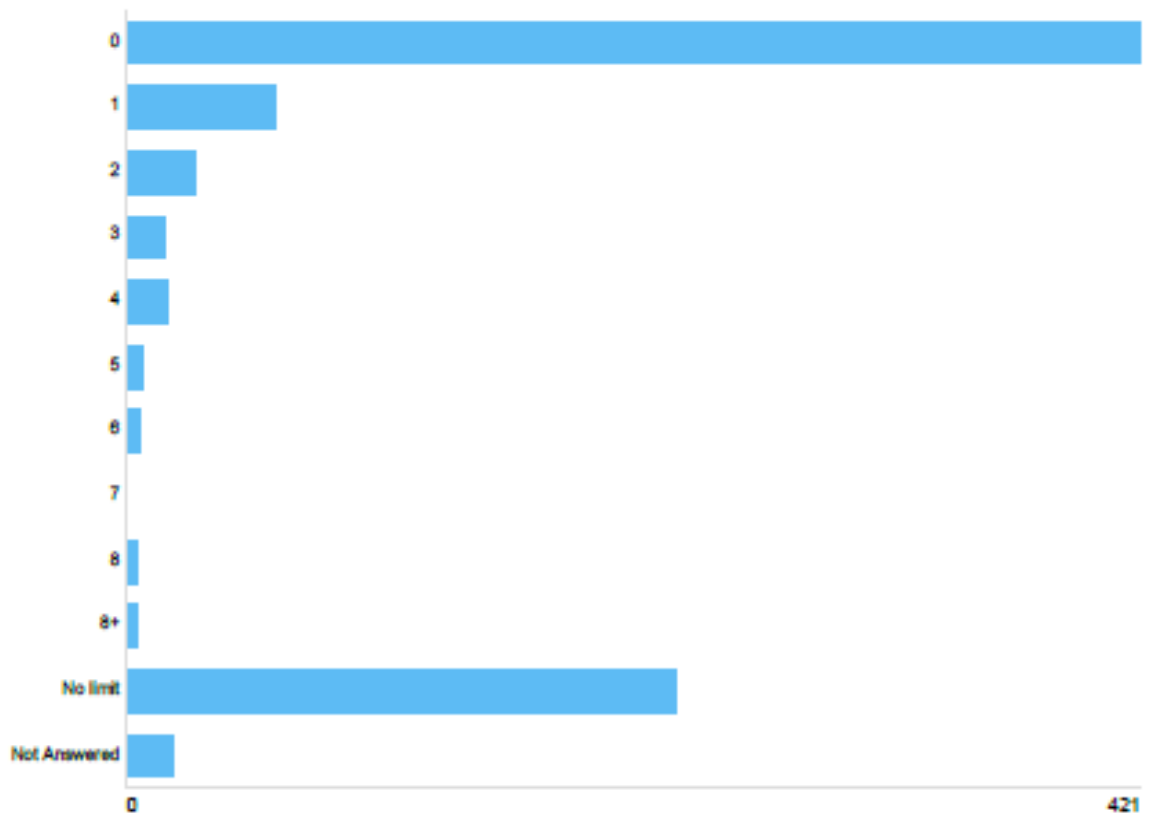
*how many where? - The city centre*





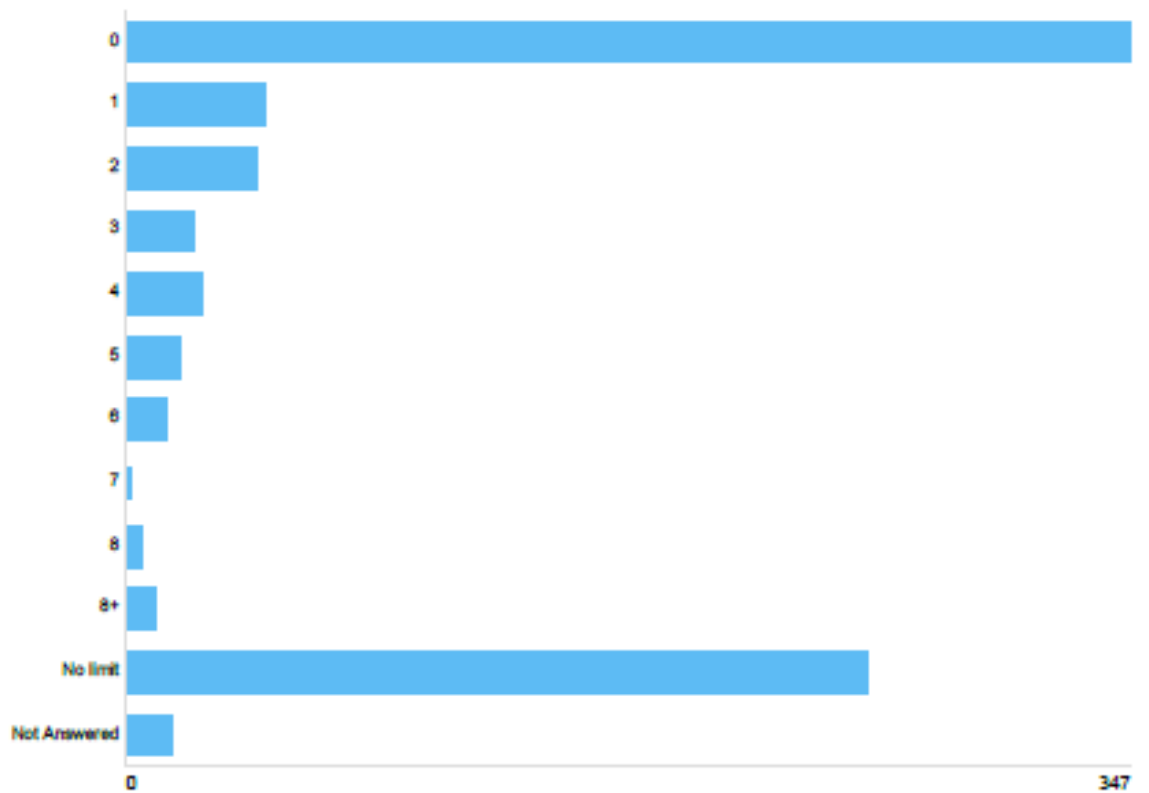
Option	Total	Percent
0	306	37.97%
1	27	3.35%
2	49	6.08%
3	29	3.60%
4	37	4.59%
5	25	3.10%
6	22	2.73%
7	3	0.37%
8	12	1.49%
8+	19	2.36%
No limit	263	32.63%
Not Answered	14	1.74%

*how many where? - A rural area*



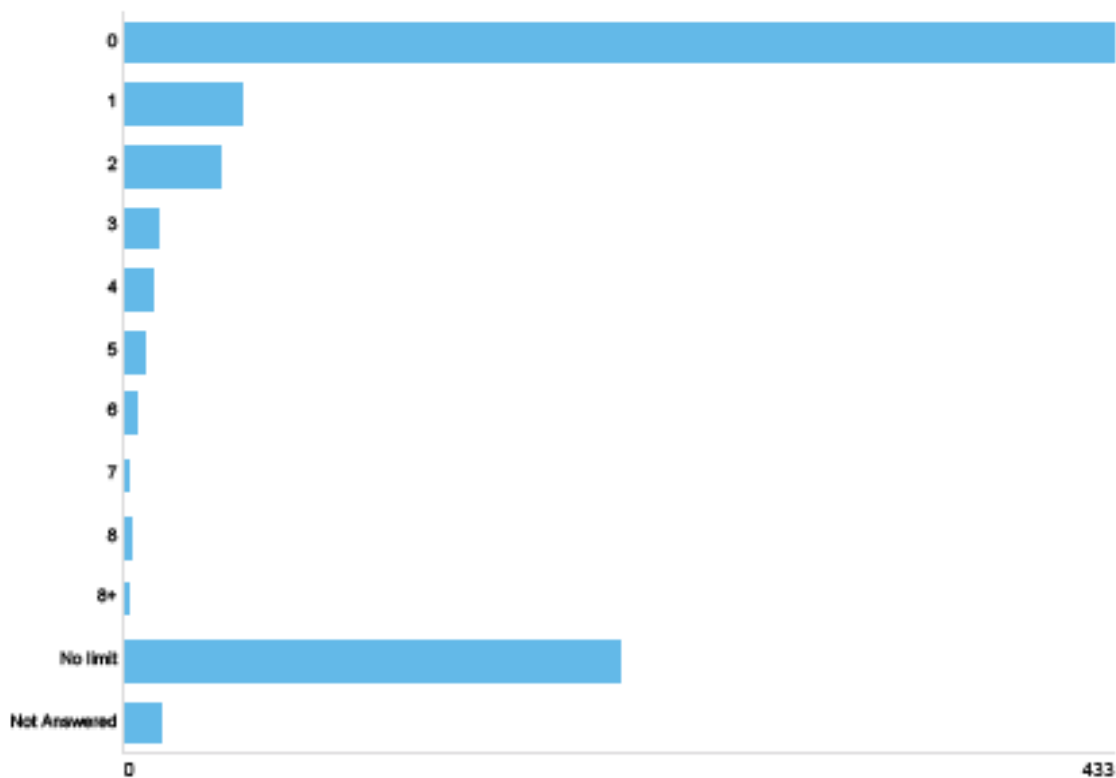
Option	Total	Percent
0	421	52.23%
1	61	7.57%
2	28	3.47%
3	15	1.86%
4	16	1.99%
5	6	0.74%
6	5	0.62%
7	0	0%
8	3	0.37%
8+	4	0.50%
No limit	228	28.29%
Not Answered	19	2.36%

*how many where? - A busy late night economy area e.g. George Street, Grassmarket*



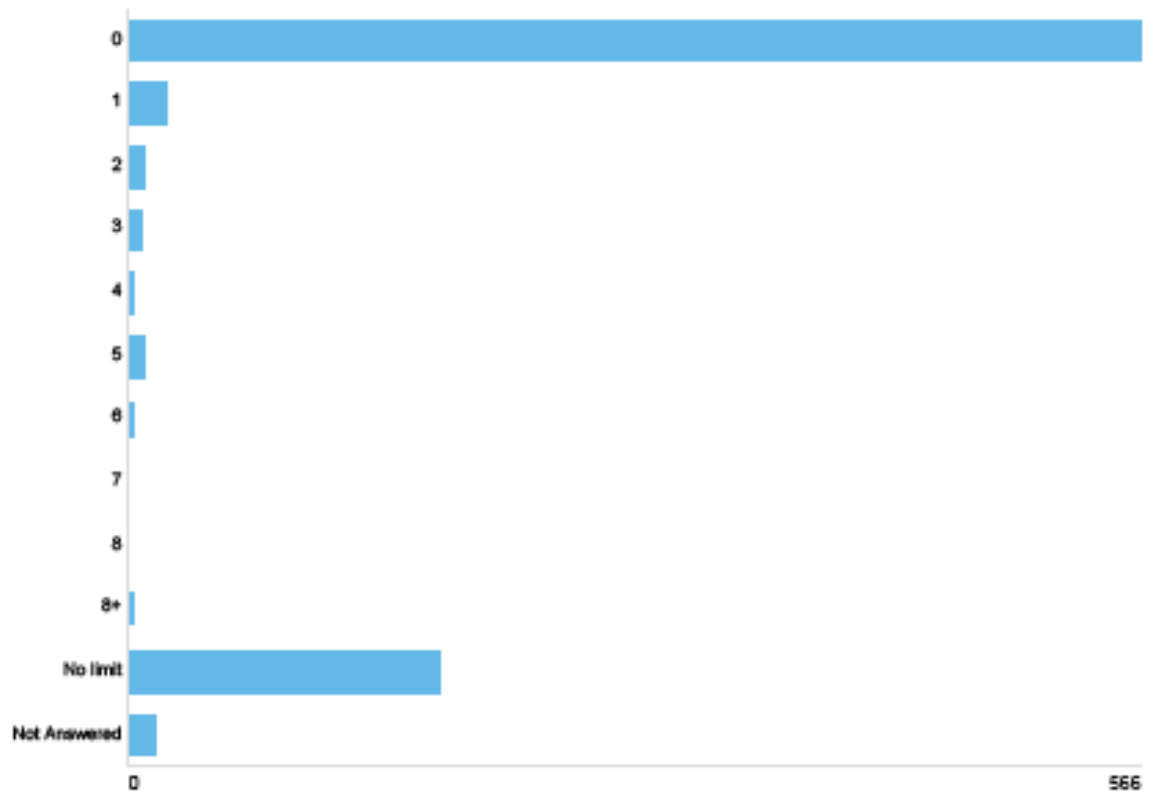
Option	Total	Percent
0	347	43.05%
1	47	5.83%
2	45	5.58%
3	23	2.85%
4	26	3.23%
5	18	2.23%
6	13	1.61%
7	1	0.12%
8	5	0.62%
8+	10	1.24%
No limit	256	31.76%
Not Answered	15	1.86%

how many where? - A town centre/high street e.g. South Queensferry, Portobello, Kirkliston



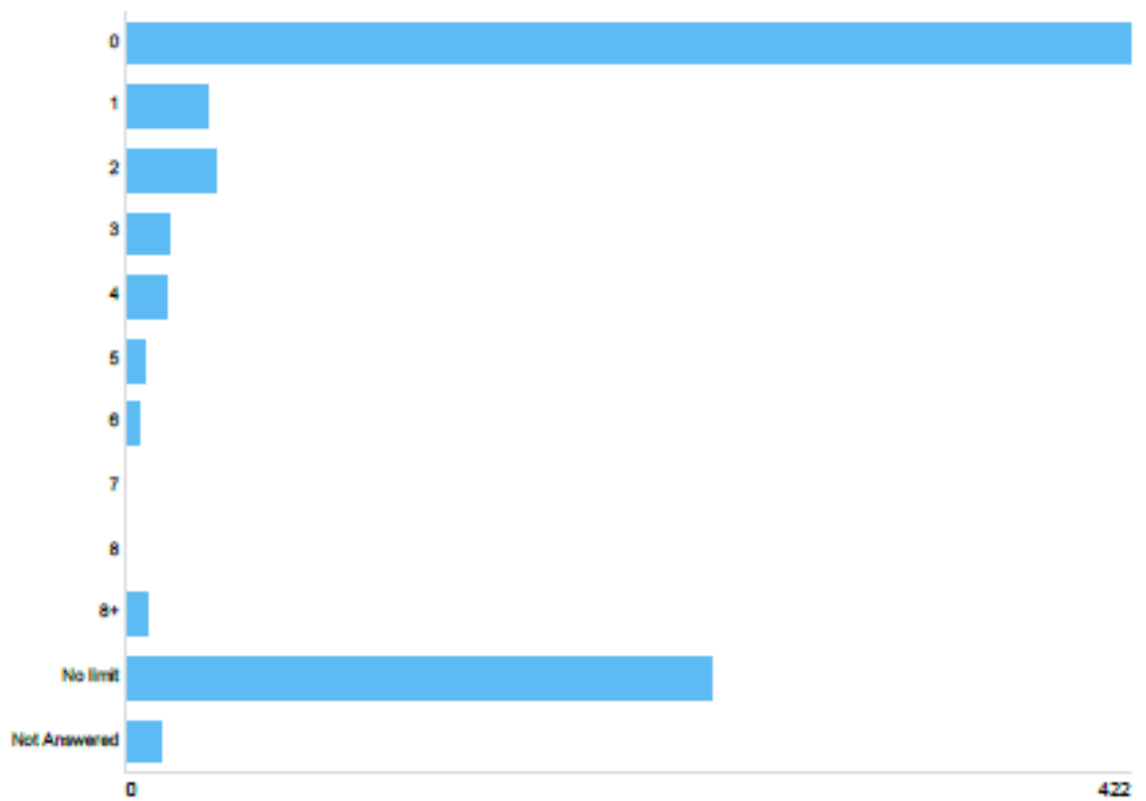
Option	Total	Percent
0	433	53.72%
1	51	6.33%
2	42	5.21%
3	15	1.86%
4	13	1.61%
5	9	1.12%
6	5	0.62%
7	1	0.12%
8	3	0.37%
8+	1	0.12%
No limit	217	26.92%
Not Answered	16	1.99%

*how many where? - A residential area*



Option	Total	Percent
0	566	70.22%
1	21	2.61%
2	8	0.99%
3	7	0.87%
4	3	0.37%
5	9	1.12%
6	1	0.12%
7	0	0%
8	0	0%
8+	2	0.25%
No limit	174	21.59%
Not Answered	15	1.86%

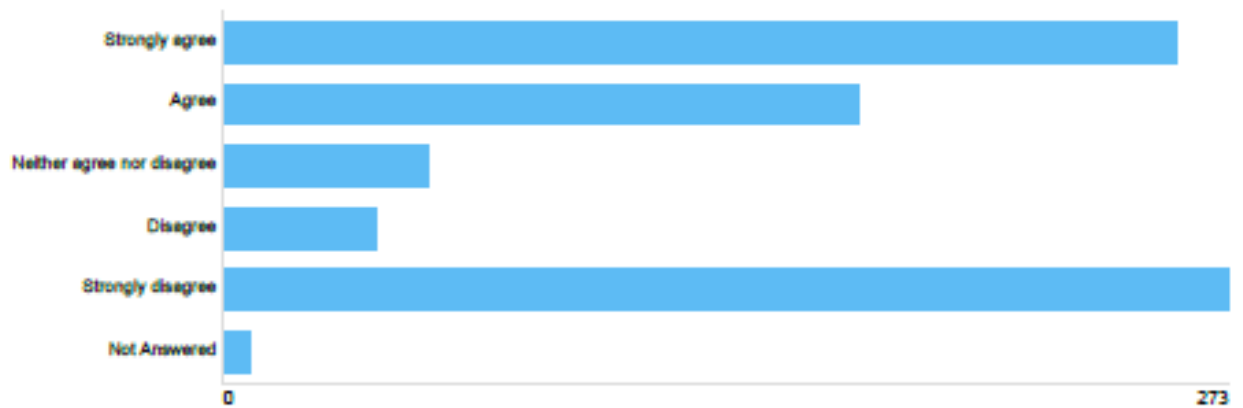
*how many where? - An industrial or commercial area*



Option	Total	Percent
0	422	52.36%
1	34	4.22%
2	37	4.59%
3	18	2.23%
4	16	1.99%
5	7	0.87%
6	5	0.62%
7	0	0%
8	0	0%
8+	8	0.99%
No limit	245	30.40%
Not Answered	14	1.74%

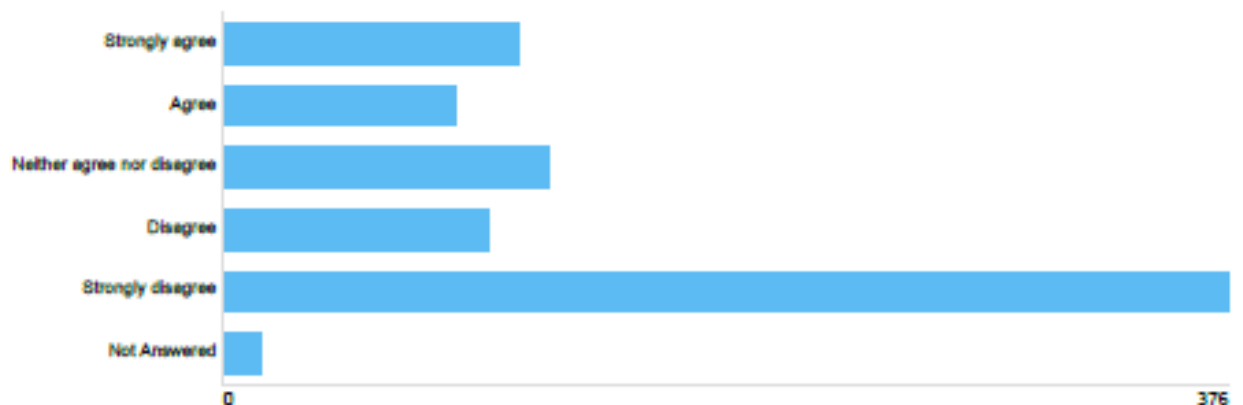
Question 8: Please consider the type of areas where a SEV might operate, and tell us whether you agree that the following areas would normally be suitable for SEVs to operate.

where ok? - The city centre



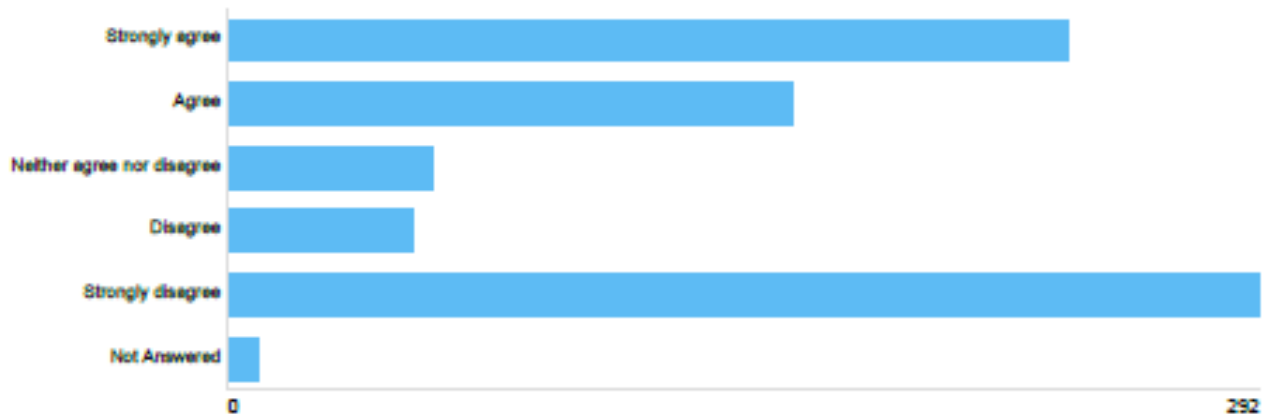
Option	Total	Percent
Strongly agree	258	32.01%
Agree	172	21.34%
Neither agree nor disagree	55	6.82%
Disagree	41	5.09%
Strongly disagree	273	33.87%
Not Answered	7	0.87%

where ok? - A rural area



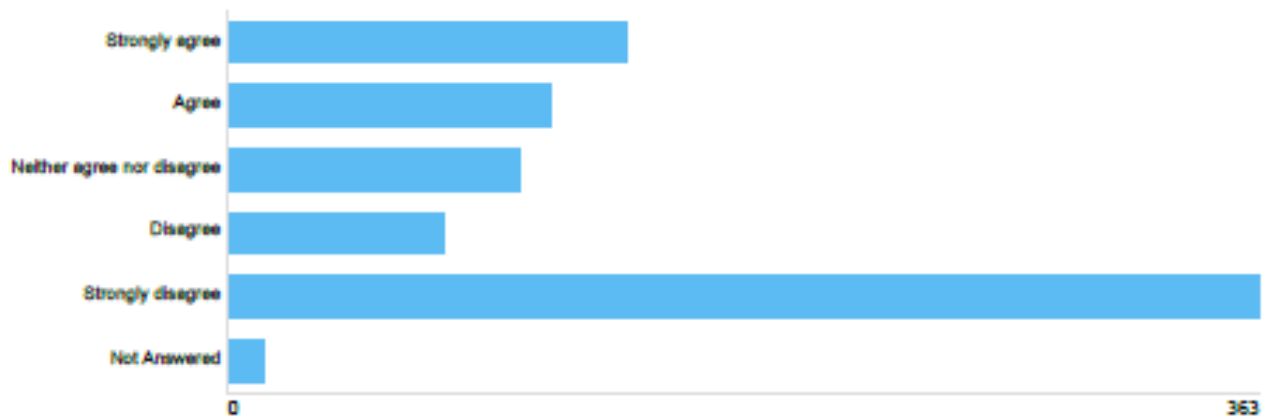
Option	Total	Percent
Strongly agree	110	13.65%
Agree	86	10.67%
Neither agree nor disagree	121	15.01%
Disagree	99	12.28%
Strongly disagree	376	46.65%
Not Answered	14	1.74%

where ok? - A busy late night economy area e.g. George Street, Grassmarket



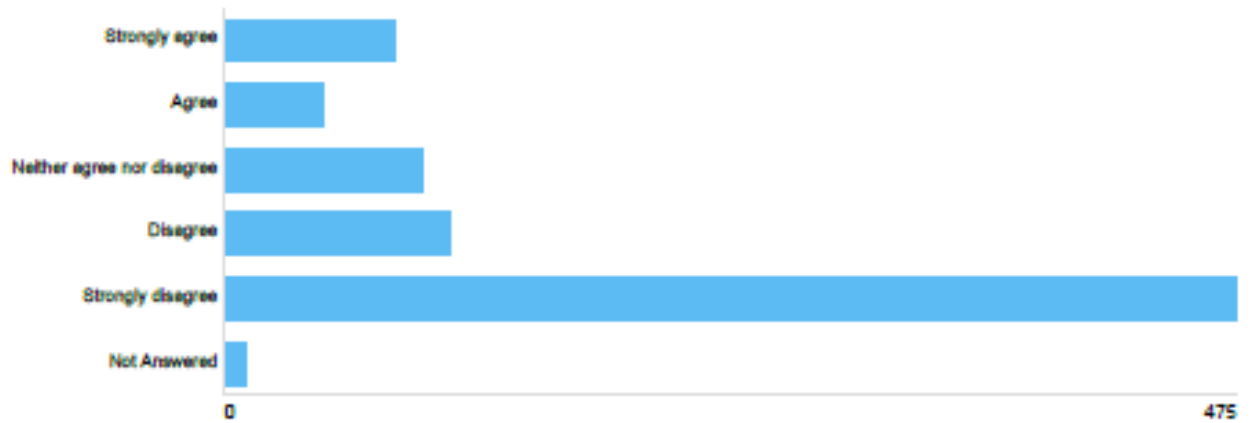
Option	Total	Percent
Strongly agree	237	29.40%
Agree	159	19.73%
Neither agree nor disagree	58	7.20%
Disagree	52	6.45%
Strongly disagree	292	36.23%
Not Answered	8	0.99%

where ok? - A town centre/high street within the city e.g. South Queensferry, Portobello, Kirkcaldy



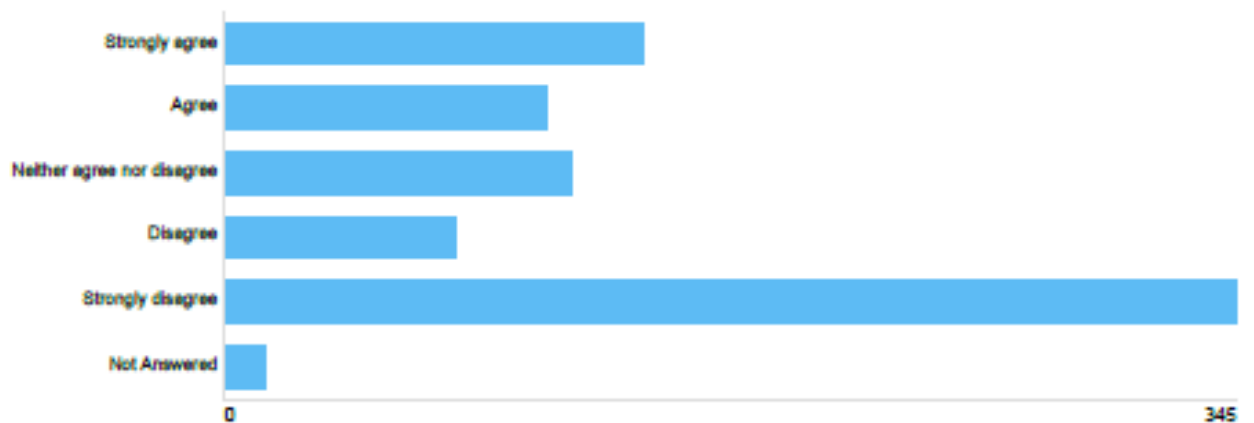
Option	Total	Percent
Strongly agree	140	17.37%
Agree	113	14.02%
Neither agree nor disagree	102	12.66%
Disagree	76	9.43%
Strongly disagree	363	45.04%
Not Answered	12	1.49%

where ok? - A residential area outwith the city centre



Option	Total	Percent
Strongly agree	80	9.93%
Agree	45	5.58%
Neither agree nor disagree	92	11.41%
Disagree	105	13.03%
Strongly disagree	475	58.93%
Not Answered	9	1.12%

where ok? - An industrial or commercial area

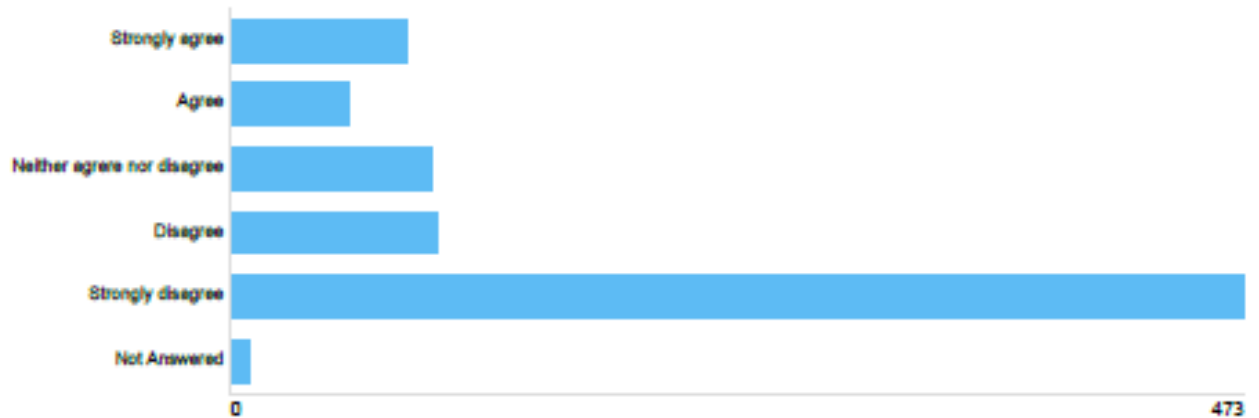




Option	Total	Percent
Strongly agree	142	17.62%
Agree	109	13.52%
Neither agree nor disagree	118	14.64%
Disagree	78	9.68%
Strongly disagree	345	42.80%
Not Answered	14	1.74%

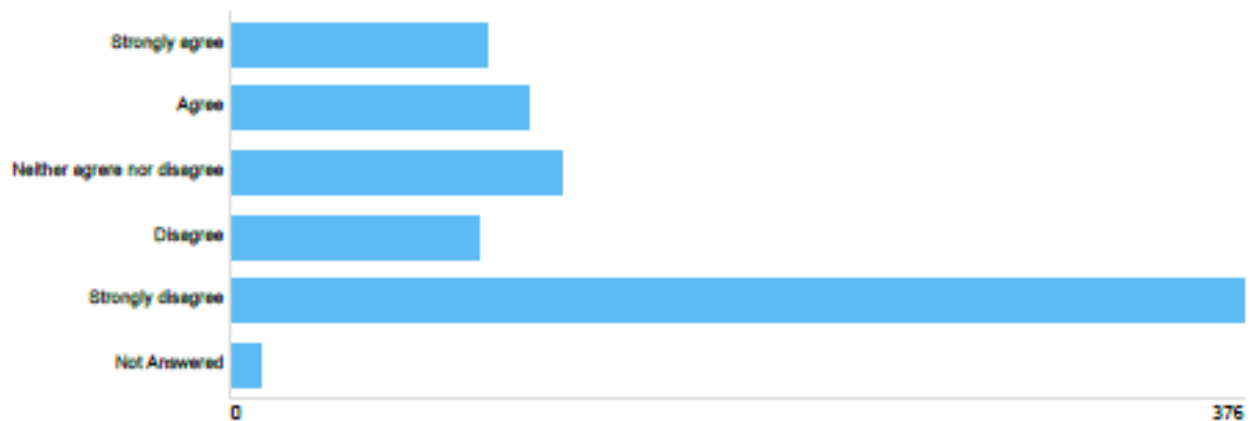
Question 9: Do you agree that it would be acceptable to have a SEV in the following places or near to the following types of area or landmark?

where? - Residential areas



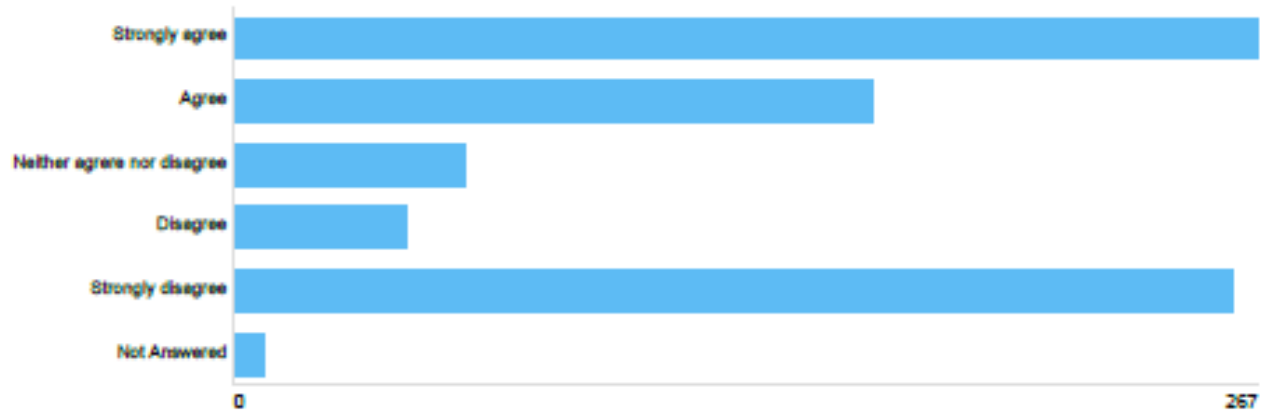
Option	Total	Percent
Strongly agree	82	10.17%
Agree	54	6.70%
Neither agree nor disagree	93	11.54%
Disagree	96	11.91%
Strongly disagree	473	58.68%
Not Answered	8	0.99%

where? - Retail shopping areas



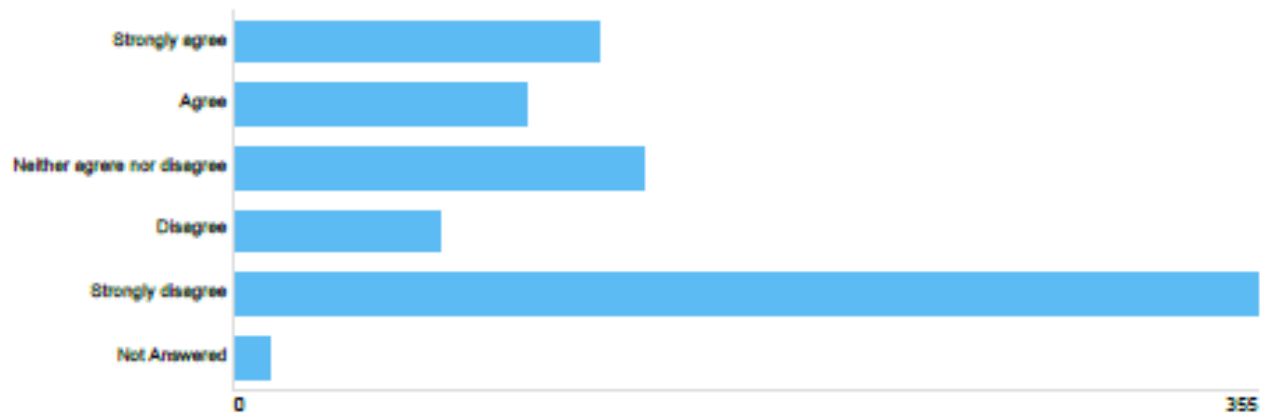
Option	Total	Percent
Strongly agree	95	11.79%
Agree	110	13.65%
Neither agree nor disagree	122	15.14%
Disagree	92	11.41%
Strongly disagree	376	46.65%
Not Answered	11	1.36%

where? - Late night entertainment areas



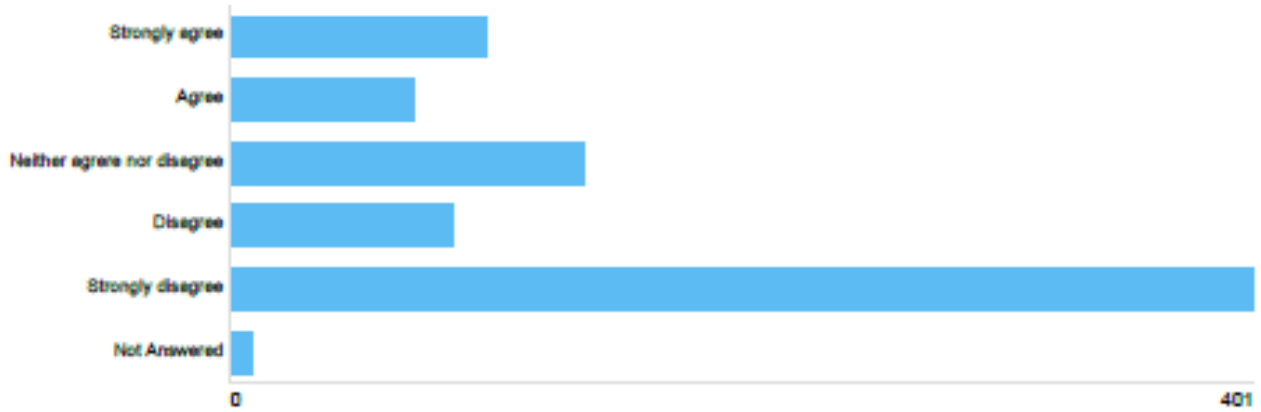
Option	Total	Percent
Strongly agree	267	33.13%
Agree	166	20.60%
Neither agree nor disagree	60	7.44%
Disagree	45	5.58%
Strongly disagree	260	32.26%
Not Answered	8	0.99%

where? - Financial institutions such as banks



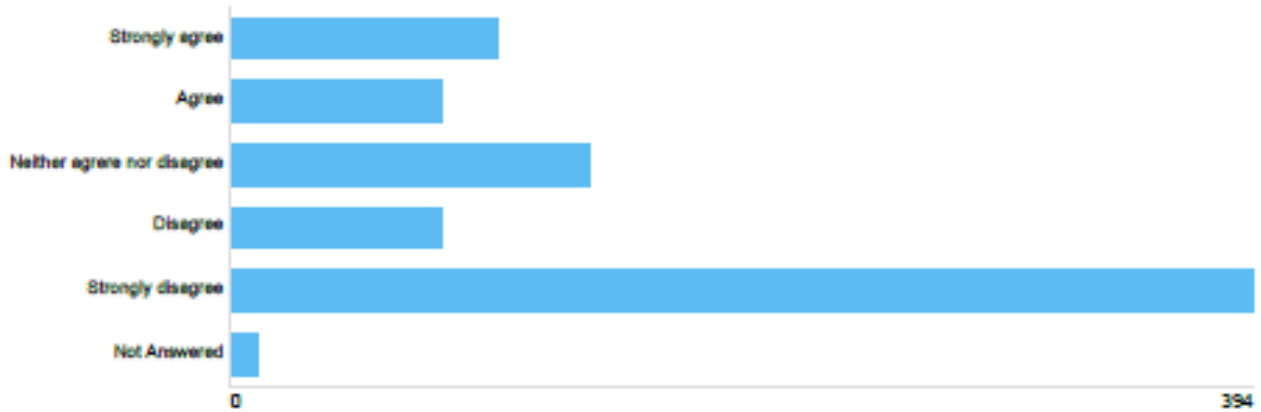
Option	Total	Percent
Strongly agree	126	15.63%
Agree	101	12.53%
Neither agree nor disagree	141	17.49%
Disagree	71	8.81%
Strongly disagree	355	44.04%
Not Answered	12	1.49%

where? - Historic buildings



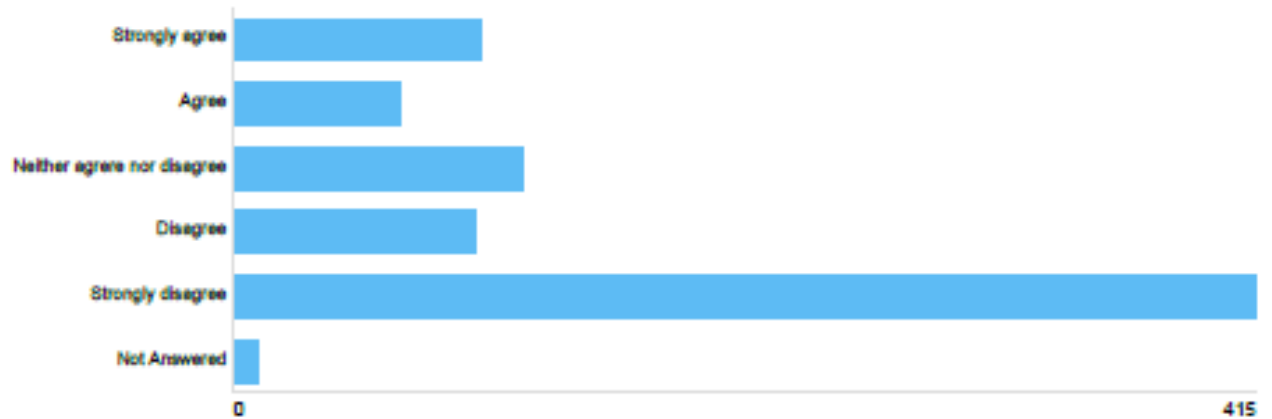
Option	Total	Percent
Strongly agree	100	12.41%
Agree	72	8.93%
Neither agree nor disagree	138	17.12%
Disagree	87	10.79%
Strongly disagree	401	49.75%
Not Answered	8	0.99%

where? - Sports centres/facilities



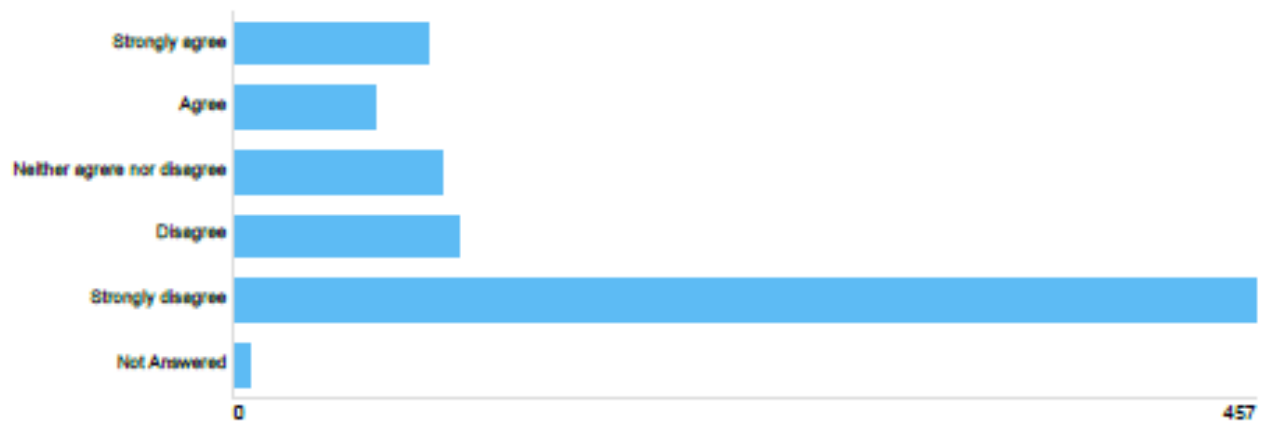
Option	Total	Percent
Strongly agree	102	12.66%
Agree	81	10.05%
Neither agree nor disagree	138	17.12%
Disagree	81	10.05%
Strongly disagree	394	48.88%
Not Answered	10	1.24%

where? - Cultural or leisure facilities such as libraries, museums



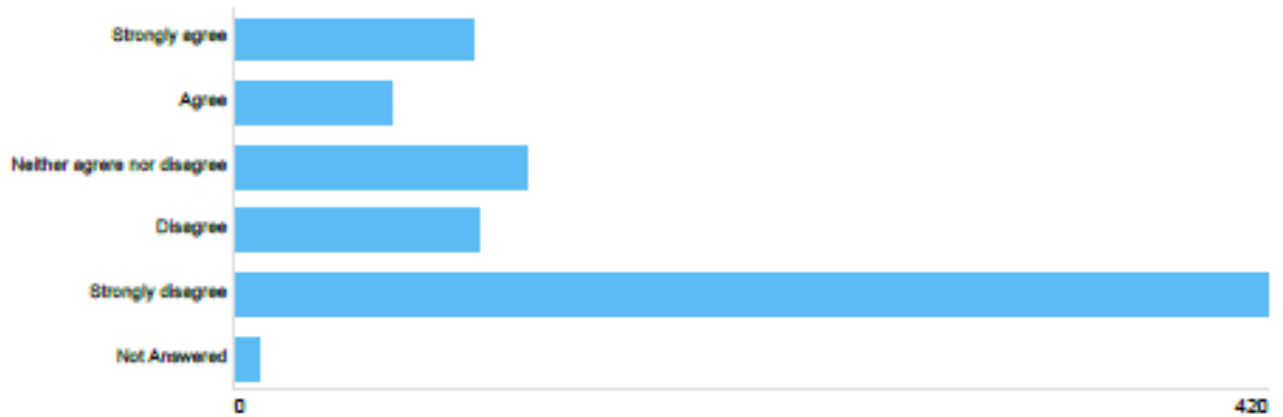
Option	Total	Percent
Strongly agree	100	12.41%
Agree	67	8.31%
Neither agree nor disagree	117	14.52%
Disagree	98	12.16%
Strongly disagree	415	51.49%
Not Answered	9	1.12%

where? - Family leisure facilities such as cinemas, theatres, swimming pools and concert halls



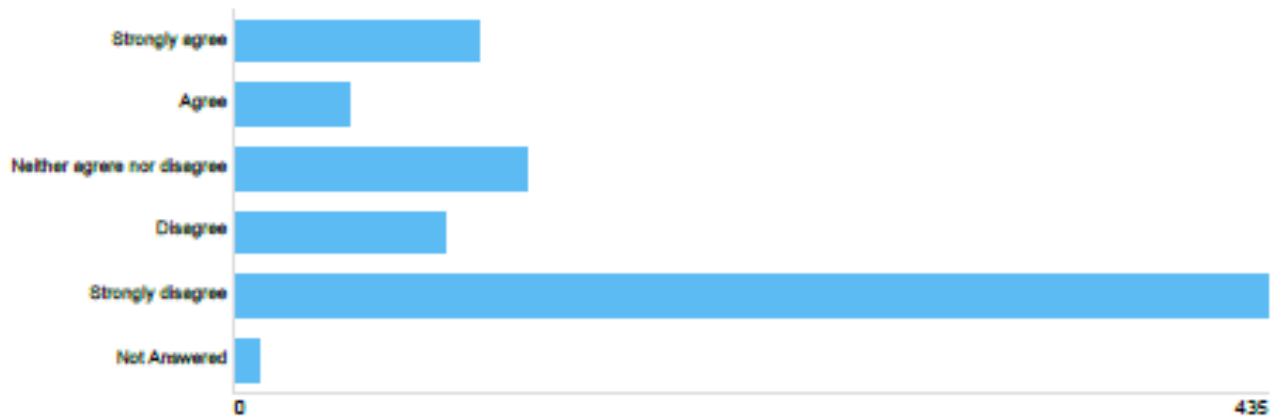
Option	Total	Percent
Strongly agree	86	10.67%
Agree	63	7.82%
Neither agree nor disagree	93	11.54%
Disagree	100	12.41%
Strongly disagree	457	56.70%
Not Answered	7	0.87%

where? - Places used for celebration or commemoration



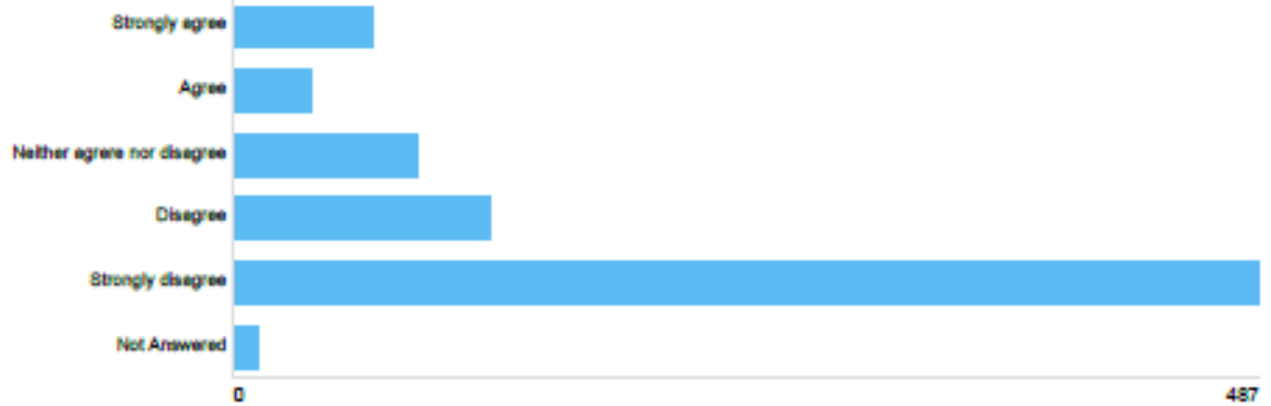
Option	Total	Percent
Strongly agree	97	12.03%
Agree	64	7.94%
Neither agree nor disagree	118	14.64%
Disagree	98	12.16%
Strongly disagree	420	52.11%
Not Answered	9	1.12%

where? - Places of worship



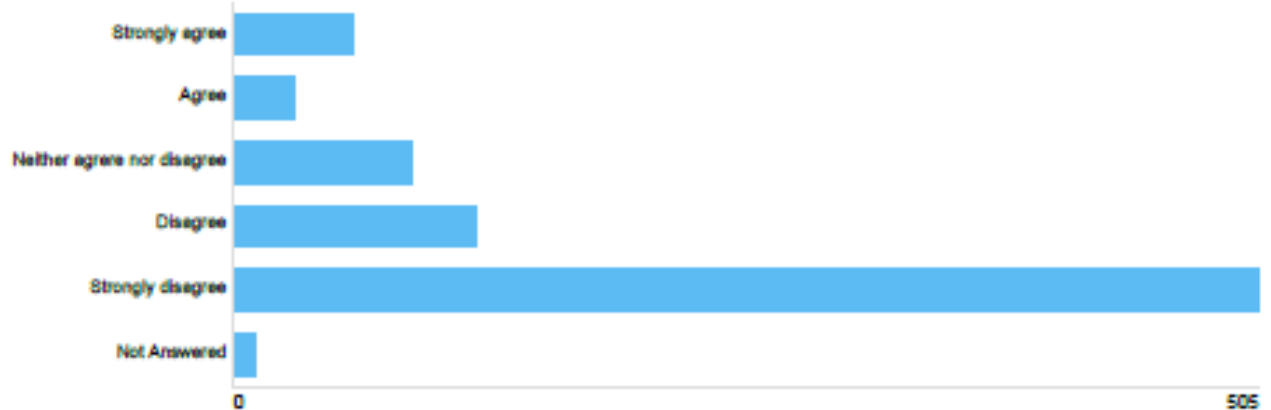
Option	Total	Percent
Strongly agree	102	12.66%
Agree	48	5.96%
Neither agree nor disagree	123	15.26%
Disagree	88	10.92%
Strongly disagree	435	53.97%
Not Answered	10	1.24%

*where? - Play areas or parks*



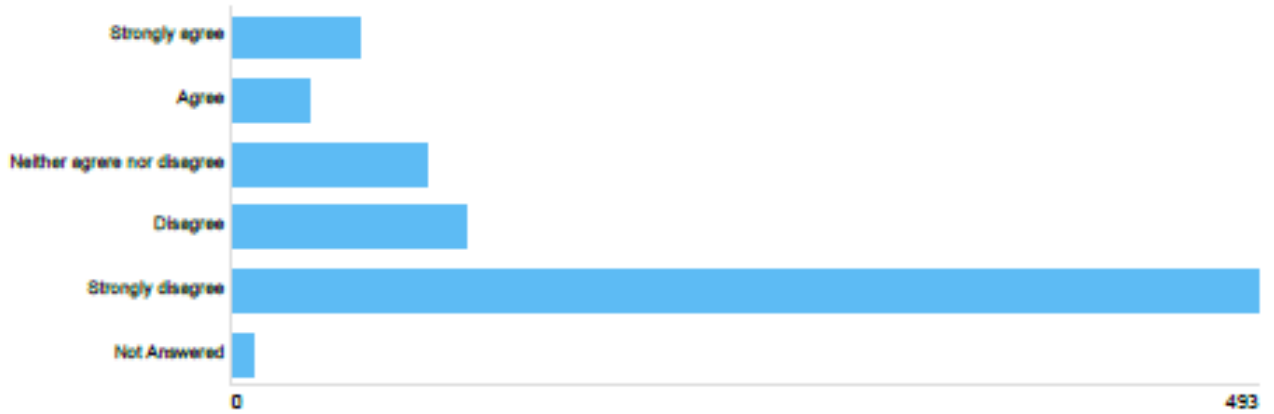
Option	Total	Percent
Strongly agree	65	8.06%
Agree	36	4.47%
Neither agree nor disagree	86	10.67%
Disagree	121	15.01%
Strongly disagree	487	60.42%
Not Answered	11	1.36%

*where? - Schools and other places of education*



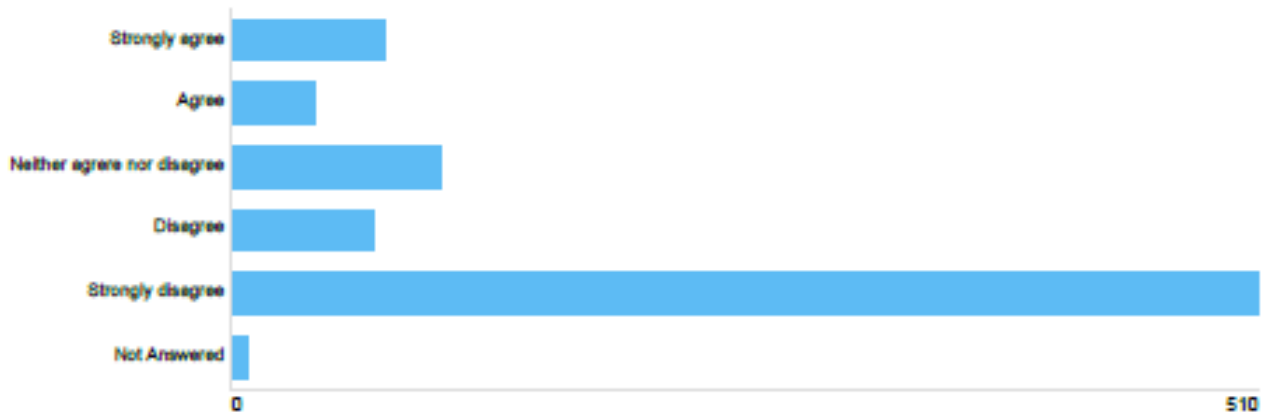
Option	Total	Percent
Strongly agree	58	7.20%
Agree	29	3.60%
Neither agree nor disagree	87	10.79%
Disagree	118	14.64%
Strongly disagree	505	62.66%
Not Answered	9	1.12%

where? - Youth facilities



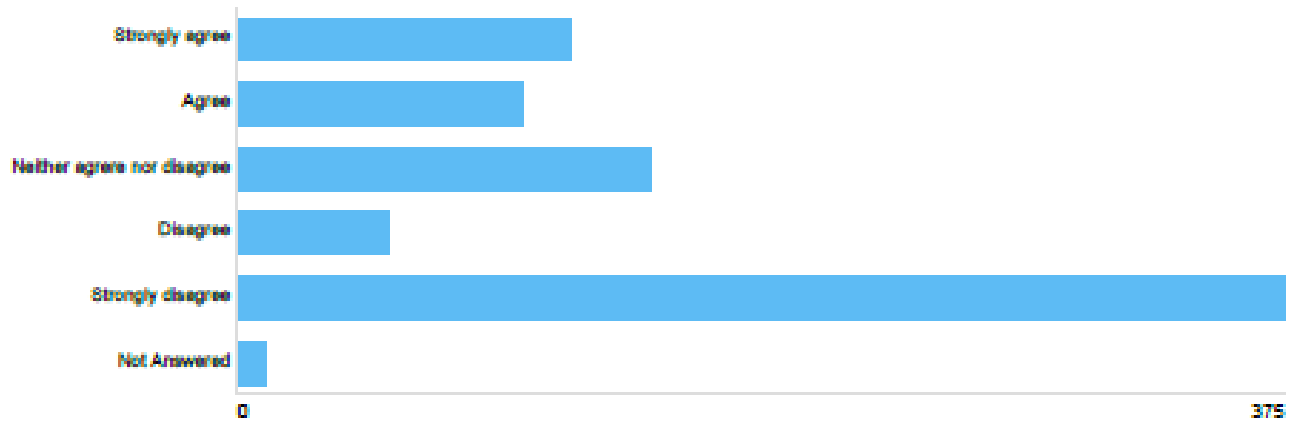
Option	Total	Percent
Strongly agree	61	7.57%
Agree	37	4.59%
Neither agree nor disagree	93	11.54%
Disagree	112	13.90%
Strongly disagree	493	61.17%
Not Answered	10	1.24%

where? - Women's refuge accommodation



Option	Total	Percent
Strongly agree	75	9.31%
Agree	40	4.96%
Neither agree nor disagree	104	12.90%
Disagree	69	8.56%
Strongly disagree	510	63.28%
Not Answered	8	0.99%

where? - Train station or bus station



Option	Total	Percent
Strongly agree	119	14.76%
Agree	101	12.53%
Neither agree nor disagree	148	18.36%
Disagree	53	6.58%
Strongly disagree	375	46.53%
Not Answered	10	1.24%

**Question 10: What conditions (if any) should the Council consider for SEV licences?**

*conditions?*

There were 672 responses to this part of the question.

**Question 11: If the Council adopts the powers to license SEVs, are there any other issues about this that you think the licensing system should consider?**

*SEV comments?*

There were 388 responses to this part of the question.

**Question 12: Would you like to make any further comment about these proposals?**

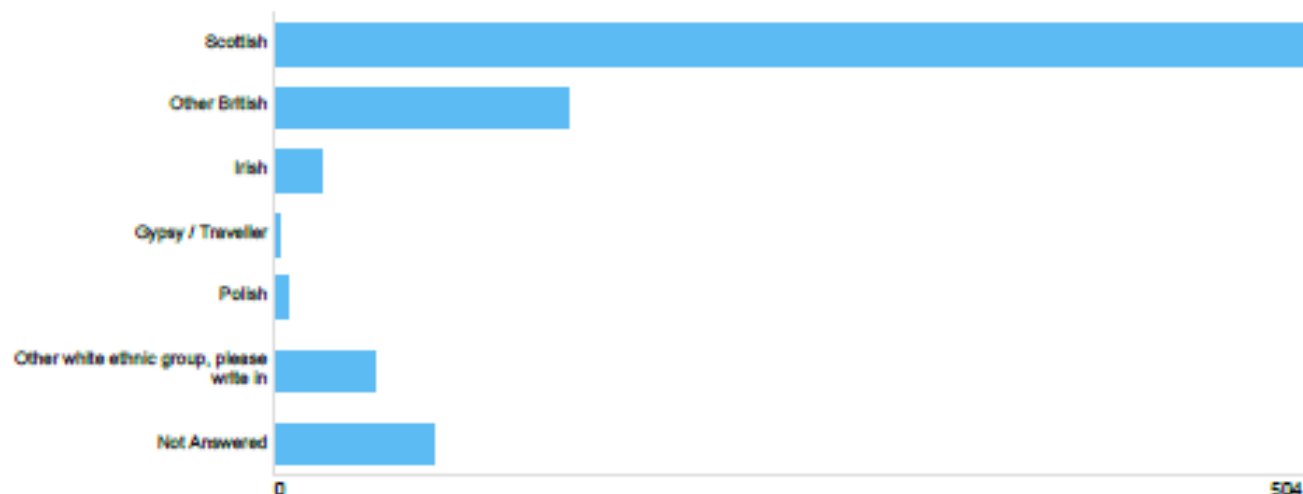
*Please give us your comments.*

There were 322 responses to this part of the question.



Question 13: What is your ethnic group? (Choose ONE section from A to E, then tick ONE box which best describes your ethnic group or background)

**Ethnicity (A - White)**

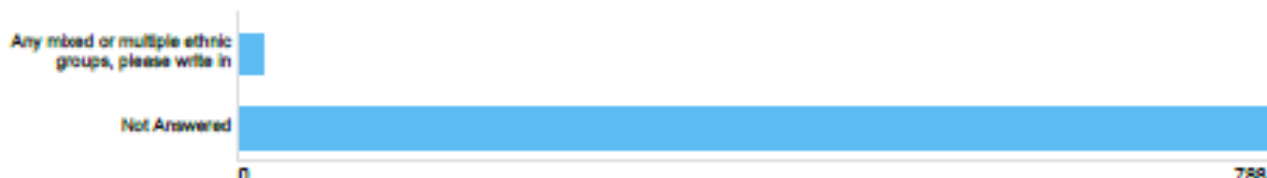


Option	Total	Percent
Scottish	504	62.53%
Other British	144	17.87%
Irish	23	2.85%
Gypsy / Traveller	2	0.25%
Polish	6	0.74%
Other white ethnic group, please write in	49	6.08%
Not Answered	78	9.68%

**Other white ethnic group, please write in**

There were 44 responses to this part of the question.

**Ethnicity (Mixed or multiple ethnic group)**

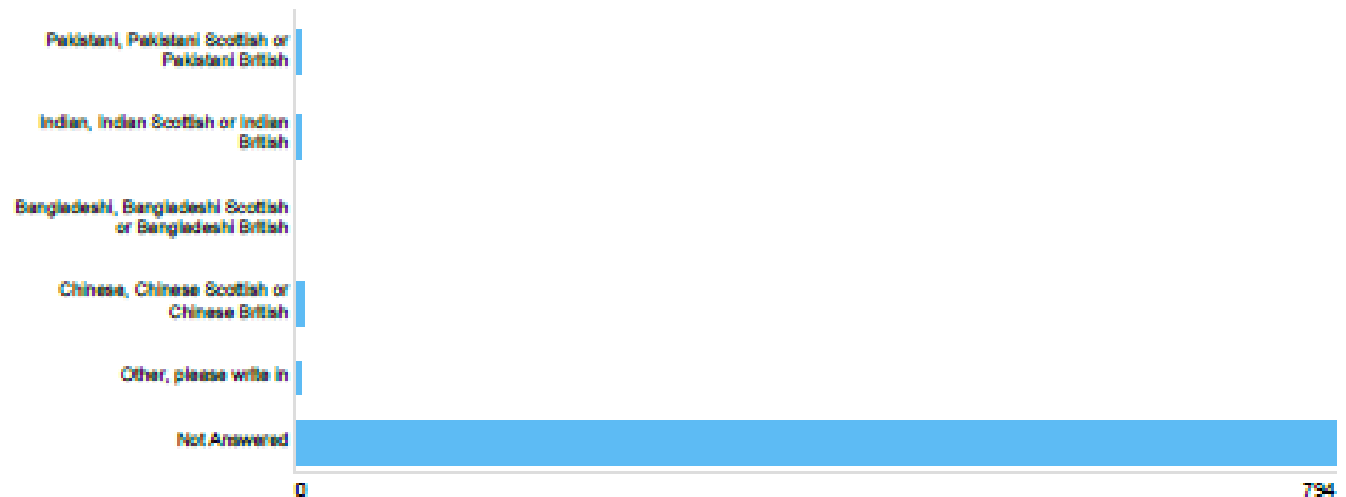


Option	Total	Percent
Any mixed or multiple ethnic groups, please write in	18	2.23%
Not Answered	788	97.77%

**Any mixed or multiple ethnic groups, please write in**

There were 12 responses to this part of the question.

**Ethnicity (Asian, Asian Scottish, Asian British)**

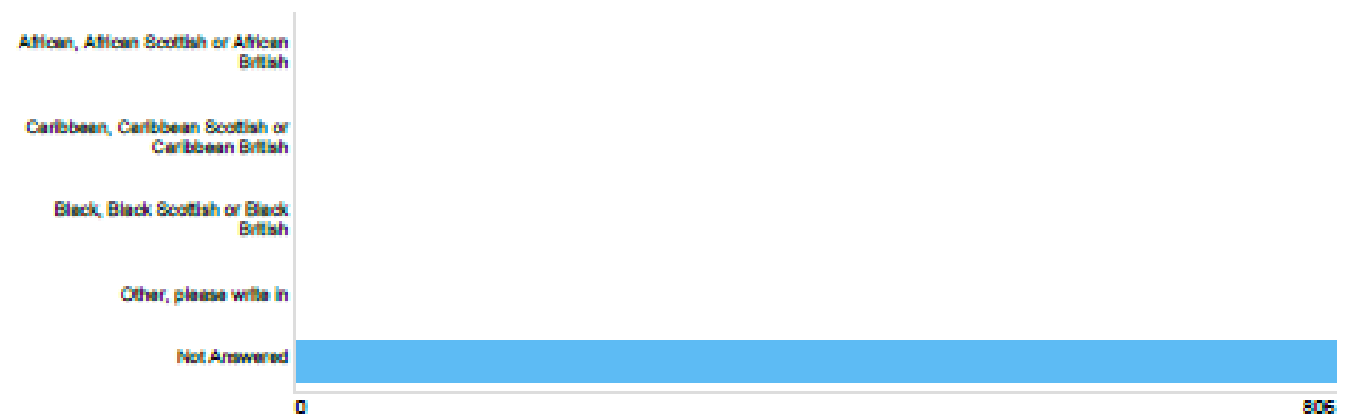


Option	Total	Percent
Pakistani, Pakistani Scottish or Pakistani British	3	0.37%
Indian, Indian Scottish or Indian British	3	0.37%
Bangladeshi, Bangladeshi Scottish or Bangladeshi British	0	0%
Chinese, Chinese Scottish or Chinese British	5	0.62%
Other, please write in	1	0.12%
Not Answered	794	98.51%

**Other, please write in**

There were 3 responses to this part of the question.

**Ethnicity (D - African, Caribbean or Black)**



Option	Total	Percent
African, African Scottish or African British	0	0%
Caribbean, Caribbean Scottish or Caribbean British	0	0%
Black, Black Scottish or Black British	0	0%
Other, please write in	0	0%
Not Answered	806	100.00%

**Other, please write in**

There was 1 response to this part of the question.

**Ethnicity (E - Other)**



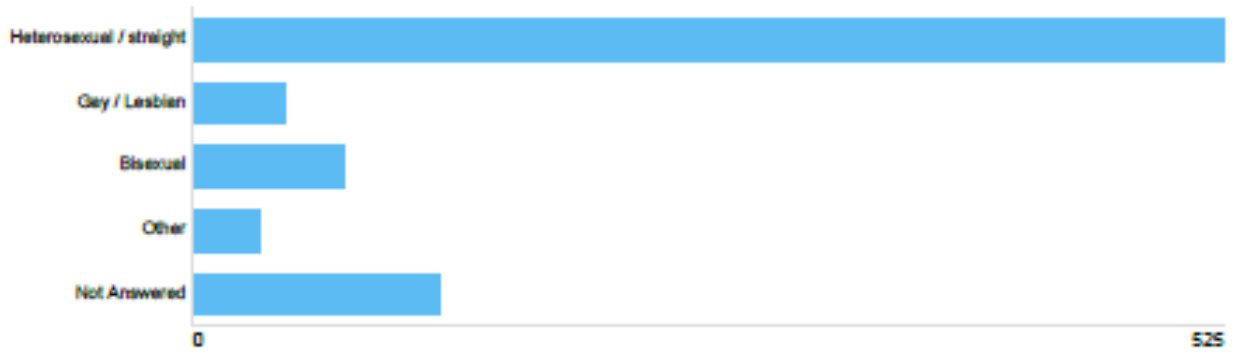
Option	Total	Percent
Arab	0	0%
Other, please write in	2	0.25%
Not Answered	804	99.75%

**Other, please write in**

There were 2 responses to this part of the question.

**Question 14: What is your sexual orientation?**

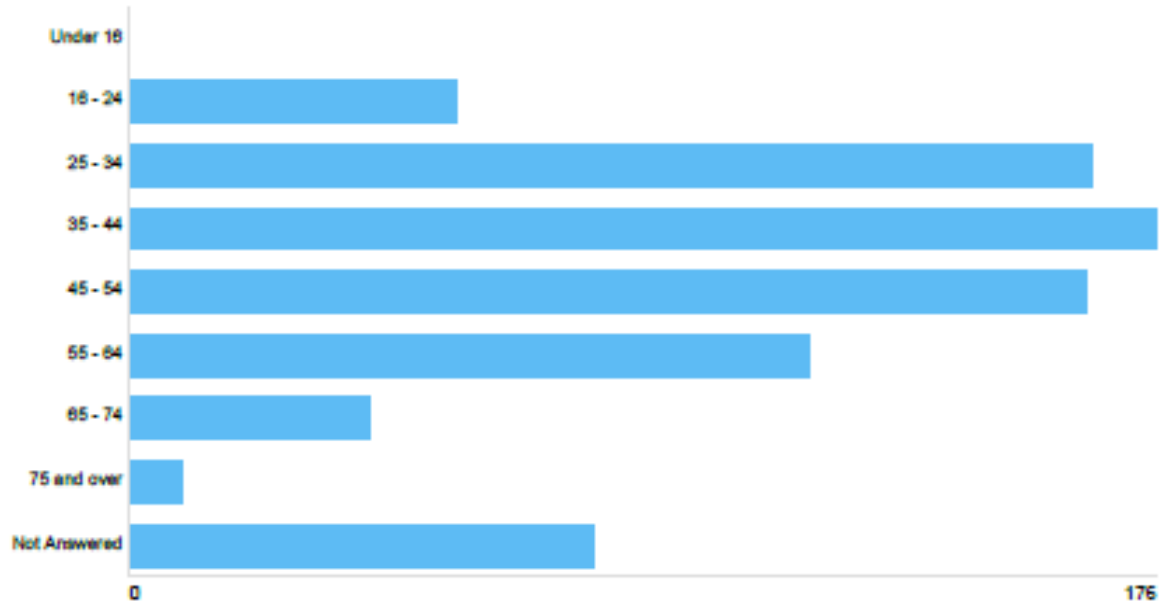
**Sexuality**



Option	Total	Percent
Heterosexual / straight	525	65.14%
Gay / Lesbian	46	5.71%
Bisexual	76	9.43%
Other	34	4.22%
Not Answered	125	15.51%

**Question 15: What is your age?**

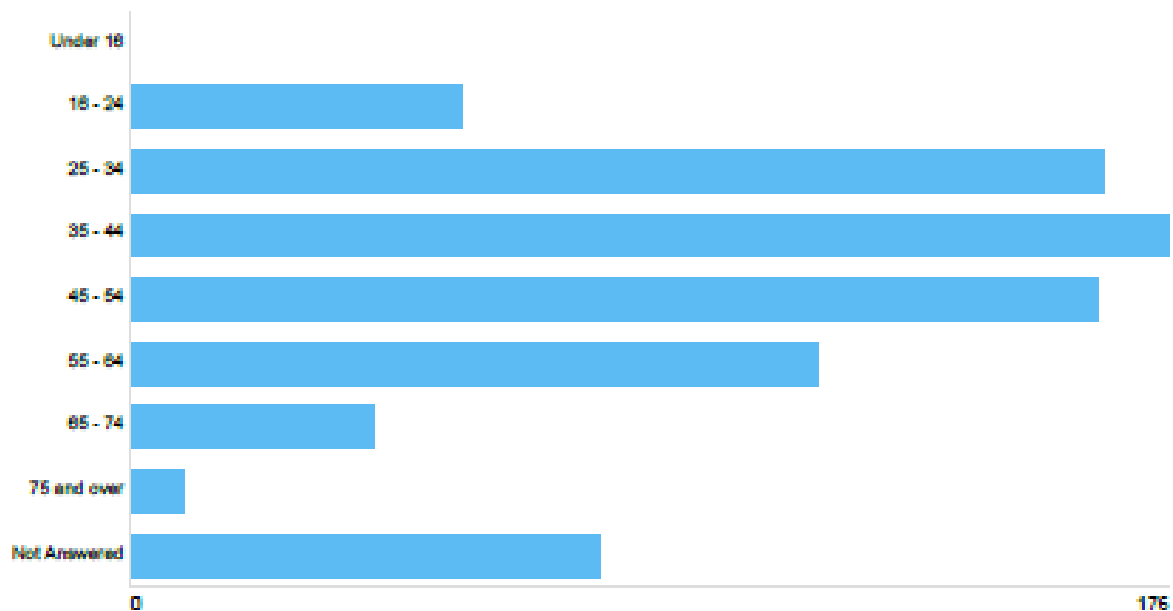
*How old are you?*



Option	Total	Percent
Heterosexual / straight	525	65.14%
Gay / Lesbian	46	5.71%
Bisexual	76	9.43%
Other	34	4.22%
Not Answered	125	15.51%

**Question 15: What is your age?**

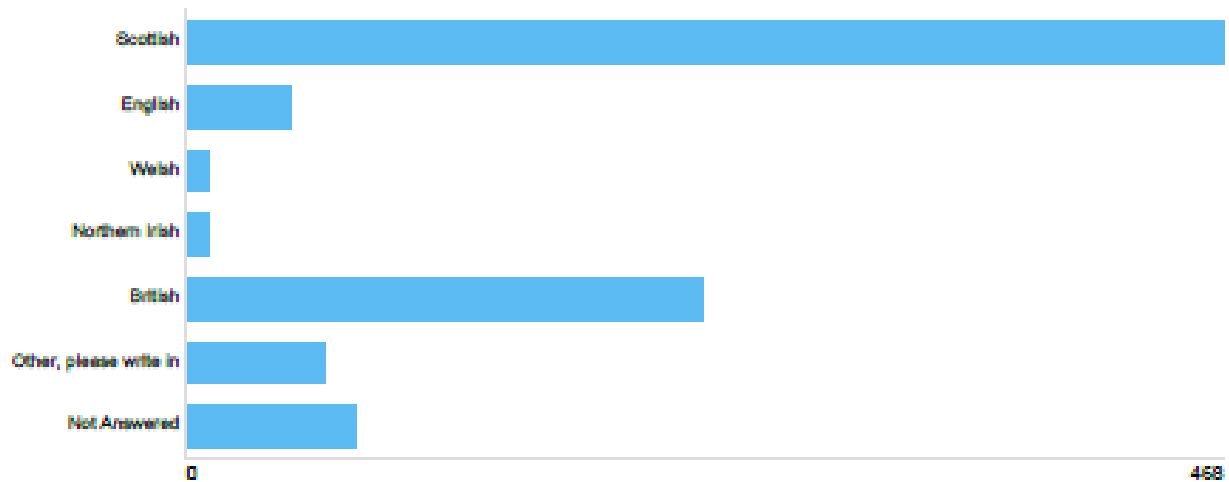
*How old are you?*



Option	Total	Percent
Under 16	0	0%
16 - 24	56	6.95%
25 - 34	165	20.47%
35 - 44	176	21.84%
45 - 54	164	20.35%
55 - 64	116	14.39%
65 - 74	41	5.09%
75 and over	9	1.12%
Not Answered	79	9.80%

**Question 16: How would you describe your national identity? (Please tick all that apply)**

*National Identity*



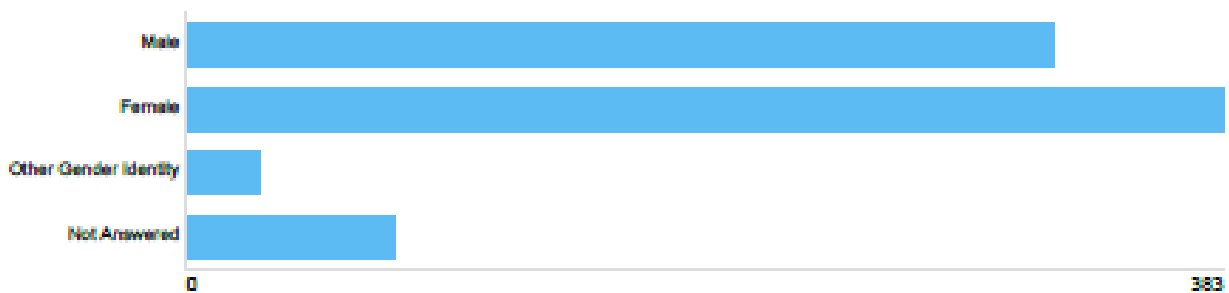
Option	Total	Percent
Scottish	468	58.05%
English	46	5.71%
Welsh	9	1.12%
Northern Irish	9	1.12%
British	232	28.78%
Other, please write in	61	7.57%
Not Answered	76	9.43%

*Other, please write in*

There were 64 responses to this part of the question.

**Question 17: What is your gender?**

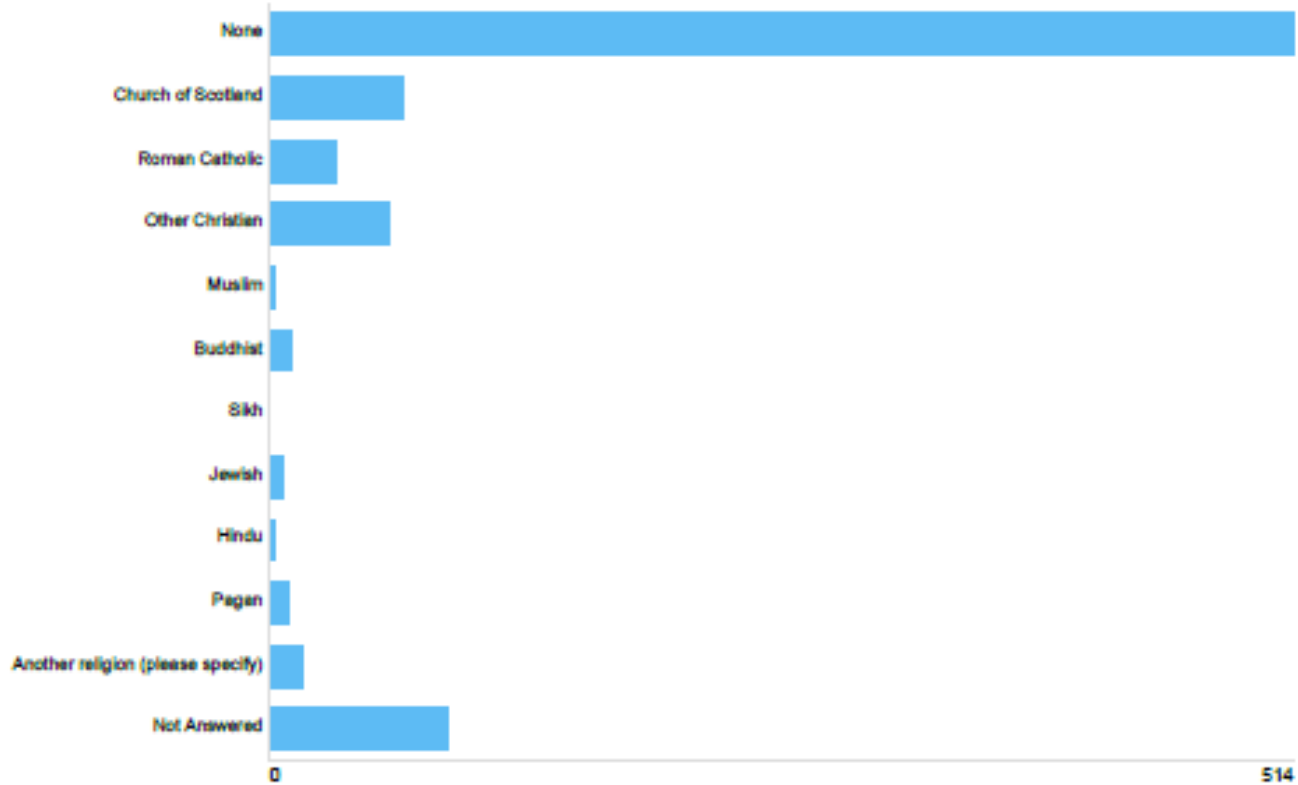
*Gender*



Option	Total	Percent
Male	319	39.58%
Female	383	47.52%
Other Gender Identity	27	3.35%
Not Answered	77	9.55%

**Question 18: What religion, religious denomination or body do you belong to?**

**Religion**



Option	Total	Percent
None	514	63.77%
Church of Scotland	66	8.19%
Roman Catholic	33	4.09%
Other Christian	59	7.32%
Muslim	2	0.25%
Buddhist	10	1.24%
Sikh	0	0%
Jewish	6	0.74%
Hindu	2	0.25%
Pagan	9	1.12%
Another religion (please specify)	16	1.99%
Not Answered	89	11.04%

**Another religion (please specify)**

There were 26 responses to this part of the question.

## Appendix 4 – What conditions (if any) should the Council consider for SEV Licences?

Written Responses.	
1.	Extremely tight stewardship as to who is admitted; strict limitations on how explicit the entertainment may become; enhanced protection for the performers.
2.	Separate access, changing and sanitary facilities for performers. External advertising.
3.	Hours, advertising, loitering and visual displays.
4.	Not admitting people who are already drunk Refusing service to people who are becoming drunk Discouraging patrons who smoke from congregating outside in noisy groups Supervising exits at closing time to minimise nuisance to local residents Loss of licence if neighbours repeatedly complain of nuisance (I assume all of these apply already)
5.	They should not issue any licences.
6.	It should not take on this responsibility at all
7.	Should close by midnight. Should not be allowed to advertise. The activity should not be visible to passers by. Any breach in regulations or nuisance as reported by the police should be swiftly acted on. The health and wellbeing of those involved in the entertainment should be regularly checked and they should be paid at least the minimum wage
8.	Tax liability sensitive Immigration compliant Full Disclosure checks on all staff No former criminality of owners/ staff Restricted to over 21 proof of I'd required
9.	None. They should decriminalise the sex work economy and be as unrestrictive as possible. Sex work is work, licensing would jut further stigmatise it and you would see unlicensed premises cropping up without any oversight or safety for performers.
10.	Opening times. Advertising. Making sure workers rights are being adhered to .
11.	Ban them altogether
12.	Robust anti-trafficking measures and anti-drug measures
13.	Low visibility
14.	Publicity Visibility
15.	There should be restrictions on the visibility of the interior of the premises to passers-by, especially in a historic city like Edinburgh where there are many family tourists and there are residents living across the whole city including in the city centre. There should be controls on the extent and nature of advertisements on or about the venue in order that areas do not suffer from a lowered tone and become undesirable areas for residents and visitors to be present in or to pass through.
16.	No advertisinf
17.	I don't believe the should exist at all
18.	Opening Hours no earlier than 17.00 and no later than 03.00 Number of entertainers at any given time - no less than 5 and no more than 15 Drinks prices - no more than 20% higher than the median price found in pubs within half mile of the premises
19.	Visibility of the interior



20.	Standard conditions that you would consider for any other business. I don't know why you are concentrating on SEV's. I have more issues with Edinburgh council than I do SEV's. Maybe you should get your own house in order first.
21.	Reasonable security that don't want to fight for just walking past and sensible opening hours
22.	Trading hours to same as bars and night clubs. No public billboard adverts etc., leaflets etc. should be allowed though
23.	Publicity Visibility Hours
24.	Don't allow
25.	Age restrictions and ensuring staff health and wellbeing. Some of these girls are the most vulnerable in our society and we have to ensure their wellbeing.
26.	Operating hours Noise Levels Occupancy Levels Advertisement and visibility
27.	Regulate advertising and ensure that visibility is discreet.
28.	Not near generally public areas where children and teenagers likely to go. Keep our city as it is without as much violence & crime as other cities.
29.	All workers in the establishment should be aged 30 or over.
30.	Advertisements should be heavily regulated, and limited to the area immediately near the SEV.
31.	The council should accept that this is a legitimate business and allow SEV's to run as such, providing they comply with all health, safety and legal legislation. Forcing businesses like this underground will only promote worker abuse, and crime, as well as reducing taxable income. Stop trying to criminalise things which the many accept to placate the few zealots!
32.	Trading hours
33.	The removal of all SEV businesses in Edinburgh.
34.	No visibility or inappropriate signage from street. Beer/wine only. Door staff at all times. Must be a member to enter, full personal details given and kept on file. CCTV must be working and accessible.
35.	Restrictions in relation to appearance. Mandatory compliance with strong ethical policies including compliance with modern slavery act.
36.	Restrict the allowed trading hours of a SEV No display of advertisements on or about the venue Restrict the visibility of the interior of the premises to passers-by
37.	No visibility of interior from outside the premises
38.	Rather than set limits, each application should be considered on its own merits. Numbers of establishments are likely to be self-limiting. It is hardly likely that every empty High Street shop will apply to become an SEV!. The first consideration should be safety; primarily, safety of the workers, then, safety of the customers..Whilst I do not believe that these venues necessarily pose a risk to residential areas, schools or places of worship, their proximity to these locations is likely to cause provocation and so should be avoided. Betting Shops and Casinos are more likely to cause a risk to health and welfare but they are allowed to thrive.
39.	Limited exterior advertising

40.	There is no need for SEVs in Edinburgh. they make the city less safe for women.
41.	Good work environment and standards of safety for performers, ie. recourse/protection in cases of assault or discomfort, support network for reporting any cases of harassment, hygienic performer-only bathrooms, etc. Also acceptable levels of noise pollution outside the building, and no maintained records of customer details beyond necessary security footage.
42.	No alcohol to be served on premises. Venues must provide entertainment appropriate for all LGBTI+ audiences.
43.	In this day & age places like this should not even exist.
44.	None. Everyone knows where these places are. The area where three of them are is even given a nickname. Four premises is not a large number in a city of Edinburghs size and wealth. They would surely close if there was no custom anyway(some have e.g. the Lothian Road and Tollcross establishments). I have never had an issue with these establishments. The only thing I would do is have proper checks on the owners.
45.	Signage Noise Operating Hours Vicinity to housing and schools Alcohol consumption /license
46.	Regular inspections to ensure the conditions are acceptable Internal and external security staff CCTV throughout
47.	This is the choice of the individual and not for the council to rule over. As long as the establishments run their businesses according to civic rules, they are no different to any other business. Let them be. I would be more worried about the abusive George Street type of establishment with gross treatment of women, drug dealing doorstaff, and drunken councilors getting their pictures taken in uncompromising positions, than the odd lap-dancing bar.
48.	No visible advertising
49.	Restricted visibility of the interior, but happy with the ad display.
50.	Restrict hours maybe til 1am max Stop workers from standing outside smoking No LED lights Should fit into the surroundings - eg. if in a bar area fine but if residential properties around should be discreet and have noise restrictions
51.	SEVs should have no place in Edinburgh. They exploit women and are often associated with people trafficking.
52.	How much noise comes from a venue, parking
53.	I am not happy about any exploitation of people, or portraying them as sex objects, I would be happiest if these places did not exist at all, however if they must continue then I wish to see limited availability and strictest possible restrictions in place
54.	Hours of opening and operation; restriction of advertising (including online advertising and advertising in a public place); restricting the visibility of the interior to the public; working conditions for those employed to provide sexual entertainment (including rest spaces, and care and welfare of employees).
55.	I think it's reasonable to require that licensed premises restrict the visibility of the interior to passers-by and take care with advertisements or signage. I don't think an advertisement or sign for an SEV is inherently offensive or problematic.
56.	Agree with all of the above - limiting trading hours, limiting advertisements and restricting visibility of interior. Also ensure safe conditions for workers.

57.	Regulate the display of advertisements everywhere and restrict the visibility of the interior to passers by.
58.	Broadly speaking the same conditions for large pubs and nightclubs. Public advertisements and/or signage outside the venue should not include nude/naked or raunchy material, or material generally considered to offend or material unsuitable for young children to view.
59.	Bland exteriors with no logos, no neon lights, no signs in the shape of a female.
60.	Good security for safety of the patrons & workers
61.	If we have to have these in the city, and I don't think we should, they should be safe for staff and residents and have no late licence and no garish or obvious signs. There should be a limit to their size and how many patrons there should be and they should be venues for female lap dancing, make lap dancing and LGBTQ etc
62.	it's good to have a few but licence them so that workers are respected. keep away from busy tourist area, children etc
63.	advertising should vary depending on the area.
64.	Restricted trading hours, restricted interior visibility, restricted advertisements, exterior (private) space for smokers (i.e. not on public pathways/roads).
65.	Trading hours, advertisement, visibility of interior
66.	Ban them all. Degrading violent places
67.	Make them private .
68.	Restrict hours commensurate with location, ensure that premises external advertising is discrete and that inside isn't visible.
69.	Regular checks that the women are being treated fairly, and have as safe as possible a working environment.
70.	If SEVs are allowed, opening hours after 9pm - even on Saturdays!!! No advertising from premises. No flyers/card distribution.
71.	Ban them altogether
72.	It should not be within 500m of a venue with an alcohol licence. Adverts should not be displayed so as to be viewable by people under 16. The interior of the premises should not be visible from the street. No entry after midnight and they must close by 2am. The identity of those using the premises should be verified and the details kept for 21 days. All staff must be able to join a trade union or other worker representative organisation.
73.	Make sure the women working SEVs are not being trafficked
74.	Fair and secure working standards/conditions for employees. Legitimate worker protections. Parity with licensing of other entertainment venues with regards to hours and business (eg. bars, clubs) Levy's for extended working/opening hours.
75.	Definitely restrict visibility of the interior as well as adverts. Word of mouth is how such venues get new customers. Obviously, hours of operation as well as requiring age identification would be advisable as would requiring an annual licence renewal.
76.	Restrict the visibility to passers by and have no more than one SEV, two at most. Edinburgh's main attribute is that it is a city of history, culture, the arts, and care must be taken not to threaten its image.
77.	Restrict advertising; restrict visibility to public; subject to inspection, including adherence to human rights legislation; restrict public nuisance from noise, lighting, unruly behaviour
78.	Discreet entrance. Properly supervised.

79.	Trading, facility's, health & safety of workers
80.	Regulate the advertising and restrict visibility of interior.
81.	Pass safety and health inspections for the venue, have detailed plans for how they will handle employee health and safety. and agreement to random inspections at any time without warning. Other than that I don't care. It's just a lap dance, join the 21st century and leave the victorian era.
82.	Capacity, licencing hours/opening hours, mandatory level of security staff and a controlled level of advertisement outdoors
83.	Trading hours, external promotion, external lighting, noise limits, parking limits, compulsory cctv
84.	The safety of the employees would be paramount. But to be honest, I really think as a society we should be pushing ourselves to move beyond objectifying woman and classing it as entertainment. Seeing women as sexual objects is not going to help feminism and equality.
85.	Restricted advertisements on venue Restricted interior visibility.
86.	All such commercial premises reinforce and uphold damaging attitudes to women and those attitudes perpetuate a male sense of entitlement to women's bodies and violence against women, so I do not accept that any licenses should be granted for such businesses.
87.	Advertisements only ON the premises (and then of a discrete nature). Interior screened from the passing public. No one on the premises enticing people to enter. Any door staff ('bouncers') not on view to the public (to reduce adding to a intimidating feel to the general area).
88.	Premises should be subject to monthly inspections by Police and trained council staff for health , safety and legal issues. If Licence granted it must not be near any area frequented by children or near schools, or near shopping areas.
89.	None. They are degrading and encourage drug use and other crime.
90.	Restricted visibility Trading hours
91.	It should not seek to limit the number of SEVs. It should not seek to restrict the areas that SEVs operate in, except where the location of an SEV could be deemed irrational or illogical (near schools = wrong message, industrial areas = tend to be poorly frequently at night, near churches = for obvious reasons). It should not seek to prevent SEVs operating. It should require SEVs to donate a proportion of their profits to women's refuges. It should embrace the benefits of SEVs to customers and staff.
92.	There should be zero tolerance of these kinds of venues which exploit women in our city.
93.	No advertising outside, no under 21s, opening hours from 10pm-12am
94.	I think the only thing that really matters is that the employees are paid a fair wage for their work, that their workplace is safe and that they are working there by choice (e.g. they are not victims of trafficking). I would oppose any regulation that would force employees of such venues to hide away from the public while on break. Sex work is just work and sex workers deserve a safe work environment. The stigma they face already is detrimental.
95.	Suitable proprietors
96.	All of the above

97.	I think the objectification and commodification of people for sexual entertainment has no place in modern society. If it determined that they should still exist then they should be taxed to the hilt on the venues and punters.
98.	Interior should not be visible No advertising or pictures outside Restrict hours - not during the day or after 0100.
99.	- cleanliness - women's employment conditions - women's rights - limit total number of punters - ensure proper acoustic design both internal and external
100.	Premises should not be allowed to advertise Premises must have restricted visibility to passersby and no inappropriate/sexual visuals or language
101.	Restrict the hours and completely block the visibility of the interior. Restrict the display and content of any advertising (no images)
102.	Not allow them at all
103.	Stated examples are good. Maintaining the integrity and anonymity to the workers to the general public. No social media pages, photos, videos
104.	I generally feel there should be no venues.
105.	No advertising. Strict age limits Strict control of alcohol
106.	Noise limits, limits on smokers outside.
107.	Opening hours restricted to midnight to 5am, no advertising on outside of premises or within 500 metres thereof, no staff aged under 21.
108.	No new licences. Edinburgh is drowning and heaving with tourists and we already have plenty of loud and aggressive lads holidays and hen parties. These places are such a hot bed for money laundering, sex trafficking, drugs and organised crime and exploitation that Edinburgh could use less problems to solve not more. Especially at a time when policing is taxed and stressed with strained budgets.
109.	That's tax paperwork should be shown for "self employed" sex workers especially in the dance community . To help them realise that they are in control of their finances this will boost the economy and help them better themselves with pension contributions.
110.	Strong record of respecting worker rights. Living wage employers.
111.	SEVs should not advertise in any visible way on the street - eg. bulletin boards or explicit signs. Interiors should not be visible. Smoking outside the doors should be limited/banned.
112.	I genuinely believe that we should not be hosting businesses that by their very nature enable the exploitation of women by men.
113.	The visibility should be very restricted.
114.	Control of signage front decoration and imagery in view of general public. Restriction on type of names of premises permitted, clear indication on outside of premises what age restriction there is to enter
115.	Well regulated and make sure all employed are treated fairly.
116.	Trading hours, external appearance, noise, advertisements, location, employment conditions
117.	Restrict visibility from the outside. Shift hours to open late and stay open later than usual places. Constant checks from the police that the bussiness is conducting legal

	activities. First offense license revoke policy. No display of advertisement on the street. In my opinion the number is not the issue. The place and the tighter regulation from the council should keep everything legal and in line.
118.	Restriction of trading hours Responsibility for public behaviour outside the premises Responsible for ensuring all people working there are legally in the country and are there of their own free will Responsible for keeping the area outside the premises clean and tidy Responsible for limited external advertising
119.	Restrict visual advertising showing women's bodies. Visibility discreet.
120.	Latest opening of 23.30.
121.	Conditions should be considered on a case by case basis depending on previous licences granted in area and any problems encountered. Conditions and licences need to be reviewed in a regular basis.
122.	Regulate the ads on or about the venue. Restrict visibility of the interior of the premises.
123.	Restrict the visibility Of the interior from passers by. Restrict the hours of operation
124.	No external visibility of venue. All workers and owners subject to criminal record and PVG checks
125.	Restrictions as listed above in the consultation.
126.	Should not license any. If do - discreet signs, no visibility
127.	All of the above suggestions
128.	Restrict all activity
129.	Regulate display of advertisements, restrict trading hours, restrict visibility of the interior of the premises to passers-by and impose additional rates/high local taxes
130.	The welfare of all workers at the venue. The noise created by the venue. The risks of public order offences within the area and on travel routes into and out of the area. The safety of women and children in the area. The potential for offence caused to local communities by the nature of the business. Implications of the increase of unregulated short-term accommodation in the area.
131.	They shouldn't be licensing them.
132.	Not on a Sunday
133.	Ban every type of advertising, e.g. web, radio, TV, press, apps, etc. Members only and membership must be applied for in person at least one month ahead of entrance being granted, i.e, no walk ins or instant membership.
134.	Advertisement on windows. View of inside
135.	Restrict visibility, no advertising, ensure safety of employees and residents and passer bys, cctv in area and surrounding areas, record of Id of customers
136.	Not relevant as I do not think there should be SEV premises.
137.	Impact on traffic management
138.	None. There should be no requirement for anyone to resort to selling themselves for sex in this day and age. Sexual equality and eradication of violence and marginalisation of women in society can only be achieved by protecting women (and other groups) from this sort of outdated idea that this is ok or a 'required' service industry in modern society. Just because there is currently a 'market' for this type of 'trade', does not make it right. A ban should be put in place much like the smoking ban to improve the health of our culture in Scotland, and the way our future generations view their self worth and outlook on men/women and sex.

139.	Preferably 0 places but if you had to allow some then non residential areas on outskirts of town away from city centre and ordinary folk who want a quiet life.
140.	Opening hours. The way they advertise
141.	They should not be allowed at all.
142.	These uses are not appropriate, they degrade women and are linked to serious and organised crime.
143.	Any conditions of any licensing MUST be made with the cooperation of sex workers already working in Edinburgh. Talking to owners, customers, neighbours is not good enough. The city MUST consult with sex workers to ensure that any licensing or lack thereof is in their best interest in regards to job security, potential for financial gain, and personal safety.
144.	All staff needed to have valid working visas & earn the minimum living wage
145.	Protect children and those who find the whole idea abhorrent by having absolutely no visible presence in and or around any SEV venue. No visibility of interior, advertising, images or people related to the venue. Restrict hours (short hr license), increased age limit attendance, no alcohol sales, limit door entry fees, health scrutiny of employees and premise. visible policing and council scrutiny - lets not pay lip service to licence conditions - put them in place and then manage and act on them to ensure they are being adhered to. If broken then close down and charge promptly.
146.	Limit should be zero
147.	No frontage whatsoever other than the name
148.	This is an extremely stupid and I fear unethical survey. Edinburgh Council should be ashamed of this survey. It is biased and does not fit with statistical philosophy. If this was devised by consultants sack them - if not sack those responsible.
149.	None. This is a capitalist market and as such should dictate how many businesses are required.
150.	No visible advertising.
151.	Hours, advertising, noise-level, loitering, potential fall-out/harassment of passers by. As much as possible should be regulated. Safety of the general population (female population) is paramount. These places make places less safe for women/girls due to the nature of the business and the connotations that go with that, as well as the desensitization process involved in the industry.
152.	Should the council grant such licences, which I oppose, there should be no graphic or vivid advertising of its presence externally
153.	Proximity to other venues and residential areas. Consider regular checks of operators and those employed.
154.	Hours of business, no advertising, should be very discreet from the outside . Licences should be regularly checked .
155.	Don't even go there
156.	Control advertising. Restrict visibility. Run checks on the operators
157.	Late night opening. 12pm. And if your drunk you dont get in.
158.	Visibility of the interior being restricted to passersby is a reasonable restriction.
159.	Venue should be away from pubs/clubs to discourage drunk men. If they want to go to lapdancing make them go sober not at end of night drunk and leaving wives unaware at home.
160.	Advertising including prominent signs showing the nature of the business. Visibility of interior. No trading during the day when children might be in the vicinity.

161.	Checking by police unlimited. Closure if drugs etc found on property underage people
162.	<p>1) Venues should be required to obtain (at their expense) medical certificates for their employees prior to them beginning work. Thereafter, on a regular time specified basis. Certification to cover areas such as freedom from STDs &amp; other ailments which could be passed on to 'clients'. Also checking that employees are not vulnerable due to mental health issues. Doctors doing these checks to be licensed by the Council to ensure independence and consistency of approach. The burden of the medicals should not be on NHS resources.</p> <p>Possibly, potential new employees should also be interviewed by a counsellor to establish whether they understand the 'implications' of this type of employment &amp; to try and ensure that they are entering this 'profession' under their own free will, not under duress.</p> <p>2) Employees should be over 21 and documented proof of age submitted to the Council</p> <p>3) The internal activities of the venue should not be visible to passers by.</p> <p>4) Regular, unannounced, spot checks should be made of the venues to ensure the 'safety' of working conditions.</p>
163.	No conditions required in no licenses are granted.
164.	Restrictions on advertising display types. Suggest this should be plain. Welfare monitoring programme for entertainment staff.
165.	Safety for workers and require protection for workers after work.
166.	Do not think there should be any. This uniquely affects women and girls both within the industry and affects women and girls not involved. Personally do not like being near areas where lapdancing clubs are because the men that go there treat all women as objects to be used.
167.	No visibility of interior, no publicity advertising the fact of what it is and licensing hours
168.	They should not.
169.	What I would hope would be considered obvious and fair factors: new or existing application, what's currently in that area, impact on area, potential risks and benefits, current quota of SEVs currently in that area and its correlation with demographics etc.
170.	There is no place in 21st century Edinburgh for these establishments
171.	Display should be restricted name of club should be sufficient
172.	Display of advertising
173.	All conditions mentioned above
174.	The City of Edinburgh should be attempting to eradicate drunken sex tourism, not promoting it, so should be aiming for zero.
175.	There should be no visibility from the street / roadside. All street advertising and signage should be removed.
176.	Criminal records checked. Registration of all women employed to minimise trafficking.
177.	There should not be any venues which exploit women in this day and age. Not acceptable to expose the public including impressionable young people to this. Not acceptable to portray this as an acceptable way for women to earn a living. Its exploitative.
178.	On street presence i.e signage being minimal
179.	No licenses
180.	Checking age and employment conditions of those employed to ensure no exploitation. Ensure that the employees are not coerced economically or through any other means of working there... Eg if you don't work here you will lose your flat etc.
181.	I am personally against the council allowing a license to any SEVs therefore this would be my only condition that none are given a license.



182.	High quality if anything, zero connection to Councillors ie completely neutral in ownership.
183.	I think they should not be visible if they are allowed to remain. They are terribly gaudy. The signage on the ones I have seen clearly only advertise that women are to be leered at. That's fine if someone chooses to work there or visit the establishment but it's not ok for that to be seen by everyone. Even if they are not visiting the signage still sends a message to the people on street.
184.	Similar to alcohol licensing
185.	There should not be conditions placed on SEVs
186.	If we have to have them measures to protect the safety, health and well being of the workers should be in place
187.	Not open before 20.00. Not in areas where women might need to be on their own late at night eg near bus stops, train stations etc Not visible in an area frequently used by under 16s. Discreet location and discreet shop front
188.	Protection of trafficked people by shutting down these establishments.
189.	Do not allow any .
190.	No conditions can mask the premise that you are condoning mysoginy by supporting sex work- no one should be able to "sell" sex
191.	Should have minimal advertising, a bit like tobacco advertising.
192.	Minimum entry pricing / restricted licence hours / restriction on advertising e.g flyers
193.	They should not issue licenses at all too SEVs. They should take the power to issue licenses but not give them to allow SEVs to operate anywhere in the city.
194.	You should legalize brothels
195.	Keep late license for SEV and in specific SEV area as currently . Prohibit drinks outside venues
196.	The choices and wishes of sex workers who already rely on these venues for their income. Why the hell are you asking me, a complete chump who gets anxiety in strip clubs where they should be. Are you asking sex workers how many software developers we need)? Bloody hell.
197.	The hours of operation should be limited. The exterior should be allowed to give an indication of the nature of the business, but the interior should not be visible.
198.	No neon lights outside. No advertising. Minimum entrance charge of £20 with half going to the council. Security for all workers at the venue. Venue management must provide free secure travel home for all employees.
199.	Usual late night noise limits, bouncers needed to handle drunk folk, regular anti slavery anonymous etc chats with the dancers to make sure they see working out of their own free will.
200.	Restrict the visibility of the inside of the premises
201.	That it doesn't look dirty /like a strip club /intimidating outside, well looked after, more like any other quality bar or shop. Maybe adaptable signage so it's more obviously a strip club at appropriate times eg, evening/night
202.	Limitations on visibility - restrictions on signange, visibility of interior of premises to passers by. However, most SEVs will want to adopt that anyway, so it shouldn't be a huge issue. No restrictions on trading hours.
203.	I don't believe this type of 'entertainment' is desirable anywhere in the city. It's out dated, unpleasant and does nothing for the profile of our city at home or abroad.

204.	zero tolerance
205.	Restrict advertising outside premises Restrict Closing time of business in line with local nightclubs/bars Restrict visibility of interior from outside Ensure staff on premises' doors are trained to deal with public and in good security practice. Staff should also be required to be smartly dressed.
206.	I don't think there should be any licences granted but if there are conditions relating to public order and safety should be strict. If there is any harassment of women in the vicinity, it should be closed down.
207.	Workers standing outside Large groups of men hanging about outside The biography of the female workers Health and Wellbeing of the workers
208.	zero tolerance to these operating
209.	I think the majority of people who enjoy this service comes in the door by his own will, and this regulation affects artist too who does burlesque or drag shows. I also feel it unfair with women who decided to earn money this way. It is their life, let them do it. If you regulate shows like this, people will download it online. Any better???
210.	Not in a built up area.. Not in a residential area. Not near Hospitals or care institutions No visible advertising.
211.	Location is key. Out of the way rural locations would be reasonable, Isolated house on a main road would solve the social impact issues. we do not need to ban these places completely, However the USA "chicken ranch" rural system would minimise the impact. We certainly do not need them in our towns and cities.
212.	making it similar to cigarette packaging where there is no advertising allowed
213.	It should not grant any licences.
214.	Restricted hours, preferably for evening use only, and total invisibility of the interior of the premises.
215.	Only restrict visibility from outside. There should be venues like this, it's fun and I don't see it harming anyone. It's part and parcel of the old character of Edinburgh and always was. Many European cities also have this kind of entertainment and I don't see any harm in it. The venues police themselves and I have never seen any trouble whilst visiting one. Licensing hours should be till 1am.
216.	Health and Safety regs must be met, employees should have the same rights as every other employee in Edinburgh, access to health clinic on regular basis. There should be strict penalties in place if there is any sort of violence towards staff, public nuisance, noise.
217.	Any sexual exploitation of workers should be explicitly banned. Incidents of sexual assault on workers and sexual exploitation should see the club lose its license. While it is a sad fact that there will always be men who wish to see & pay women to be objects of sexual gratification, it should be closely regulated.
218.	Conditions: 1. restricted trading hours, closure no later than 10pm every day. 2. no advertising which includes any kind of pictorial or photographic imagery. 3. no alcohol to be served.
219.	They should be banned as they exploit women and encourage rape a licence area of red light like Amsterdam should be allowed next door to city chambers to see how councillors like it I'm sure many older men would whom represent and rip off the city residents eg charge people whom live here to move about on Hogmanay! Would enjoy the thrill. Then go home to the wife expressing love and bringing flowers!

220.	None - they should not be allowed to operate. It's 2019 for crying out loud.
221.	They shouldn't exist at all, in the interests of gender equality.
222.	Trading hours. Door management. Signage. Age limits. Group size. Employees/ staff
223.	SEV licences should only be granted to business that use men (members of the male sex class who produce small motile gametes and are characterised by the presence of Y chromosomes) as the sexually exploited class for the benefit of women (members of the female sex class who produce large immotile gametes and are characterised by the absence of Y chromosomes). We KNOW the sexploitation industry is bad for women so we should only grant licences on condition NO women will be asked to perform for men.
224.	The examples above are I would suggest already carried out. The SEVs in Edinburgh are currently good at restricting the visibility of the interior from outside. Generally trading hours are at the evening and the one I know that opens early is mid afternoon tends to be a pub at that time rather than a lap dancing bar. If additional conditions were required I'd suggest these are proportionate and a balance that allows venues to operate against those who disagree. Regulating outside advertisements e.g. fluorescent lighting may be an option although given the length of time some venues have been in existence in the grassmarket e.g. western & burke and here they tend to be a tourist stop and almost an institution within the city
225.	They must revue the disruption to "normal" living in the City. Most of these venue's appear to be frequented by male stag groups and as such can cause disruption to a historical and heritage City. They are simply not required.
226.	Mandatory drug tests for staff; Late opening hours; Ensure no loitering outside; Detailed health and safety policy of staff; No smoking ban
227.	Ensure the safety of the performers, apart from that treat as any other business.
228.	ensure the woman are well looked after and supported
229.	Restrict trading hours
230.	Card payments only
231.	Don't think there should be any such establishments, however if they are allowed they should be: Away from any residential areas no late opening hours, inspected regularly, zero tolerance for asb.
232.	I don't think it is an appropriate form of entertainment in a modern society and encourages normalisation and peer pressure of misogynistic behaviour and attitudes
233.	Protection of staff/performers, hours of business , aesthetics of the outside of the premises including restricting external advertising.
234.	Control over fairness of pay and treatment of workers as opposed to owners, control over noise and disturbance to residents (virtually all in residential areas) , intimidation of women living locally,
235.	Blacked out windows Neutral naming - no titilation or mention of 'girls' etc to advertise Fully qualified sceurity staff Clear rules re. behaviour on premises. Should not be near public areas
236.	No advertising and no interior visible from the outside.
237.	All of the above- restrict the allowed trading hours of a SEV; it might regulate the display of advertisements on or about the venue; or restrict the visibility of the interior of the premises to passers-by
238.	SEVs should be banned. These types of venues exploit vulnerable people - mostly women - who are desperate for money, quite often to feed their drug habit and/or to

	<p>provide support for their children.</p> <p>These women do not enjoy this type job which operate under the guise of entertainment, when in reality these are brothels - approved by the City Council.</p>
239.	<p>No visitors to SEV hanging about on the street. It's really disconcerting walking past men who have paid to objectify women. I chose against a school which meant my female children would have to walk past lap dance clubs on the way to the station as I in work wear was frequently cat called and harassed on the same journey.</p>
240.	<p>I went into a dscusting sauna at the hibernian football stadium.</p> <p>I had a sore neck due to my driving job. I have used thai massage in the past as in thailand you actually get a massage ward to treat your wounds. It's like physio.</p> <p>Well scorpio sauna I payed had a shower which was weird to start with then offered sex in a room without any massage even offered.</p> <p>This is a disgrace and running local remedial massages and physio out of business because of all the (excuse me ) assholes who are going into these establishments and harassing the staff...</p> <p>Well done edinburgh council for being a seedy woman trafficking magnet.</p> <p>Is this the snp outlook into our future. Shame on you I have had the fortune to speak to the woman in this scorpio sauna whom told me she was subject to domestic abuse and her husband would beat her if she didn't work as a prostitute in this establishment... but of course you know where they all are so you dont really care.</p> <p>Lothian road , london street , Carol's on Easter road, Albion street.</p> <p>These are the ones I know about now God only knows how many more.</p> <p>I am ashamed of this so should you be</p>
241.	<p>Require access for health professionals, require provision of condoms</p>
242.	<p>The exterior should be presented in such a way as people (especially vulnerable children, young adults and adults) should not have to look at inappropriate images. I personally don't want my children to be exposed to the concept that men pay women to entertain them sexually until they are old enough for us to discuss it (at a time chosen by me rather than forced on us by images and advertising).</p> <p>I do not want to see the interior of these establishments and don't want my family to be able to either.</p>
243.	<p>no touching dancers,no verbal humiliation,very drunk customers not allowed,control of how much alcohol sold to individual customers.</p>
244.	<p>Preferably a zero tolerance policy, slnce such premises exploit and degrade both the women who work in them and make their immediate surroundings feel unsafe for women. If the Council feels it cannot adopt such a policy, then there must be very closely delineated areas where such licenses are allowed and a very strict limit on how many within any 100 yard area, so as to avoid the situation in Fountainbridge/West Port where two such establishments face each other across the street., to no one,s benefit except the male usually drunk sex tourists.</p>
245.	<p>tight restrictions on the points mentioned above</p> <p>no private dances / facilities in the venue</p> <p>no touching or tipping</p> <p>limits on volume of music so cannot be heard outside premise</p>
246.	<p>No advertising in areas</p>
247.	<p>Advertising, visibility of interior, opening hours, parking restrictions.</p>
248.	<p>A business is a business. Let them operate. Is it doing anyone any harm?</p>
249.	<p>Restrict trading hours</p> <p>Ban advertisements of the venue</p> <p>Restrict visibility of interior</p>

250.	No Advertisement, no view to the interior, no people gathering outside to smoke +/- or drink.
251.	Operating hours restricted (depending on location) Status of operators seeking license (no criminal convictions etc) Owner/operator must be resident in Scotland and company must be registered here
252.	Trading hours. Welfare of staff
253.	None. I don't believe there should be any.
254.	Regulation of hours Limit/regulate advertisements about the venue Restrict visibility of the interior
255.	Care and support of staff. Legal commitment not to take advantage of vulnerable women. Responsibility for behaviour of customers around the area of the venue. Fair business practices for performers. Performers to be supported over customers. Exterior to be as inoffensive as possible - both in terms of images and words used but also in keeping with historic city look.
256.	Any and all that will enable them to be shut down.
257.	SEVs SHOULD BE BANNED AND RELEGATED TO THE HISTORY BOOKS FOR READERS TO ROLL THEIR EYES AT. IN THIS DAY AND AGE OF AWARENESS, HEALTH AND SAFETY CONCERN, CRIME FIGHTING ACTION AND GENERAL PROGRESS AND ENLIGHTENMENT THERE SHOULD BE NO SUCH THING AS SEVs ON ANYBODY'S AGENDA LEAST OF ALL EDINBURGH CITY COUNCIL'S
258.	No adverts, no signage, no visibility inside.
259.	The venues in the city so far have shown common-sense with how they operate. I believe that is the way for them to continue operating.
260.	Trading hours. Restrictions on visibility of the interiors. Let's be blunt: this is voyeuristic sexual titillation, and one might say, demeaning and insulting to women, for overwhelmingly male audiences. There is nothing culturally expedient or civically desirable about such places and ordinary members of the public going about daily life, shopping or pursuing cultural activities, especially with children, do not want these places foisted on them as supposedly "acceptable" in ordinary life. If people want to go to them fine: do not foist them on the mainstream and let's not try to convince people this is other than aberrant behaviour.
261.	Trading hours. Restrictions on visibility
262.	None we should not have these venues
263.	Basic name on the front. People know where to find these venues so no need for advertising. This whole consultation is a waste of council money. You can use the current licensing regime to impose restrictions on signage and whether it operates at that particular site.
264.	Please consult sex workers to determine this.
265.	None. Consult woman involved in the industry. Don't make assumptions based on ideology. Ensure they are properly managed and that staff are kept safe. Don't stigmatise clients using the establishments who adhere to law or rules. Liberal democracy shouldn't be policing entertainment provided it doesn't exploit or abuse artists or participants. Championing rights of artists is key to reform of the sector.
266.	Safety of those who work in these establishments.
267.	Please consult actual sex workers in making any decisions that will affect their lives.
268.	restrict visibility
269.	Trading hours restriction. No off licensing

270.	No private rooms.
271.	None. These are private enterprises that do not need this form of policing
272.	No conditions.!!!
273.	Advertise only on internet. Regular inspections to check for trafficking
274.	I am against any SEVs, but if this is to go ahead then there needs to be a quota for an equal number of SEV targeted at female clients in the name of equality - ie male strippers (the fact that this would never happen is in itself indicative of how demeaning this whole sex industry is to women, and how it is about the display of male power over women's dignity and bodies more than it is about sex). Also, restricted trading times, no women in paraded shop windows as in the Netherlands and Belgium, no adverts displayed anywhere, no visibility of the interior.
275.	No visibility of the venue type and no images of any kind. If people do want to visit then they can find out information online.
276.	Restrict visibility
277.	They should not be allowed at all.
278.	Regulate the displays and visibility of the interiors
279.	As many restrictions as possible to put these premises out of business.
280.	Should consider regulating advertising and visibility to the point that you can walk past the venue or its advertising with a child and not get drawn into debate about objectification of women any earlier in your child's development that you wished. So customers who know what they are looking for can find it and you wouldn't walk in by mistake expecting tea and scones but no more explicit than that.
281.	I strongly oppose SEVs in principle and in practice. No conditions would satisfy me.
282.	Run properly ,Safety of girls
283.	Restrict the trading hours, restrict advertising, restrict the visibility of the interior
284.	Trading hours restrictions to 21.30 hours start as an absolute minimum, until 03.00 hours. External advertising limitations with restricted visibility. Ability to hold random 'spot checks' of operations during opening hours.
285.	Shouldn't be allowed . Outdated and sexist
286.	Ensure that the staff are all voluntary workers and not victims of trafficking.
287.	Safety of employees
288.	The outside should be discreet and offer only rudimentary information. No music should be spilling out of the place and there should be a taxi rank taking patrons out of the area.
289.	hours age of admittance alcohol license adherence
290.	None. The council should not be regulating any SEVs without direct and meaningful engagement with the employees of the SEVs, specifically those employees providing the sexualised entertainment. Any regulations or restrictions should come directly from them.
291.	It doesn't seem necessary to licence such venues provided the workers are provided normal rights as employees / contractors etc.
292.	There should be no advertising
293.	Minimise advertising on frontage and block any views into building
294.	Strict control of operating hours and locations, if permitted. Prohibit the sale of alcohol in the premises. Prohibit neon light advertising
295.	Advertise that it is approved by the council.
296.	Trading hours, employment conditions (particularly women), advertising and visibility. These should be discreet establishments and safe for those who work in them.

297.	I think the Council should ban SEVs
298.	appearance
299.	It's a thing of the 1980's. You won't find many millennials in strip clubs, and they don't belong in a vibrant, young, positive and energetic city like Edinburgh. It sends the wrong message to tourists who accidentally stumble across them while exploring the city and the only people who use them are greasy old washed up businessmen and tradesmen. Get rid of the strip clubs!
300.	No visible / exterior advertising beyond the businesses signage Restrict visibility to interior
301.	- Trading between the hours of 7pm and 4am - Restricted view of the interior of the premises to passers by
302.	No conditions.
303.	The council should not license SEVs at all. Zero tolerance as it is degrading to women and provides a bad role model for the future.
304.	No advertising Equal male and female performers
305.	I don't think that the City of Edinburgh should tolerate SEVs at all. Rape culture is a huge issue in contemporary life, and these venues contribute to harrassment and assault on women and girls.
306.	If the current SEVs are not causing a nuisance or complaints to be raised which have been substantiated I do not see the need to introduce new conditions.
307.	No adverts outside. And should not be visible to passers by. Must have bouncers and not open before evening.
308.	There should be no SEV
309.	Nature of advertising of venue on outside of the premises
310.	Restriction of visibility from outside
311.	To ensure that there is no slavery/forced employment in the establishment.
312.	Signage must be appropriate and discreet Midnight closing
313.	Not to licence any at all as they are detrimental to the overall setting in any location.
314.	The council should consult sex workers, dancers and bar staff who work in SEV's, the people who work there will know best what would improve their quality of work, safety and work environment.
315.	Ask people who work in those industries, they will have opinions as this is immediately effecting their work. Consult them, learn from them.
316.	Behaviour of clients and dancers outside venue.
317.	Opening hours, visibility, advertising,
318.	You really shouldn't be allowing any because in my considerable experience the rules are always Flouted or bent. For example strict conditions round any form of advertising are flouted by leafleting (impossible to problem who left the leaflets in a prohibited place ) or mobile signage such as on the side of cars. A.so the minute you give the very powerful sex club industry conditions the very next move is to take the council to court to reduce the conditions.
319.	Restricting trading hours, including during August and December. Ensure noise is not audible in neighbouring properties. Don't allow them to distribute paper flyers (these are often found on street surrounding current SEVs)
320.	I am uncomfortable being in areas where these clubs exist - they are sleazy and lower the tone of the areas that they are in. I do not want to live in a place like Amsterdam. There are bigger issues here than the views of women working in these clubs - there are society and values issues. Men and women pay their council tax and expect the

	council to uphold values that create safe and decent environments. I hope that Edinburgh council follow the lead of Hackney and make the city a no-sleazy sex club area.
321.	NONE A ZERO TOLERANCE POLICY OUGHT TO BE IN PLACE FOR THE FUTURE OF OUR SOCIETY!
322.	The safe working environment for all staff is essential, licencing of staff in the industry rather than the premises with proper criminal and disclosure checks carried out. blanket operating times, so that there's a period where the licences stop prior to other drinking establishments so there's less of a clash of bars closing at the same time as SEV's, allowing a safer dispersal for staff. Enshrining in the licence the type of entertainment permissible
323.	NONE.. the license conditions at present cover everything that is required. NONE of these bars would be open otherwise.. Scotland portrays itself as a modern society.. I'm sure Holyrood and its self serving caravan could serve the people more constructively...
324.	Restrict trading hours
325.	Limit the visibility of the premises.
326.	I think there should be restrictions on advertising and display but otherwise the present arrangements seem to be working well
327.	Opening hours Advertising and street appeal (neon lights etc)
328.	there should be a total ban on Sexual entertainment venues in the city. There is no place for the sexual exploitation of women in any capacity in a civilised society. If the City of Edinburgh Council is clear about ending violence against women and children then all of these venues and 'saunas' should be shut down immediately, no licences should be given in any capacity and the Nordic Model should be adopted. Anything else enables and supports violence against women and promotes rape culture.
329.	My main concern is signage and daytime visibility My route to school with my children is through the west port and I have fond memories of when my daughter was learning to read and as we walked through she sounded out 'S-t-r-i-p b-a-r' and then bombarded me with questions. It was depressing and challenging to have to explain to my child at such a young age that her gender is objectified and sexualised. In the past there have also been some establishments with very graphic imagery in their signage which I find offensive to have on show in public areas. For example the liquorice club which was on home street (since closed down).
330.	Restrict visibility noise from loud music Staff paid min living wAge
331.	Restrict noise levels around the premises regulate the display of advertisements on or about the venue; restrict the visibility of the interior of the premises to passers-by
332.	We should not be licensing these venues and we should be making Edinburgh a hostile environment for any person who wants to sell access to women's bodies in any way. Prostitution, lap dancing, stripping, saunas, escorts and brothels exist all over this city and I want a Council that doesn't encourage or licence but closes these and forces them out of our city. Buying black people was outlawed and is rightly seen as deplorable but we are now expected to accept that buying access to women is fine! It is not and should not be legitimised in any way by CEC.
333.	There should be no restrictions outwith those applied to all venues.
334.	I don't think there should be any restrictions on these businesses. it's counteractive to the nightlife culture this city so desperately needs to cling on to.



335.	A percentage of profits donated to women's rights/services/protection
336.	A public list of locations should be posted
337.	Should not grant them
338.	External adverts on the premises should be explicit as to what the premises offers without graphics of the entertainment itself (words only). A condition of permanently licensed door staff during all hours of opening should be applied. The entertainment should not be visible from the outside the premises. Fully operational CCTV with 14 day playback facilities should be installed with suitable restrictions to ensure the footage is only to be used for security or criminal investigation purposes. The condition should encapsulate the right of Police Scotland to view and use footage in pursuit of criminal or suspected criminal activity.
339.	Some of the above
340.	No SeV licenses should be given out
341.	I can't think of any reasons to support then opening of an sev.
342.	Women and men should not be sexually exploited. There can be no conditions that can keep workers especially dancers, lap dancers, bar staff and prostituted women (and men) safe in environments where exploitation and sexual harassment is core business
343.	None. Market forces should determine where SEVs should be located and hours of operation. Any business that does not get the location and hours right will makes losses
344.	Adverts should be name only - no suggestive illustrations, no flyers, no displays. There is no way for women or girls around these venues to feel safe as drunk men leave after being "entertained" and they encourage harassment of of women.
345.	There should be no licenses for SEVs. They is part of Scottish Gov's definition of violence against women-shameful if they exist in same city as Scottish Parliament. Makes the area unsafe for women & girls as degrading for ALL female sex.
346.	All SEV should be banned. It encourages the exploration of women
347.	No advertising. No view inside. Limited hours. Mandatory SIA approved security at door checking IDs.
348.	Limited opening hours; no advertising; no interior visibility.
349.	It should ban them. There is no place for this in a decent world.
350.	So called "lap dancing" clubs should not be allowed or endorsed by the council they are disgusting exploitation of women & contribute to the damaging idea that women are somehow less than men
351.	No external advertising no visibility from street hours should be monitored
352.	That the women are protected. Violence against women leads to three dead woman A WEEK in our country, so businesses which have female employees whom they ask to interact with drunk, aroused misogynistic men have to make sure they are protecting the women. Businesses have to prove that employees have the option to withdraw consent to anything at any time. Spot checks to search for trafficked women. Educate the men who use these facilities that women are people too and not wank fodder. Honestly, three dead women a week - why are we tolerating this sort of establishment and the men who use them?
353.	Consultation for safe working conditions should come from sex workers, who will work in these venues not from public with limited knowledge nor from those who wish these workers harm or loss of livelihood
354.	Restrict the trading hours so that people living nearby are not adversely affected.

355.	Council should not allow any to operate. But if any were they should be restricted on the people they can employ, older than 25 & Visa must state they can work for that company, no holding of passports or ID cards of staff. Also restricted hours from 10-2
356.	Restrictions on visibility No advertising
357.	Location eg not near schools or residential areas No graphic advertising Not visible from street level
358.	The safety and rights of workers should be central to the licence agreements. Restricted advertising and display.
359.	From previous question: I think that there is a big difference between near some of these venues and in these venues and this should have been made into 2 questions. Opening time limits. Limits on advertising. Limits on what is on show to the public outside the establishment eg no women sitting in the windows.
360.	None. There should be no Sexual 'Entertainment' Venues.
361.	None should be given a license as women's bodies are not for sale
362.	Trading hours limited. Restrict visibility. Restrict explicit advertising. Appropriate security should be mandatory.
363.	The visibility of the interior, from the exterior. Limits to the external branding Limits to smoking areas near the venue to stop groups of men congregating. Limits to trading hours. Welfare standards for staff. Ensure Living Wage is paid to all staff members
364.	restrict visibility so that they from the outside just look like a bar
365.	Scotland is a progressive country and Edinburgh is a world-class city. The council needs to consider the impact of SEVs on society as a whole. There is a huge problem with violence and sexual violence against women in Scotland, with associated crimes on the rise. These types of establishments encourage the sexualisation and objectification of women. I don't think we need or should be condoning businesses that (inadvertently or otherwise) contribute to these problems.
366.	if they are going to exist at all, then the most stringent conditions
367.	The highest priority must be the safety and welfare of the performers. They must be free to engage in their work without fear of discrimination or assault, and must be free to call the police if they feel threatened without fear of their own arrest.
368.	All of the above examples
369.	Restrict advertising. Restrict signage - e.g. no 'suggestive' signage - plain text names. Ensure safe working environment for performers/workers - e.g. with 'get home safe' policies etc. Impose temporary trading bans if terms are broken, or if there are particular concerns regarding the safety of workers
370.	None. These establishments are not a problem so I don't see the need to regulate them. Women choose to work there and as a result they earn a lot of money. Also very little trouble/violence is caused in or by these establishments.
371.	Checks to ensure places do not effectively become brothels
372.	Quality and condition of the venue and management, treatment and protection of staff (union membership, security etc.)
373.	The council has no right to dictate anything about the operation of dance bars. The council is now trying to turn Edinburgh into a nanny state forgetting its core role in providing basic services. There is no issues with the conditions that girls work in. Many have families and make a good living out this. The only reason the council are doing this as it doesn't fit with their view of a tourist and student city something which most of the residents are against. Again there is no issues within the strip bars any anti social

	behavior on the streets is down to the police and the legal system which doesn't punish enough. This is taking jobs away from bar workers, door men, and strip girls all because certain Councillors are so up themselves and disapprove.
374.	Hours. Location
375.	Restrict visibility. Prohibit noise and drunken behaviour. Dancers ensured secure environment. Dancers given structured pay and conditions. Dancers permitted to join Trades Union
376.	anybody working in this industry should be interviewed and offered support to retrain. They should also be made aware of the wider context of what they are doing. It is not just 'their bodies' as has been quoted; it is a culture of violence and objectification / utilisation of women that leads to events such as the stabbing of Kelly Fauvrelle.
377.	Hours of operation confirmed
378.	Restrict external advertising, especially if in residential or shopping areas.
379.	This is should be done in consultation with those working in this position. Conditions should be similar to nightclubs and added conditions for the well-being and welfare of the staff.
380.	None, focus on other problems.
381.	Open only Mondays and Wednesday 8.30-12 like most libraries
382.	Operating hours, advertisement, visibility to passers by, age of patrons, qualified security staff, late night liquor license
383.	Regulate display of external advertising, no nude or partial nudity on windows, no street furniture, no hawkers or promo people standing outside. No trading before 10am, late night venues should be in line with nearby establishments (ie if in or near to a public house or club then closing time should be that, or earlier - 12pm maximum)
384.	No street signs or clutter. No adverts on walls or windows. Plain decoration or similar to that of bottoms up.
385.	No loitering outside. (This happens at existing venues). restrict the visibility of the interior of the premises to passers-by. Minimal trading hours.
386.	No advertising. No visibility of interior. Restriction on hours. Requirement for members only and register. Licensee must be of good character
387.	Restrict external advert displays, and views into such a place, so that no-one (eg children) passing-by can accidentally discover what they are if they don't already know.
388.	No advertising in any form of the premises. No visibility either of the exterior nor interior. No illumination of the premises. Noise control to be observed. No canvassing in the streets for the premises. Hours of operation to be strictly controlled ie no daytime opening
389.	regulate advertisement to be tasteful and unexplicit for children and young people restrictions to the interior to protect workers
390.	<ul style="list-style-type: none"> <li>- regulated hours</li> <li>- restrict visibility of interiors</li> <li>- in areas where late night public transport is available</li> <li>- well lit/safe areas of a city centre</li> </ul>
391.	<p>Should be no suggestive Branding / Imagery whatsoever. Previous establishments (like on Lothian Road) had suggestive outlines of women's bodies. As a female with young children I found this highly offensive given it was visible all day.</p> <p>I also felt uncomfortable walking past these establishments in the evening en route home.</p> <p>If these places must exist, they should be far out of sight and have a good police presence nearby. Females walking home at night (from a night out) or evening (way home from work) shouldn't have to feel uncomfortable in their own neighbourhood.</p>

392.	You should ask the people work in the industry what's best for them. They need to be able to provide their services in a safe environment, without risks for their health and without being coerced.
393.	- all of the suggested aspects - conditions of employment for those who deliver SE
394.	all of the above - restrict hours, regulate visibility and advertising AND ENSURE THE working conditions OF THE WOMEN INVOLVED ARE SAFE AND provide GOOD WORKING STANDARDS - RE CONDITIONS OF WORK/HOURS/PAYMENT My key question is- why are there not SEVs including MEN DANCING??? Lap dancing is essentially the reinforcement of the exploitation of women as a sexual objects. I do believe if these environments did NOT exist and women were able to access safer and non sexual work it would be ideal. However this is not the purpose of your survey
395.	Potential risk of human trafficking Potential risk of increase of sexual offences, harassment
396.	there should be no licensing of SEV's in the lothians. any establishment that trades in sex, brings drugs and prostitution to areas and degrades the environment for those who live and work there, few providers of sex entertainment live in the areas they work in.
397.	The council should ensure that good working conditions are offered in these venues so current and potential employees can feel safe in the knowledge that certain standards must be met. For instance: safe home policy, workers boundaries respected, no filming, etc.
398.	Restrict late night operation. Insist on low key advertisements- no flashing neon signs , for example.
399.	Reasonable closing time, limits on noise and absolutely no exploitation of the workers. Any hint of exploitation and the venues should be closed.
400.	Opening hours ( outside of daytime/ early evening) Advertising - name only so you need to be looking for this, No advertising near schools, shops or other areas families visit, No visibility from outside of inside Ability for on the spot inspections during normal trading hours, confidential support line to report breaches for staff and ublic
401.	No windows, careful signage, access visible rather than down an ally.
402.	If you're going to be bold enough to licence SEVs then lets not be coy about it. The desire seems to be to normalise the existence, and use, of such premises. Why licence and then hide? The more open the more protection for workers, surely?
403.	Restrict visibility and have them in industrial areas where there is no innocent person walking by. It's the people who hang about outside that can be intimidating to others, often not intentionally.
404.	it must stop interference with other activities
405.	Investigation into the employees of said places to ensure that they are all there under their own will and are not victims of illegal trafficking. Inspections to make sure that any kind of illegal activity is not taking place.
406.	There are no acceptable conditions. SEVs are also often linked to crime and trafficking.
407.	By allowing these to be set up you are opening the gates to trafficked women and men. Not acceptable
408.	Regulate advertisements. Restrict visibility of interior. Restrict trading hours
409.	No licences for SEVs should be granted in the City of Edinburgh. Sexual entertainment objectifies and degrades women (for it is almost exclusively women who 'work' in this

	area) and contributes to sexist and misogynistic societal attitudes towards women. The Scottish Government includes commercial sexual exploitation (prostitution, lap dancing, stripping, pornography and trafficking) in its definition of violence against women and girls. The City of Edinburgh Council therefore should not be licensing any SEV venues.
410.	Strict prohibition
411.	None - the entire tone of this is puritanical. I don't at all like the venues along with many things I might not like. Yet, if a venue conducts its business in a private and doesn't cause unseasonable disruption to neighbouring properties, it is none of my business, I find it disturbing that we should want to regulate this. This contrasts to on-street activity which the Council insists it does not want to regulate, e.g., 12+ hours of continuous amplified busking every day in August is a real disruption to residents, not just based on moralising nonsense.
412.	Subdued 'on-site' marketing, i.e. locality must be discreet Licensee must provide security for people working at establishment
413.	restrict how visible it is to passers by and time it has to close by
414.	<p>There should be no limit to trading hours (though those might be a necessity in late night entertainment areas - to avoid drunken clients in such venues - and tourist areas - to avoid further detracting from the beauty of the Old Town, though the tourist shops have done a very good job of wrecking it as it is). Trading hours should be self-reported to the council but a breach of those self-reported hours (without good reason e.g. bad weather, illness, bank holiday etc.) should be considered a potential reason to lose the license as the basic honesty of the operation is being called into question. Advertisements and the venue itself should include no visual or descriptive elements of the services included inside the SEV - this includes transitory areas such as the entryway (which should have a corner or other blocking mechanism to stop passers by seeing into the venue or seeing any visual or descriptive elements of the services included). There should be no visibility into and out of the venue except where necessary for entryways and even then those should have a mechanism blocking visibility of anything except that entryway (which should be subject to the same restrictions as the exterior of the venue).</p> <p>Licenses should not be available to those with unspent convictions for violent crimes, anything related to slavery or human trafficking, domestic abuse, discrimination (sexual, religious, gender or anything else), breaking laws on working conditions or working time regulations, fraud, blackmail or embezzlement. The reasons are varied but include danger to the employees and customers of the establishments, especially in such a secretive trade. The ban should also include those who have gone bankrupt or any person who has been the director of a company and has been banned from being one; the IoD (Institute of Directors) has a list if this is helpful.</p> <p>Workers, managers, owners (in any capacity) or any person who receives monetary compensation from a SEV should be allowed to have unspent convictions for violent crimes, anything related to slavery or human trafficking, domestic abuse, discrimination (sexual, religious, gender or anything else), breaking laws on working conditions or working time regulations, fraud, blackmail or embezzlement should be allowed to. The reasons are varied but include danger to the employees and customers of the establishments, especially in such a secretive trade. The ban should also include those who have gone bankrupt or any person who has been the director of a company and has been banned from being one. Any person receiving a conviction while in any of the above positions should be removed as soon as is reasonably practicable or within a week (whichever is shorter) - this might require working with people in the working regulations realm to deal with the potential issues with contract law with relation to notice periods.</p>

	<p>The conditions should however be very clear that self-reporting issues should be met with help from whichever authorities can best provide it before any action be taken over whether the license is at stake, this includes reporting issues with other SEVs as well as very clear and strong provisions for whistleblowers. The intention is to create an industry with a spotless reputation and that is safe and clean (in a metaphorical sense) for those involved into which any movement by those less savory would be rebuffed by the industry itself.</p> <p>Inspections should include "light" ones which come with no warning and are possibly even not known to the SEV but only cover those things that would be obvious or visible to customers or passers by (e.g. adherence to trading hours (posted or otherwise), visibility of explicit or descriptive material or services provided etc.) and "full" ones which give notice to the SEV, though this might only be short notice (e.g. a day or hour beforehand - I would suggest a shorter notice period for those with longer hours, e.g. 24 hour, as those are more likely to breach such things as working time regulations and the like).</p>
415.	If SEVs are allowed they should be as unobtrusive as possible and behave like a private club or casino
416.	Rules for clubs.
417.	None already well regulated
418.	I have been employed there 16 years enjoyed working there great environment meet very interesting people lots people who are visitors all kind life as security make sure all the girls are safe plus the security cctv on 24 -7 every corner covered
419.	Making sure the dancers feel safe
420.	None these places are already regulated tightly and very safe as a previous dancer i can assure that!
421.	These places should be closed altogether
422.	That the people already working in this industry are already working under the correct and within strict licensing and regulations, there is no need for further licensing whatsoever.
423.	No outside loitering. No outside drinking/smoking. Employ professional door security CCTV at entrance and internally as appropriate. No prominent signage - especially not with any images that might reflect the business. No fliers
424.	Number of licenses should be zero as this is the appropriate number to license. This has been the successful approach of other UK cities.
425.	Restrict visibility of the interior to passers-by. Restrict advertising. Compulsory cctv monitoring entrances
426.	Ensure all workers are registered and working conditions meet health and safety standards of a performance venue. Ensure that workers are safe and that there is a whistle blower policy in place to ensure that workers who are in positions whereby they do it feel safe in working practices are able to alert the council. Ensure that SEV are discreet in their advertising as I do not believe they is a requirement to over advertise such places given their current location. With a bland exterior they won't impact on any area and place. Hours of business should be restricted to the evening and night time and close by 12 at weekends and earlier during week days
427.	SEVs and any other business selling sexual goods - like Ann Summers shops, should be banned
428.	Restrict trading hours. Regulate advertising. Restrict visibility of venue. Restrict areas venues allowed
429.	The premises must be run and owned only by women

430.	Clean and safe conditions for all workers within the SEV industry, Security around the entrance to the SEV to avoid groups of (predominantly men) from causing a public disturbance.
431.	Whilst i dont want any - plain advertising should be crucial if compulsory
432.	Display and adverts. Restrict visibility
433.	Restricting trading hours. Restricting numbers in venues Restricting visibility into the venue. Restricting advertising and promotions
434.	Trading hours; display of advertisements; the lighting in the vicinity of the SEV, currently the area where they are located is dark and intimidating, a woman alone would avoid the area.
435.	Discreet
436.	Limited advertising. Appropriate working conditions for staff. Limited visibilty from street.
437.	Safety for the workers
438.	No late licenses in residential areas (not after 11pm). No visual indication on the outside of what goes on inside. No inappropriately dressed staff on the footpaths outside the venue.
439.	No neon lights near residential areas. Not loud noise. Curfew. I think if their are flats where children could be living near by it is best there are no SEV establishments
440.	1.Regular unannounced inspections 2.Opening hours restrictions 3.Licensing of doormen/security 4.Discreet signage/advertising/premises appearance 5.Marketing restrictions
441.	Compliance with all modern slavery legislation with transparent employment contracts. Employees to be over 21
442.	That it does not impede on the life of local residence. That it does not detriment the life of local residence. That it does not make local residence scared to leave their properties at night due to the type of custom these establishments attract. That children should not be kept awake, or woken at night by the extremely rude rantings coming from the vicinity of these establishments. Should not be located within 500 meters of a residential block such as High Riggs. Currently the establishments located at Burke and Hare, Western Bar and Baby Dolls has a significant affect on the local residence, especially for those located at Princess Court. We feel extremely unsafe at night as sexually charged revellers frequent these establishments then express sexual innuendo as they roam our streets. The constant sexual harassment these establishments fuel is unacceptable. Police are sometimes in attendance but can do little to stop this behaviour. But unless you have had to live here with a family you may never understand how awful it can be at times. For several years the majority of residence at Princess Court, High Riggs have raised repeated concerns through their residence association but things just get worse. Who exactly frequents these establishments and why? We would ask that the council seriously consider the relocation of such establishments that require SEV licences to areas that do not have children living close by. Having a red-light district next to residential apartments is a slight on an otherwise beautiful city.
443.	no more than one licence within 300 m of the next eg no centres of SEV facilities eg like the "pubic triangle"
444.	The venues should be required to be clearly explicit about their activities rather than hiding behind false facades as "casino", " massage" or "sauna". The wellbeing of the

	employees must be paramount and transparency is a crucial part of that. Venue opening hours must be limited by the time of last public transport; workers should not be put at risk by late turn out into industrial or rural areas with poor transport links.
445.	Workers welfare thro checks of health (physical and mental), and available support eg connection to sexual health clinics or social work info. Yes to reduced visibility to children, and possibly better representation of gender and sexual orientation info to adults.
446.	No neon signs displaying the nature of the SEV, no visibility inside the premises and no drinking or other activity outside
447.	sex workers' rights need to be protected
448.	ownership and employment plan for workers
449.	Restricted interior view from outside. Same hours as regular pubs / bars
450.	Must not be aimed at children; adverts must be discreet; nature of premises must be unambiguous; no "entertainment" visible from the street
451.	Limit the house fee's that dancers are forced to pay to not force the dancer's to pay an unfair amount due to the cost of an SEV. Limit the amount of dancers that could be working at any time.
452.	They should set out a standard for employee treatment, saftey and security including minimum staffing levels in terms of security staff. It should include an outline for CCTV equipment to be mandatory internally and externally for the saftey of staff and patrons. There should be periodic inspections of venues to ensure a high standard of maintenance and cleanliness and there should be strict operating times.
453.	regulate display of advertisements and visibility of premises. Restrict trading hours. Ensure support available for workers.
454.	Suitable areas, not too close to where families and children prevail. Controlled.
455.	If there have to be any then should be tightly controlled. Number in any area should be limited- ie too many in Grassmarket and Lothian road areas. Restrict trading hours. Restrict advertising- it's embarrassing for kids to see the venues and ask what they are for.
456.	Give the workers employment rights
457.	The visibility should be restricted to passers by. Trading should be restricted to 10pm until 4am.
458.	Inspections for health and safety. Living wage / no modern slavery. Restrictive alcohol licensing
459.	Strong medical testing.Good security. Side entrance
460.	Regulate the display of adverts and restrict visibility of interior
461.	Reasonable trading hours , no criminal activity and unrestricted inspections. Particular attention paid to the safety and rights of the employees.
462.	Venue opening times. The location is less important as long as the opening times coralte with the surrounding establishments. (ie I am OK for a club being next to a primary school as long as its not open during school opening times)
463.	All workings goes on inside if our fir a cigarette then staff need to be fully dressed. The clubs are fully regulated as it l'd they domt need more regulations to mess with them
464.	There shouldn't be any SEV on any business. Edinburgh council at there best
465.	Don't listen to SWERFs
466.	As long as the girls dancing are not trafficked and dancing because they genuinely want to eg burlesque then all's good.
467.	Pricing caps to limit competition between venues



468.	The council should work towards closing down all sexual “entertainment” venues to make it safer for women and girls. Even if regulated it sends the wrong message to girls and makes the unequal, commodities who are objectified.
469.	<p>If the Council want to improve standards in the area, they should consider making it a licensing condition for SEVs that clubs must recognise the employment rights of workers.</p> <p>Clubs in Scotland operate basically the same way as they do in England. There is barely any difference in terms of the working conditions, crime and disorder statistics, and clubs in Scotland have adopted the all the same SEV licensing conditions as they were advised to do by the Adult Entertainment Working Group in 2009 (the year SEV law began in England). The clubs are already safe, regulated spaces in which women choose to do consensual work as sexual entertainers. All the usual laws to protect women from trafficking and violence already apply. Immigration laws are adhered to, CCTV surveillance practises are already observed.</p> <p>However, the only real problem with the way the clubs operate from the dancers' point of view - which is overwhelmingly ignored throughout formal processes such as these - is that clubs do not observe and protect the employment rights of dancers. Workers in strip clubs are being financially exploited by clubs because THERE IS NOTHING IN THE SEV LICENSING CONDITIONS TO STOP THEM. SEV law has not protected dancers from being financially exploited in the work place in England. Clubs can charge dancers fees/fines/commissions and treat us like employees while failing to comply with EU Work and Time regulations, failing to observe our rights as people with worker status, and denying us our true freedoms as self-employed people.</p> <p>If SEV licensing regulations are brought into place in Scotland, there is a huge opportunity to design some of the most progressive policy around sexual entertainment (which is a form of sex work) in the world. Consulting directly with dancers as a group could lead to some radical improvements in the industry. It could be an SEV licensing condition that clubs must recognise one of the trade unions representing sex workers (GMB or UVW). It could be a licensing condition of the club that they must introduce all their workers to a shop steward, or tell them about the union when they begin working there. If the club have to give us showers and drinking water, they can easily provide us with a leaflet.</p>
470.	restrict visibility to ensure privacy for the women working
471.	Trading hours, a union so the people who dance feel safe
472.	I think the current model works well. Strip clubs are generally well run with little trouble.
473.	Ensure the people working within the places are looked after.....ensure correct security staff levels, cameras etc
474.	I do not feel there should be any more conditions considering we have so many already. There should be more conditions on how the women in this industry are treated if anything.
475.	I do not think there is a real issues with these venues in Edinburgh. I feel like these venues control themselves pretty well. We must ensure that should any lisencing be introduced that this does not impact on the workers in these establishments who may lose out on their living wage. There has been a lot of issues with this in Glasgow where people have started to think that workers in these establishments need to be saved instead of focusing on different issues. There are many other ways in which the location of SEV is controlled such as planning permission and change in use as well as alcohol licensing which can prevent a SEV to open up. There should also be no black and white rule as to whether SEV should not be any in a residential or historical area. In edinburgh these area designations mix a lot. Leith for example is historical, residential but also a centre for many.

476.	The conditions should match the guidelines in the relevant appendix to the City of Edinburgh Licensing Board's current statement of policy.
477.	I dont think a strip club should require an SEV license to operate
478.	The council should impose best practice conditions as adopted by some of the London Boroughs. In addition to conditions around the external appearance of venues, noise and advertising etc, conditions should be in place that govern the conditions under which the 'entertainers' work. This should include: changing rooms and shower facilities; the appointment of a 'housemother' who should look after their welfare; provisions for travelling from the premises e.g. taxis/known persons collecting them; relationships and proximity to customers when working e.g. no touching'; training for other staff who work on the premises; and the types of entertainment on offer. Examples of best practice can be found in the following report: <a href="http://www.womenssupportproject.co.uk/userfiles/file/uploads/Inappropriate_Behaviour.pdf">http://www.womenssupportproject.co.uk/userfiles/file/uploads/Inappropriate_Behaviour.pdf</a>
479.	Employment rights for dancers. No loss of licence for minor /accidental breaches of contact No arbitrary fines by management to dancers Low commission and low house fees Security presence on front door
480.	Agree that a condition might restrict the allowed trading hours of a SEV to normal premise licensed hours for places of entertainment ; it might regulate the display of advertisements on or about the venue; or restrict the visibility of the interior of the premises to passers-by.
481.	control of trading hours, following the model of licensing for pubs, restaurants and off-sales regulation of the display of advertisements restriction of the visibility of the interior of the premises to passers-by (as is currently the industry practice in the Main Point part of the city)
482.	We are aware that there has been debate about the effect of venues on gender equality and the sexual objectification of women by men and the link that this may have with violent and coercive acts and attitudes toward women. From a health point of view these issues can impact seriously on people's mental and physical health. However, the health service takes a non-judgmental attitude to those working in the sex industry and we would always want to see harm reduced. Therefore, if the Council does decide that on balance it will allow one or more SEVs in its area, whether as a matter of policy or on a case by case basis on application, we would urge the Council to put the physical and mental health of the performers/ dancers in any potential or actual venue above all other considerations. We therefore suggest conditions that licensing authorities in England and Wales have found effective or useful are considered. Such conditions should cover areas such as (but not exclusively): <ul style="list-style-type: none"> <li>• Minimum standards on facilities such as access to adequate, secure, private, changing and smoking areas, adequate heating and air conditioning systems, and provision of free water.</li> <li>• regulation of the management and type of any private booths. For example, panic buttons or alarms, clear sight line by supervisors, no enclosure of booths; direct supervision of booths; monitoring by security staff or CCTV); or consider banning booths.</li> <li>• A requirement for owners to provide receipts for fines, fees and commission. An assurance that performers who are sick or have a domestic emergency are not made subject to unfair punitive financial penalties, or a ban on fines as a form of discipline. The appendix in the following report also has some examples which the Council may find useful:</li> </ul>

	<a href="http://www.womenssupportproject.co.uk/userfiles/file/uploads/Inappropriate_Behaviour.pdf">http://www.womenssupportproject.co.uk/userfiles/file/uploads/Inappropriate_Behaviour.pdf</a>
483.	Limitd advertising, closing times similar to public houses, maximum closing time 1.00 am
484.	They should not be placed near schools or youth centres.
485.	SEVs provide a safe environment for workers in that industry. Restrictions may lead to members of said industry taking a more dangerous route. Look at Holland, it's safe and you can tax it. It benefits everybody and keeps the trade from being exploited.
486.	Ensure safety for workers and customers,
487.	If the council goes ahead with this - which I don't agree with as I believe venues like these will only be successful if people feel comfortable going to them and common sense would mean in appropriate venues would fail to be successful - then I would consider if the venue is close to womens refugee, close to family entertainment and if it would cause a noise nuisance for residential areas.
488.	<p>As the trade union representing dancers working in strip clubs across Edinburgh, we would like to ensure that the welfare and rights if workers are protected. We believe that dancers working in SEVs should be part of the process and be consulted regarding any proposed change to their working conditions.</p> <p>In particular, we would like to see the following:  Clubs should demonstrate that they have developed and adhere to policies to protect workers including Health and Safety, Protection from Discrimination and Protection from Harassment.  Clubs should demonstrate that they have clear grievance and complaint procedures, including the right to appeal and that these are clearly available to all workers.  Clubs should have provisions for workers to have access to legal representation by a trade union and to collective bargaining.  Ideally, clubs should demonstrate fair employment conditions for all workers, including guaranteed minimum pay for all hours worked, as well as paid annual leave and sick leave.</p>
489.	<p>Workers rights - licensing should focus on keeping clubs safe &amp; secure for employees, encouraging equitable treatment (discouraging house fees / penalties, encouraging salaried remuneration &amp; ensuring that those who join unions are not penalised)  Licensing _can_ be used positively to improve this, but the danger is that it's used to try and drive the industry out. This will simply drive it underground, leading most critically to less safe working conditions for the dancers; and potentially also to customers being coerced at the time into excess spending, or blackmailed subsequently, since they're patronising an illicit establishment.  Please review the #AskThe700 campaign for further links &amp; information from those working directly in the industry.  My own qualm as to where clubs should be based geographically is on late night noise, litter etc, just as I would be concerned about the licensing of any other establishment.</p>
490.	As many restrictions as possible. An age limit for dancers is a must. Ban advertising. Restrict the visibility of the interior to passers-by. Restrict trading hours to late night.
491.	Clubs are generally a safe working environment for dances in terms of cctv and doorstaff protection, as a woman I feel we have much more protection from harassment from men than going out to other nightlife venues as a customer. However I think the council could impose conditions on clubs relating to our workers rights as dancers. In clubs across the whole of the UK dancers have consistently been informed that they are self employed and have no rights to union representation, sick pay holiday pay etc. As a member of both trade unions representing strippers and sex workers I know first hand how powerful union representation can be in ensuring that

	clubs listen to what dancers want and treat them fairly. Our industry only exists because of us so our voices should be central to how clubs are run.
492.	Fair treatment to workers: no tip (bribe) policy, no vaping inside is the club (open area for cigarette breaks for patrons and workers would solve the poor conditions of non-smokers breathing vape fume air), no upfront house fee, no fines, limit number of girls who can work each shift, security who's there to protect the dancers from harassment (verbal or physical), not to control them, zero drug policy, etc
493.	they shouldn't apply any condition that would be negative for the SEVs and work along side with these businesses if they wanted to add conditions, or have people that know enough about them
494.	SEVs provide Employment for those that work in the sex industry . Those that work in the industry will continue to do there job outside of the safety of SEVs if there licensing is removed regardless as the performers and colleges rely on the work to support themselves or there familys. Working outside the safety of a SEV can became problematic and potentially dangerous
495.	My concern is that licensing powers will be used to make black or white moral decisions as to whether SEVs should exist or not. ie whether sexual entertainment is acceptable or not. And therefore decisions will depend on the moral position of the board/ council at any one time. This will mean legal instability and unpredictably for SEVs who will therefore not be able to invest in good premises and work conditions so will promote quick buck exploitation. It will not consider the conditions of the women (mainly) who work in this industry, either legally or illegally, and who are the primary individuals to consider in this consultation. The position of the government should be to face the reality that sexual entertainment will never go away and so to work with the industry to create the best working conditions and rights for workers and to enable the SEVs and customers to support those conditions. Respect shown to workers will help de-stigmatise the sexual entertainment. It is this negative stigma apportioned I believe by people who have had little or nothing to do with the industry which is at the root of all the problems. Full employment rights and representation should be granted to sex workers/entertainers. I think these are the fundamental conditions to be considered and improved if licensing went ahead.
496.	That the workers are free from harassment and have fair working conditions.
497.	I feel the SEVs operating in the city today are quite capable of moderating their impact on their locality without interference by the council.
498.	None leave them as they are
499.	Need to ensure entertainment does not spill outside the premises.
500.	Safe environments for dancers
501.	Setting a maximum house fee limit.
502.	Suitable security and protection of the workers
503.	No restrictions or conditions
504.	I don't feel they should have any conditions.
505.	Fair treatment of all employees. Performers should not be made to pay to perform and risk running at a loss. Security staff must be licensed. Workers to be encouraged to join a union and the union should be recognised by the venue
506.	Alcohol license conditions should be enough for these venues in Edinburgh. Venue owners apply very strict rules in these already licensed premises. Why not meet with the workers and see what they think should be in the conditions of these venues, after all they are the having to work under them.
507.	Restricting the visibility of the interior of the premises to passers-by and potential display of advertisements would be reasonable. Restricting the trading hours would appear to be unnecessarily restrictive if the

	business was providing a service/venue to users (18+) who have the right to attend it when they wish.
508.	Don't do it ! It's going to put people out of jobs. People choose this job because of the way it already is.
509.	Health checks for staff should be compulsory. Doorways and windows should be discreet with no advertising.
510.	No conditions necessary other than that they abide by the law.
511.	As all these premises can only offer legally permitted services I would consider that the only consideration would be whether the outward appearance of the business is likely to cause offence to the regular users that the business is operating in.
512.	The conditions that are in place now work perfectly well, they don't need to be changed.
513.	To operate safely and maintain welfare of any workers.
514.	Those necessary to protect the identity of entertainers from passers by e.g blacked out windows etc
515.	No restrictions
516.	Please speak to the workers in these businesses and ask them what should be included in the SEV policy— However, if the clubs can carry on business as usual without government interference then please let's just do that!
517.	Identification and proper age
518.	None, the venues should act autonomously.
519.	Blacked out windows, security outside and inside.
520.	I believe that any licensing restrictions of SEVs should first and foremost bear in mind the safety and security of the workers there. I believe that sexual entertainment venues should abolish house fees, fines and and should pay all the workers a living wage on top of any extra money they make from tips and private dances.
521.	They should look into management of clubs and regulate managers and the fees they're allowed to charge the girls. Perhaps make a ruling that the girls are legitimate employees, receive holiday pay etc. More protection financially for the girls. In general they shouldn't be banned. Edinburgh's economy receives a great deal of cash from parties and stag dos, we have a fun reputation and it would be a shame to see it go completely, a few of the clubs have closed down in last 10 years already.
522.	Ensure that the dancers are not charged unfair fees and fines. Cap the percentage of dancers taking the clubs can take from them, and restrict the possibility for dancers to work all night and make a loss.
523.	Visible but not explicit - which seems to fit the current set up.
524.	Ones that benefit the dancers. Ask the people who work in the establishments pm what would be helpful
525.	The council should not consider any stricter licences on SEV.
526.	If there is additional licensing for these kinds of venues, beyond the conditions of the alcohol licensing they already require, these should be limited to safeguarding working conditions and employee rights. I would strongly encourage that the people currently working in this sector should be consulted separately and in far greater detail.
527.	hours of trade
528.	At SCOT-PEP, we are only concerned with the labour rights and well-being of workers. Should Edinburgh City Council decide to change the status quo of Edinburgh strip clubs, we insist that you consult with the people who will be affected the most - the performers. At present operators of SEVs compel performers to be "Self-employed". We would like to see the performers be given paid holidays and paid sick days as workers in any

	<p>other industry, as well as an hourly rate for all hours worked. If the performers aren't yet unionised, they should have the right to do so.</p> <p>There should be adequate health and safety protection for performers, including</p> <ul style="list-style-type: none"> <li>- dedicated and private changing, washing and toilet facilities, separate from public facilities.</li> <li>- a minimum temperature of 20°C in all changing areas.</li> <li>- adequate and hygienic facilities to make hot drinks and consume food, and a supply of cold drinking water.</li> <li>- if there are stages, they should be of adequate size that performers don't risk falling off, with a stage surface fit for purpose, and a safe and secure way for performers to get onstage.</li> <li>- regular mandatory Health and Safety checks by the Licensing Authority.</li> </ul> <p>SEV operators remain responsible for the health and safety of all people working on their premises and these responsibilities cannot be discharged by claiming that the performers are self-employed. We demand that performers' safety and well-being be protected by specific regulatory requirements.</p> <p>SEV operators should introduce clear Protection from Discrimination and Harassment policies, and a straightforward complaints procedure, with a right to appeal. These should be made available to all workers.</p> <p>And finally, should SEV licensing be introduced, we want to ensure that the cost of SEV licenses is not passed on by SEV operators onto the performers in the form of house fees or arbitrary fines.</p>
529.	<p>My preference would be for no SEV licences to be granted. I had a look at the gov.scot website, here is a copy of 3 of the paragraphs from "Provisions for licensing of sexual entertainment venues and changes to licensing of theatres", published 28th March 2019; "19. The Scottish Government accepts the freedom of adults to engage in legal activities and employment. However, it will continue to promote, through all relevant means, gender equality and actions that tackle out-dated attitudes that denigrate or objectify particular groups or individuals.</p> <p>20. Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls[10] was first published in 2014 and updated in 2016 and again in 2018. It sets out a definition of violence against women and girls which includes 'commercial sexual exploitation, including prostitution, lap dancing, stripping, pornography and human trafficking'.</p> <p>21. Whilst recognising the conflict between this definition and the licensing of SEV, this guidance will help to ensure that such activities take place in safe and regulated environments. When deciding whether to licence, and whether to limit, SEV in their area, local authorities will need to consider the interaction with their own local policies and strategies, as well as the legal implications around limiting a legitimate business activity to minimise the risk of legal challenge."</p> <p>I think the key sentence for me is, "However, it will continue to promote, through all relevant means, gender equality and actions that tackle out-dated attitudes that denigrate or objectify particular groups or individuals. " When a woman dances in front of men, purely for the sexual stimulation of those men (as is the purpose of these venues) she has become an object to them. There is no relationship with the men, and I'm fearful that she and other women/girls are at risk of exploitation sexually. What do the men then do, and where do they go with their sexual frustration? I'm afraid we've just realised a bit of the tip of the iceberg recently with women (and men incidentally) being brave enough to talk about how they have been abused sexually. I feel strongly that we should be discouraging this type of entertainment.</p> <p>Even when women seem to be willingly participating in this work (for whatever</p>

	reasons), they are missing the impact of these venues on how women in general are viewed. We do not simply exist for sexual stimulation of men!
530.	Perhaps restrict sexual imagery in advertisement and reduce the ability to see inside the club from the outside, so people who don't want to see inside won't by accident and also so the dancers are protected. However, most if not all clubs do this anyway so licencing is not needed for this.
531.	It shouldn't licence them, enough laws already exist which provide adequate control and safeguards. Where SEV licences are in place in the UK crimes against women and prostitution has increased. (As safe businesses close down rather than pay unfair additional licences, leaving vulnerable dancers to take to the streets/illegally operated establishments) Existing licensing conditions are probably sufficient, unless specific complaints have been raised by neighbours, and an additional condition could be attached to the existing alcohol/PEL licence to deal with that complaint.

**Appendix 5 – If the Council adopts the powers to license SEVs, are there any other issues about this that you think the licensing system should consider?**

Written Responses	
1.	Some method of protecting female passers-by from the effects of dealing with men who have possibly been drinking and then encountered provocative entertainment.
2.	Consideration of welfare support or access to staff and possibly users.
3.	Alcohol, vulnerable people, young people.
4.	The Council only needs the power to license these establishments in order to prevent them being set up anywhere in Edinburgh so it is actually straightforward.
5.	The Council should not add this to its existing responsibilities
6.	Monthly reviews
7.	That it's totally illiberal. Don't do it.
8.	the type of people who work in them I do not think they should allow criminals or family members of criminals anyone who has a minor criminal conviction
9.	The number of SEVs in a small area needs to be thought through carefully. The area around the corner of West Port with Bread Street/Riego Street is now a seriously undesirable area to pass through even during daylight hours because of the concentration of customers loitering outside SEVs or queuing for entry, many of whom are already intoxicated or rowdy. This is not good for ordinary residents or for people working in the area at various times of day, and it creates a poor impression for ordinary tourists.
10.	Exploitation of women and girls
11.	If you go down the licensing route at all then there should be consideration given to the welfare of the women working in these premises - are they there through choice or are they being used by exploiters.
12.	Don't use licensing as an excuse to close these types of venues down
13.	Protecting the staff is the most important. Licensing the venues to ensure they are run morally and legally.
14.	Ban them altogether. No place in today's society. None at all
15.	Restricting these businesses through licensing will potentially drive the business underground, and by criminalising this will make the industry unsafe for the people who legitimately work in this industry. These businesses currently operate in many areas without adverse affects, why is it suddenly an issue?
16.	The impact on women and men who are enslaved and degraded by these venues.
17.	Council powers to inspect at any time. Also significant punishment for any venues 'employing' staff considered at risk of human trafficking
18.	The key issue is safety. Licencing should seek to ensure the safety of workers and their fair treatment by the employers, including fair remuneration and working conditions. Similarly, customers have a right to be protected against unfair or unclear charging.
19.	Employees should be considered. For some girls this is a full time occupation
20.	If the Council do decide to license SE please make the people who work in them as safe as possible e.g. leaving the venue late at night and ensure they have full employment rights, and that these are upheld.
21.	Make sure to focus on legitimised, research-backed safety and security, not trying to stamp out as many SEVs as possible.
22.	Opening hours must be restricted with no automatic right to late hours opening.
23.	As most of these places are used by men the whole issue of male sexuality & dominance should be addressed. As a woman it is horrible to walk around the



	“pubic triangle” around Bread St / Lauriston area especially at night. Walking past “saunas” is pretty disgusting too.
24.	What is the demand for these establishments? Do they serve city centre dwellers or are they an attraction for visitors from the periphery. Just because Edinburgh is a city, should deem these 'attractions' should be permitted. However, if a license SEV introduces a zero tolerance for such establishments, what actions will be taken to ensure illicit venues 'appear'. I welcome the reduction of such venues in the city centre, which may have occurred naturally through shift in demand and property value, but I've no idea if they've therefore been shifting to town centres, which is inappropriate.
25.	Legalising Brothels
26.	Venues should be on busy streets with lots of footfall so that the general public is not fearful to walk in certain parts of the city due to concerns about the behaviour of people leaving these venues.
27.	Please don't license them - they exploit women.
28.	I think that areas outside these clubs should be policed, especially at closing times
29.	Where funding for the business comes from (links with criminal enterprises); whether those in positions of authority within a business are fit and proper persons to hold a licence.
30.	I would encourage the Council to consider that overly strict licensing of SEVs is less likely to prevent the operation of such premises entirely, and more likely to drive them underground, operating outside of the licensing scheme. This would be detrimental to the safety and protections of SEV staff and customers alike.
31.	I do not think the council should police performers working there (eg requiring them to register/provide personal details). However, it should ensure appropriate procedures are in place to protect the performers, ensure that these are followed and provide a safe place for performers to report complaints etc. and be believed/have action taken.
32.	I am in favour of light regulation if any. The regulation should be designed to capture / prevent inappropriate exteriors to the venue and any venues with regular trouble (police incidents, ambulances, etc). Very similar to large pubs / nightclubs / late night leisure venues
33.	I think the Council should consider how these venues exacerbate the poor attitude to women from some of the men who visit these venues. The Council should consider how they can create an are a seedy, unclean and negative atmosphere. The Council should consider that many people may feel unsafe walking nearby these venues, particularly at night, and the heightened risk of cat calling and harassment of women passing by.
34.	There should be a reasonable to significant cost to the licence
35.	Completely degrading industry, should have no place in the future of the city.
36.	location and respect rights of the workers involved
37.	Council should not have any controls
38.	Health and working conditions for women employed.
39.	Only allow 1 SEV in a certain radius.
40.	There should not be more than one licensed SEV with one mile. The licensee and or any other connected person or organisation involved in the management or ownership of the SEV cannot be similarly involved with another SEV in the City.
41.	Worker conditions and protections.
42.	Apart from the treatment of the workers,,,no

43.	Restrict the number of SEVs and ensure staff are safe and treated properly.
44.	Regular human trafficking and modern slavery inspections, including on the spot inspections of management, without incriminating the women involved.
45.	Ownership, money laundering , treatment and well being of staff
46.	As I wrote previously, I really think as a society we should be pushing ourselves to move beyond objectifying woman and classing it as entertainment. Seeing women as sexual objects is not going to help feminism and equality.
47.	All such commercial premises reinforce and uphold damaging attitudes to women and those attitudes perpetuate a male sense of entitlement to women's bodies and violence against women, so I do not accept that any licenses should be granted for such businesses.
48.	Obviously the main concern should be the welfare of those choosing to work in such establishments - free of harassment and working legally.
49.	Lap Dancing clubs are a liability to Edinburgh now. They are mostly a front for money laundering. They have no social or cultural benefit to Edinburgh. SEV licences should be set at a high bar, so that it makes them near impossible to issue. Let applicants apply, but make the threshold for issuing a licence at a high standard, that is difficult to meet.
50.	The council should NOT issue any licenses for these premises. It does harm to Edinburgh for residents and to advertise us as a family tourist destination
51.	As stated previously, the main concern of any regulation should be the rights of the employees.
52.	Yes safety of people and spending limits
53.	I wouldn't sell alcohol in them.
54.	Views of nearby residents and businesses should be taken into account before licence issued and reviewed after 6 months.
55.	Protection and suitable working conditions for women working in these premises Premises take responsibility for the social problems they produce in their communities. Workers have access to sexual health support Premises have hours limited. There is transparency in profits made and pay to workers
56.	Forcing sex workers on to the street at greater danger from violence, rape, theft, STDs and exploitation.
57.	CCTV in and around the areas
58.	There should be an open investigation on the prior offences for People/Companies applying for the licenses. Also, no tolerance policy on any offences.
59.	No little girl grows up wanting to be a lap dancer when she grows up. With other opportunities these girls could be doing so many rewarding things that they could continue for a lifetime
60.	The welfare of the performers. Pay and conditions.
61.	There should be undercover, unannounced, check visits to premises to ensure that regulations are being complied with.
62.	That the workers have regular health checks. To make sure these workers are healthy mentally & physically. To make sure their working conditions are OK.
63.	The impact these premises have on women using the surrounding areas for example women walking home or waiting for public transport can be harassed by groups of men leaving these premises especially stag parties
64.	How each venue will be regulated and how frequently. Will this be monitored by local authority and or police? How will this impact on already stretched resources and public services ?

	The licence should cost a lot of money as the venues will be making a lot of money.
65.	Financial bonds in place to guard against pheonixism of business
66.	The terms and conditions of the staff working in these venues. Sexual violence is more prevalent in areas near SEVs. So a greater police presence for those passing by such establishments.
67.	The city's reputation as a tourist and cultural destination is damaged by it also being seen as a destination for sexual entertainment and unregulated sexual services. We do not need to attract large numbers of "stag do" drunken visitors. Focus on higher value tourists instead. Edinburgh's lax approach to unregulated sex entertainment and services is at odds with Police Scotland's approach in other UK cities, such as Glasgow and Dundee. Edinburgh has had dark years as the UK's AIDS capital. Let us not recreate the conditions for sexually-transmitted diseases to take hold again.
68.	This shuts down Edinburgh's drag night, variety nights with burlesque performers, this would impact and affect the Fringe by preventing burlesque performers performing and limit venues and destroy variety shows. It limits male and female freedom of expression, causes unnecessary distress on emotional and financial levels and limits entertainments hosted by nightclubs, such as Edinburgh staples like The Rabbit Hole and The Freakeasy Cabaret
69.	Most dancers are happy and they CHOOSE the work they do. They aren't forced into it. I think you should ask the 700 girls that will be out of a job.
70.	Harm done by stag parties and attitudes to women
71.	The safety and the protection of the general public.
72.	Safety of those around the area, teaching children in nearby schools about respect of women and consent, providing self defence to women
73.	The venue's should be visited regularly by different inspectors.
74.	License terms should include mandatory clauses to fund mental and general health support for all employees. Strict age guidelines for all workers to be age 25+
75.	Shut all down
76.	I believe Edinburgh should have these establishments as they are regulated properly and the staff are working in a safe environment.
77.	Crime in area, harassment towards females
78.	I just said this but for the love of all that's holy, TALK TO SEX WORKERS. They know what would be best for them and they should be a priority. Don't know why you're asking civilians who may have zero knowledge and experience with SEVs.
79.	Concerns that licensing could drive up costs which would not be passed to consumers but affect those working at SEVs who are often vulnerable persons.
80.	periodic raids to check for drugs
81.	Don't allow it without licenses - Edinburgh already has a scummy image in south bridge, Dumbiedykes, Leith, North, East and South Edinburgh and parts of West. The council panders to tourists, Princes street, High Street and George Street. Therefore if you license SEV's you might want to consider having them situated on the High Street next door to the city chambers. They would then be looked after and policed properly.....
82.	Limit to zero
83.	They should basically be impossible to spot unless a person is aware it's there. There should be no imagery etc. That is, if they have to exist at all.
84.	The stupidity of this "consultation" and its unethical approach - makes this a waste of money and only puts shame on the council. Yet I have to pay council tax for this absurdity.

85.	The only thing I potentially see as a benefit would be a check to ensure the dancers are not being forced
86.	The biggest issue is the safety of women in the area around these venues. There should also be a greater police presence as raised testosterone and alcohol are not a good mix.
87.	What inspection regime is in place. Scrutiny of persons employed to stop trafficking and coercion and exploitation.
88.	Monitoring of premises and women involved to uncover possible trafficking offences
89.	Licenses should be revoked, if premises don't adhere to the rules .
90.	License to investigate if there's any jobs and business that council won't ruin. Not a regular but had a great time at all the places I have been. Never seen anything that upset me remember it was a lot Wilder when I was younger / cute . YOU WILL MAKE IT COST MORE !!!! LIKE PIMPS ?
91.	The council needs to prevent the exploitation of workers, but to allow workers to choose to take part
92.	The loss of jobs, financial implications across the city, the wider cultural implications that a woman still cannot have full autonomy over her body in Edinburgh/Scotland, from adult entertainer to cabaret, or burlesque and drag acts. Choosing to regulate SEVs but not massage parlours - home of the global human/sex trafficking trade - is oxymoronic in terms of this legislation's intentions.
93.	We are in 2019 the Council should not support any exploitative behaviour towards anyone regardless of the society's views. Edinburgh is a tolerant and vibrant city that does not need such trash on its door steps.
94.	Women, and underage girls, being trafficked into the so called sex industry, forced into lap dancing then into offering sex too. Women and girls doing it to support a drug habit, which also makes it involuntary. Men who delude themselves that 'most women enjoy doing it' and an entire industry preying on one sex for the gratification of another...it is the 21st century and this is how women are still treated. People who delude themselves that women are not pressured into offering sex too and that it actually 'empowers ' women...in what way is never made clear....
95.	Police checks on the owners/ managers of venues. Immigration checks on the workers to try & avoid 'trafficked' workers. Health & safety checks of venues. Fast recourse to licensing reviews in the event of adverse police reports about events emanating from within the venue and 'spilling out' into a specified radius around it. At least the minimum wage should be paid to all workers and tax, NI and pension payments made. No 'cash in hand' as that could lead to exploitation of a staff group who would probably be unlikely to come forward to protect their rights
96.	Partial restriction on consumption of alcohol on site. Zero tolerance of recording devices.
97.	I think, prostitutes is a problem that used to be around leith many years ago and I worry that the problem would get worse if it was difficult for sex workers to be able to work.
98.	The endemic violence in society against women. It is not possible to protect women who work in these places. It is increasingly difficult to protect women who have to live and work near these places.
99.	I believe a blanket ban or zero cap would be a massive mistake for many reasons. However I am in favour of a cap or application process. I don't think this should be limited to SEVs. There are many other commercial types that are "out of control" and equally, if not greater in terms of damage to local area and Edinburgh.

	I am in favour for a fair limit setting to be done on a base by base setting for new applications. Existing premises should be exempt from this except for extreme circumstances such as crime, financial dangers.
100.	Business should be allowed if successful, some people are offended by religion but churches aren't restricted. Plain frontage on establishment as clubs will set up where they think customers will be so unlikely in residential areas more likely near other bars and pubs
101.	Treatment of staff in these businesses
102.	How long would the licence be valid for and what the penalty would be for not fulfilling the terms of the licence
103.	Make them more discreet from the outside - the one on Lothian Road is blatant
104.	Working with police etc to ensure that the people who gain are the employees that tax is paid by owners and that those who work there are choosing to.
105.	Background checks on ownership and employees.
106.	Do not take into consideration any feedback based on religious standpoints.
107.	The Council is to be aware that the sex industry needs to stay within the mainstream public. If SEVs are regulated, there runs a risk of creating illegal SEVs unregulated, subject to trafficking of women, more dangerous conditions for women, and illegal activities.
108.	Wellbeing checks on staff
109.	Working with human trafficking organisations (there is one based in Leith)
110.	I would hope in this day and age, a licensing programme will reduce & eventually irradiate such an archaic business model.
111.	Please consult with sex workers on this. Please prioritise their voices.
112.	There should definitely be a limit on the number of such venues within any one street or small geographical area.
113.	Treatment of employees. Financial and criminal history of management Number of reported incidents at the venue in last 2 years. How the management gives back to the community
114.	People will always be willing to pay for sexual entertainment, and there will always be women (and men) that see providing that service as fair income. The council, or government, is there to control abuse and not to be moral police. Apart from that it's just common sense, don't allow a strip club to open in the middle of nowhere where it can lead to drug and drink driving, or near schools and churches where it would be needlessly controversial.
115.	Ensure the women are there because they want to be, not forced /coerced, clear information on where to seek advice if they need to speak to anyone /get advice. That the workplace is safe for all employees.
116.	The number of venues will largely be driven by demand, so caps on numbers may not be an issue. As well as licensing venues, the council should have powers of inspection, and be able to verify that employees are there voluntarily and are sufficiently supported.
117.	Crime associated with alcohol, drug and prostitution. Extra funding would be required to tackle these consequences. SEVs make female sexual exploitation more acceptable. This is unconscionable.
118.	The current agreed attitude towards the sex industry as set out in the policy agreed by police and politicians in 1980s must be maintained. If the powers to license SEVs is adopted, the council should always aim to have a small number of SEVs licensed.
119.	I don't think any such establishments should operate in Edinburgh.
120.	The number should be limited.

121.	The council needs these powers to control the impacts of these SEVs to not take them would only invite more problems in a fast changing world.
122.	protection for the workers
123.	The treatment of women employed by and visiting these establishments and the message their existence gives to men and women everywhere.
124.	Premises passing themselves off under other titles, e.g. 'saunas', should not be able to avoid licensing by so doing.
125.	No, there are too many rules and regulations in this country already.
126.	All these sort of venues should be licensed and that includes saunas. Money raised from licenses could help fund things like Pilrig Community Health Centre!
127.	The Council should consider whether it wishes to licence any SEV. SEV's by definition involve the sexual objectification and exploitation of women. The Council should consider whether it wishes to be known as an organisation which condones the sexual objectification and exploitation of women.
128.	Effects on neighbouring area Glorification of sex and in relation to real problems of sexual assault on women Also if allowed next to each place men should have full male strip clubs for the non heterosexual community to enjoy thereby making sexual equality a fact .
129.	Protection of the women involved
130.	These venues have no place in a society that is striving for gender equality. There is a huge problem in society with gender-based violence and these venues help to encourage attitudes that women are inferior sexualised objects who can be bought. They put the power in the hands of men and give them a sense of entitlement over women, an attitude which affects all women and girls and prevents them from enjoying freedom from harassment and an equal footing in society.
131.	If there is persistent trouble, noise, detriment to general public traversing neighbourhood
132.	Granting such licences is known to have a detrimental effect on all women and girls (members of the female sex class who produce large immotile gametes and are characterised by the absence of Y chromosomes). To grant licences knowing this is to legitimise misogyny and officially sanction sex offending. Only a sex offending pervert would do such a thing.
133.	While alcohol seems to form a part of will always be a factor I've experienced less problems in an SEV than other bars on a weekend night out. This would still be a factor to consider. Location, while some of those listed here are interesting, should also be a factor. Some for sensibilities (residential) and others for everyone's protection (commercial/industrial estates)
134.	Edinburgh gets over run with tourists at the the best of times but weekends can become almost unbearable for residents. try and think of their needs as well as those of tourists and the "money" they bring in. Increase tourist tax for these types of premises (i.e. 5 pounds per head)
135.	At least 100 metres (or more) from educational establishments, kids friendly parks, or family leisure venues, or places of religious worship; And at least 100 metres from another SEV (so you don't have a cluster of them within a small area like West Port
136.	providing external services for the woman to encourage them into further education or other jobs where they will not be exploited
137.	If it's all banned then this type of club will go underground, it's life you guys eased up on saunas many years ago and didn't clamp down when it was required so do something now and get to industrial/ commercial type areas

138.	ASB, effect on residents and heavily Policed.
139.	If you place too many restrictions or insufficient licences, then concern is that illegal SEVs will open and in areas where it is completely inappropriate and the problem you are trying to solve just causes a worse situation. So a measured approach to licensing would be more practical. Edinburgh is quite an open and liberal City, licensing should retain that ethos.
140.	The collective impact on these services must be considered by CEC. How is littering, street noise disturbance, intimidation to women both within and out with these venues, intimidation and detrimental impact upon tourist families encountering groups of drunk men in areas of historic interest at all times day and night near these venues.
141.	I am against lap dancing bars. However, if they are to be allowed, they should be away from public areas, in industrial areas etc. They should NOT be normalised and advertised as normal behaviour - it is not normal or acceptable behaviour to pay for sexual favours.
142.	They shouldn't be allowed at all. They make it intimidating to walk around the city, encourage the view that sex is primarily about male pleasure and that female worth is primarily based on appearance.
143.	Smoking area out of site of the Main Street. No hanging about outside it. Checks for trafficked women.
144.	Guarantees should be given to pre-existing venues that their business/livelihood would not be affected
145.	Your sex trade is ruining our investment in tourism and equal rights. My friend told me he went to Brussels where a black prostitute was cheaper than a white one. EU human rights policy is this? Equal opportunities? Racial abuse? He said they all sit in windows. Is this what Scotland wants to be part of? Just because you call them saunas and they don't sit in windows does not justify what these establishments are doing and the worst thing is Edinburgh council actually know about it. You are a farce....
146.	I think that women's safety should be paramount. This includes the women who work in SEVs and women who work, play and walk near them.
147.	location of venues,keep them in traditional grotty areas like Tynecastle,Tollcross.
148.	the ultimate issue has to be the welfare of the women. Quite often you read about sex trafficking being a source for the dancers, so somehow you need to be sure that anyone performing is doing it on their own free will and not being forced into the profession
149.	Prostitution is the oldest form of trade but we must have this controlled in areas supervised by council with regulatory health checks and sexual health checked
150.	What kind of message is being given about sex as a commodity, and the potential exploitation of vulnerable women and girls.
151.	Don't go overboard and start saying they can't be within a certain radius of this and that.
152.	I do not think this type of venue has a place in an equal society. objectifying women creates threat to innocent women / girls who happen to pass by the client group as they arrive / leave / smoke outside.
153.	Cost of licensing
154.	Processes to revoke licences if conditions are broken or if a number of complaints warrant investigation.
155.	That no one is being exploited or in any harm.
156.	Care of employees. Fair business practices. Support and legal commitment to care for vulnerable people. Responsibility for the behaviour of customers.

157.	How best to eradicate them and the violence against women within them through the licencing system.
158.	IN THIS CASE I WOULD CONSIDER DISBANDING THE COUNCIL AND HIRING EDUCATED, UPSTANDING AND DECENT PEOPLE TO RUN THE CITY
159.	These venues exploit women, contribute to a culture where women are seen as sex objects, contribute to porn culture and violence against women. If they are allowed take photocopies of the ID of every man that enters.
160.	The SEVs are adult venues, providing benefits for both customers and staff in a space that is much safer than any venues that could crop up if they are far too restricted or criminalised.
161.	What is there to say.
162.	Women are not commodities
163.	There are bigger issues for the Council to worry about than spending money on this. We're talking about 3 or 4 lap dancing bars who's staff get paid well and chose to work there. How about you pay for extra city centre Police Officers to deal with real criminals!!
164.	Please consult sex workers when creating these regulations.
165.	Dont adopt if based on ideology over consultation with staff working in the industry. Avoid needless job losses.
166.	Make sure that these establishments are not in isolated areas so that the people that work in them are not at risk before/after work.
167.	Follow the guidance of sex workers.
168.	The crucial issue relates to the performers; are they working voluntarily or are they trafficked women with no choice?
169.	Banning all sevs.
170.	Any licensing would be to legitimise the selling of women's bodies and the reinforcement of women's inferior status in society - that women exist to please men and their bodies can be bought to give men a feeling of power by treating women as lesser in this way. Don't do it.
171.	They should not be allowed at all.
172.	Whether or not this sort of establishment is something that should be permitted in the 21st century. It's seems to me to me not much better than licenced pimping.
173.	The more venues the more we are normalising objectification of women, and it's about what men want, and women are bought and sold and suffer the consequences.
174.	The licensing system should consider the message that the existence of SEV's sends to young adults, particularly young men who ought to learn respect for women.
	Safety no underground use
175.	The licensing system should ensure the staff working in the establishments have good working conditions etc
176.	I personally don't think Edinburgh needs any of these venues. They are seedy and demeaning to women. To my knowledge - they are not requested by residents but mainly visiting stag do's. A city like Edinburgh has more than enough going for it and is not improved by having these venues. Be brave and shut them down full stop and make our city a better place.
177.	Stop trying to regulate everything.
178.	Health and safety of employees, impact on neighbours
179.	SEVs should be regularly controlled by police to make sure prostitution is not occurring.



180.	additional health insurance for staff tax on profits to fund programme for people trying to leave the sex industry or sex work
181.	Yes, the input of the employees must be considered over and above the input of anyone else.
182.	Don't use it simply as a backdoor means of gentrifying the city centre
183.	Presumably these will also be places where alcohol is consumed. The licence could be coupled - a breach of one leading to the loss of both.
184.	Those dodgy "massage" and "sauna" parlours need to be regulated and policed. A few of them are brothels!!!
185.	There is a possibly a grey area be lap-lancing and burlesque. If you introduce this licensing, you need to ensure there is sufficient clarity to ensure burlesque is a separate, unlicensed category. (It is not solely for sexual pleasure, but the definition "solely for sexual pleasure" is potentially ambiguous)
186.	Remember that you will be taking jobs from those that often need them most desperately.
187.	I don't agree that the Council should licence these venues at all. The Council should focus on licensing positive and professional venues for the benefit of everyone to try and improve the city, rather than enabling the continued degradation of others through licensing SEV's. SEV's are not beneficial to our society, why would the council want to be associated with them, surely the lure of the money from the licences is not as important as protecting the vulnerable people in our society. Have some morals!!
188.	The council should give power to surrounding residents and property owners to have the final decision on whether to allow or not. The council should also publicise applications during the licensing process to ensure that people can have a chance and time to consider and comment.
189.	Effect on women living here
190.	Age restriction and better to have licensed brothels run by council with medical checks.
191.	It gives the wrong message to the youth of today that there are any entertainment venues where women and men are sexually objectified. Adults have access to adult entertainment on the internet anyway
192.	Opening and closing times
193.	Talk to sex workers and dancers, their opinion on this matter is what should have the biggest impact on any decision made.
194.	Consult sex workers
195.	Ask people who work in those industries, work with them.
196.	Objections/ complaints from residents
197.	Consider the inevitable problems with -Ensuring regular inspections by undercover officers not known to the operators -How you intend to enforce conditions . Bear in mind that once the license is granted you are doomed to endless expensive court cases in which you attempt to enforce the conditions but cannot remove the license. The area around the club will become more dangerous for local women. What do you plan to do about that?
198.	Catherine Fullerton, please adopt the power to license these clubs.
199.	Age of entry!
200.	There is no need to stop or limit these places. The girls in lapdancing clubs are free to come and go whenever they choose and usually do this. The demand is there and there are so many jobs in this that could be affected for no need.

	Dancers, bar staff, hosts, cleaners, suppliers - the list goes on. Don't do it
201.	NONE.... They're operating well within existing guidelines
202.	The present arrangement seems to work well so I would not make any changes
203.	CCTV coverage of the entrances and surrounding area to protect workers
204.	close down all SEVs licence air B&B as many of these are currently being used as pop up brothels
205.	Whether city should have them at all
206.	Brothel owners have already taken control of this by threatening the CEC with court. So now licences are to be handed to strip clubs. We all know and indeed have evidence that these are fronts for selling sex. Why are we calling this entertainment? Women having to sell access to their body is not entertainment. It's rape and violence against women, how can CEC take any part in this?
207.	This city needs to not put restrictions on operations of any of it's institutions. If this is as they say - a way to improve the working conditions of the people working in the SEVs, do an investigation into that before loosely enforcing rules that affect businesses and the workers who depend on them.
208.	Sexual entertainment is going to happen regardless of whether it's allowed or not. I don't think sexual entertainment is a very beneficial pastime for anyone. However, by allowing it but restricting/regulating it, I think the council could avoid driving it underground where it could become much more harmful/nefarious.
209.	The fact that unlicensed sauna's still operate
210.	Capacity and staff levels. A capacity level should be set with a requisite amount of staff to manage the number of people who might frequent the premises at any one time. A premises can manage this flexibly by refusing entry to large numbers if the requisite amount of staff are not on duty at any given time e.g. there is no need for a premises to staff up to the maximum capacity all the time they are open but as numbers increase so must the staffing levels.
211.	Licensed brothels and prostitution in certain geographical locations
212.	There is no good sexual entertainment outcome that is good for women either working in the industry or having it in their community , You wouldn't allow this kind of exploitation of men why is it acceptable for women?
213.	City of Edinburgh Council has a Violence Against Women strategy and partnership, they have signed up to Equally Safe. Edinburgh does not need SEVs or brothels or saunas where sex is sold. The council should promote women's equality not women's exploitation
214.	I recently visited one of the SEVs currently operating in the city and was very impressed by the atmosphere. However, one girl who worked there -a student who had lived in Edinburgh since a child - asked me to comment on this consultation as she was concerned that she was in danger of being unable to work if lap dancing was banned in the city. She felt she should have the right to work as a lap dancer and objected to others trying to take her rights away. I promised I would complete the consultation, so have now done so.
215.	Given the current level of harassment and attacks on women I do not feel these are suitable for anywhere in Edinburgh.
216.	Fines for anyone trying to operate them as exploiting vulnerable women. Background/Police checks on all who run them & prosecution for aiding & abetting criminal activity related. Daily raids by police to ensure no trafficked/underage women in them. CCTV to film all punters & criminal charges for violence against women.
217.	Women are not meat

218.	Exploitation of women. The equality act.
219.	Duty of care to the public. Issues of public safety. Equality impact assessments. Classifying lap dancing as a form of prostitution.
220.	Licensing SEVs sends a message that the council endorses sexual exploitation of women. The presence of SEVs also makes women and girls more vulnerable as it creates an increasingly sexualised environment. All evidence of communities with SEVs shows that women are more likely to be harassed and abused in the streets around them.
221.	Women will be used and abused.
222.	Consider women as humans rather than commodities?
223.	Staff safety venue suitability that owners are complying with license conditions
224.	aid it earlier - the main thing is check that the women working there are safe, not victims of crime and not being exploited.
225.	I think this is an archaic sexist proposal built on flawed models of control and controlling sexuality. Nordic model promotes harm to those most at risk in our society. By limiting venues it pushes those most vulnerable into more dangerous situations to work, and means that they are unsafe to report any harm that may befall them as they would be breaking license rules.
226.	Limit the price of drinks.
227.	Sex work is work and should be regulated accordingly. All sex workers have the rights to earn money, pay tax and be safe and secure at work. Workers should be encouraged to join a union and have access to support.
228.	I would not like to see a proliferation of this type of venue. Not only should there be a limit in each of the areas mentioned, there should be an overall maximum
229.	These types of venues encourage trafficking of vulnerable poor women. Also lead to increased harassment of women in the area. Leads to women's bodies being commodified and available to men as long as they pay the right price.
230.	That no venues should be licensed as WOMENS BODIES ARE NOT COMMODITIES THAT CAN BE SOLD FOR THE BENEFIT OF MEN
231.	Avoid locating too many venues too close together. I live adjacent to the 'Pubic Triangle' and it gives the impression of a red light district which I think gives a negative impression on Edinburgh.
232.	Tax them and directly use the taxes or license fees collected to fund women's shelters for abused women and children and/or charities for women who are victims of sexual assault and rape.
233.	Again, the welfare of the performers must be the highest priority.
234.	market forces will dictate if a SEV venue succeeds or fails, just as it does with any other bar. I don't think they should be treated any differently from bars or clubs.
235.	Keep these venues away from tourists/children
236.	Might as well take every other right away from Edinburgh residents.
237.	Women walking past these establishments could feel at risk and might be undermined by the imbalance in the catering of the sexual needs of all genders. Perhaps you should insist that all these clubs are suitable for all genders so very fit semi naked men prancing about as well as women.
238.	People working in these establishments should have union rights/membership to protest their terms and conditions of work
239.	Operate licensing system on similar steps to licenses for selling alcohol.
240.	How regularly licenses ought to be reviewed. Spot checks for compliance.
241.	No, this whole thing is a waste of time

242.	Safety of workers and everyone around. Likelihood of exploitation and abuse. Preventing access by underage or young people. Drug services funding by SEVs as they will fuel this need.
243.	Whilst SEV are controversial and provoke lots of emotion, to ban them outright would cause more harm to those employed within the industry. Their will always be women and men willing and wanting to choose to work in the SEV industry and its important that the council protect these workers and those who choose to visit them. To ban them would create an underground SEV which lacks protection for those employed. SEV licensing should ensure that the health and safety of those working and visiting is a priority.
244.	Should consider workers. No venues near schools.
245.	The impact on local residents from those that the venue attract. Providing support - emotional , physical or other to those engaged in working in the venues.
246.	These premises provide a haven for drug dealing also the over provision of alcohol leading to disorder and violence thus the number of premises should be strictly if allowed at all
247.	The security of employment for current employees of SEVs in Edinburgh, if SEVs are closed due to limits of numbers or licenses being revoked, the employees must be put into work somewhere else
248.	Opening hours Highly visible police presence in the surrounding area to ensure others feel at ease Ensure workers in the SEV have a fair deal - pension, job security, maternity etc. Shop facade should be unmarked / unbranded. If absolutely necessary late at night could add red lighting (as they do in Copenhagen Nyhavn) Extra litter collection as I suspect after visiting SEVs men will go to takeaway shops etc and litter the streets - we want no trace of previous evenings activities
249.	as per responses in to question 10
250.	you will still have no control over trafficked prostitutes drug handling and money laundering even if you do license, of course they will fall within the health and safety regulations and everyone will be smiling when you visit yearly. nothing going on there me lord.
251.	The most important thing is that the workers are being listened to and their opinions valued. They know best what they need, and any changes that the council makes must be in line with what employees say will aid their safety and working conditions.
252.	Take residents views as priority over commercial ones.
253.	Licensing departments to have knowledge of human trafficking legislation, trading on child sexual/criminal exploitation, equalities legislation and regular interaction with police who deal with these matters
254.	Monitor regularly
255.	Licensing provides protection for workers. But those breaching rules, regulations and laws need to be prosecuted. It isn't the number of SEVs that is a problem, its the larger groups, that perhaps have had too much to drink, who then treat all passers by as if they would be interested in their attention.
256.	They should consider the working conditions of those inside
257.	a better representation and make up of the the licensing body
258.	The possibility of illegal unlicensed places starting up, and how to combat these.
259.	If the council allows SEVs to be licensed it should inspect them regularly (at random intervals but minimum of every 6 months) to ensure all women speak fluent English and are working there by choice.

	<p>Licensed premises should provide condoms and insist that all user of the premises use these. NHS Lothian sexual health workers and other caring professionals should be given regular contact and screen workers in the establishment for STDs and provide treatment and support and advice.</p> <p>Any vulnerable women found inside an establishment who wishes to change career should be offered support from professionals and the council should have programmes in place to encourage this.</p> <p>The council should pay significant compensation to any women found to be trafficked inside a licensed SEV in Edinburgh for failing to prevent this situation and allowing the premise to be licensed.</p>
260.	These venues are exploitative and should be banned
261.	The entire tone of this is puritanical. I don't at all like the venues along with many things I might not like. Yet, if a venue conducts its business in a private and doesn't cause unseasonable disruption to neighbouring properties, it is none of my business, I find it disturbing that we should want to regulate this. This contrasts to on-street activity which the Council insists it does not want to regulate, e.g., 12+ hours of continuous amplified busking every day in August is a real disruption to residents, not just based on moralising nonsense.
262.	SEVs should be dissociated with the drinking of alcohol or any other of the less salubrious parts of late night life if they are to operate in a clean and healthy fashion. They should not be allowed to hold off or on licenses for alcohol and should not be able to have gambling machines or other forms of gambling on site. I believe this to be true for the sake of the industry itself and a healthy industry that polices itself to a large extent will be willing and possibly active in discouraging other players who would be interested in running illegal SEVs and all the associated other illegal things that are generally associated with such illegal establishments. The aim is to create an industry that pushes out those who would run it anyway but in a manner that encourages illegal activities rather than adhering to good working condition standards and a reliable industry for those working in and using it. This would potentially restrict illegal activities in this realm in Edinburgh and create an economic boost at the same time which in turn would generate more income with which to curtail illegal operations even more.
263.	How will the licensing interact with Police Scotland? Having had trouble with an unruly pub in the past licensing or restrictions did nothing to curtail it .
264.	Should consider the jobs people will lose if sexual entertainment venues are shut down
265.	Let the council come see what happens
266.	I think these places should be left alone there is a massive stigma because people are confused at what goes on but if people knew about these places they wouldn't fear the unknown so much. Education not laws n licenses!
267.	A public body should NEVER condone these kind of establishments
268.	Not to close already existing venues. By doing so will cause incredible stress and further poverty in the city centre and surrounds for all workers in the industry, and will drive many underground and put them at risk of harm. The women in these clubs are safer at work than they are fully clothed in nightclubs, due to the strict regulations and security in place. The sense of community and safety among workers is also a strong unit within this industry,
269.	Places of so called 'sexual entertainment' act as a magnet for traffickers to bring women to the City to be exploited.
270.	Severely restrict these businesses from residential locations and send a message that Edinburgh council is prepared to stand for progress and equality, rather than

	turn a blind eye to the injustice and misogyny that is synonymous with these places
271.	The council should ensure that these establishments are discreet and regulated They could take into consideration public opinion but as a resident I am aware of the number of closures of these places over the years and that it is likely public opinion in areas where they currently are would be negative resulting in closure. This could lead to this type of performing move to other areas and going underground. My view as stated is that they should remain but not advertise as they do. The council could look compassionately at these places and work with them and the workers to ensure that working standards are good and the workers are safe and have support to look at other options for work if they so wish.
272.	No shop or business should be allowed to sell or promote sexual entertainment/ services or any item related to sex.
273.	The only way this industry would be acceptable is if it is run and owned by women.
274.	They should be available to every punter - disabled, women, LGBT, all races. They are checked out properly and regularly including women workers health. Available to adults only.
275.	The higher risk of SEV workers to be involved in drug, alcohol and prostitution issues suggests the council should provide some support in sexual health, NA or AA meetings etc. creating a resource for workers who may be falling into difficult times.
276.	Concern that if no outlet it goes underground - believe such 'entertainment' is disrespectful to woman and girls but recognise not a shared view. Regulation at least gives some protection to the women within the business and local population.
277.	Welfare of the workers
278.	safety of women
279.	The pubic triangle in Edinburgh should be closed, or at least limited to one strip club (preferably the Burke and Hare as it's the most subtle).
280.	There is a market for SEVs, but they should be limited in numbers, should be in appropriate locations, and should be discreet. Trafficking issues should be considered as a priority. The ability to rapidly revoke licenses, temporarily or permanently, in cases of breach of conditions, poor behaviour, and the bringing of a neighbourhood into disrepute should be considered as a priority.
281.	No advertising or promotion allowed .
282.	I am sure you already consider connections to crime, money laundering, people trafficking, etc!
283.	Impact on tourists' impression of the city.
284.	the workers' rights
285.	Ban on house fees for workers Protect the workers in their workspace as per any other job type
286.	The licencing should make sure it's fair for the workers and that they are not punished due to the licencing fee. Consultation should also be made with the relevant Trade Unions to make sure they are supported.
287.	I think casinos in the city center should be better regulated as these encourage all night drinking and gambling which are worse than strip clubs.
288.	Ensure workers are not coerced into working there, that all workers are legally in the UK and are able to choose their hours and earn an hourly rate regardless of additional tips.
289.	Just do it sensibly and responsibly.

290.	Safety of women working in these venues. Safety of women walking near these venues. Alcohol license.
291.	All workers should be given safe transport home. Premises should be under strict inspection regime and staff interviewed in confidence.
292.	Drink should be available Open on public holidays
293.	Talk to the workers get their points of view instead of just assuming that they are forced to work there. Lots of them live their job Remember to assume makes an ass outta you and me <b>TALK TO THE STAFF THEY ARE THE ONES THAT WORK THERE</b>
294.	Ensure the women working at SEVs have full say in all legislation
295.	Don't listen to SWERFs
296.	Burlesque is awesome. Trafficked women dancing against their will is not. It's not rocket science. Come up with a process that stops the gangsters trafficking or taking advantage of vulnerable women ie those who are dancing etc to feed addiction. It's complicated. So there's a need to review the potential licensing to accommodate for all the nuances. Some women find it empowering to dance. Others are forced into it. As you are well aware. So please take that into consideration. Thank you.
297.	Perhaps Performers should be individually licensed?
298.	Ensure there are no underaged, trafficked, abused or coerced women or girls working there.
299.	The problem with introducing SEV law into the industry at present is that the business model means dancers will suffer. The costs of running an SEV will be passed on to the workers via house fees and commissions. An SEV license is expensive, and is another cost to running the business. The license must be renewed each year, the renewal application costs money. If anyone objects to the license being renewed then it goes to a license committee hearing, clubs have to hire legal representation which costs money. The costs mount up, and who to those costs get passed on to? Not the customers. The dancers end up having to pay more. We have seen in England a steady rise in house fees and commissions, year by year since 2009. Introducing the same procedures in Scotland, while <b>FAILING TO PROTECT WORKERS BEING EXPLOITED</b> , will result in the exact same thing in Scotland.
300.	yes licencing small worker led brothels
301.	I think strip clubs should continue to run on their current license
302.	Please see previous answer. Also please consider the women's jobs that are being put on the line while only trying to make ends meet and supporting their families.
303.	Again, I do not think we need any particular licencing for these venues. Other permission restrict the use of these venues already.
304.	Closing these venues will leave women with families without jobs. Leaving them vulnerable to losing their homes. These ladies have legitimately been working in these venues for years and are tax paying citizens, who have mortgages based on these above average earnings. By closing them down you will be forcing women to work illegally where they will not be protected by law and license.
305.	I think the current system works fine

306.	The licence team should consult the staff involved including the dancers and the Stripper Union.
307.	The Dancers, workers, workers rights.
308.	Spending time and money on something that doesn't need council time or money. Focus council funds and attention to things that really matter
309.	If licensing is restrictive then there is a likelihood of unauthorised venues and that is in no ones interests
310.	It is important to regulate this industry and not to criminalise it. The introduction of a licensing system ought to be able to allow the Council to limit the number of venues and restrict their location within the City, as is theoretically the case for licensed premises (though the Licensing Board has for many years been notoriously lax in dishing out licences in areas of over-provision, against the advice of Police Scotland and local NHS bodies.)
311.	<p>We recognise that the licensing of SEVs is to some extent a recognition of the promotion and increase some years ago of the leisure economy and the provision of sexual entertainment in a more corporate and mainstream way within that economy. The desirability of this in terms of women's mental and physical health is concerning as is the message it sends to men in terms of how they view women. We note that a local authority must—</p> <p>(a) consider the impact of the licensing of sexual entertainment venues in their area, having regard, in particular, to how it will affect the objectives of—</p> <p>(i) preventing public nuisance, crime and disorder,</p> <p>(ii) securing public safety,</p> <p>(iii) protecting children and young people from harm,</p> <p>(iv) reducing violence against women,</p> <p>We urge the Council to emphasize in any SEV policy the vision of the Scottish Government in its strategy Equally Safe,</p> <p>“A strong and flourishing Scotland where all individuals are equally safe and respected, and where women and girls live free from all forms of violence and abuse – and the attitudes that help perpetuate it”</p> <p>We suggest that the promotion and tolerance of sexual entertainment venues is fundamentally incompatible with this vision.</p> <p>The Equally Safe strategy defines violence against women as including:</p> <p>“commercial sexual exploitation, including prostitution, lap dancing, stripping, pornography and trafficking”</p> <p>(See: <a href="https://www.gov.scot/publications/equally-safe-scotlands-strategy-prevent-eradicate-violence-against-women-girls/pages/3/">https://www.gov.scot/publications/equally-safe-scotlands-strategy-prevent-eradicate-violence-against-women-girls/pages/3/</a>)</p> <p>Health and wellbeing continue to be unfairly distributed in our society and there are many structural reasons why these inequities are perpetuated. One of the structures that is generally accepted to affect health is gender. There is no more gendered form of ‘entertainment’ than pole and lap dancing type activities. The Council would be making great progress toward gender equality by setting the level of SEVs at zero. This would also help to achieve the objectives set out in the act, reducing the risk of nuisance, anti-social behaviour and harm to women and girls in the City.</p> <p>Setting a zero level for SEVs would also support the Councils own policy on gender based violence. We note for instance that the City of Edinburgh Council, NHS Lothian and Police Scotland have recently announced a joint initiative, The Equally Safe Multi-Agency Centre, for children, young people and adults who have been victims of sexual assault and other forms of abuse and neglect.</p> <p><a href="http://www.edinburgh.gov.uk/news/article/2599/groundbreaking_centre_to_be_launched_for_edinburgh_and_the_lothians">http://www.edinburgh.gov.uk/news/article/2599/groundbreaking_centre_to_be_launched_for_edinburgh_and_the_lothians</a></p>



	<p>The observation that sexual entertainment is really “harmless fun” and undertaken through choice is sometimes made. We think this is effectively countered by the vast majority of women and girls lived experience and the invidious effect of objectification. The health effects of sexual objectification are well summarised, for instance here:  <a href="https://steinhardt.nyu.edu/appsych/opus/issues/2016/spring/rooney">https://steinhardt.nyu.edu/appsych/opus/issues/2016/spring/rooney</a>  We encourage the Council to include reference to the contents of this article in any policy that it produces, such as the following definition:  “Sexual objectification occurs when a woman’s body, body parts, or sexual functions are isolated from her whole and complex being and treated as objects simply to be looked at, coveted, or touched (Fredrickson &amp; Roberts, 1997). Once sexually objectified, the worth of a woman’s body or body part is directly equated to its physical appearance or potential sexual function and is treated like it exists solely for others to use or consume.”  While the relevant Act as amended does not mention sexual objectification we argue that this is one of the fundamental causes of violence against women and thus any action that reduces the sexual objectification of women is to be welcomed. Equally, a policy that in any way promotes such objectification by legitimising sexual entertainment is in our view detrimental to the health of women and girls.</p>
312.	If regulated the participants have some level of protection from exploitation.
313.	From my understanding SEVs make most of their business in their later hours. So an early curfew is contradictory to the business type.
314.	<p>As the trade union representing dancers working in strip clubs across Edinburgh, we don't believe that a restriction on the number of SEVs is helpful or practical. We know from experience that when the number of licensed venues drops, unlicensed venues take their place, where dancers have no access to legal protection and trade union representation and where the council will not be able to enforce employment standards.  We recommend leaving the number of SEVs un-capped and treat each application based on its own merit.</p>
315.	<p>[As per Q10 in case this is a more appropriate place to answer]  Workers rights - licensing should focus on keeping clubs safe &amp; secure for employees, encouraging equitable treatment (discouraging house fees / penalties, encouraging salaried remuneration &amp; ensuring that those who join unions are not penalised)  Licensing <u>can</u> be used positively to improve this, but the danger is that it’s used to try and drive the industry out. This will simply drive it underground, leading most critically to less safe working conditions for the dancers; and potentially also to customers being coerced at the time into excess spending, or blackmailed subsequently, since they’re patronising an illicit establishment.  Please review the #AskThe700 campaign for further links &amp; information from those working directly in the industry.  My own qualm as to where clubs should be based geographically is on late night noise, litter etc, just as I would be concerned about the licensing of any other establishment.</p>
316.	<p>Licensing is a start, but I believe that SEVs are not acceptable in modern Scotland. Long-term, the Council should be looking to phase them out.  The benefit of licensing as a short-term measure is to restrict their operation and enhance co-operation with Police Scotland. The presence of minors in such premises is a serious worry - licensing should ensure that no minors are working on the premises.</p>

	Viewing women's bodies should not be a permitted entertainment in our capital city. Edinburgh is better than that.
317.	If this system is to be adopted then I think the council should streamline the process as much as possible and ensure that an annual license reapplication does not become a extortionate business cost for clubs as those costs will ultimately be passed on to the dancers. From experience working in England sev licence reapplication are a stressful time for everyone working in the clubs. I think it is a very self regulating industry, dancers work in the way that they feel most comfortable and clubs always check working visas etc. Unnecessary council intervention does nothing to protect dancers or indeed customers and just creates a climate if fear where dancers are worried about loosing their jobs.
318.	whoever works in those establishments should be considered like workers and deserves to feel protected in their work environment
319.	Workers full rights and working conditions . And a licensing board should recognise the positive contribution SEVs have both in terms of employment but also by providing a service that ranges from harmless entertainment to informal mental and physical palliative care. It should acknowledge that whilst SEVs and the populations concerned might not be a mainstream part of society they are just as valid as any other sector and should not be oppressed , or regulated by people with certain conservative or religious moral constraints.
320.	Limiting the number of SEVs in Edinburgh will just make these venues operate in an underground way, leading to worse working conditions for workers.
321.	That such spaces are places of work where skilled workers choose to earn their livings, as much as any of us choose the places of work where we earn our livings.
322.	Workers rights should be monitored as these places can (and probably already do) exploit women very easily.
323.	You are trying to regulate somethu g that does not need it. The only thing that needs regulating is the amount the dancers have to pay to work.
324.	I think the priority of regulations is making sure that the workers of sevs can work safely and legally
325.	The licencing system should, without a doubt, work in collaboration with the workers at the SEVs and listen to their needs in terms of making the venue a safe place to work. Any restrictions should be as minimal as possible.
326.	The number of jobs that will be lost with closing venues as well as the president it sets for women's rights.
327.	The protection of workers in SEVs is paramount. They provide a service and should not be left at greater risk for doing so, any more than shop workers or bus drivers should be.
328.	Quite simply Jobs. Employment is a near struggle in Edinburgh for anyone without decent qualifications. Some of these workers are out there funding education. Starting up business with there pay packet and are paying taxes on these earnings.
329.	That licensing shouldn't be used as means to simply remove lapdancing/strip clubs on a nimbyism basis. They are an active part of the city and whilst not appreciated by all that shouldn't be a basis to set the limit at zero, even within the city centre nightclub/social scene. They provide a venue with safety mechanisms & protection (security staff) for women to earn money. It is not in the workers best interests to be forced into unregulated and unprotected work (similar to the shut down of massage parlours)

330.	That these type of businesses offer a livelihood to their employees and attract consumers to the areas that they operate in and are therefore good for the local economies.
331.	Sex work is real work and this decision needs to be made on the premise of that. Stop treating these venues as seedy underworld places, so long as the workers are happy and safe then their lives shouldn't be dictated by upperclass old men. #saveastripper
332.	Please consider what will happen to the women who currently work in these clubs if they close. Sex work IS A JOB, like any other job. Many of these women are paying themselves through university, have families to support and other such responsibilities. If their places of work are forced to close, they will either lose their jobs or wind up going underground where their rights are not protected as they currently are.
333.	To make sure alcohol licence laws are upheld and any noise control issues.
334.	If you license then drive women out of employment not only is it a step backwards for women's rights it is also going to do nothing but drive SEVs underground where there will be zero protection. All you'll manage is to raise unemployment and violence against women.
335.	I think if there is going to be a license, please listen to the workers in these businesses. Sex work is work. Please look to Minnesota where the council recently adopted a policy that looks to ending worker exploitation.
336.	SEV's should be unionised and regulated by the workers themselves, who know the inner workings of the venues better than anyone.
337.	As I have mentioned, I believe that the safety of workers in SEVs should be the priority in this consultation. Sexual entertainment e.g. lap dancing, pole dancing etc is not going to go away and it is far better to acknowledge and celebrate it than force people out of a job/force dancers to work in more exploitative venues that may not be properly equipment with cameras etc.
338.	See last comment. Don't limit number of clubs but if clubs need a licence, perhaps one of the conditions should be proof that girls are looked after, as in not expected to pay exorbitant house fees or fined for silly things. Currently they're self employed but not protected financially or paid for holiday's or sickness etc.
339.	Just common sense. After all, the livelihoods of those working within the SEV's should be considered.
340.	Consult the dancers on what would make the working conditions of strip clubs better. Base a licence on looking after the staff. Ask those who are directly affected.
341.	The council's priority should be the health and safety of those working in SEV. Therefore no license going against that should be adopted. Strip Clubs need to remain safe spaces for the dancers.
342.	I think there should be clear principles in place to ensure the Council does not seek to pass moral judgement on the nature of these establishments. It is not clear to me whether there is clear evidence to support the need for additional licensing of this area, beyond a highly controversial and far from universal moral objection to this kind of entertainment. Before extending their licensing powers, the Council should seek clear evidence of what the unique problems faced by the workers in this industry are (if there are any) and the licensing rules should not extend beyond providing protective factors for these issues.
343.	The impact of said regulations on the lives and ability to earn a living of the sex workers who operate in SEVs should be the first and foremost consideration.

344.	I believe that there should not be an artificial limit set, this should be based on demand. If the businesses cannot make enough money they will close and this will set a natural limit.
345.	<p>At Scot-PEP we don't believe that restricting the number of SEVs will achieve the aims of either containing or eliminating the sexual entertainment industry. In our experience, if the number of licensed venues is reduced, unlicensed alternatives will step in.</p> <p>Unlicensed premises are unlikely to be fitted with adequate CCTV cameras or have security guards trained to deal with or even recognise a sexual assault on a performer, and so the performers will be more vulnerable to stalking, sexual harassment and assault, with no access to support, justice or redress. There will be no authority to oversee the health and safety procedures in unlicensed premises, and the performers will be at higher risk of injury with no sick pay as there are no ways to enforce employment standards in establishments operating outside the law.</p> <p>We are also concerned that the reduction in SEVs may force those performers in more precarious circumstances into sex work when there are no other venues where they can be employed. We sincerely hope that the number of SEVs in Edinburgh remains un-capped and no performer has to lose their livelihood, especially in the current unstable economy.</p> <p>And finally, should SEV licensing be introduced, we want to ensure that the Licensing Authority maintains impartiality and SEV licenses aren't revoked, nor license applications rejected, on spurious moral grounds.</p>
346.	The fact that it will just push these facilities underground , leading to dangerous situations for workers.
347.	Consider the number of people whose income relies on this industry in your decision to limit numbers of clubs. Perhaps provide incentives for clubs to have unionised workers.
348.	Provide incentives to have unionised dancers, or providing employment and wages for dancers.
349.	They should consider the rights and livelihoods of the performers and legislate accordingly. Putting women out of secure and regulated employment serves no one.
350.	<p>Re opening this consultation, as wording of questions is poor and leading, and answers for multiple choice/preferences are misspelled.</p> <p>This seems like a consultation written by people who have already made decisions.</p> <p>It will be a shame for Edinburgh to create burdens and extra hard operating conditions for legitimate businesses. Licensing is censorship, and who is policing those issuing the licences</p> <p>My other thought is as a regular organiser of events, my experience of the CEC licensing department is not one that would inspire confidence in giving them a larger work roll. Experience and knowledge of licensing has ebbed out of the department which is now inadequately resourced to conduct its existing functions.</p>

## Appendix 6 – Would you like to make any further comment about these proposals?

Written Responses	
1.	The sex industry is exploitative and demeaning by its very nature. The Council should not be involved in licensing it and aiding and abetting it but should however try to crack down on human trafficking and assist drug dependant people to leave prostitution by providing rehabilitation services. Prostitution is not the free choice of a free person. The city of Amsterdam found out that having licensed brothels did not stamp out underground activity or exploitation of vulnerable individuals. All it did was tarnish the reputation of the city.
2.	Don't do it! Leave it alone. There's no evidence it's needed.
3.	I wouldn't want to ban such venues. They serve a purpose and where do you stop banning places?? Allow with reasonable controls.
4.	It's unacceptable to have such buildings in Edinburgh where so many children walk on the streets! Not conducive to a family oriented city!
5.	In 2019 there is no place for these venues in a society which should respect women
6.	These venues do not attract trouble and provide valuable otherwise unavailable income to workers. We live in a progressive society - let the market decide and stay out of it.
7.	I do not think these sort of premises should exist in this day and age. there is grave concern over whether the women in these premises are being exploited, used and abused. They should be given support to get out of that life before licensing is even considered.
8.	If there is a clear link between crime and these premises then this should be published.
9.	As a family man residing and working in edinburgh I find these establishments appalling. On the home side of things I shouldn't have to explain to my little girl why there are "nipples" on a shop front window when we walk to sainsburys for some groceries and I shouldn't have to drive her to school past them every morning either. On the work side of things, it looks extremely bad when I bring external clients to the office on Earl Grey street and find it extremely embarrassing when they have to travel passed some of these establishments when walking from Edinburgh Waverly Station to Earl Grey street. I think its regrettable that this survey stops short of addressing a complete ban on these establishments within Edinburgh.
10.	No SEVs anywhere, at all
11.	This is a ridiculous waste of tax payers money, which could be better spent elsewhere. Let the legitimate businesses continue to provide the services they provide and spend our money on more worthwhile causes. Stop trying to criminalise this.
12.	Further powers are not necessary and are a first step to remove such premises. There is a market need / desire for such premises. They are also lucrative for their staff and the safest type of venue for the adult entertainment industry to operate in
13.	Ban all SEVs, they are a blight on our city and degrade men and women.
14.	The principle of allowing such venues in suitable areas is not a problem in itself so long as they are well regulated and staff are protected from abuse. As

	with any licensed premise, the license should be seen as a something that should be justified and hard earned as opposed to being a formality.
15.	Sexual entertainment has been a feature of human society for thousands of years and is likely to remain so. It is important to keep the industry in the public domain where it can be monitored, regulated and policed. Any aggressive official action to "crack down" on SEVs would only drive them underground and failure to recognise the industry and manage it would be equally disastrous, in my view.
16.	It is 2019. Edinburgh is an international city. These venues attract tourism
17.	Just shut them down it may encourage people to take up healthier occupations & pastimes. Make the exploitation of people (customers & employees) abhorrent & criminalise the people who run these places.
18.	I am not condoning these establishments but I think there are more important issues to worry about. I would like to know who is the main driving force behind these proposals. We live in difficult times and there needs to be a balanced view from all sides. I appreciate this public consultation, I feel I can speak freely on this without criticism from some areas of society which drive our mindset at the moment.
19.	Ban religious venues.
20.	It seems ridiculous that these proposals are being considered. I don't visit lap-dancing bars but have lived and worked near three for the past two years and never experienced or witnessed any problems with them whatsoever. It sounds like the worst kind of prudish moralising to target these businesses above and beyond any other kind of bar or venue.
21.	Sex venues will exist whether people like it or not. If they're banned, they won't disappear but move to underground venues
22.	Edinburgh is a big stag night venue and it would be a shame to prevent this tourism trade. Therefore I do believe that there should be at least one or two venues for this entertainment.
23.	You should not be taking any more control over how the businesses of the City work. You are already strangling it with your absurd proposals regarding parking and the like.
24.	My preference is strongly in favour of the local authority regulating these businesses, with the wish that the council approves none of them in Edinburgh or the vicinity. These businesses are predominantly about using female bodies for the sexual gratification of males. In a society where we continue to strive for equality between the sexes, my concern is that allowing and enabling this inequality to persist would effectively undermine any progress made in this area over recent months and years.
25.	I would like to see a city free from venues offering sexual services. I hope that the Council also consider the brothels, which are masquerading as saunas and massage parlours, and close down these venues.
26.	Doesn't seem to be a big issue so not sure there is a need to licence.
27.	I think you should find a way of applying the same framework to sex saunas and massage parlours
28.	Great idea to consult the public.
29.	What do the experts advise, I'm guessing business like this will exist whether regulated or not and it is likely in the interest of the employees for this to be regulated.
30.	Nanny state interference has no place in modern society

31.	Those applying should demonstrate how the SEV contributes to community wellbeing and how they will ensure the welfare of staff and customers.
32.	All licenses must be considered. Permission should be granted only if worker conditions/rights are up to the standard of other entertainment venues.
33.	I think there should be zero tolerance towards SEVs. They objectify and demean women.
34.	This isn't the 1800s, the sexual revolution was over 50 years ago and you lot of moralising aresholes need to fuck off.
35.	Don't be over zealous, there are far more problematic bars and clubs in the city. However they repeatedly get issued their licence and granted extensions. SEV will be good to have some control but ultimately these establishments when run legally and properly cause much less disturbances, violence, injury and ASB than the likes of Three Sisters, Subway, Cavendish, Hive
36.	I am all for sexual entertainment venues, if licensed and operated in a safe and correct manner, whereby the safety is key not only to staff but customers. I agree they may not be suitable everywhere, and that within a given area a limit on the number of venues is OK, but I don't think a zero limit ban is needed if they operate as stated above.
37.	All such commercial premises reinforce and uphold damaging attitudes to women and those attitudes perpetuate a male sense of entitlement to women's bodies and violence against women, so I do not accept that any licenses should be granted for such businesses.
38.	It's a very difficult area but, overall, I think that people should be free to work in such establishments - assuming their free-will, and that people should be free to visit them, assuming that they act properly both inside and outside the premises. In the case of a dispute, the onus should be on withdrawing the license.
39.	SEV's should be implemented. But by the same token Lap Dancing clubs are a liability and a embarrassment to Edinburgh. Use the SEV's to phase out Lap Dancing clubs gradually.
40.	The Council should go one step further and should introduce a licence but with a view to phasing out lap-dancing clubs in Edinburgh within the next five years. For as long as men can buy women's bodies, women will not have equality. These clubs are outdated and are an embarrassment in a family orientated tourist city. But the answer is not to push them outside the city to hide the issue. Be bold, Edinburgh - show how progressive you are, and put an end to lap-dancing clubs within greater Edinburgh.
41.	Take the powers and use them to stamp out this kind of misogynistic activity in our city.
42.	Great idea
43.	These type of establishments are totally unacceptable in this day and age
44.	Ideally we should have none of these venues. They exploit women.
45.	The commodification of women's bodies is inherently misogynistic and should have no place in modern Edinburgh, which should aspire to equality. Lap dancing clubs foster verbal, physical and sexual abuse of women and are linked to prostitution. Legitimising lap dancing is fundamentally incompatible with Equally Safe, the Scottish Government's strategy to eliminate violence against women, which includes commercial sexual exploitation.
46.	Stop prosecuting sex workers.

47.	The city could do with cracking down on money laundering. Not adding more shady establishments.
48.	Lap dancing in Edinburgh is not like on tv nor what you are being told by club owners. 90% of the women that work there are self employed. They pay no tax or national insurance and some even still claim benefits. They have no future taxation's to fall on or pension payments. I have worked in every club in Edinburgh some have even closed for good now. It is a huge tourist spot during on. Season for stag and the fringe festival but it needs to be regulated to help the women more. No one is trafficked in to work on any these places but they aren't being cared for if anything happens in the clubs - as I mentioned you are self employed and working illegally (not declaring tax) so the owners use this against the girls to the % they "earn" there is no safety net for those clubs that have quiet nights with 15+ girls working the same shift there isn't enough customers and the women lose money (this has been from personal experience)
49.	Prefer these places to be banned but if, as I imagine the council ignores people with these wishes then they should be monitored and licenced.
50.	I do not agree with the existence of these premises, but if they must exist they should be tightly controlled and operators need to be made responsible for all aspects of public nuisance associated with them
51.	Think this survey is very badly worded and totally geared for the results you want .
52.	I feel strongly that adult entertainment venues have always been part of society and always will be. Licensing needs to be aimed at protecting the community in which the business is located, however it also needs to consider the business, workers and clients.
53.	Don't change these venues for the sake of it or because of a few stubborn complaints. It's people's livelihoods and for older single men in the community it's a place for them. Don't be ignorant to the fact that people have different tastes in what they do for pleasure. The world shouldn't be coming down so hard on nightlife and pleasure. The music scene is under enough pressure as it is. If you remove one thing or restrict it. Your opening your world up to a greater black market
54.	I have concern about people trafficking into the sex industry & I would hope liscened premises would help this not too happen.
55.	There definitely needs to be a limit on the number of these premises, the difference in the Lothian Road area since many of these shut down and have been replaced by cafes etc is great and a huge improvement
56.	Thank you for considering my views.
57.	No advantage to Edinburgh in having such establishments.
58.	Do regulate this industry. Do cut down on the numbers of venues. Move any licensed venues out of the city centre, away from Lothian Road, the Grassmarket, Toll ross and the Pubic Triangle.
59.	This shuts down Edinburgh's drag night, variety nights with burlesque performers, this would impact and affect the Fringe by preventing burlesque performers performing and limit venues and destroy variety shows. It limits male and female freedom of expression, causes unnecessary distress on emotional and financial levels and limits entertainments hosted by nightclubs, such as Edinburgh staples like The Rabbit Hole and The Freakeasy Cabaret. Don't do it, leave it alone. It's unnecessary regulation for safe and empowering activity.



60.	Ban them all
61.	These clubs are not needed in 21st century Scotland. Scotland does not need this type of business to promote tourism and development. In general, there is no benefit to the local or general community where these establishments are located.
62.	These shouldn't be allowed in this day and age, you might try and say it's all regulated but the type of man that these places attract only leads to violence/rape to women
63.	This is an outdated form of entertainment, established solely for men. Surely its time to move on, and b a city which respects women, instead of licensing establishments which demean and exploit them. An alternative approach could be to licence like for like, establishments for men and for women. That would soon test the appetite of the public for these.
64.	Any of these clubs degrade women and are not needed in a city which embraces equality and respect for women.
65.	Seriously, talk to sex workers. Talk to dancers. Do not do anything without their explicit agreement and approval. Put their voices first.
66.	I have always been shocked by the lap dancing clubs in Edinburgh. They seem extremely seedy and many times walking home from work in the west end I have felt quite unsafe with groups of men who are heading to those clubs on Lothian road. Not even late but just evening time. I would be glad to see those clubs shut down!
67.	Edinburgh needs good shopping, entertainment and music venue opportunities. Shopping for sex is not what Edinburgh needs. but no doubt the current council will continue to make bad decisions allowing shop premises to be used by undesirable trades, including those 'general stores' known for dealing drugs so please license your bad decisions and give Edinburgh a chance.
68.	I find it astounding that Edinburgh council has ever allowed these places to exist in their current form as it stands.
69.	I think control is required - but given this "consultation" I do not trust the integrity of the council to do this control. I feel ashamed that I live in a great Capital with a history of science and statistics - and this junk is sent to the public. To my mind the next section of question breaches survey ethics in a big way and I think this opens the council to serious threats of litigation. Stop the consultation now.
70.	In Edinburgh, there are currently no issues or concerns and these proposed licenses do not appear to serve any purpose other than to endorse needless censorship. Edinburgh has always been far more accomodating in terms of SEV than Glasgow and that should remain the case. The safety of staff and ensuring that they have chosen to work in this field and noone is being coerced is, of court, of paramount importance. As far as I am aware, there is currently no concern regarding employees choice to work in SEV.
71.	Edinburgh City Council should employ these powers to rid the city of an outdated form of entertainment which is so clearly linked with the objectification of women, social deprivation and antisocial behaviour.
72.	Ideally, these venues should be banned, as they objectify women and make the world less safe for us. They are also open to links with criminal activity including human trafficking. They make the vulnerable more vulnerable.
73.	I think that any form of sex work is exploitation and degrading to all women. Therefore I would ike Edinburgh Council to ban all such clubs and venues. I

	find the premises around the Art School area offensive. I do however think that as long as these places exist every possible step should be taken to protect the women involved.
74.	Leave them alone, best 18th present my son had lol. Go sort out the poor street sex workers .
75.	Please limit the abuse of workers in the industry, but do not remove the choice of people to take part. Empowerment not exploitation. Do not allow the "moral minority" to disempower those who choose to work in this industry
76.	Instead of licencing sex establishments, Edinburgh Council should be closing them down, and helping the women into other jobs. Edinburgh Council should not be acting as a pimp AND should not be so naive as to not realise how they provide fronts for prostitution, usually reluctant, therefore rape, drug dealing and low rent organised crime. There in no glamour involved in this so called industry just humiliation and misery. For every story of a student lap dancing to pay her way through University, and finding it 'fun' and 'empowering' (that word again), there are 50 more of East Europeans who thought they were coming here to work in hospitality and now have be 'repay' their 'travel costs ' . Why does the council not talk to the Police and Social Services and see how they view such places...Why does the council not fact find on a Friday or Saturday night when Edinburgh is embarrassed by these places and their patrons. How are women ever going to be respected as human beings, when one has to pass these places in major areas of the city, when doing something as innocuous as going to the cinema....
77.	Move them out city centres.
78.	Using and exploiting women as sex toys is unacceptable. Licensing might at least, perhaps, prevent the worst forms of exploitation and sex trafficking. However, the council should work with other agencies to develop a culture which condemns this use of women as simply bodies!
79.	Though I feel that the venues should be very strictly controlled, I feel that they perform a necessary role. Prohibition could lead to other problems, potentially leading to less safety within the city.
80.	These venues are one of the main contributing factors of the packs of men roaming the streets in stag parties.
81.	Stop acting like Nazis and trying to control everything
82.	These establishments, despite how they are often thought of, offer an important stepping stone for the development of bonding of many types: from group social to business; from personal development to overcoming damaging inhibitions and therefore urge that regulation considers this. I do think in general that entertainment staff are well treated and largely enjoy what they do but having a formal welfare monitoring programme would help to ensure this is the case.
83.	Edinburgh council needs to take into consideration that, many people who are homeless rely on sex work to earn money and I believe they need a safe place to work and if you take that away, then the problem of illegal prostitution will rise again and we will be back to square 1. In Amsterdam they regularly have businesses in the red light district and workers are highly protected by security and by the authorities and they are constantly trying to improve safety. Rape has gone down because of those businesses and crime has gone down because of those businesses and security protect them also.

84.	Prefer city did not have any lap dancing, sexual events venues. If council has power then should use it.
85.	As a woman, for years I have felt nervous for my personal safety about walking past such businesses especially when it's darker . Why should half our population have to endure this feeling in the 21st century ? these establishments perpetuate old fashioned attitudes towards females.
86.	Better educate children about sex instead of a taboo subject then clubs won't be seen as vulgar places to go
87.	Why did the City of Edinburgh think that what Edinburgh needed was sex tourism and drunk groups from England and elsewhere. It demeans the whole city, but is perhaps consistent with the creation of a rubbish version of Edinburgh for tourists.
88.	Coming to Edinburgh for Stag Dos is fun but limiting venues or closing them down would see many of my friends and myself looking elsewhere to take our tourist pounds.
89.	It would be great if these clubs etc didnt exist bit they always have and probably always will. If they are pushed off the city cente then the risks of thoeae working there are higher. If licensing protecta the rights better then fair enough. If thoeae who work there are not claiming illegal bebefita and arw paying taxes etc and thier employers are also paying NI contributions etc then i cant see a problem.
90.	The councils first and foremost priority in Edinburgh should be to protect the vulnerable and not to to protect peoples rights of their own personal pleasures. These venues may employ those who choose to provide these services but it is clearly proven and known that these venues have people who are trafficked or forced to work against their will. It is therefore more important that the council do all they can to protect the vulnerable who are exploited.
91.	Do not take into consideration any feedback of a religious nature.
92.	I would prefer we didn't have such venues in Edinburgh at all, however I recognise that if they are going to exist anyway then controlling the working conditions and environment is beneficial. I would be concerned if by licensing the number of venues increases. The key thing for me if that women are not subject to lewd behaviour and unwanted attention in the vicinity of such establishments, by not locating them in what should be safe public spaces and that young people are not exposed to them in their day to day.
93.	These establishments drag down an otherwise amazing city. Tourists and locals will still go out and enjoy themselves without offering services against the will of the most vulnerable and invisible people in society.
94.	Please use your moral compasses to question this trade properly- why does it exist in the first place?
95.	I feel the council needs to protect above all the vulnerable. It is widely known that individuals who work in these venues are exploited and Trafficked The council should therefore protect these individuals and not encourage this exploitation. I am aware and appreciate that there are individuals who choose to work in these venues and provide these services. However the protection of individuals who do not make this choice but forced to work should be paramount. By being in a position to license these venues but then not give licenses gives the the police the authority to close them down as they would then be operating without a license.
96.	Let people live and earn a living! Make sure working conditions are safe for ALL employees, don't close them and send them underground!!

97.	Public consultation is nothing if you don't consult affected parties.
98.	Objectification of people is wrong but I appreciate that removing these venues altogether will drive it underground and lead to vulnerable people being exploited. Licensing and minimising the number of venues would hugely help to stop the normalisation of objectification and exploitation.
99.	The same way Scotland leads the way in alcohol regulation without having to "remove all alcohol", Scotland should lead the way in sexual entertainment and drugs control without making it a moral issue.
100.	The alternative is a regime of unlicensed venues - with costs associated with closing them down, risks to the employees and clients. In general, it is better for all involved for SEVs to be accepted than forced underground.
101.	Please put an end to these crass and unpleasant places.
102.	I am glad you are consulting. The existence of these clubs is a disgrace. Several exist in the streets near the Usher Hall and are located in the ground floors of residential tenement buildings. This is vile and indefensible.
103.	Please do not permit SEVs.
104.	They are eminently sensible and desirable.
105.	I disagree with these clubs whether lap dancing or saunas being allowed to operate in Edinburgh but rather than these places disappear off the radar, CEC should license them with conditions: A guarantee of sex workers' health and safety Only given a licence if there is a fixed address and a telephone landline Background checks on the owner(s) to ensure there is no involvement in human trafficking Minimum age of all staff should be 21 yrs.
106.	SEVs exist for the sexual gratification of men. there should be no place in the 21st century for this type of "entertainment". I strongly believe that the council should adopt the proposed licensing system and set the number of licences at zero.
107.	Have male council members lap dance naked for a week be sexualised and see how they cope with out a council funded salary! In Morningside or in the Grange area!
108.	If, for some bizarre reason, this does not go ahead, priority ought to go to ensuring women involved in this industry are protected.
109.	Research has proven that harassment of ordinary women increases in areas where these venues are. Women and girls are entitled to feel safe and comfortable going about their daily lives.
110.	I don't believe that SEV's should be reduced to zero - this may drive them underground. I do believe they should be constrained to a small location and licensed.
111.	That you are even proposing this shows you up as misogynistic sex offenders.
112.	I understand the reasons for this legislation and would suggest the council avoids a knee jerk reaction. I know from having long conversations with people working in an SEV they are aware of the job. It serves a purpose for them e.g. while studying. I tend to find these are articulate and highly intelligent people and I did lose a lot of preconceptions. I would also propose that these preconceptions can also drive assumptions. I've never heard of, or experienced, anyone working in an SEV doing anything that would cross any lines into anything that is illegal. While news reporting has taken place on raids of massage parlours and saunas this has not to my knowledge taken place in an SEV.

	<p>There is more protection in the SEV than some bars or in the areas this consultation does not cover (again sauna and massage parlours) or the proliferation of stag/hen parties. I'd suggest that this protection is considered as part of licensing although again it does exist as an SEV is still a business and failing to protect staff would cause them to fail. In fact I'd also posit that there is a stronger team spirit in the SEV I visit than other organisations. While there are locations where SEV are more overt I'd also suggest that, as a city, we encourage advertising during festival times for similar services and call it art.</p> <p>Groups tend to visit an SEV for a limited period of time so they're more migratory. The status quo locations tend to be en route making trouble less frequent. I've noticed trouble from groups that don't enter (had no intention of doing so either as going for food) than those who were.</p>
113.	Don't think a City like Edinburgh should have any - Bath doesn't, that are obvious, and it seems to manage OK
114.	It is a capitalist society, if there is a demand there then there must be supply.
115.	I feel we should be supporting young vulnerable women not exploiting them sexually
116.	Edinburgh is almost uniquely placed to bring in huge income to the city from visitors and permanent residents. You should not ignore the lives of permanent council tax payers rights to protection from excess disturbance, and equally valuable tourists not put off by tawdry stag night and laddish outlets, that generate little income to the city yet cause considerable disturbance, public urination and distress to residents, families and visitors. Such venues should be located out of town with casinos etc for dedicated areas in non residential areas.
117.	You could take a stand and ban all of them - that would be socially progressive.
118.	Edinburgh has so much to offer in terms of entertainment, arts and culture. I don't believe SEVs add to what Edinburgh has to offer. I don't want Edinburgh to be known as a place to go to because they have relaxed licensing laws and many SEVs.
119.	The risk is going to be that by licensing the facilities and maybe restricting the number of licenses available, they will be pushed underground and create some particularly unpleasant environments for people to work, and perhaps forced to work. Somehow you should look at ensuring the policing of unlicensed clubs
120.	Whilst I believe that these venues are undesirable and may have a negative impact on the perception of women I am no expert and would expect policy to be dictated by evidence. It could be dangerous to prohibit these places and force any practices underground where there could be more danger.
121.	The council should not endorse any kind of establishment that allows the sexual exploitation of women for entertainment and financial gain. It should be banned entirely. Women and girls have the right to feel safe. It is hard to feel safe anywhere that allows women to be treated as objects for men's sexual gratification. It also teaches men and boys that this behaviour is not only tolerated but encouraged.
122.	I don't think the Council should allow SEV's whether licensed or not.
123.	I would like to see this type of venue closed down.
124.	A limit of zero (if applied citywide) makes a mockery of licensing. It turns licensing into prohibition and would encourage illegal activities and increase risks for those employed.

125.	I believe that SEVs can be allowed but held to very high standards. I think that they should be kept within a small area that is known for housing these venues. I do not wish to see a proliferation of these venues. It is my understanding that the performers are often taken advantage of by the owners and operators of these venues. I think a city like Edinburgh should do everything in its power to enforce rules about fair business practices, safe working environments and care for vulnerable people.
126.	Its horrific that Ed Council tolerates commercial sexual exploitation in any form.
127.	SEVs AND OTHER BACKWARD AND ANACHRONISTIC ACTIVITIES SHOULD BE DONE AWAY WITH ONCE AND FOR ALL IT IS EASY TO DO IF THE WILL IS THERE
128.	I am all for measures that keep SEVs safe, but against any that threatens the livelihoods of those who have chosen to work there, whatever their situation might be.
129.	All the civic problems we have: traffic, litter, engine idling, pollution, social care, beggars on the street, lack of litter bins, parking...and we're discussing this?
130.	Let's not pretend this is for other than voyeuristic sexual titillation for mainly male audiences. Do owmen call for any of this sort of thing? Do we need these in an age where "#Me Too" is given prominence. Is this the ort of example Edinburgh wishes to set? The only obvious answer for places liek this is for them to be situated in places of late night entertainment, like some sort of sleazy Red Light Area or Pigalle area in Paris. Very "progressive " Scots policy (not) We have problems with -housing Litter Traffic Social Care Engine idling and pollution to name but a few. Why are we even bothering with this?
131.	Women are not commodities to be bought and sold and trafficked
132.	Please consult sex workers regarding all parts of this legislation.
133.	Sex work is work. The framing of several of these questions is stigmatizing, and not great. Please consult sex workers first.
134.	We all know what is hidden behind all theses questions. ECC are in danger of forcing sex workers into unsafe and dangerous situations.
135.	Please don't consider SEVS.!!!
136.	They should not be allowed at all.
137.	I see no justification for SEVs in this country.
138.	Demand Employment of staff
139.	Whilst there is a market for this type of club, most citizens do not want to witness it in operation. Certainly locate well away from residential areas.
140.	If it ain't broke don't fix it. Laissez faire.
141.	Restricting these venues will only lead to an environment where the employees are forced to work underground in unsafe conditions. NIMBYism cannot run our city.
142.	I live and work around West Port and as a neighbour I'm not under the impression that such clubs cause any issue in this area. I would strongly urge the council to consider only any material issues (e.g. working conditions) when

	applying these powers and not use them simply because a vocal minority might find them personally distasteful
143.	Please make these safe places for those employed in them. Some of these may be vulnerable women and some will be young (perhaps students).
144.	It is degrading and barbaric that we still have SEVs in 2019 when we have progressed so far in terms of equality and respect for human individuals.
145.	Over-regulation of sexual entertainment venues has the potential to do far more harm than good.
146.	Edinburgh is not currently overrun with SEVs. We do not need intervention because there is no problem. Prudish government licensing hurts sex workers by reducing their options, giving more power to a small set of owners.
147.	Cut the sleaze out of the city please, it's an awesome place to live but spoilt by a few bad eggs.
148.	I think it would be dangerous to reduce the number of SEV, as the customers will still want their entertainment, which would likely lead to an increase in violence, particularly towards women.
149.	Lap dancing / strip clubs aren't inherently bad and many women who work in the do so out of choice. Banning these premises outright would be as extreme an option to not licensing them at all. Limiting the number of venues and their location, prohibiting children's exposure to them is absolutely the correct course of action.
150.	It is not your right to choose what is moral.
151.	I disagree with the need for Sexual Entertainment Venues in principal as it can influence people to have unrealistic sexual attitudes towards others and offers a place for vulnerable people to be potentially exploited for the sexual and monetary gratification of a small section of society. It also offers an easy outlet for people traffickers to exploit others by forcing them into sex work through the venues. I have experience of working with the type of damaged and vulnerable people who often find themselves groomed into this type of work through exploitation. They often are women with poor Mental Health who were victims of childhood abuse.
152.	The council should be braver and just not grant licenses for SEVs.
153.	I strongly disagree with having any of these venues in Edinburgh
154.	As previously mentioned, I believe that Edinburgh should take a firm stance on these businesses and completely exclude them from the city altogether. They contribute to the objectification of women and girls and to rape culture and are demeaning and uncivilised.
155.	There are far more damaging businesses the council chooses not to limit - Bookmakers, Pubs, Smoke/Vape shops etc. The current main SEVs in Edinburgh are restricted to a small, well known part of town and cause minimal/no disruption or major complaints.
156.	Stop all venues that offer sexual entertainment and favours.
157.	For real, please don't forget to talk to the people who work in SEV'S!
158.	Ask people who work in those industries, work with them.
159.	You must make the conditions strict with very clear consequences to being broken including the option of withdrawing the license. But really, please bear in mind . The sex club business operated under a loophole under which residents could only complain if they were badly run rather than present at all. So many councils and residents have had long and horrible struggles with

	against e these clubs once the license are granted. You are re under no obligation at all to grant these licenses .
160.	I think SEVs have no place in the 21st century or in a modern Britain and strongly call upon the council to use its powers to remove them from Edinburgh City Centre. I live directly above one of the clubs (No 1 Baby Dolls) and have had continual issues with men frequently the clubs and then making derogatory and degrading comments as I enter my own flat. They are also loud at night, preventing a restful sleep.
161.	I think it is shameful that Edinburgh has turned a blind eye to sex work. The logic that i have read that it will take away a safe and valuable place of work for the dancers is flawed. This is not the issue here. How about a safe and secure place to live for the women and children that are in the vicinity of the clubs. There are tons of jobs in Scotland - you just need to look on the website Indeed.
162.	I BELIEVE IN ZERO TOLERANCE FOR THE SAKE OF A HEALTHY SOCIETY. ONE COUNCIL HAS TO SET AN EXAMPLE. THERE'S NO GOOD IN A SOFTLY SOFTLY APPROACH. SUCH DEMEANING BEHAVIOUR IS NO GOOD FOR THE FUTURE OF OUR PEOPLE. LOOK WHAT HAS HAPPENED WITH CLIMATE CHANGE AND RECYCLING TIME CREEPS UP ON PEOPLE AND BEFORE YOU KNOW IT ITS TOO LATE TO REDRESS THE BALANCE. WHERE HAS ALL OUR COMMON SENSE GONE?!?!
163.	This is the nanny state t work. Can see much worse on the tv or online.
164.	If somethings not broke, don't fix it
165.	Support city business... they sure as hell pay enough
166.	I would prefer that these places have more appropriate language in their signage. E.g. my young daughter and I passed one and she thought she should go in because it said "girls, girls, girls" on the sign. That description is also demeaning to women.
167.	the City of Edinburgh Council has a duty to eradicate violence against women and children, support prostitutes to exit sex work and condemn SEV's as venues which supports rape culture, not a popular choice, but the right one if women are to be safe. anything else is just lip service
168.	With the question about location of SEVs and if they should be near various places. I think this is challenging and depends what is meant by near. I don't think they should be directly next door or opposite a school for example but in such a dense and diverse city I think it would be dangerous to start limiting location too much.
169.	There are enough services online Do not need any more
170.	Do not issue licences. Use all powers to make life difficult for these businesses and get them to hell out of Edinburgh and Scotland. Women are not for sale!
171.	It seems like this consultation could go badly if you don't do it well. Look at the impact of the strip club scene at present. do some case studies.living adjacent to the strip clubs I have never had any problems. I know people that work in them. These small human details often get brushed over in things like this. Look at it from a economic and workplace angle - is it good? Okay, if not it's up to you to make it better. But I would consider strip clubs and sexual entertainment across the city a very low priority for the huge amount of daily issues the council faces. I understand it's been delegated from the government for you to decide. Ask the public, but if you want to do justice for these by harmless people, don't shut them down.



172.	Thanks for asking the people.
173.	Whilst some may find the licencing of such premises as distasteful they have operated in Edinburgh, as far as I am aware, without undue problems. Licensing them will give powers of entry (without warrant) to responsible bodies who can ensure appropriate standards for staff and patrons are maintained.
174.	A good policy decision
175.	Try and spend more time thinking about what 51% of the population would like instead of the 49%
176.	I feel lapdancing premises promotes the objectifying of women, and does nothing for equality. The clientele will be mainly men. What kind of message is that sending out to our community?
177.	We do not need SEVs in Edinburgh
178.	Please see my comment for question 11 above, for the question also
179.	Purchasing sex and sexual entertainment harms and degrades women and girls. No man has the right to sex or to a woman's body even if he is paying.
180.	Challenge the Demand. I have been assaulted by a man walking, early evening, in Edinburgh with a female friend-not far from Princes Street. Sexualisation of women, as if commodities to be bought & sold, is part of the Misogynistic culture which aids & abets this.
181.	Women are not commodities
182.	No but I would like to say I don't have a gender I have a sex female as Defined as a protected characteristic in law . Get it right
183.	I am fascinated that you ask my gender and not my sex at the end of this survey. If gender is how we're sorting males and females these days, would SEVs be in breach of employment regulations if they did not accept transwomen as lap dancers? If you're going to make it a requirement for me to answer a question on gender for a survey, then you should insist gender and not sex is a criteria for hiring in SEVs.
184.	Zero tolerance approach. These establishments are no good for women or the children who inevitably have to walk past them. Women need to be the priority not desperate needy men
185.	Be brave and say no.
186.	Please consider making Edinburgh a more welcoming place for women & children by banning such places from our beautiful city
187.	Said it. Women are people too. I fail to see how we can keep women safe if these sorts of places exist, but, I agree that licensing is at least a positive step.
188.	I feel these proposals are harmful to vulnerable minoroties and are removing workers choice. Sex work is real work and should be legalised and allowed as such.
189.	These places should not exist.
190.	I disagree with the sex industry and women's bodies being used as a commodity. Ideally the council should be taking a stand in line with violence against women policies.
191.	I don't have any issue with SEV's operating in the city. People have the right to earn a living as they see fit within the laws of the land. My concern is that the workers have the necessary protections and any others a licencing scheme could provide.
192.	Licences should be reviewed on a regular basis

193.	until proposals for new SEV is applied for the public reaction will indicate suitability its only common sense its a free country
194.	That no venues should be licensed as WOMENS BODIES ARE NOT COMMODITIES THAT CAN BE SOLD FOR THE BENEFIT OF MEN.
195.	these places employ a lot of people in a SAFE environment , most of the people attending are just out for a laugh on stag doo's etc
196.	I dont think these SEV should exist - at all. They normalise misogynistic attitudes to women, they are quite inappropriate in 2019 and the age of #me too, the behaviour they encourage in men who tend to visit these premises in groups, increases the likelihood of violence against women. Ban them please, entirely
197.	Do not ban SEVs.
198.	See answer to Question 10. I don't see the need to regulate these establishments.
199.	If you drive these places underground they will become more seedy and dangerous for the people likely to be working in them. There will always be a sex industry and I believe that it is better being in a controlled environment than a uncontrolled and lawless underground hidden environment. I also believe those employed in the sector should have the same rights as anyone else employed. Also if treated properly with respect and proper investment etc the sector could actually make money for the local authority.
200.	Yes. This council has an absolute cheek to look at spending any time on this. There are far more pressing issues with Edinburgh with businesses leaving the city left right and centre. Clubs and pubs closing. Restaurants closing in the town shops closing due to high rates and restrictions by this council. Clearly the strip bar owners need to pass some brown envelopes like developers do to get this dropped.
201.	I cannot say I have any enthusiasm for such establishments, but banning them would simply drive the activity underground and leave the dancers vulnerable to exploitation and even violence.
202.	I understand that licensing could be a way to stop them because you could provide zero licences and thereby make existing establishments illegal. That would be the only reason to do it and it feels a bit back handed and reversible.
203.	Edinburgh is an international city and attracts tourists from within the UK. There is a place in all cities for SEV venues, provided they operate responsibly. These powers to license should not be used as a means of 'moral' control over what free thinking and open minded adults undertake in the late night economy. Edinburgh has always been a liberal city and that great attribute should not be compromised.
204.	I don't think such premises need to be licensed, or have numbers limited; if new or existing venues don't have enough customers they will either close or change business.
205.	This is not a problem. I've lived in the city and surrounding area for years, if you don't like it don't go. Trouble can start in and club, pub . It's no worse in these places, in some ways it's more controlled as people just want to watch not argue. Consider other issues in the city. Or renewable energy options, taxes. Traffic routes. Your wasting time and money on something that isn't a problem and girls make a livelihood from.

206.	SEV are an industry that needs protection and regulation. By ensuring that SEV's are managed properly and governed then that will actually reduce the number of workers forced into the industry, although those who work in it to have protection (and also allow those who need the protection the ability to get help easier and without victimisation by the council / health services and police). By having proper licensing then the council can ensure that the workers rights and needs are met, the venues are managed as located in appropriate areas.
207.	Ideally should be no venues but in a real world it's probably safer to have them managed by the council than let the underworld manage them in hidden areas.
208.	I wasn't sure how to answer the "rural areas" question; I don't see that people who want these places should be penalised just because they live far from the city centres, but at the same time without knowing what you mean by a "rural area" - do you mean a town or village (in which case surely not allowing clubs in a 'residential area' automatically bans them) or do you mean a 'destination' in the middle of nowhere (own car-park, perhaps like some modern crematoria?). Also the "how many would you allow" question is impossible to answer for a "rural area". For a start you'd need to know the size of the area - I mean "Fife"? "The Borders"? "That field over there?" - and population and whether people can travel easily and ...
209.	I am a resident of High Riggs where a number of these premises exist leading to disorder vomiting and urination in the streets and late night noise and disruption. These premises should be closed as this area now comprises a number of family tourist hotels and does not present a good image for tourism in Edinburgh.
210.	I think that licencing SEVs is a great step in making strip clubs safer for everyone employed.
211.	Please limit the number of SEVs. They make the local area look cheap & tacky (limiting regeneration and is off putting to tourists, commercial or otherwise).
212.	No one knows the industry better than the people WORKING IN IT. Give them the power to decide what's best. Most of us have no real clue on this
213.	as per question 10 I think the issue of working conditions/licensing issue relating to SUVs is all well and good if it is to improve facilities for staff and local people ..... BUT what would be valuable research is- WHY women are working in these environments in the first place? WHAT are Their personal/economic reasons AND how this relates to the local/national/international eco-political climate.... Ultimately the local council's role should involve providing and supporting services to identify, support and offer training/work opportunities for WOMEN INTO WORK.....
214.	The licensing may provide a source of additional income for the Council that could be used towards environmental improvements, help for people that are homeless/ rough sleeping etc
215.	if prostitution is just work then why do Edinburgh city council not just run their own premises for sexual entertainments, then maybe the women who have housing or council tax debt could pay it off in house win-win eh.
216.	In the question about what limits there should be, I selected 'no limit' for all because I feel like the number and positioning of these venues has much more to do with demand and economics than anything else, and I don't know enough about that to offer any worthwhile estimate.

217.	We should have these venues but they <b>MUST</b> be actively controlled.
218.	I do not see the existing arrangements in Edinburgh as problematic, so feel that any work and associated costs on this topic by the council is not the best use of resources
219.	There's clearly a market for this type of entertainment. Not unlike other busy cities. I fear that either too restrictive a licensing regime or none at all might force these clubs to operate illegally. Content with licensing if there's a particular problem or issue that only licensing can resolve.
220.	I wish we didn't have to licence - but as it's a safer way forward, let's not be coy and make it a hidden practice.
221.	Tidy the industry up and make it less visible. The city should be for all to enjoy including children. Those that want to go will go no matter where they are situated...so get them out of the city centre
222.	Proper regulation is a ongoing issue for liquor food sex or cars
223.	I'm sure this proposal has been made with the best of intentions but the very idea that Edinburgh should be licensing and therefore encouraging this kind of abuse is totally contrary to everything that the Council would want the city to stand for. These businesses facilitate and encourage the abuse of women, they should not be allowed anywhere in the city. Licensing gives a veneer of respectability to practices that we should abhor and prohibit. They don't make things safer for women overall.
224.	I believe that such places can only increase sexism and exploitation of vulnerable people, as well as causing distress and disruption to other people. That is why I would like a limit of zero such places to be set.
225.	This is a fantastic opportunity for Edinburgh Council to change the reputation that Edinburgh has gained of being an easy place to exploit women. Edinburgh has the opportunity to become known for its great festivals and amazing beauty without exploiting vulnerable women.
226.	Pleased that there is a consultation but you should have made it easier to respond that these venues should be banned completely. That would be a strong view of many citizens if they knew about this consultation. And you have confused gender with sex in the following questions. You can't identify as female or male. These are facts and women are getting increasingly angry at the destruction of our rights and protections that have followed the adoption of the stupid idea that men can be women and dictate what is acceptable to women
227.	The entire tone of this is puritanical. I don't at all like the venues along with many things I might not like. Yet, if a venue conducts its business in a private and doesn't cause unseasonable disruption to neighbouring properties, it is none of my business, I find it disturbing that we should want to regulate this. This contrasts to on-street activity which the Council insists it does not want to regulate, e.g., 12+ hours of continuous amplified busking every day in August is a real disruption to residents, not just based on moralising nonsense.
228.	If this turns into a witchhunt against these venues then they will remain but to the detriment of all involved regardless of how many people are arrested for it, there is no point in forcing these venues underground except to increase the number of people involved in lots of illegal things simultaneously and to help fund illegal operations (which don't pay license fees or taxes or anything else they can get away with (which, being illegal enterprises, might be anything at all - cf human traffickers) e.g. wages) and so even if SEVs are legal and run by those putting money in the hands of illegal operations they would provide

	much less profit and money to those illegal operations and risk their own legal status... it is better for SEVs to be part of law abiding society even if that society is not happy with the prospect because the no being law abiding is much worse than the SEVs themselves.
229.	why in 2019 do you think we should permit/encourage such establishments?
230.	It's 2019 not the dark ages if a pub or nightclub can operate in a particular area then the same should apply to a adult venue.... After all isn't a nightclub considered a adult venue ( where more often than not the patrons are underage)
231.	I am an exotic dancer working currently in Glasgow and Edinburgh. I am also strongly feminist and focused on many social justice issues. If the council were to shut down any of the lapdancing clubs for reasons other than law breaking they would be placing the lives of the dancers in jeopardy. Many of the dancers rely on their jobs to feed themselves, their children and families. As well as those who are using dancing as a stepping stone to further their careers and education. Strip clubs are what you make of them, for the majority of girls who work it provides them with opportunities they otherwise would not have. Please do consider the dancers when making this decision. Strip clubs do not perpetrate violence against women, oppression of their right to choose is violence against women. Thank you.
232.	Misogyny should never be legitimised
233.	Ask the workers in this industry before taking any action against their profession. Ask the dancers, security, managers, owners and customers beforehand. They deserve a say as much as everyone else.
234.	The licensing of more than 0 such places is a breach of the City Council's commitment to equalities, human rights, and social justice.
235.	I am in favour of measures that make operating these businesses unprofitable or at least more difficult
236.	I would ask the council adopt a common sense approach to this consultation and not base there outcomes on moral values . Regardless of personal view there is a demand for these establishments and the council should be progressive in their approach and consider how other countries have managed this situation and establishments.
237.	Mainstream shops such as Ann summers or other sexy shops should be named immediately and all shops even showing women in underwear or swimwear should also be made to remove those displays
238.	I believe EDINBURGH Council should I invest in more Funding in support for sex workers and understand that this kind of work is the result of in many cases no other option for work for women in vulnerable circumstances, and help them support themselves and their families in other ways.
239.	I would rather that they were not permitted. Leys see separate ones with male workers for women.
240.	Essential that proper oversight to ensure not a cover for trafficking etc
241.	safety safety safety and also respect for the workers!
242.	I believe that there is a place for SEVs. I live at High Riggs and the SEVs located in the area appear to be well controlled and seem to have little spillover effect on the immediate area.
243.	Edinburgh would be a better, safer and happier city without any such establishments but if the Council believes they are necessary then please can they be few in number, discreet and away from family areas.

244.	I don't know enough about the current venues to comment on what is on offer or the risks to workforce or customers. These would be my concerns, whilst not advocating repression ( because 1920s prohibition only led to further alcohol consumption!)
245.	Residential areas and areas which accommodate families should not be subjected to the visual impact of SEV's. It should not be obvious in any way what is going on - so neon lights, lurid names of the venue etc....
246.	These clubs are already well regulated and stewarded under the current regime. A further layer of licensing is not required.
247.	Strip clubs are a major attraction for Edinburgh and brings a lot of tourism in the form of stag nights, etc. They should never be forced out of business. Any licencing put in place should be fair to make sure that the workers and treated as fairly as possible and consulted in relation to what the SEVs mean.
248.	Will the location of these venues be available to local residents in advance of licences being approved?
249.	It is sad that these establishments have to exist but better they be regulated than not. It is also regrettable that saunas, nail bars are not inspected where there may be people working under duress that escape the net.
250.	This is hundreds of women's livelihoods and they do it with consent and choice. They should not be ever made to feel that their work is distasteful or wrong.
251.	Stop policing women's bodies!!! This is there work the same as any other occupation. Strippers have already voiced their opinions now listen. These liscences have the potential to create unsafe working conditions for the women by pushing it underground. -#askthe700
252.	Talk to the workers get their points of vie instead of just assuming that they are forced to work there. Lors of them live their job Remember to assume makes an ass outta you and me TALK TO THE STAFF THEY ARE THE ONES THAT WORK THERE
253.	The voices of actual sex workers are most important here
254.	They are a joke
255.	Don't listen to SWERFs Also your first question is worded ambiguously. "to license" could imply "to adopt this limiting legislation" or "to grant licenses" which have opposite meanings in this context But you knew that
256.	I believe that people should be given the freedom to do what they like with there own bodies and that there shouldn't be a cultural taboo on discussing things of a sexual nature.
257.	Close them down to make Edinburgh a decent, safe, welcoming place for women and girls. I do not mind being consulted further on this, I worked as a social worker for 20 years.
258.	SEV licensing law under the Policing & Crime Act 2009 has done nothing for dancers anywhere in the UK, as evidenced by the research paper "Flexible Workers" by Dr. Teela Sanders and Kate Hardy at University of Leeds, pub. 2010. They described the SEV proposals as "empty shell" policy - claiming to protect women, while failing to protect the women at the centre of the industry... the workers. Statistics claiming that lapdancing clubs increase violence in the local area are highly unreliable and have been debunked many times. In 2002, Eaves

	<p>Housing published the 'Lilith Report on Lapdancing and Striptease in the London Borough of Camden', which claimed a causal link between the arrival of lapdancing and a suggested increase in rates of sexual violence in the local area. It claimed that between 1999 and 2002 instances of rape were higher than the national average. However by 2013 Dr. Brooke Magnanti had discredited the research, revealing how the statistics had been taken out of context. The report failed to take into account the size of the population in the borough, which was also higher than the national average. There were also London Boroughs with higher rape statistics which had very few lapdancing clubs (Islington) or none at all (Lambeth). Maganti also pointed out that instances of rape in Camden had actually decreased consistently over a ten year period, meaning the sample size chosen did not reflect an accurate reading of the statistics.</p> <p>Despite this, statistics such as the Camden "research" continue to be flung around in the press and by the public, without ever being properly interrogated. We have a duty of care to the women at the heart of the industry, many of whom are indeed the most vulnerable women in society, to recognise their self-determination and support their efforts to organise for their employment rights to be observed, but closing down clubs will not allow us to affect the changes we wish to make. Since 2018 strippers in the UK have started working with trade unions UVW and GMB to demand their workers rights and begin rebuilding a culture of respect and dignity within the clubs. Shutting down strip clubs is not a win for feminism. Criminalising the sex industry is not a win for feminism. Making workers more precarious and driving their jobs into the underground, unregulated gig economy where it is a lot harder to establish workers rights, is not a win for feminism.</p>
259.	womens safety and workers rights are extremely important to me please decriminalise sex work
260.	<p>Closing down these establishments would put hundreds of people out of jobs- not just the dancers but the bar staff, door stewards, cleaners &amp; owners. Some of the women in desperate situations would be forced into prostitution- there is a massive difference between a lap dancer &amp; a prostitute. Strip coins would go underground putting the dancers safety at risk.</p> <p>It would also affect the economy as the "pubic triangle" is a massive hot spot for stag groups from all around the world.</p>
261.	<p>SEV's may not be to everyone taste. However, many of the girls are studying, have families and can only work those hours, enjoying the sex industry and are genuine people who want to work there.</p> <p>They do not work there against there will, are not forced to do what they do not want to do.</p> <p>Not only this, many "stag" parties, birthday trips and holiday makers frequent these establishments. Therefore other bars will also take a hit in the closing of the establishments.</p>
262.	<p>I have been in the industry a long time and every few years our industry is put under threat by new laws and regulations when we just want to get on with our job which causes so much worry. The whole time new laws and conditions arose there has never been anything in favour of the women in the industry. Please just let us do our jobs which is not illegal and it is our own bodies.</p>
263.	Just leave them alone.
264.	Strip clubs are generally well run and cause little trouble. The women that work there do so at their own free will. Its a personal choice to work there just its a member of the publics choice to visit or not.

265.	The council should consider the relationship between commercial sexual exploitation, of which this is a form, and its role in perpetuating gender inequality and violence against women. While I agree that if these establishments are to continue to operate they should be licenced and regulated, it is my belief that the continued existence of sexual entertainment venues and the general acceptance of SE as a normal activity represents a challenge to the delivery of Scottish Government Policy on eradicating violence against women and girls. It is my view that they should be closed down.
266.	It's only fair that everyone who could be affected by loss of livelihood is consulted
267.	Spending time and money on something that doesn't need council time or money. Focus council funds and attention to things that really matter
268.	The current system works well and despite Police Scotlands denial the Council sub committees and police in years gone by did turn a Nelsonian eye to SEV's and to Saunas because as matter of fact they significantly reduced illegal on street activities and provided a safe working environment for those who wish to work in and to use such facilities. Anyone who caused problems in one premises found they could not use any of the others. The Clubs tend to run with a very low profile and do not, I believe, cause issues for the localities in which they are situated.
269.	I would cautiously welcome the proposals for the Council to regulate lap-dancing by means of licensing. (May I ask what idiot devised Q9? And why in the Overview to this questionnaire was it stated that '[a]doption of the powers to license SEVs does not imply approval of these types of premises by the Council?' This is a most unhelpful statement.)
270.	Further helpful information is also included on the Health Scotland website <a href="http://www.healthscotland.scot/health-topics/gender-based-violence/gender-based-violence-overview/overview-of-gender-based-violence">http://www.healthscotland.scot/health-topics/gender-based-violence/gender-based-violence-overview/overview-of-gender-based-violence</a> Including a leaflet for health workers looking to understand commercial sexual exploitation here: <a href="http://www.healthscotland.scot/health-topics/gender-based-violence/commercial-sexual-exploitation">http://www.healthscotland.scot/health-topics/gender-based-violence/commercial-sexual-exploitation</a> We commend these resources to the Council and hope they are included or referenced in any subsequent policy on SEVs.
271.	The council should consider this. The less control you have over an industry that has so many grey areas as this one does. The more control you place in the hands of criminals. Keep control, keep it safe, benefit from the taxation. Learn from European cities like Amsterdam. That city hasn't descended into chaos due to their lax rules of the SEV industry.
272.	The basic law should be - if everyone who is involved in this sort of buisness practice is happy and willing participant and no participants believe they are being harmed - then there is no need to interfere . I believe strongly that to many "crusaders" groups project that those involved are "harming themselves" and don't listen to the opinions of those who are actively enjoying the experience/work as they are dismissed as "not knowing they are being harmed". All too often in this world the moral crusaders tell us all how we should live our lives even if what people do is not harming anyone. If they are that worried lets them be, but it is not for them to judge is it not - leave it to which ever god they worship to make the decision and not to interfere with everyone else.



273.	<p>We recommend putting the welfare (including employment potential and earnings) of dancers and their access to legal protections and representation as the basis for this process.</p> <p>UVW representatives stands ready to provide further evidence to the committee on behalf of Edinburgh based members.</p>
274.	<p>Please consult more with those actually employed within the industry, with those who have done studies on their experiences and their feelings on the matter.</p> <p>Please do not allow hard working individuals, who may be supporting families, who are paying their taxes and bringing money into the community, to lose their livelihoods because it is an industry that others find pearl-clutchingly distasteful. True feminism is inclusive, not judgemental.</p> <p>Please review the #AskThe700 campaign for further links &amp; information from those working directly in the industry.</p>
275.	<p>Lap dancing and strip clubs are viewed as commercial sexual exploitation by The Scottish Government in its "Equally Safe" strategy. Commercial sexual exploitation is a form of violence against women. The Council needs to take this on board and move towards eradicating strip clubs.</p> <p>SEVs provide a shop front for commercial sexual exploitation. They rely on and perpetuate the imbalance of power between men and women. While dancers earn some money from working there, it is the owners and operators that make the most money out of it.</p> <p>Licensing can improve the safety of workers within such premises, but cannot eradicate the risk of violence against women. As long as we allow commercial sexual exploitation on our high streets, we are feeding the demand that puts women at risk.</p> <p>The ultimate objective, for the Council and society as a whole, must be to achieve a country where women are indeed equally safe.</p>
276.	<p>I think the most powerful message that the council can give is to respect what dancers themselves want from their industry, through trade union representation. UVW union is currently conducting nationwide research about how dancers see the future of their industry and what club working practices are detrimental to them, this should be the basis for any change on how clubs operate - we know our industry best. Every dancer I know has chosen to go into this industry, we are not coerced and our jobs support our families, help us pay for education, help us set up businesses and this is how we choose to live our lives. Any desire to take this away from us without our consent is unconscionable and unfeminist.</p>
277.	<p>There are so few SEVs currently in Edinburgh surely it is easy enough to consult them and the "700" Sev workers and the clientelle to get an informed idea of what the best way to proceed would be. I suspect the main thing that is missing is employees rights. I fear that licensing would prevent any "good" Sevs being able to start up.</p> <p>I have on occasion, alone and with my wife, visited Sevs and feel that they have a very valid place in our social landscape. I have spoken with many "dancers" and bar staff and clientelle and am not aware of any criminal or negative elements any more than in any other industry. I have witnessed less abled people in wheelchairs getting huge pleasure that they would get nowhere else and the "dancers" being incredibly considerate and caring, appreciating fully the therapeutic care they are offering</p>
278.	<p>People who work in SEVs have the bodily autonomy to choose to do this job, paternalism if the state does not help.</p>

279.	Changing the way in which such establishments currently operate will endanger women, physically and economically.
280.	I feel the only reason the council is interested in these powers is to kill the SEV sector. Probably due to misguided moralising. Feminism should be about choice.
281.	Changing the way SEVs are run is unfair and unneeded. Many people have been within the industry for years and potentially changing the working hours can massively impact a person/family. Limiting the amount of SEVs within an area is also unnecessary.
282.	Licensed locations should be regularly reviewed and monitored since sex exploitation is possible at such venues.
283.	I believe regulating sevs at the expense of workers who would lose jobs as the result of such regulations would be misplaced effort and instead the venues need to be made safe to work in
284.	Why would any Council or Government want to take away or restrict employment within industries that actually pay?
285.	There already exists more than adequate legislation to address the issues that the council claims to be concerned about. So, as far as I can see, all this talk about licencing is either (a) just another cynical revenue-raising scheme for the council or (b) a desire to pander to the "sex is evil" brigade. There is only so much demand for such places of entertainment so there isn't even any need to limit their numbers. We don't pay the council to dream up grandiose schemes and administer totally unnecessary licensing schemes. Concentrate on the day job, please and thank you.
286.	I strongly disagree with any licensing proposals
287.	I don't feel that there is a need to reduce the number of this type of business but make sure that they are operating to a set of rules acceptable to both the businesses and those who are overseeing them.
288.	It would be anti-feminist to make any attempts to shut down all sevs. I recommend consulting the entertainers themselves over any changes as well as the owners of sevs.
289.	Sex work is work, protect the workplaces of our strippers!
290.	Please do not set the number of SEV licenses to "nil." Please recognise the workers & give them a seat at the table if drafting an SEV policy. These are legitimate jobs. We must end the stigma for this working women. If an Sexual Venue Licence policy is drafted, please do not waste further time & tax payers money investigating the appropriate locations for clubs.
291.	Closing down/imposing harsher regulations on SEV's will only put dancers in a more precarious position and in many cases lead them to rely on forms of sex work they would not otherwise choose to engage in. If the government really wants to ensure SEV's are a safe environment, they should be working with the workers to achieve that.
292.	Sex work is legitimate work and women's and men's bodies should not be viewed as immoral or abhorant. Nor should people performing be seen as degrading themselves or stigmatised.
293.	I am a former stripper. I used to dance at a long-standing strip club in London. Part of the reason I left was the fact that I was not paid a proper wage and house fees and fines meant that I often left with nothing. I enjoyed the work

	<p>and it was the safest workplace I had ever worked in. I wish the stigma of sexual entertainment would not cloud people's judgement when it comes to SEVs. Studies have shown that they DO NOT increase sexual violence and many other dancers agree that when run properly, they are fun and safe workplaces.</p> <p>I would like this consultation to improve working conditions in SEVs, primarily for dancers but also DJs and bar staff too! We all deserve good working conditions regardless of how socially acceptable our job is.</p>
294.	<p>Lap dancing has been integral to Edinburgh night life for many years and it contributes to our fun party student and stagdo atmosphere which generates income for a lot of people. I've never heard of any violence or social problems because of this so I vote for no limitations on clubs at all. In fact they should be allowed to stay open to later than bars, give them a 3am licence!</p>
295.	<p>Licensing should be based on providing a safe and pleasant place of work. Please consult the dancers</p>
296.	<p>In a sexually progressive world, this consultation is not required. Perhaps spend some time looking at the disgusting violence towards animals in fox hunting or grouse shooting.</p> <p>Sex workers are workers. (I'm a nurse, not a sex worker, just to be clear of demographic that supports women)</p>
297.	<p>I feel very strongly that it is not the Council's place to provide any sort of moral judgement or censorship on legal commercial activities without evidence those activities are harmful. Whether someone agrees with these venues or not is an individual moral choice, as it is an individual moral choice for the people who work in them. Those who are morally opposed should not dictate the terms of an industry they have no connection to or desire to engage with. This should be for the people who work there to decide.</p>
298.	<p>As someone who has performed as a stripper and burlesque performer myself I believe that it's a misunderstood industry. Performing to provide sexual entertainment is empowering, liberating and creative. I have performed in churches, hospital social clubs sports venues etc. The venue is irrelevant if there is an 18+ age limit (which there would be by law). These venues are perfect entertainment venues as they are unused in the evenings and hiring out the spaces can provide much needed funding for the venues. The decision to host as a SEV should be made by the venue not the council in my opinion.</p>
299.	<p>We believe the welfare and livelihood of Edinburgh SEV performers, as well as other people employed in SEVs, such as cleaning staff and bartenders, should be considered paramount in regards to any changes to the current situation. Please make them the focus of your review and let them be part of your decision making.</p>
300.	<p>As SEVs already exist. Have the many years ago will no doubt continue to do so, it is better that they are legal and that the people who work there are protected</p>
301.	<p>Many people believe that dancing is sexist and oppressive, however many people rely on the income from this industry and their lives have been very much improved by it. By simply closing strip clubs, men will not become less sexist, they will simply turn to internet porn, cam sites or even more worryingly they will just hire dancers independently where dancers will be much less safe. Lap dancing clubs have cameras and bouncers providing protection to the dancers and are already safe for us.</p>

302.	Listen to the performers. Consider their rights and the ongoing impact. They have made this choice, they welcome legislation and unionisation. Do not punish them.
303.	Dont do it, you'll end up recieving multiple applications in inappropriate places and stirring up unnecessary local vitriol and damaging communities. Tge existing venue (4) which are already struggling businesses will close and their legitimate skilled and qualified dancers (vulnerable women and family providers) will be forced to work in illegal and less safe environments as has happened in London, and was documented by radio 4's womans hour recently.

## Appendix 7 - Proposed timeline



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# Regulatory Committee

9.30am, Monday, 21 October 2019

## Repairs to Privately Rented Property – Results of Consultation on Support for Tenants Referring Landlords to a Tribunal

Item number	
Executive/routine	
Wards	Citywide
Council Commitments	

### 1. Recommendations

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- 1.1 The Regulatory Committee is asked to:
  - 1.1.1 Note the contents of this report and the outcome of the consultation;
  - 1.1.2 Agree to continue the current approach supporting private tenants to make application to the First Tier Tribunal for Scotland (Housing and Property Chamber) to ensure that landlords repair and maintain accommodation to minimum physical standards; and
  - 1.1.3 Agree the draft policy (Appendix 1), detailing the service offered by the Council to tenants seeking to use the Housing and Property Chamber in respect of the repairing standard.

**Paul Lawrence**

Executive Director of Place

Contact: Andrew Mitchell, Regulatory Services Manager

E-mail: [andrew.mitchell@edinburgh.gov.uk](mailto:andrew.mitchell@edinburgh.gov.uk) | Tel: 0131 529 4208

## Repairs to Privately Rented Property – Results of Consultation on Support for Tenants Referring Landlords to a Tribunal

### 2. Executive Summary

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- 2.1 This report provides an update on a consultation agreed by the committee on 20 May 2019 with respect to the current support provided to tenants applying to the Tribunal to require improvement works.
- 2.2 The consultation has been completed and the results suggest general support for the current Council practice.
- 2.3 The draft Policy attached at Appendix 1 details the approach taken by the Council - supporting tenants making an application to the Housing and Property Tribunal..

### 3. Background

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- 3.1 The City of Edinburgh has the largest Private Rented Housing (PRH) sector in Scotland, with over 43,000 registered private landlords.
- 3.2 PRH landlords have a duty to ensure that their let property meets the 'Repairing Standard'. The repairing standard duty includes a duty to make good any damage caused by carrying out works whilst complying with the duty. A house meets the repairing standard if:
  - 3.2.1 it is wind and watertight and in all other respects reasonably fit for human habitation
  - 3.2.2 the structure and exterior of the house (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order
  - 3.2.3 the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order
  - 3.2.4 any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order



- 3.2.5 any furnishings provided by the landlord under the tenancy are capable of being used safely for the purpose for which they are designed
- 3.2.6 the house has satisfactory provision for detecting fires and for giving warning in the event of fire or suspected fire, and
- 3.2.7 the house has satisfactory provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health
- 3.2.8 the house meets the tolerable standard
- 3.3 If a tenant believes that a rented house does not meet that standard, they can make an application to the First Tier Tribunal for Scotland (Housing and Property Chamber) to decide if the landlord is complying. The tribunal can order a landlord to carry out repairs.
- 3.4 The Housing (Scotland) Act 2014 amended the Repairing Standard legislation to allow the local authority to make such an application, with or without the consent of the tenant.
- 3.5 At present the City of Edinburgh Council does not make applications on behalf of tenants but encourages them to apply to the Housing and Property Chamber directly. Exceptions may be made where the tenant is vulnerable and requires support. Currently basic advice is given to support tenants to make their own applications to the Tribunal. No policy underpins this practice at present.
- 3.6 The draft policy will be supported by the continuing use of the available enforcement powers. Landlords must be fit and proper. Let property must be of the required standard upon inspection.

#### **4. Main report**

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- 4.1 As directed by the committee at its meeting on 20 May 2019, a consultation on the proposed changes was published on the Council's Consultation Hub between 10 June and 18 July 2019 (Appendix 2).
- 4.2 A summary of results is attached at Appendix 3, and respondents' further comments are attached at Appendices 4 and 5. There were 25 responses in total.
- 4.3 80% of respondents either agreed or strongly agreed that the Council should refer matters to the tribunal on behalf of tenants who might require additional support. 12% disagreed or strongly disagreed.
- 4.4 Respondents were asked whether the Council should make referrals to the tribunal on behalf of any other groups of people. There were 12 responses to this question and these are attached at Appendix 4.
- 4.5 Respondents were asked whether they would like to make any further comment about how the Council supports tenants to refer landlords to the Housing and Property Chamber. There were eight responses to this question and these are attached at Appendix 5.

- 4.6 Having reviewed the comments, the Directorate proposes that the current approach is maintained. The Council is not resourced to routinely take applications to the tribunal on behalf of tenants and will not normally make applications on behalf of private tenants but will encourage them to apply to the Housing and Property Chamber directly. Basic advice will continue to be provided to empower and support tenants to make their own applications to the Tribunal.
- 4.7 In exceptional circumstances the Council may provide additional assistance where there is reason to support a tenant. A tenant may be classed as requiring additional support if they are in need of special care or protection because of age, disability or risk of abuse or neglect. This approach is detailed in the draft policy set out in Appendix 1. This policy will be implemented if approved by the committee.

## **5. Next Steps**

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- 5.1 If agreed, the draft policy detailing these arrangements will be displayed on the Council website and publicised more widely. Appropriate partners such as Shelter, and local Citizens Advice Bureaux will be informed of this approach along with all identified internal and external providers of housing advice.
- 5.2 Guidance material detailing the policy will be produced and circulated to partners and other advice providers.
- 5.3 Relevant Council Officers will be trained in the new policy.

## **6. Financial impact**

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- 6.1 The proposed policy will continue current practice and is therefore unlikely to have any impact on service provision or generate any significant financial impact.

## **7. Stakeholder/Community Impact**

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- 7.1 The development of policy in respect of the regulation of the Private Rented Housing Sector is part of the wider place-making role for the Council. It is considered that the proposed policy is consistent with all the strategic aims of the Council.
- 7.2 Matters described in this report have no impact on equalities or environmental issues. The draft policy is intended to support individuals and groups who have protected characteristic under the Equality Act 2010.

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

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- 8.1 [Private Rented Housing Sector Enforcement Activities report](#) to Regulatory Committee on 20 May 2019

8.2 Housing and Property Chamber – [Repairing Standard](#)

## **9. Appendices**

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- 9.1 Appendix 1 – Draft policy on Council support for tenants at the First Tier Tribunal for Scotland (Housing and Property Chamber)
- 9.2 Appendix 2 - Consultation
- 9.3 Appendix 3 - Summary of consultation results
- 9.4 Appendix 4 – Respondents’ Comments
- 9.5 Appendix 5 – Respondents’ Comments

## Appendix 1

### Draft policy on Council support for tenants at the First Tier Tribunal for Scotland (Housing and Property Chamber)

#### **The City of Edinburgh Council support for private tenants' complaints regarding landlord's failure to repair or maintain let property.**

The City of Edinburgh Council has powers and responsibilities to ensure basic standards for accommodation provided by landlords in the Private Rented Housing sector

The Housing (Scotland) Act 2006, details the legal and contractual obligations of private landlords to ensure that let property meets a minimum physical standard known as The Repairing Standard. In simple terms housing is required to be fit for human habitation, with adequate services and installations all in proper working order.

Landlords have a duty to repair and maintain let property throughout the tenancy. They must complete any necessary works within a reasonable time of becoming aware of any defect.

Further guidance and information on the repairing standard –

<https://www.housingandpropertychamber.scot/>

Where a tenant believes that a rented property does not meet that standard and the landlord is not prepared to repair or maintain the property, the tenant may apply to the First Tier Tribunal for Scotland (Housing and Property Chamber) the 'tribunal', to decide if the landlord is complying. If not, the tribunal can order the landlord to carry out the necessary repairs.

The City of Edinburgh Council does not normally make applications to the tribunal on behalf of private tenants other than in exceptional circumstances where tenants might require additional support. A tenant may be considered to require additional support if they need special care or protection because of, for example:

- age
- disability
- risk of abuse or neglect.
- individuals and groups who have protected characteristics under the Equality Act 2010.

The Council encourages tenants to make applications to apply to the tribunal directly and offers basic advice on how to do so. Tenants seeking further advice should call Licensing on 0131 529 4042.

Alternatively, tenants can contact;

Shelter, [shelter.org.uk](http://shelter.org.uk) 0808 800 4444 or,

Citizens Advice, [citizensadviceedinburgh.org.uk](http://citizensadviceedinburgh.org.uk) 0131 510 5510

# Repairs to Privately Rented Property

## Overview

This consultation asks whether the Council should exercise a specific statutory power in support of tenants of privately rented properties by referring landlords to a tribunal, if the property does not meet the required standard.

## Why we are consulting

At its meeting on 20 May 2019 the Regulatory Committee was presented with a report which proposed to consult interested parties on whether the Council should take applications to the Housing and Property Chamber ('the tribunal') on behalf of tenants. The Council has not previously exercised this power.

It is proposed that tenants would normally be expected to make applications to the tribunal themselves, but that the Council would provide additional assistance where there is a reason to support a tenant.

## Introduction

We want to know what you think about whether the Council should support some tenants to make referrals to the tribunal if a landlord fails to meet the Repairing Standards.

## Which tenants might require additional support?

A tenant may be classed as requiring additional support if they are in need of special care or protection because of age, disability or risk of abuse or neglect.

### 1 What is your name?

Name

**2 What is your email address?**

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

Email

**3 What is your business or organisation (if applicable)?**

More about you

**4 What is your ethnic group? (Choose ONE section from A to E, then tick ONE box which best describes your ethnic group or background)**

**A) WHITE**

*Please select only one item*

- Scottish    Other British    Irish    Gypsy / Traveller    Polish  
 Other white ethnic group, please write in

**B) MIXED OR MULTIPLE ETHNIC GROUP**

*Please select only one item*

- Any mixed or multiple ethnic groups, please write in

**C) ASIAN, ASIAN SCOTTISH OR ASIAN BRITISH**

*Please select only one item*

- Pakistani, Pakistani Scottish or Pakistani British  
 Indian, Indian Scottish or Indian British  
 Bangladeshi, Bangladeshi Scottish or Bangladeshi British  
 Chinese, Chinese Scottish or Chinese British    Other, please write in

**D) AFRICAN, CARIBBEAN OR BLACK**

*Please select only one item*

- African, African Scottish or African British  
 Caribbean, Caribbean Scottish or Caribbean British  
 Black, Black Scottish or Black British    Other, please write in

**E) OTHER ETHNIC GROUP**

*Please select only one item*

- Arab    Other, please write in

**5 What is your sexual orientation?**

Please select only one item

- Heterosexual / straight  Gay / Lesbian  Bisexual  Other

**6 What is your age?**

Please select only one item

- Under 16  16 - 24  25 - 34  35 - 44  45 - 54  55 - 64  
 65 - 74  75 and over

**7 How would you describe your national identity? (Please tick all that apply)**

Please select all that apply

- Scottish  English  Welsh  Northern Irish  British  
 Other, please write in

**8 What is your gender?**

Please select only one item

- Male  Female  Other Gender Identity

**9 What religion, religious denomination or body do you belong to?**

Please select only one item

- None  Church of Scotland  Roman Catholic  Other Christian  
 Muslim  Buddhist  Sikh  Jewish  Hindu  Pagan  
 Another religion (please specify)

**Questions**



## Related Information

The City of Edinburgh Council has powers and responsibilities to maintain basic standards for accommodation provided in the Private Rented Housing sector.

One way that the Council can do this is using the 'Repairing Standard'.

A house meets the Repairing Standard if it is "fit for human habitation, with adequate services and installations all in proper working order".

If a tenant, or the Council, believes that a rented house does not meet the Repairing Standard, an application can be made to a tribunal (the **Housing and Property Chamber**), for a decision on whether or not the landlord has complied with the duty to meet the Repairing Standard.

That tribunal can then order the landlord to carry out the necessary repairs.

At present the Council will not generally make such applications on behalf of tenants, but will give a tenant advice on how to make their own application.

In exceptional circumstances the Council will make an application, but only where the tenant is considered vulnerable and the Council thinks that it is appropriate to do so.

### Further information on the Repairing Standard

<<https://www.housingandpropertychamber.scot/repairs/repairs-faq>>

## 10 Do you agree that the Council should refer matters to the tribunal on behalf of tenants who might require additional support?

*Please select only one item*

- Strongly agree    Agree    Neither agree nor disagree    Disagree  
 Strongly disagree

**11** If you think the Council should make referrals to the tribunal on behalf of any other groups of people, please tell us who and why.

Any further comments?

Do you have any other comments or suggestions about how the Council helps tenants to refer to the tribunal (the Housing and Property Chamber)?

**12** Would you like to make any further comment about how the Council supports tenants to refer landlords to the Housing and Property Chamber?

Please give us your comments.

## Appendix 3 – Summary of online consultation results



EDINBURGH  
THE CITY OF EDINBURGH COUNCIL

Consult  
Edin

### Repairs to Privately Rented Property: Summary report

This report was created on Monday 22 July 2019 at 10:39.

The consultation ran from 10/06/2019 to 18/07/2019.

#### Contents

Question 1: What is your name?	1
Name	1
Question 2: What is your email address?	1
Email	1
Question 3: What is your business or organisation (if applicable)?	2
organisation	2
Question 4: What is your ethnic group? (Choose ONE section from A to E, then tick ONE box which best describes your ethnic group or background)	2
Ethnicity (A - White)	2
Other white ethnic group, please write in	2
Ethnicity (Mixed or multiple ethnic group)	2
Any mixed or multiple ethnic groups, please write in	2
Ethnicity (Asian, Asian Scottish, Asian British)	3
Other, please write in	3
Ethnicity (D - African, Caribbean or Black)	3
Other, please write in	3
Ethnicity (E - Other)	4
Other, please write in	4
Question 5: What is your sexual orientation?	4
Sexuality	4
Question 6: What is your age?	5
How old are you?	5
Question 7: How would you describe your national identity? (Please tick all that apply)	6
National Identity	6
Other, please write in	6
Question 8: What is your gender?	6
Gender	6
Question 9: What religion, religious denomination or body do you belong to?	7
Religion	7
Another religion (please specify)	7
Question 10: Do you agree that the Council should refer matters to the tribunal on behalf of tenants who might require additional support?	8
refer elderly/vulnerable tenants	8
Question 11: If you think the Council should make referrals to the tribunal on behalf of any other groups of people, please tell us who and why.	8
support for who else?	8
Question 12: Would you like to make any further comment about how the Council supports tenants to refer landlords to the Housing and Property Chamber?	8
Please give us your comments.	8

#### Question 1: What is your name?

##### *Name*

There were 21 responses to this part of the question.

#### Question 2: What is your email address?

##### *Email*

There were 18 responses to this part of the question.

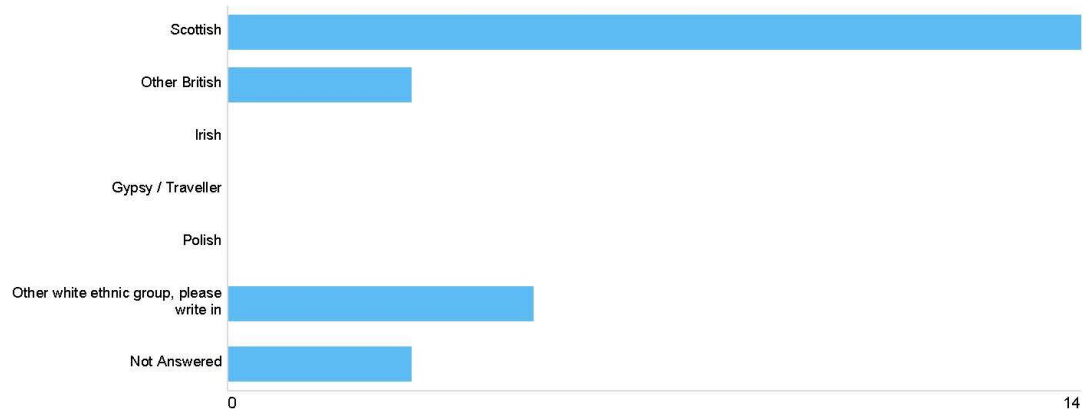
**Question 3: What is your business or organisation (if applicable)?**

*organisation*

There were 5 responses to this part of the question.

**Question 4: What is your ethnic group? (Choose ONE section from A to E, then tick ONE box which best describes your ethnic group or background)**

*Ethnicity (A - White)*



Option	Total	Percent
Scottish	14	56.00%
Other British	3	12.00%
Irish	0	0%
Gypsy / Traveller	0	0%
Polish	0	0%
Other white ethnic group, please write in	5	20.00%
Not Answered	3	12.00%

*Other white ethnic group, please write in*

There were 3 responses to this part of the question.

*Ethnicity (Mixed or multiple ethnic group)*



Option	Total	Percent
Any mixed or multiple ethnic groups, please write in	1	4.00%
Not Answered	24	96.00%

*Any mixed or multiple ethnic groups, please write in*

There was 1 response to this part of the question.

**Ethnicity (Asian, Asian Scottish, Asian British)**



Option	Total	Percent
Pakistani, Pakistani Scottish or Pakistani British	0	0%
Indian, Indian Scottish or Indian British	0	0%
Bangladeshi, Bangladeshi Scottish or Bangladeshi British	0	0%
Chinese, Chinese Scottish or Chinese British	0	0%
Other, please write in	1	4.00%
Not Answered	24	96.00%

**Other, please write in**

There was 1 response to this part of the question.

**Ethnicity (D - African, Caribbean or Black)**



Option	Total	Percent
African, African Scottish or African British	0	0%
Caribbean, Caribbean Scottish or Caribbean British	0	0%
Black, Black Scottish or Black British	0	0%
Other, please write in	1	4.00%
Not Answered	24	96.00%

**Other, please write in**

There was 1 response to this part of the question.

**Ethnicity (E - Other)**



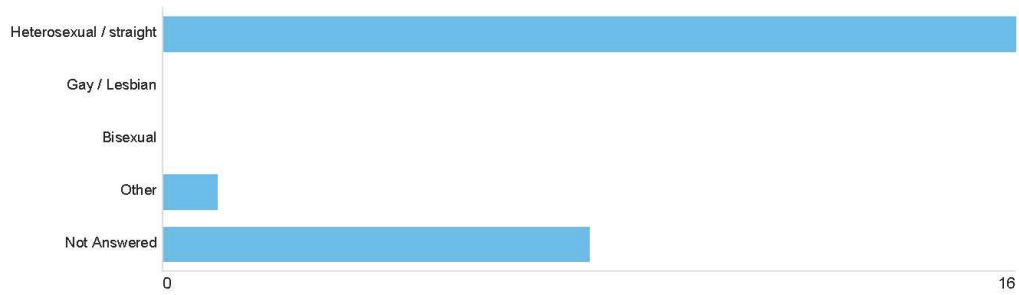
Option	Total	Percent
Arab	0	0%
Other, please write in	1	4.00%
Not Answered	24	96.00%

**Other, please write in**

There was 1 response to this part of the question.

**Question 5: What is your sexual orientation?**

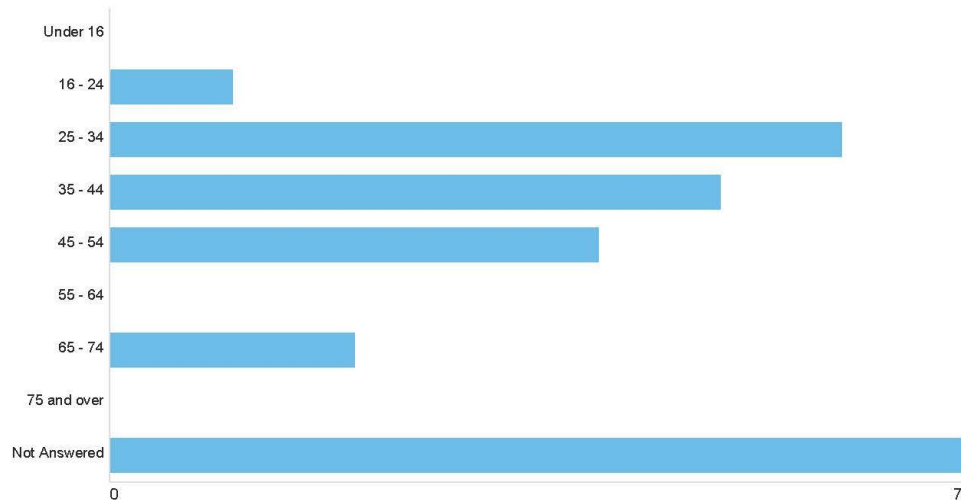
**Sexuality**



Option	Total	Percent
Heterosexual / straight	16	64.00%
Gay / Lesbian	0	0%
Bisexual	0	0%
Other	1	4.00%
Not Answered	8	32.00%

**Question 6: What is your age?**

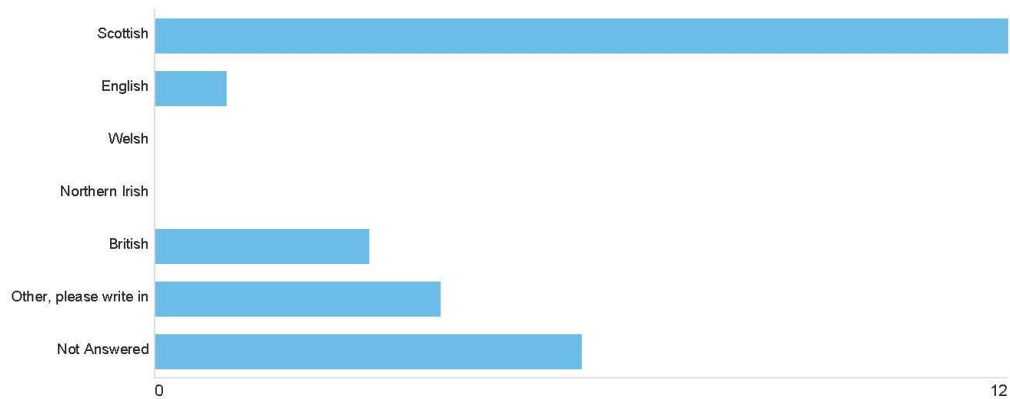
*How old are you?*



Option	Total	Percent
Under 16	0	0%
16 - 24	1	4.00%
25 - 34	6	24.00%
35 - 44	5	20.00%
45 - 54	4	16.00%
55 - 64	0	0%
65 - 74	2	8.00%
75 and over	0	0%
Not Answered	7	28.00%

**Question 7: How would you describe your national identity? (Please tick all that apply)**

*National Identity*



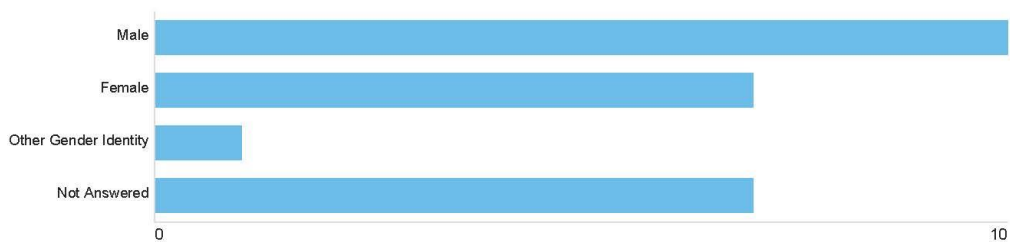
Option	Total	Percent
Scottish	12	48.00%
English	1	4.00%
Welsh	0	0%
Northern Irish	0	0%
British	3	12.00%
Other, please write in	4	16.00%
Not Answered	6	24.00%

*Other, please write in*

There were 3 responses to this part of the question.

**Question 8: What is your gender?**

*Gender*

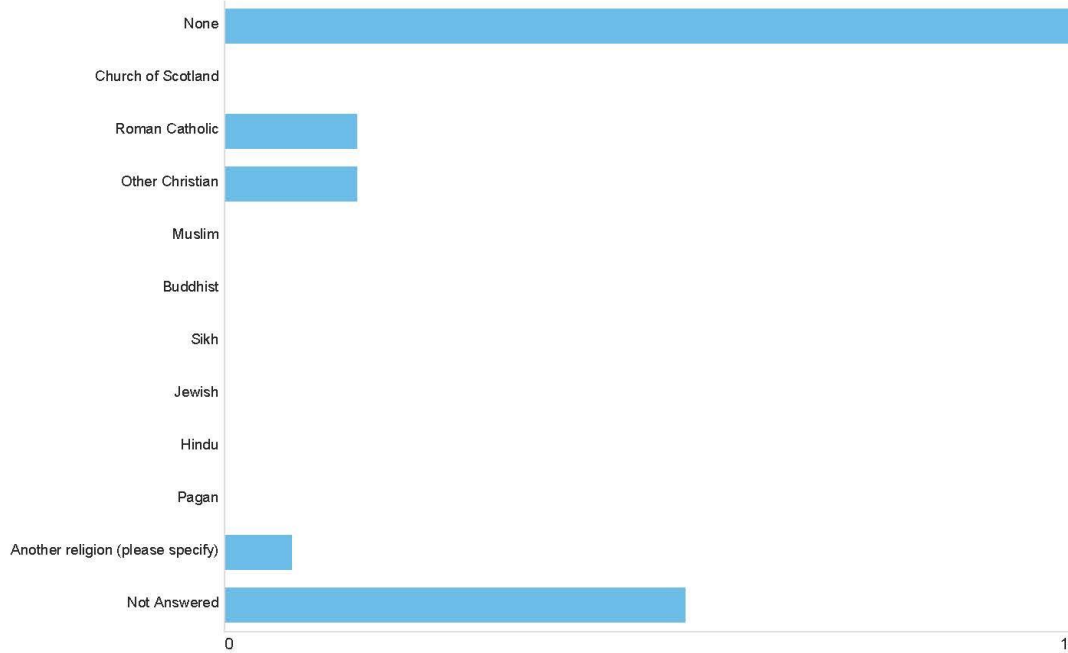




Option	Total	Percent
Male	10	40.00%
Female	7	28.00%
Other Gender Identity	1	4.00%
Not Answered	7	28.00%

**Question 9: What religion, religious denomination or body do you belong to?**

*Religion*



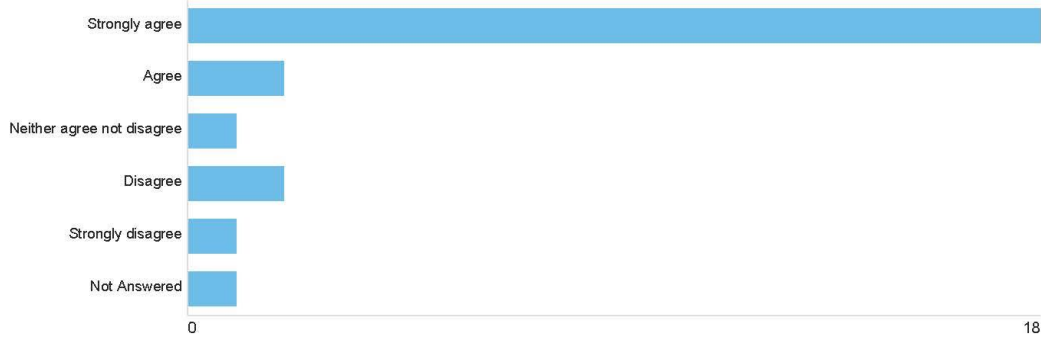
Option	Total	Percent
None	13	52.00%
Church of Scotland	0	0%
Roman Catholic	2	8.00%
Other Christian	2	8.00%
Muslim	0	0%
Buddhist	0	0%
Sikh	0	0%
Jewish	0	0%
Hindu	0	0%
Pagan	0	0%
Another religion (please specify)	1	4.00%
Not Answered	7	28.00%

*Another religion (please specify)*

There were 2 responses to this part of the question.

**Question 10: Do you agree that the Council should refer matters to the tribunal on behalf of tenants who might require additional support?**

*refer elderly/vulnerable tenants*



Option	Total	Percent
Strongly agree	18	72.00%
Agree	2	8.00%
Neither agree nor disagree	1	4.00%
Disagree	2	8.00%
Strongly disagree	1	4.00%
Not Answered	1	4.00%

**Question 11: If you think the Council should make referrals to the tribunal on behalf of any other groups of people, please tell us who and why.**

*support for who else?*

There were 12 responses to this part of the question.

**Question 12: Would you like to make any further comment about how the Council supports tenants to refer landlords to the Housing and Property Chamber?**

*Please give us your comments.*

There were 8 responses to this part of the question.

## Appendix 4 – Respondents’ Comments

**If you think the Council should make referrals to the tribunal on behalf of any other groups of people, please tell us who and why?**

1	I'd say there is already a certain vulnerability being a private tenant. In dealing with matters including complaining it is then worse if there is any vulnerability.
2	Unless it's a matter of public safety, then it's nothing to do with the Council. Will you be offering the same service in reverse, ie supporting landlords who have problems with messy destructive tenants?
3	In my view, vulnerable groups of people are the most likely to be taken advantage of by landlords who do not provide the minimum standard of accommodation. For many the process of applying for a tribunal is too complex and is therefore a barrier to the tenant receiving the legal help they need. The council could have a massive positive impact if they were to offer applications of behalf of tenants who are in a precarious situation, such as pensioners and people living with disabilities or mental health problems.
4	Other residents. If matters like this are not 'referred' essential repairs will not be carried out.
5	The council service should provide advice, support and referrals to all tenants.
6	The Council should be more proactive in assisting the communities and council tax payers in their city to deal with the multitude of problems in relation to private rented properties notably with absentee landlords.
7	I think the council should support ALL people in the private rented sector wrt tribunal applications
8	Those with special needs Those with disabilities Vulnerable adults Asylum seekers Those with limited English who are being taken advantage of
9	Yes. As it is very difficult for our voice to be heard. If councils get involved then we may be taken seriously
10	People require support to make sure their legal rights are respected
11	Neighbours should be able to refer  I refer mainly to gardens that are not maintained
12	Tenants from other countries who generally have no idea of the laws and practices regarding renting in Scotland.

## Appendix 5 - Respondents' Comments

**Would you like to make any further comment about how the Council supports tenants to refer landlords to the Housing and Property Chamber? - Please give us your comments.**

1	<p>I'm not sure if private tenants who don't need support necessarily know their rights. Perhaps a leaflet should be made available - or perhaps the information online?</p> <p>Your consultation is in respect of those who might need additional support, but I would have thought that such tenants would be the clients of a support organisation? So surely the support organisation would help the tenant? So, is this strictly necessary? Just a thought - but I guess the Council must have its reasons.</p>
2	<p>Already covered by other legislation -- no need for Council to get involved. Council already overstretched in too many areas that it's got involved in and underperforming.</p>
3	<p>Many of the landlords on our estate only care about money and use agents as a 3rd party and try and distance themselves from liability. There needs to be huge reform in respect of how easy it is in Edinburgh, and elsewhere for that matter, to buy a property and rent out it out with no care of the local area or impacts buy to let's. There is no difference with this and Air B&amp;B same issues, same problems. A cap is required in both areas, a maximum of homes to be rented out</p>
4	<p>Yes. Last year I had a repairs case go to the tribunal and received a decision in my favour. I was however astounded by two things:</p> <ol style="list-style-type: none"> <li>1) that the whole process of communication was done on paper and by post! in 2018!! - I strongly recommend moving quickly to an online system or at least using email</li> <li>2) that the two parties have to arrange payment between themselves, I got lucky that the landlord paid up, but this should be enforced by the HPC</li> </ol>
5	<p>I would like to see definitive, strict and PROACTIVE action if a tenant needs to be referred on. Then I would like to see hard and fast action to nip things in the bud. It often feels like the Council simply "go through the motions" or just tick boxes as part of their paperwork.</p>
6	<p>The skills of the council staff should be available to support all tenants.</p> <p>There is no point in restricting this valuable knowledge, by sharing and supporting more applicants, the general standard of referrals to and decisions from the Housing and Property Chamber could be improved</p>
7	<p>You should work to resolve issues before they create additional time and resource problems for you in future. For instance, you can disregard this issue entirely but you would then be faced with the possible paperwork and time required to deal with issues like unpaid council tax, people being forced to leave their homes with no alternative option, complaints from other residents and calls for action to be taken to resolve the multitude of secondary issues arising.</p>
8	<p>I rent a property via a rental agency company in Edinburgh and have issues with a lack of action or acknowledging liability for maintenance and ensuring the structural integrity of the building despite repeatedly notifying the rental agency and the landlord. Defects in the ground floor flat I rent include a floor that appears to have and probably continue to sink with a resulting gap in the skirting that you could easily stick your hand through. Also, a variety of large cracks in worrying locations such as at the 'shear' point above doors where bowing in the lintel occurs. These are also at other locations. I am a Civil Engineer and understand some of the issues that could be causing this such as subsidence etc. Any required works are 'postponed' but I have no confidence that any repairs will be carried out. I tried to contact someone in the City of Edinburgh Council but could not obtain sufficient usable information as to who this could be raised with which is disappointing to say the least. Hence, I fell badly let down and concerned as to the safety of my family who live in these conditions. I do not feel I</p>

have had any support from anyone and have no voice or powers to take this forward positively and rental agencies and landlords, from my experience, seem to be able to get away with these types of disgraceful activities, or lack thereof. Something is very much wrong with the private rental system and drastic change appears to be required as a matter of urgency.

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# Regulatory Committee

9.30am, Monday, 21 October 2019

## Internal Audit – HMO Licensing – referral from the Governance, Risk and Best Value Committee

Executive/routine  
Wards  
Council Commitments

### 1. For Decision/Action

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- 1.1 The Governance, Risk and Best Value Committee has referred the attached HMO Licensing Audit to the Regulatory Committee for review and scrutiny.

**Laurence Rockey**

Head of Strategy and Communications

Contact: Jamie Macrae, Committee Officer

E-mail: [jamie.macrae@edinburgh.gov.uk](mailto:jamie.macrae@edinburgh.gov.uk) | Tel: 0131 553 8242

# Referral Report

## Internal Audit – HMO Licensing – referral from the Governance, Risk and Best Value Committee

### 2. Terms of Referral

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- 2.1 The Governance, Risk and Best Value Committee on 13 August 2019 considered a report by the Chief Internal Auditor, [Internal Audit Annual Opinion for the year ended 31 March](#), which detailed the outcome of the audits carried out as part of the Council's 2018/19 Internal Audit annual plan and the status of open Internal Audit findings as at 31 March 2019.
- 2.2 The Governance, Risk and Best Value Committee agreed:
- 2.2.1 To note the Internal Audit opinion for the year ended 31 March 2019.
- 2.2.2 To request that the Chief Executive, Executive Directors and Chief Officer of the Edinburgh Health and Social Care Partnership, supported by the Chief Internal Auditor, report to the relevant Executive Committee at the earliest opportunity and the subsequent Governance, Risk and Best Value Committee setting out clear plans to ensure the closure of all historic and overdue internal audit management actions to enable an improvement to the overall Internal Audit Opinion for 2019/20.
- 2.2.3 To refer all audits with a red finding to the next meeting of the appropriate Executive Committee for their consideration and to agree that action plans would be reported back to the Governance, Risk and Best Value Committee.
- 2.3 This report therefore refers the HMO Licensing audit to the Regulatory Committee for consideration.

### 3. Background Reading/ External References

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- 3.1 [Internal Audit Annual Opinion 2018/19](#) – report by the Chief Internal Auditor
- 3.2 [Governance, Risk and Best Value Committee – 13 August 2019 – Webcast](#)



**4. Appendices**

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Appendix 1 – Internal Audit – HMO Licensing

# ***The City of Edinburgh Council***

## **Internal Audit**

### **HMO Licensing**

Final Report

8 August 2019

PL1803

**Significant  
improvement  
required**

Significant and / or numerous control weaknesses were identified, in the design and / or effectiveness of the control environment and / or governance and risk management frameworks. Consequently, only limited assurance can be provided that risks are being managed and that the Council's objectives should be achieved.

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Appendix 2: Areas of audit focus	16

This internal audit review is conducted for the City of Edinburgh Council under the auspices of the 2018/19 internal audit plan approved by the Governance, Risk and Best Value Committee in March 2018. The review is designed to help the City of Edinburgh Council assess and refine its internal control environment. It is not designed or intended to be suitable for any other purpose and should not be relied upon for any other purpose. The City of Edinburgh Council accepts no responsibility for any such reliance and disclaims all liability in relation thereto.

The internal audit work and reporting has been performed in line with the requirements of the Public Sector Internal Audit Standards (PSIAS) and as a result is not designed or intended to comply with any other auditing standards.

Although there is a number of specific recommendations included in this report to strengthen internal control, it is management's responsibility to design, implement and maintain an effective control framework, and for the prevention and detection of irregularities and fraud. This is an essential part of the efficient management of the City of Edinburgh Council. Communication of the issues and weaknesses arising from this audit does not absolve management of this responsibility. High and Critical risk findings will be raised with senior management and elected members as appropriate.

# 1. Background and Scope

## Background

The City of Edinburgh Council's Licensing division operates as licensing authority for civic, taxi and private hire cars; and Houses in Multiple Occupation (HMOs) licences. The Council Regulatory Committee and Licensing Sub-Committee deal with policy issues and license applications arising from these functions.

The Licensing Service processes approximately 22,000 licence applications each year covering approximately 130 licence types. The Service generates around £5 million in licensing fees which pays for its operating costs. Internal Audit conducted a full Licensing audit in 2016 and reviewed controls relating to civic and liquor licensing. The last HMO Licensing audit was performed in May 2015 when the Licence processing and inspections team were in separate divisions of the Council; both the functions were merged in 2016 transformation exercise.

The owners of a House in Multiple Occupation (HMO) are required under the [Housing \(Scotland\) Act 2006](#) to have an HMO licence issued by the local authority. A dwelling is classified as an HMO if it is:

- occupied by 3 or more unrelated persons, as their only or main residence; and
- is either a house, premises or a group of premises owned by the same person with shared basic amenities.

Additionally, the Scottish Ministers may also specify (by order) that an HMO licence is required for any other type of property.

This legislation therefore not only covers houses, flats and bedsits shared by 3 or more unrelated individuals but also dwellings such as hostels; student halls of residence; and separate dwellings that have communal facilities such as toilets, bathrooms, and kitchens.

The applicant needs to ensure that the accommodation is compliant with 18 HMO conditions designed to ensure minimum safety, quality, and management standards. It is a criminal offence to operate without a licence and under the Housing act, local authorities have enforcement powers<sup>1</sup>. Complaints about non-compliance in an HMO licensed accommodation are dealt by the Council's Enforcement division.

Following a consultation exercise, a new three years HMO licence and licence fee structure was approved by Council's Regulatory Committee on 21 April 2017. The new fee structure introduced broader fee bands based on occupancy.

HMO licence applications are received and recorded by the Customer team, along with supporting documents and fees accepted at the High Street Office. Applications received are recorded in the ACR system and then (if valid and complete) transferred to the licensing system (APP Civica), with daily reconciliations performed between the systems. ICT management has confirmed that both systems are hosted by CGI on behalf of the Council.

Applications and supporting documents are then reviewed by Licensing; followed by an internal and external consultation process; and inspection of the accommodation. The outcome of this process determines whether the licence application will be recommended for either approval or rejection (in line with delegated powers) or referred to the Council's Licensing Sub-Committee if cases are either contrary to policy or an objection has been received.

<sup>1</sup> Police Scotland also have enforcement powers should they wish to take action

Policy directs that all new licences (first grants) or cases sent to committee will be restricted to one year, otherwise a three years licence is awarded.

As required by the act, the Licensing division follows a statutory consultation process which involves the attendance of a fire officer at property inspections for first time applications and the submission of a consultation request to Police Scotland for all applications. A formal response is not always received from Police Scotland for these consultations, and if no response is received within the statutory notice period of 28 days then it is deemed a satisfactory response and the application is processed.

A further requirement placed on the Local Authority by the 2006 act is to publish and maintain a register of applications and the decisions made on them. This must exclude any information that may jeopardise the safety or welfare of any person or the security of the premises. The register must be readily accessible by the public at all reasonable times. The information required for publication of this register at the Council, is contained within the APP system. This system is used to process all licensing applications.

The most significant key Performance Indicators for the licensing division, as agreed with the Regulatory Committee, is to reach a decision within 72 days for 90% of HMO applications and (to support achievement of this timeframe) start processing at least 95% of applications within 7 days of their receipt.

The Council's Licensing service has used the APP system since April 2014 to process licences and provide management information to monitor service performance against agreed KPI's. There has been an ongoing issue with the stability and efficiency of this system which has had a detrimental impact on team productivity and performance. An upgrade is planned for APP system (to version 8.7), however Digital Services have confirmed that it is not going to improve Licencing module performance. An enhanced version of the system (Cx) is available and CGI, Digital Services and Licensing are currently working together to plan an upgrade to this version.

## **Scope**

This review assessed the design adequacy and operating effectiveness of the key HMO licensing controls established to manage the following key risks:

- Compliance with Council policies, procedures, and HMO licensing legislative requirements;
- Ensuring that processes remain robust in terms of potential risk of bribery or conflicts of interest;
- Ensuring inspection routines and operational processes are delivered consistently; and
- Poor ICT system performance and outage impacting team performance and productivity

Our areas of audit focus as detailed in our terms of reference are included at Appendix 2.

Testing was performed for the period of April 2018 to March 2019.

## **Limitations of Scope**

The subject of this review is limited to HMO licences' application processing and determination. Processing of other types of licences, as well as licensing enforcement processes and key controls are excluded from the scope of this review but will be considered in future reviews.

Further details on the scope of our review are included at Appendix 2 – Areas of Audit Focus.

## **Reporting Date**

Our audit work concluded on 3<sup>rd</sup> May 2019, and our findings and opinion are based on the conclusion of our work as at that date.

## 2. Executive summary

Total number of findings: 4

Summary of findings raised	
High	1. Licensing System – Data Integrity and Performance Issues
High	2. Collection and processing of HMO licence fees
Medium	3. Operational Performance and Reporting
Low	4. Training and guidance documentation

Further detail on the basis of the classifications applied to our findings is included at Appendix 1

### Opinion

#### Significant improvement required

Whilst our review did not identify any significant breaches of applicable legislation; statutory obligations; or Council standing orders, we did identify gaps in both the design and operating effectiveness of the key operational controls established to mitigate the risks associated with processing HMO Licence applications and payments that are significantly impacting upon operational performance.

#### APP Civica system limitations

Most notably, there are a number of limitations with ongoing use of the APP Civica system that are impacting both user experience and the ability to completely; accurately and efficiently process HMO licencing applications and payments in line with applicable key performance targets, and effectively maintain the licencing register in line with applicable statutory requirements.

Management has advised that implementation of the latest version of the system (Cx) is planned, however there are currently no established plans to support this.

#### Completeness of income

We confirmed that there are currently no established procedures to support timely identification; matching; and allocation of BACS licencing fee receipts against applications received, with all unmatched BACS receipts retained in a general (non-Licencing) suspense account.

As the HMO licencing service is solely funded by income generated through application fees, it is essential to ensure that the full population of BACS licence fee payments are identified and processed in a timely manner.

#### Moderate control weaknesses

We also identified some control weaknesses that are having a moderate impact on Licencing's operational performance. These included lack of established procedures and guidance in relation to the number of inspection revisits to be performed for each application prior to granting an HMO licence; the need to improve the process for allocation of workload to inspections officers to address the risks associated with lone working, and ensure that inspection outcomes are consistently recorded on standard electronic proformas using iPads; lack of published guidance detailing the process for applicants to request refunds; the need to document and retain evidence of reconciliations performed to confirm that all applications received have been completely recorded on the APP Civica system; and the need to review existing and develop new HMO licencing performance measures to support ongoing performance reporting to the Regulatory Committee.

Consequently, two High; two Medium and one Low rated findings have been raised.

### **Areas of good practice**

The Licencing Team has recognised the need to understand the skills of the inspections team, and are currently developing an inspections team skills matrix with the objective of identifying skills gaps.

Management has advised that training will be developed and delivered to address the skills gaps identified, ensuring that inspection team members are fully equipped to perform their roles to the required standard, and each member of the team feels confident in their ability to perform their role to the required standard, and ensure consistency of inspections.

Another area of good practice is the weekly protection of Tuesday mornings each week to share information that the team should be aware of (for example regulatory or legislative updates) and address any team queries.

## 3. Detailed findings

### 1. Licensing System – Data Integrity and Performance Issues

High

The current version of the APP system does not include protected system fields or in-built system milestones to support HMO licence applications' data integrity.

Management has also advised that there have been numerous instances of poor system performance including initial log on issues; slow processing; and system inaccessibility resulting in application backlogs.

Limitations of the current system impair the Council's ability to meet its performance targets and also to comply with the statutory requirement to maintain a licencing register. Although management has advised that the Council is currently compliant with this requirement, the limitations of the system makes it much more manually resource intensive to maintain and the format of the register published is not as accessible as it could be on mobile or portable electronic devices.

An updated version of APP system, Cx, is available and is tailor made for license processing. Digital Services has advised that plans are in place to consider the business case for the upgrade to Cx in August/ September 2019 however Internal Audit has not been provided with any timebound project plan to achieve this.

Licensing management has advised that the longer term plan is to move to APP version 8.7, although the Change request submitted to CGI is for an upgrade to APP Civica CX, and has also confirmed that the system issues have been reported to the Regulatory Committee.

#### Risks

The potential risks associated with our findings are:

- Key data altered in the system resulting in inaccurate or incomplete licence processing,
- Potential non-compliance with Article 5(1)(f) and Article 32 of the EU General Data Protection Regulations
- Critical steps of licence processing not completed and unmonitored,
- Delayed processing of applications
- Potential failure to continue to meet the requirements of part 5 of the Housing (Scotland) Act 2006 to maintain an up to date register of applications and decisions,
- Inefficient use of staff resources due to system performance issues,
- Key system issues leading to impact on the performance not appropriately reported to senior management and governance forums for visibility, scrutiny and remedial actions.

#### 1.1 Project plan

Digital Services and Licensing division should jointly have a consultation with CGI to create a mutually agreeable timebound project plan for the implementation of APP Cx version.

#### 1.1 Agreed Management Action – Project plan

##### Response from Digital Services

Digital Services resources have now been allocated to work with both the Licencing team and CGI to progress the change request for the upgrade to APP Civica CX, and this will involve developing a plan to support implementation of the system upgrade that includes details of all relevant activities to be completed and implementation timeframes.



## Response from Licencing

The Place Directorate and Digital Services have made change requests for CGI to provide analysis on the business benefits, costs and risks of moving to the APP. These change requests are outstanding from CGI from 2018. Upon receipt of this analysis the Directorate will agree with the Resource Directorate a project plan for approval by senior managers,

**Owner:** Stephen Moir, Executive Director of Resources

**Contributors:** Nicola Harvey, Head of Customer and Digital Services; Heather Robb, Chief Digital Officer; Alison Roarty, Commercial Team Lead; Layla Smith, Business Manager; Julie Rosano, Executive Assistant

**Implementation Date:**

20 December 2019

## 1.2 Recommendation - Escalation of system issues

A paper, highlighting system issues with current version of the APP system along with a proposed plan to fix those, should be submitted to the relevant Licensing and ICT Executive Committees.

## 1.2 Agreed Management Action - Escalation of system issues

The Place Directorate has previously reported on operational performance issues to the Regulatory Committee in 2018. The Place Directorate will include a full assessment of system issues with APP within a wider performance report due to be submitted to Regulatory Committee in the last quarter of 2019/20. This report will include an update on proposed project plan for APP Cx

**Owner:** Paul Lawrence, Executive Director of Place

**Contributors:** Michael Thain, Head of Place Development; Andrew Mitchell Regulatory Services Manager; Alison Coburn, Operations Manager; Sandra Harrison, Executive Assistant.

**Implementation Date:**

31 March 2020

## 2. Collection and processing of HMO licence fees

High

There is currently no established procedural documentation or guidance to support identification and matching of funds to applications received; and processing of HMO application fees received via BACS payments directly into the Council's main bank account.

A considerable volume of licence fee payments are received via BACS (typically from agents and institutional applicants), with no licence application or property number reference numbers provided. It was not possible to quantify either the volume and value of BACS payments received, or those that remained unmatched to HMO applications received due to the lack of standardised referencing.

Lack of standard references result in difficulties matching and allocating funds received against a specific HMO licence application. The complexity of the process further increases when accumulated payments are received for more than one HMO application.

BACS payments received that cannot be matched or allocated against a licence are retained in a general Council bank account. Details of unallocated receipts are included in a general Council-wide exceptions list which is circulated to all departments by the Banking team for review and comparison with expected payments for pending applications.

Given the volume of Licensing applications (including HMO) and absence of clearly defined payment references, it is not always possible to identify and reconcile the exceptions list against the applications pending for payment.

## Risk

The potential risks associated with our findings are:

- Licencing application fees may not be matched against the correct licencing application;
- The HMO application may not be processed due to outstanding payment;
- Application processing KPIs may not be achieved;
- Licencing fee income may not be allocated against the correct general ledger cost centre and reflected in Licencing reserves; and
- Financial performance targets may not be achieved due to understated income.

### 2.1 Recommendation - BACS Payment Reference

The Licensing team, in consultation with Banking team, should develop a procedure to support identification; matching of funds to applications received; and processing of HMO application fees received via BACS payments

This procedure should include (but not be restricted to)

- development and implementation of standard references to be provided with all BACS payments;
- details of the process to be applied to identify and match the fees against applications and / or properties;
- clarification regarding whether applications can be submitted electronically or should be submitted in hard copy only.

A customer guidance note should also be developed and published on the Council website for licence applicants, detailing the alternative ways to apply and make payment for licences.

### 2.1 Agreed Management Action - BACS Payment Reference

It should be noted that measure are in place to ensure that no application is progressed without the required fee being reconciled. This reflects the statutory process and the need to ensure that the Council treats applications for a renewal lawfully unless the reconciliation process can evidence a payment has not been made.

There is no evidence from directorate monitoring the level of income from HMOs licence applications which would demonstrate that fees are not being collected. Any unmatched fee not identified will in effect contribute to the Council's general revenue account and therefore there is no financial loss to the Council.

The Internal Audit recommendation outlined above is not accepted as it not believed to be achievable. Therefore Licencing; Customer; and Finance will investigate potential solutions re the BACS issue, (including any potential scope for a technology solution) to address this risk. These options will be reviewed with Internal Audit and a longer term solution identified and implemented.

It has been agreed with Internal Audit that (once the solution has been identified) another audit finding will be raised that will monitor implementation of the solution to confirm that it is operating effectively.

In the meantime, a statement will be added to the Licencing pages on the Council's external website and application forms advising customers of what reference must be used to successfully make a BACs payment.

**Owner:** Paul Lawrence, Executive Director of Place

**Contributors:** Michael Thain, Head of Place Development; Andrew Mitchell Regulatory Services Manager; Alison Coburn, Operations Manager; Sandra Harrison, Executive Assistant.

**Implementation Date:**  
30 March 2020

**Inspection Revisit policy**

When inspection officers identify issues or anomalies during HMO property inspections, they may schedule a revisit for a later date to ensure that they have been addressed prior to granting the HMO licence. However, there is currently no documented policy stating the maximum acceptable number of revisits to be performed for each HMO application prior to refusal.

Internal Audit requested details of the volume of revisits performed for each application during the 2018/19 financial year, but this data could not be provided.

Management has advised that there are often multiple revisits for each application and that they are not consistently recorded on the system. Management has also confirmed that team briefings have been held and email guidance provided on revisits.

**Allocation of Inspections**

HMO inspections scheduled for the forthcoming week are reviewed one week in advance by a member of the inspection team to assign available time slots against the geographical location of each property. Team Leaders then allocate these time slots to each Inspection Officer.

Management has also advised that some inspection officers also reallocate the inspections amongst themselves without informing Team Leaders (TL) or management.

**Inspection documentation**

Site inspections for renewal applications should be performed using a standardised template on a Council iPad, enabling the Inspection Officer to prepare the inspection report on site and send it immediately to the applicant.

Review of a sample of 25 inspections established that 10 had been recorded on paper form. Licensing team were also unable to locate the supporting documentation for one inspection included in our sample.

We also noted that inspection officers record inspection outcomes for new applications on paper instead of using the iPad template. Team Leaders informed that it is due to the requirement of fire inspection report in new applications which is manually prepared by the Fire Officer. The manual inspection report is subsequently combined with the manual Fire Officer's report.

**Licence Fee Refunds**

The Council's Licence [Refund Request policy](#), available on the Council's external website, states the circumstances under which a refund of a licence fee can be made. It does not however provide the applicant with guidance on how to request a refund. Currently, customers request refunds directly from the Licensing officer who is processing their application, which is subsequently approved by either the Licensing Manager or next level manager.

**Reconciliation - Paper Applications to APP records**

Our review noted that Customer team's daily reconciliation between electronic application records created on the APP and paper applications is not documented. As there is no audit trail supporting this reconciliation, Internal Audit can therefore not confirm whether this control is effective in ensuring that all paper applications received have been processed via APP.

**Reporting**

The Licensing team provides performance reports against its two KPIs to the Regulatory Committee every six months. However, we noted that numbers related to HMO licensing are excluded for one of the two KPIs. The rationale supporting exclusion of the HMO performance data is not clearly stated in the performance report and is only referenced in the appendix.

Management has advised that the KPI for 90% applications to be processed within 72 days is an unrealistic expectation for HMO applications.

## Risk

The potential risks associated with our findings are:

- Inefficient use of inspection resources; inefficient processes; increased application backlogs; and failure to achieve KPI performance targets,
- Revisit inspection costs result in unit cost (processing cost) per licence that are disproportionate to licencing fee income;
- Lone working health and safety risk when inspection officers reallocate inspections without informing TLs or management
- Poor customer experience in relation to refunds, and inconsistency in the nature of refund requests received;
- Potential conflict of interest or bribery risk with refund requests made directly to Licensing officers who are processing the application;
- Subjective inspection outcomes and decisions where the standard iPad pro forma is not used;
- HMO applications are not completely recorded in APP system and are not processed; and
- Performance against KPIs for HMO applications is not provided to the Regulatory Committee for scrutiny by the Committee, and underlying performance issues may not be identified and resolved.

### 3.1 Recommendation – Inspection Revisit Policy

The Licensing team should develop and implement an inspection revisit policy that should include (but not be limited to):

- a) instance when a revisit is required prior to granting the licence;
- b) the maximum number of revisits to be performed prior to the application being refused;
- c) the minimum and maximum timeframes between revisits;
- d) the approval procedure to applied for more than one revisit for an application;
- e) processes supporting scheduling; and recording the results of revisits;
- f) when an application should be refused based on successive unsatisfactory revisits and
- g) the fee to be charged (if permitted under legislation) for any additional revisits requested by the applicants.

The procedure should be communicated to and appropriate checks established to ensure that it is consistently applied by all Team Leaders and Inspection Officers.

### 3.1 Agreed Management Action - Inspection Revisit Policy

It is not legally possible to refuse a licence application based on number of visits as legislation requires that each case is considered on its merits and any policy that removes discretion would be at high risk of legal challenge.

A new procedure is currently being drafted that will ensure a consistent approach and any decision on number of revisits is controlled by managers of the service to reduce the number of unnecessary revisits.

We will amend current codes used in the APP Civica licencing system to ensure a 3-stage process for inspection and revisit is applied going forward. This will include creation of:

- a new unique single action code for an Initial inspection
- a new unique single action code for a Revisit inspection to offer a 7,14 21 or max 28-day time frame to complete any outstanding works – only available after an initial inspection has taken place
- a new unique action for a single Team Leader/Manager Review Inspection – only available in exceptional cases where additional guidance is sought by the inspector and must be authorised by a team leader/manager

**Owner:** Paul Lawrence, Executive Director of Place

**Contributors:** Michael Thain, Head of Place Development; Andrew Mitchell Regulatory Services Manager; Alison Coburn, Operations Manager; Sandra Harrison, Executive Assistant.

**Implementation Date:**  
31 Dec 2019

### 3.2 Recommendation – Allocation of Inspections

- Inspection officers should be encouraged to assign themselves to the available weekly inspections by Wednesday of the previous week. Team Leaders should then review the schedule to confirm that inspectors have been effectively allocated across the geographies; update (as required); and finalise the inspection schedule.
- Inspection Officers should be reminded that reallocation of inspection is not permitted, detailing the risks involved, and where required, the inspection officers should request the reallocation to Team Leaders.

### 3.2 Agreed Management Action – Allocation of inspections

This process has been revisited with all team members and they are reminded all changes to be approved by Team Leaders as per the existing procedure

Reports are being designed in APP which will further strengthen this. These will ensure that inspections are based on resources available for the coming week. The allocation of inspections will be electronically passed to the TLs for efficiently checking and sign off.

The new reports and process for running/allocating the inspections are scheduled to be implemented at the end of October 2019

**Owner:** Paul Lawrence, Executive Director of Place

**Contributors:** Michael Thain, Head of Place Development; Andrew Mitchell Regulatory Services Manager; Alison Coburn, Operations Manager; Sandra Harrison, Executive Assistant.

**Implementation Date:**  
30 November 2019

### 3.3 Recommendation - Inspection documentation

Inspection Officers should consistently document their inspections outcomes (for both new and renewal applications) using the predesigned iPad template.

Team Leaders should review a sample of completed inspection reports to ensure that outcomes are being consistently recorded using the iPad template. Where exceptions are found, these should be discussed with the relevant inspection officers and included in their monthly performance discussions.

### 3.3 Agreed Management Action – Inspection documentation

A revised version of the electronic Inspection sheet for inspecting new properties is being prepared together with an electronic inspection sheet for the Fire Service and Public Safety teams. This will enable all officers involved in a new inspection to use iPADS to create and produce an inspection sheet using an electronic template. The revised procedure will put in place proportionate checks by the team leaders to ensure that the electronic template is being used.

**Owner:** Paul Lawrence, Executive Director of Place

**Contributors:** Michael Thain, Head of Place Development; Andrew Mitchell Regulatory Services Manager; Alison Coburn, Operations Manager; Sandra Harrison, Executive Assistant.

**Implementation Date:**  
31 Oct 2019

### 3.4 Recommendation - Refund Request Policy

The refund policy should be updated to include: the process for an applicant to request a refund of their HMO licence fees. This should include:

- a) how to request a refund (for example, by email/letter);
- b) link to a refund request form; and
- c) how the refund payment will be made (for example, cheque/electronic credit).

The updated refund policy should be published on the HMO License section of the Council website.

### 3.4 Agreed Management Action - Refund Request Policy

The established policy approved by Regulatory Committee is that refunds will only be authorised in very exceptional circumstances, for example, serious illness. Guidance on how to request a refund form is therefore not appropriate.

Licensing will ensure that the terms of the Policy are more clearly referenced on application forms and the Council website so that customers are aware of the terms of the policy, and will advise that in exceptional circumstances, refund requests should be made by letter to the Licensing Manager.

**Owner:** Paul Lawrence, Executive Director of Place

**Contributors:** Michael Thain, Head of Place Development; Andrew Mitchell Regulatory Services Manager; Alison Coburn, Operations Manager; Sandra Harrison, Executive Assistant.

**Implementation Date:**  
20 September 2019

### 3.5 Recommendation – Reconciliation between physical applications and APP

The reconciliation between manual applications received and those recorded on the APP system should be documented on the APP report used to complete the reconciliation. This should include:

- a) the details of individual(s) performing the reconciliation;
- b) the date the reconciliation was performed;
- c) the volumes reconciled; and
- d) details of any discrepancies and their resolution.

These documented reconciliations should be retained either electronically or physically for a minimum of one year.

### 3.5 Agreed Management Action - Reconciliation between physical applications and APP

The reconciliation between manual applications received and those recorded on the APP system will be documented on the APP report used to complete the reconciliation and will include the details noted in the above reconciliation.

The reconciliations will be retained for a minimum period of one year.

**Owner:** Stephen Moir, Executive Director of Resources

**Contributors:** Nicola Harvey, Head of Customer and Digital Services; Neil Jamieson, Customer Senior Manager; Lisa Hastie, Customer Contact Manager; Gary Jardine, Customer Service Manager; Karen Donaldson, Customer Hub Team Leader; Layla Smith, Business Manager; Julie Rosano, Executive Assistant.

**Implementation Date:**

31 October 2019

### 3.6 Recommendation - HMO Key Performance Indicators and Performance Reporting

- Performance reports currently provided to the Regulatory Committee should clearly highlight the exclusion of HMO licence application performance statistics and the supporting rationale in the overall Licensing division performance statistics;
- Management should develop a suite of SMARTER (Specific, Measurable, Attainable, Relevant, and Time-Bound; Easily understood and Relative) HMO licencing key performance indicators (KPIs);
- The KPIs and their reporting frequency should be agreed with the Regulatory Committee; and
- Performance against the revised KPIs should be reported to the Regulatory Committee on an ongoing basis at the agreed frequency.

### 3.6 Agreed Management Action - HMO Key Performance Indicators and Performance Reporting

The Regulatory Committee were previously advised that HMO performance data would be excluded whilst the Licencing introduced the significant change of moving towards a three-year licensing system. Performance reports therefore only included Civic and Taxi data in the period 2015-2018

Licencing will be reporting to Regulatory Committee on the first cycle of three-year licencing for HMO's prior to the setting of Licensing Fees for 2020/21 in early 2020. The Directorate will include within that report relevant performance data and make recommendations for approval for performance targets ongoing performance targets.

**Owner:** Paul Lawrence, Executive Director of Place

**Contributors:** Michael Thain, Head of Place Development; Andrew Mitchell Regulatory Services Manager; Alison Coburn, Operations Manager; Sandra Harrison, Executive Assistant.

**Implementation Date:**

31 Jan 2020

## 4. Training and guidance documentation

Low

Discussion with Team Leaders confirmed that there is currently no established HMO licencing team induction process for new team members, and no evidence was provided to confirm that new

employees had received induction training. Currently, new team members shadow more experienced team members.

HMO application processing guidance documentation was last updated in 2017. Some temporary changes have been made to the process since then to deal with application backlogs, however the guidance has not been updated to reflect these changes. Management has advised that this is due to the expected implementation of APP Cx system in August / September 2019 (refer Finding 1).

## Risk

The potential risks associated with our findings are:

- New team members are not provided with sufficient training and guidance.
- Procedures are not adequate and applications may not be processed in accordance with current processes.

### 4.1 Recommendation - Induction process

The induction process should be established for new HMO licensing team members. This should include coverage of all relevant HMO application and payment processes associated with the role and completion of induction checklist.

#### 4.1 Agreed Management Action - Induction process

Regulatory Services introduced a service specific induction program for all teams in 2018 in order to ensure that all new starts are appropriately supported.

Written Induction packs for the licensing service were created and will be used for all new staff. The pack includes a 6-week training programme which will be tailored for each new start depending on where they sit within the service

The member of staff identified by the audit had been assigned alternate duties was not therefore familiar with the process. This has been addressed with the individual concerned. Appropriate refresher briefings will be given for all managers within the service.

**Owner:** Paul Lawrence, Executive Director of Place

**Contributors:** Michael Thain, Head of Place Development; Andrew Mitchell Regulatory Services Manager; Alison Coburn, Operations Manager; Sandra Harrison, Executive Assistant.

**Implementation Date:**

30 Sept 2019

### 4.2 Recommendation - HMO application processing procedures

HMO application processing guidance should be reviewed and updated on a regular basis to ensure that it remains aligned with applicable legislative requirements and the Council's processes.

#### 4.2 Agreed Management Action - HMO application processing procedures

The legislation in this area has not changed for some time nor are any changes anticipated.

For changes in operational processes revised guides have been created. For example, the HMO processing guide is currently being updated to reflect minor changes in HMO processing. These revised user guides will be rolled out across the whole service in November after the opportunity is taken for the licensing team self-assessment and Training Needs Analysis programme, due to start in October/November 19. This will reinforce the training



**Owner:** Paul Lawrence, Executive Director of Place

**Contributors:** Michael Thain, Head of Place Development; Andrew Mitchell Regulatory Services Manager; Alison Coburn, Operations Manager; Sandra Harrison, Executive Assistant.

**Implementation Date:**

31 Dec 2019

# Appendix 1: Basis of our classifications

Finding rating	Assessment rationale
<b>Critical</b>	<p>A finding that could have a:</p> <ul style="list-style-type: none"> <li>• <b>Critical</b> impact on the operational performance; or</li> <li>• <b>Critical</b> monetary or financial statement impact; or</li> <li>• <b>Critical</b> breach in laws and regulations that could result in material fines or consequences; or</li> <li>• <b>Critical</b> impact on the reputation of the Council which could threaten its future viability.</li> </ul>
<b>High</b>	<p>A finding that could have a:</p> <ul style="list-style-type: none"> <li>• <b>Significant</b> impact on operational performance; or</li> <li>• <b>Significant</b> monetary or financial statement impact; or</li> <li>• <b>Significant</b> breach in laws and regulations resulting in significant fines and consequences; or</li> <li>• <b>Significant</b> impact on the reputation of the Council.</li> </ul>
<b>Medium</b>	<p>A finding that could have a:</p> <ul style="list-style-type: none"> <li>• <b>Moderate</b> impact on operational performance; or</li> <li>• <b>Moderate</b> monetary or financial statement impact; or</li> <li>• <b>Moderate</b> breach in laws and regulations resulting in fines and consequences; or</li> <li>• <b>Moderate</b> impact on the reputation of the Council.</li> </ul>
<b>Low</b>	<p>A finding that could have a:</p> <ul style="list-style-type: none"> <li>• <b>Minor</b> impact on operational performance; or</li> <li>• <b>Minor</b> monetary or financial statement impact; or</li> <li>• <b>Minor</b> breach in laws and regulations with limited consequences; or</li> <li>• <b>Minor</b> impact on the reputation of the Council.</li> </ul>
<b>Advisory</b>	<p>A finding that does not have a risk impact but has been raised to highlight areas of inefficiencies or good practice.</p>

Please see the [Internal Audit Charter](#) for full details of opinion ratings and classifications.

## Appendix 2: Areas of audit focus

The areas of audit focus and related control objectives included in the review are:

Sub-process	Control Objectives
<p>Application receipt and recording (Customer Team)</p>	<ul style="list-style-type: none"> <li>▪ Customer team has robust procedures and processing and review controls in place to ensure that correct fee is applied and charged for HMO licence applications.</li> <li>▪ Daily cash and bank reconciliations are performed to ensure that all fee income is completely and accurately recorded (in the relevant general ledger code) and refunded (where applicable);</li> <li>▪ BACS payments received are completely and accurately matched to licensing applications received via e mail;</li> <li>▪ A daily reconciliation is performed between the ACR and APP systems ensure completeness of all applications registered and transferred to Licensing, with all exceptions investigated and resolved;</li> <li>▪ Refund payment procedures are sufficiently robust to prevent applications being transferred to Licensing division prior to receipt of payment.</li> </ul>
<p>Application review and assessment (Licensing Team)</p>	<ul style="list-style-type: none"> <li>▪ Workflow is consistently monitored to ensure that the impact of increased volumes on available resources can be assessed and addressed;</li> <li>▪ Workload is allocated to team members based on skills and experience;</li> <li>▪ Team members are aware that any potential conflicts of interest and / or bribery in relation to licence applications should be communicated to management. Where conflicts of interest / bribery, have been highlighted, work is reallocated;</li> <li>▪ Guidance; detailed procedures; and ongoing training have been developed and implemented to ensure that all team members understand the relevant legal requirements associated with assessment of HMO licence applications;</li> <li>▪ Standard inspection templates have been developed and are consistently applied to support completion of property inspections and the decision to recommend grant of licence;</li> <li>▪ The process for engaging with both statutory and non statutory consultees is consistently applied, with outcomes (including objections) consistently document and resolved, to ensure that the applicant and premises do not contravene applicable laws, regulations, or Council standing orders, and all opinions have been considered;</li> <li>▪ There is appropriate segregation of duties between team members processing applications and recommending the grant of licence;</li> <li>▪ A one year term is applied to all new licences, and cases submitted to committee, with three years for all other licences, in line with policy;</li> <li>▪ The Council's Scheme of delegation is consistently applied in relation to the decision to grant or refuse HMO licences or to refer to licensing sub-committee for determination; and</li> <li>▪ There are strong authorisation controls, compliant with delegation of authorities to authorise refund of fees where overpayments have been made, or discounts not applied.</li> </ul>

<p>Performance Framework and Reporting</p>	<ul style="list-style-type: none"> <li>▪ A performance framework has been established and consistently applied, and includes service standards; key performance indicators; and performance monitoring and reporting to relevant management governance forums and executive committees;</li> <li>▪ Service standards have been agreed between Customer and Licensing teams. Performance is regularly monitored and reported against those service levels to identify any challenges that could impact upon performance and areas for further improvement.</li> </ul>
<p>ACR and APP System Controls</p>	<ul style="list-style-type: none"> <li>▪ Appropriate system security controls (for example unique passwords and regular password changes) have been established and are consistently applied to ensure protection of customer data;</li> <li>▪ System access rights are appropriately allocated based on roles and responsibilities within the team, notably for new team members and any team members who have changed roles;</li> <li>▪ Regular user access reviews are performed to confirm that user access rights remain appropriate;</li> <li>▪ Appropriate disaster recovery and business continuity arrangements (including recovery time and recovery point objectives) have been established and tested for the ACR and APP systems. These objectives are aligned with CGI recovery time and point objectives and are sufficient to prevent loss of application data;</li> <li>▪ Ongoing system issues and their impact on performance are recorded and escalated to ICT and relevant governance forums;</li> </ul>